

ATTACHMENT 9: Draft Conditions of consent DA-2013/1419

DRAFT CONDITIONS

Approved Plans

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Drawing No.

[to be completed by Council]

and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

- 2 **Building Work - Compliance with the Building Code of Australia**
All building work must be carried out in compliance with the provisions of the Building Code of Australia.
- 3 **Construction Certificate**
A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within **two (2)** days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.
- 4 **Disability Discrimination Act 1992**
This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 (2009) – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.
- 5 **Restricted Vegetation Removal**
This consent permits the removal of trees and other vegetation from the site within three (3) metres of the approved buildings. This consent also permits the pruning of trees within three (3) metres of approved buildings in accordance with AS 4373-2007 Pruning of Amenity Trees. No other trees or vegetation shall be removed or pruned, without the prior written approval of Council.
- 6 **Separate Consent Required for Advertising Signage**
This consent does not authorise the erection of any advertising signage. Advertising signage will require separate Council consent, except where signage is exempt development.
- 7 **Maintenance of Access to Adjoining Properties**
Access to all properties not the subject of this approval must be maintained at all times and any alteration to access to such properties, temporary or permanent, must not be commenced until such time as written evidence is submitted to Council or the Principal Certifying Authority indicating agreement by the affected property owners.

- 8 **Protection of Public Infrastructure**
Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.
- 9 **Occupation Certificate**
A final Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.
- 10 **Geotechnical**
Hard bedrock where encountered will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.

Prior to the Issue of the Construction Certificate

- 11 **Footpath Pavement**
The developer is responsible for the construction of footpath paving for the entire frontage of the development. The paving type is to be in accordance with the City Centre Public Domain Technical Manual. A nominal two percent (2%) to two and a half percent (2.5%) cross fall maximum to be provided from property line to back of kerb. The footpath must be installed to the satisfaction of WCC.

This requirement shall be indicated on the final Landscape Plans submitted to the Principal Certifying Authority, prior to the release of the construction certificate.
- 12 **Section 73 Compliance Certificate**
A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

The Notice of Requirements must be submitted to the Principal Certifying Authority prior to issue of the construction certificate.
- 13 **Integral Energy Requirements**
The submission of documentary evidence from Integral Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Integral Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.

Note: Applications should be made to Customer Connections – South Coast, Integral Energy PO Box 6366, Blacktown 2148.
- 14 **Telecommunications**
The submission of documentary evidence from an approved telecommunications carrier to the Principal Certifying Authority confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

- 15 **Dilapidation Report Prior to Construction**
A Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the certifying authority prior to issue of the Construction Certificate.
- A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of a Construction Certificate.
- 16 **Crime Prevention through Environmental Design (CPTED) – Lighting**
All areas of the subject site which can be accessed by the public (including building entry points, communal open space areas, car parking areas and vehicle and pedestrian entrances) must have lighting provided in accordance with AS1158 (1999). This requirement shall be reflected on the Construction Certificate plans.
- 17 **Crime Prevention through Environmental Design (CPTED) – Basement Ceiling**
In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.
- 18 The submission of final design details of proposed security systems to be installed within the development to the Principal Certifying Authority, in order to minimise crime and vandalism related matters is required, prior to the release of the Construction Certificate.
- 19 **Closure Road Reserve**
Prior to issue of the Construction Certificate, the portion of road reserve in Rawson Street adjoining the southern side of Lot 91 DP 1118346 must be finalised and the subject land transferred to the landowner.
- 20 **Geotechnical Advice**
Geotechnical advice is required to recommend appropriate treatments for stress relief in the exposed rock faces during and after construction as well as for the design of foundation systems for the proposed development. The structural designs are then to be completed or modified in accordance with this advice. A copy of the advice is to be provided to the Principal Certifying Authority prior to issue of the Construction Certificate.
- 21 **Street Trees**
Provide minimum eight street trees to Rawson and Regent Street, species *Waterhousia floribunda*, size 200L. Tree pits must be detailed in accordance with the City Centre Public Domain Technical and installed to the satisfaction of WCC. Contact Dial Before You Dig and undertake any necessary pot holing to determine the location of existing services before excavating tree pits. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.
- 22 **Podium Planting**
All podium planting areas to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding to be installed to protect membrane from damage. All podium planting areas to be provided with an adequate drainage system connected to stormwater drainage system. Planter box to be backfilled with free draining planter box soil mix. If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter.
- This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.
- 23 **Site Driveway Threshold**
A change in driveway paving is required on site at the entrance threshold to clearly show motorists they are crossing a pedestrian area. The developer must construct the paving in accordance with the conditions, technical specifications and levels to be obtained from Council's Design and Technical Services. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

- 24 **Glass Reflectivity Index**
The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.
- 25 **Referral to Traffic Committee**
Where timed parking and associated restricted parking signage and meters are required to service the hotel, an application must be referred to Council's Traffic Committee prior to issue of the Construction Certificate.
- 26 **Car Parking and Access**
The development shall make provision for car parking as follows:
- Residents**
29 car parking spaces (including 3 spaces capable of adaption for disabled people as per AS2890.6)
2 motorbike spaces
8 bicycle spaces
- Residents Visitors**
5 car parking spaces
2 motorbike space
2 bicycle spaces
- Commercial**
69 car parking spaces (including 2 disabled parking spaces)
3 motorbike spaces
27 bicycle spaces
- Hotel Parking**
95 car parking spaces and 7 disabled car parking spaces
24 motorbike spaces
23 bicycle spaces
- Café**
3 visitor bicycle spaces.
- This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 96 modification to the development. The approved parking spaces shall be maintained to the satisfaction of Council, at all times.
- 27 The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1, except where amended by other conditions of this consent. Details of compliance are to be reflected on the Construction Certificate plans.
- 28 Each disabled person's parking space must comply with the current relevant Australian Standard AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.
- 29 The designated loading/unloading facility shall be kept clear for that purpose at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.
- 30 The provision of suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas. These details shall be reflected on the Construction Certificate plans.
- 31 **Security Roller Shutters for Basement Car Parking Areas**
The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is

required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifying Authority prior to the release of the Construction Certificate.

- 32 Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 to provide for adequate sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.
- 33 Bicycle parking must have adequate weather protection and provide the appropriate level of security as required by Table 3.1 of AS2890.3 (1993) - Bicycle Parking facilities and Austroads Guide to Traffic Management Part 11: Parking (Commentary 9: C9.2). This requirement shall be reflected on the Construction Certificate plans.
- 34 Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events must be incorporated in the design. Overflow paths must also be provided in low points and depressions. Details of each overflow path shall be provided on the detailed drainage design. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
- 35 Provision shall be made along the boundary of the property at the vehicular crossing/s to prevent waste and surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.
- 36 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) and stormwater must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 37 Details of the proposed method of connection of the On-site Detention (OSD) facility to Council's drainage system must be provided with the detailed drainage design for the site. The details must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
- 38 The developer must provide on-site detention storage for stormwater runoff from the development. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be designed in accordance with Council's On-Site Stormwater Detention Code and in accordance with the step-by-step methodology provided in Section 12.2.4 of Chapter E14 of Wollongong DCP 2009. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.
- 39 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 40 **Engineering Plans and Specifications - Retaining Wall Structures**
The submission of engineering plans and supporting documentation of all proposed retaining walls to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:
 - a A plan of the wall showing location and proximity to property boundaries;
 - b an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
 - c details of fencing or handrails to be erected on top of the wall;
 - d sections of the wall showing wall and footing design, property boundaries and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the

- e wall on existing ground levels. The developer shall note that the retaining wall and footing structure must be contained wholly within the subject property;
- f the proposed method of subsurface and surface drainage, including water disposal;
- f reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
- g the assumed traffic loading used by the engineer for the wall design.

41 **On-Site Detention – Structural Design**

Each on-site detention facility must be designed to withstand loadings occurring from any combination of hydrostatic, earth, traffic and buoyancy forces. Details must be provided demonstrating these requirements have been achieved prior to the issue of the Construction Certificate.

42 **On-Site Detention - Maintenance Schedule**

A maintenance schedule for the on-site stormwater detention system must be submitted with the Construction Certificate plans for the proposed development. The maintenance schedule must be in accordance with Council's On-Site Stormwater Detention Code and Chapter E14 of Wollongong DCP 2009.

43 **Landscaping**

A final Landscape Plan must be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate. The plan must be in accordance with the requirements of Wollongong City Council Landscape DCP 2009 Chapter E6 Landscape.

44 The final Landscape Plan shall address the following requirements:

- a The entry foyer unit paver type is to be terminated at the boundary and not extend to the kerb. The unit paving type as specified within the City Centre Public Domain Technical Manual is to be installed between the site boundary and the kerb.

The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of Occupation Certificate.

45 The provision of common tap(s) and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be indicated on the Landscape Plan for the Construction Certificate, as detailed in the Wollongong City Council Landscape Technical Policy No 98/4. This requirement shall be reflected on the Landscape Plan prior to the release of the Construction Certificate.

46 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

47 The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifying Authority prior to release of the Construction Certificate.

48 **Detailed Drainage Design**

A detailed drainage design for the proposed development shall be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of the Wollongong DCP 2009 and conditions listed under this consent. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

49 **On-Site Detention – Design Criteria**

Each on-site stormwater detention facility shall incorporate a minimum 900 mm square lockable grate for access and maintenance purposes, provision for safety, step irons where the tank depth exceeds 1.2 metres, a debris control screen, and a suitably graded invert to the outlet to prevent ponding. Also, details of each orifice plate including diameter of orifice and method of fixing shall be provided. These requirements shall be reflected on the Construction Certificate plans.

- 50 **Orifice/Weir Calculations**
Orifice and weir calculations for each on-site stormwater detention (OSD) facility shall be provided to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. These calculations shall be in accordance with Section 12.2.6 and 12.5.4 of Chapter E14 of the Wollongong DCP2009. Each orifice shall be of circular shape, designed to allow free discharge, and have no influence from any tailwater levels in the downstream drainage system.
- 51 **On-Site Detention – Identification**
The construction certificate plans are to detail a corrosion resistant identification plaque for location on or close to each on-site stormwater detention (OSD) facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
- The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number – DA-2013/1419.
 - Any specialist maintenance requirements.
- 52 **Existing/Proposed Levels**
Existing and proposed levels to Australian Height Datum (AHD), including floor, ground, grate, pipe inverts, overflow paths, and pavement levels shall be shown on the detailed drainage design. This requirement shall be reflected on the Construction Certificate plans and supporting documentation
- 53 **Sizing of Drainage**
All roof gutters, downpipes, pits, sumps, and pipelines draining roof areas and other impervious surfaces to the on-site stormwater detention (OSD) system, shall be designed to cater for a 1 in 100 year ARI storm event with allowance for runoff from vertical surfaces in accordance with AS 3500.3 (2003) – Plumbing and Drainage (Stormwater Drainage). Details of all gutter/downpipe/pit/sump/pipeline sizes and locations shall be reflected on the Construction Certificate plans.
- 54 **Pump System**
A pump system shall be provided in association with the detailed drainage design for the site to cater for stormwater from a prolonged/extreme storm event entering the basement. The pump system shall be designed by a suitably qualified and experienced civil engineer and reflected on the Construction Certificate plans and supporting documentation.
- 55 **Protection of Buildings from Ingress of Stormwater Runoff**
Detailed design of the development shall ensure that there will be no ingress of surface stormwater runoff into the proposed building. All building entrances shall be provided with a suitable freeboard above the adjacent blocked pipe situation 100 year ARI water surface level. These requirements shall be reflected on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate.
- 56 **Stormwater Connection to Kerb**
Connection across footways shall be by means of one or two (maximum) 100mm diameter pipes with a continuous downslope gradient to the kerb. Connection to the kerb shall be made with a rectangular, hot dipped galvanised mild steel weephole(s) shaped to suit the kerb profile, with each weephole having the capacity equal to a 100mm diameter pipe. Alternatively, a maximum of two 150mm x 100mm hot dipped galvanised steel pipes may be used across footways, with the 150mm dimension being parallel to the road surface to suit the kerb profile.
- 57 **Development Application DA-2009/750 (as Modified)**
The Section 94A contribution paid in relation to the Stage 1 bulk excavation works approved under DA-2009/750 (as modified) may be refunded upon surrender of that development consent. Surrender must occur in the format required by the Environmental Planning and Assessment Act 1979, prior to issue of the Occupation Certificate for DA-2013/1419.

Section 94A Levy Contribution

The following Section 94A Levy Contribution is required towards the provision of public amenities and services in accordance with the Wollongong City Council Section 94A Development Contributions Plan.

Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Wollongong City Council Section 94A Development Contributions Plan, a contribution of \$1,325,400.00 shall be paid to Council prior to the release of any associated Construction Certificate.

The amount to be paid will be adjusted at the time of actual payment, in accordance with the provisions of the Wollongong City Council Section 94A Development Contributions Plan. The Consumer Price Index All Group Index Number for Sydney at the time of the development application determination is 155.6.

The following formula for indexing contributions is to be used:

Contribution at time of payment = **\$C x (CP2/CP1)**

Where

\$C is the original contribution as set out in the Consent

CP1 is the Consumer Price Index (all groups index for Sydney) used in the proceeding indexation calculation

CP2 is the Consumer Price Index (all groups index for Sydney) at the time of indexation

Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website Catalog No 6401.0 - Consumer Price Index, Australia.

A copy of the Wollongong City Council Section 94A Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au.

(Reason: To provide high quality and diverse public amenities and services to meet the expectations of the existing and new residents of Wollongong City Council).

Prior to the Commencement of Works

59 Geotechnical Support for Excavation

All excavations must be supported during and after construction particularly to protect adjoining property. Selection of appropriate means of support is to be based on geotechnical advice.

60 Construction Environmental Management Plan

Prior to commencement of works, a Construction Environmental Management Plan is required to be submitted to the Principal Certifying Authority. The plan shall address as a minimum vehicle traffic, odour and vapour, dust, plant and machinery noise, water and sediment management, surface water, subsurface seepage and accumulated excavation water, sediment from equipment and cleaning operations, site security, working hours, contact information, incident response and emergency management. A copy of the plan shall be provided to Council.

61 Excavated Soil Material Disposal Plan

Prior to commencement of works, an Excavated Soil Material Disposal Plan is required to be submitted to the Principal Certifying Authority. The plan shall include batching, sampling and analysis procedures in accordance with the NSW Department of Environment Climate Change and Water 2009 *Waste Classification Guidelines*. The plan shall be prepared by a suitably qualified and experienced consultant. A copy of the plan shall be provided to Council.

62 Sign – Supervisor Contact Details

Before commencement of any work, a sign must be erected in a prominent, visible position:

- a stating that unauthorised entry to the work site is not permitted;

- b showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- c showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

63 **Temporary Toilet/Closet Facilities**

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- a a standard flushing toilet; and
- b connected to either:
 - i the Sydney Water Corporation Ltd sewerage system or
 - ii an accredited sewage management facility or
 - iii an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

64 **Structural Engineer's Details**

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifying Authority, prior to the commencement of any works on the site.

65 **Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

66 **Consultation with NSW WorkCover Authority**

Prior to any work commencing on the site it is the responsibility of the owner to contact NSW WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

67 **Support for Neighbouring Buildings**

This consent requires the preservation and protection of neighbouring buildings from any damage and if necessary, requires the underpinning and support of any neighbouring building in an approved manner. The applicant or the contractor carrying out the work must at least seven days in advance of any excavation works below the level of the base of the footings of a building on an adjoining allotment, including a public road or place, give written notice of intention to carry out such works to the property owner of the affected adjoining building and furnish specific written details and supporting plans or other documentation of the proposed work.

The adjoining property owner of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

68 **Erosion and Sediment Control Measures**

Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

69 **Temporary Sediment Fences**

Temporary sediment fences (eg haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until

the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.

70 **All-weather Access**

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

71 **Application for Occupation, Use, Disturbance or Work on Footpath/Roadway**

Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and/or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:

- a Digging or disruption to footpath/road reserve surface;
- b Loading or unloading machinery/equipment/deliveries;
- c Installation of a fence or hoarding;
- d Stand mobile crane/plant/concrete pump/materials/waste storage containers;
- e Pumping stormwater from the site to Council's stormwater drains;
- f Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
- g Construction of new vehicular crossings or footpaths;
- h Removal of street trees;
- i Carrying out demolition works.

72 **Site Management, Pedestrian and Traffic Management (Where Works are Proposed in or from a Public Road Reserve)**

The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement for approval is required, prior to works commencing on the site. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS1742 - Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.

This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:

- a proposed ingress and egress points for vehicles to/from the construction site;
- b proposed protection of pedestrians, adjacent to the construction site;
- c proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- e proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- f proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- g proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the NSW Roads and Traffic Authority's Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS1742. – "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);

- h proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an accredited certifier in Civil Engineering; and
- i proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

The approved plan shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

During Demolition, Excavation or Construction

73 Survey Report for Floor Levels

A Survey Report must be submitted to the Principal Certifying Authority verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

74 Supervision of Engineering Works

All engineering works associated with the development are to be carried out under the supervision of a suitably qualified and experienced practicing civil engineer.

75 Piping of Stormwater to Existing Stormwater Drainage System

Stormwater for the land must be piped to Council's existing stormwater drainage system. Prior to undertaking the connection the developer shall obtain a permit from and arrange inspections with Council's Development Engineering Manager.

76 No Adverse Run-off Impacts on Adjoining Properties

The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

77 Re-direction or Treatment of Stormwater Run-off

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.

78 Forty Eight Hours Notice – Prior to Works Commencing in any Road Reserve

The applicant shall consult with Wollongong City Council's Divisional Engineer, giving 48 hours notice to arrange an on-site meeting, prior to any works commencing in any road reserve (footpath/carriageway). The purpose of the meeting will be to discuss any relevant issues such as a schedule of inspections, the need for a road opening permit and the provision of a traffic control plan as part of the works.

79 Notification to Adjoining Property Owners Prior to Commencement of Works

The contractor shall be mindful of maintaining access to existing properties fronting the drainage works. It would be prudent to provide some form of notification to the affected properties prior to commencement of works. This is particularly the case if any disruption to access will be required as a consequence of the works.

80 Copy of Consent to be in Possession of Person carrying out Tree Removal

The applicant/developer must ensure that any person carrying out tree removal/vegetation clearance is in possession of this development consent and/or the approved landscape plan, in respect to the trees/vegetation which have/has been given approval to be removed in accordance with this consent.

81 **Restricted Hours of Work**

The developer must not carry out any work other than emergency procedures to control dust or sediment laden runoff outside the hours of 7.00 am to 6.00 pm, Monday to Friday and 8 am to 4.00 pm Saturdays without the prior written consent of the Principal Certifying Authority and Council.

No work is permitted on public holidays, Sundays or the Saturday adjacent to public holidays on Mondays or Fridays.

Any request to vary these hours shall be submitted to the **Council** in writing detailing:

- a the variation in hours required;
- b the reason for that variation;
- c the type of work and machinery to be used.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent including but not limited to the Protection of the Environment Operations Act 1997. The NSW Construction Noise Guideline August 2008 states that the maximum allowable construction noise levels are Background +10dB(A) during standard working hours (i.e. 7am-6pm Monday-Friday and 8am-4pm Saturday).

82 The developer must carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to the owners and/or occupiers of adjoining and adjacent land.

83 The lighting of the premises must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

84 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.

85 Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

86 **Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist**

The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with WorkCover NSW requirements (<http://www.workcover.nsw.gov.au>).

87 **Asbestos Waste Collection, Transportation and Disposal**

Asbestos waste must be prepared, contained, transported and disposed of in accordance with WorkCover NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifying Authority, and a copy submitted to Council (in the event that Council is not the Principal Certifying Authority), prior to commencement of the construction works.

88 **Provision of Waste Receptacle**

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

89 The building site must be kept free of rubbish at all times. All refuse capable of being wind blown must be kept in a suitable waste container.

90 **BASIX**

All the commitments listed in each relevant BASIX Certificate for the development must be fulfilled in accordance with Clause 97A(2) of the Environmental Planning & Assessment Regulation 2000.

A relevant BASIX Certificate means:

- A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Environmental Planning & Assessment Act 1979, a BASIX Certificate that is applicable to the development when this development consent is modified); or
- if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.”

91 **Importation of Soils**

Prior to importing any soils to the site for the purpose of back-filling, validation testing is required to be completed in accordance with the Environment Protection Authority Sampling Design Guidelines to confirm suitability for the proposed land use.

92 **Dust Suppression Measures**

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust. All sealed surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.

93 **Mechanical Plants and Exhaust Ventilation System**

- *Mechanical Exhaust*
Centralised mechanical exhaust ventilation must be provided to the building and all commercial kitchens such as cafes and restaurants cooking appliances installation in accordance with AS4674-2004, AS1668.2-1991 and the grease filters to comply with AS1530.1.
- *Outdoor Air Conditioning or Refrigeration Units*
The outdoor units for refrigeration system including air conditioners shall have suitable acoustic enclosure to comply with NSW Environment Protection Authority noise guidelines.
- *Duct System*
The ducting within the building must be mounted on vibration reducing pads to minimise vibration effects for residential and commercial spaces to comply with NSW Environment Protection Authority vibration guidelines.

94 **Water Sensitive Urban Design**

The water sensitive urban design concept detailed in Appendix D and Table 5 of the Statement of Environmental Effects must be achieved.

95 **Façade Glazing Acoustic Performance**

Facade double glazing shall be installed to all external sliding doors and windows to achieve adequate residential amenity.

- 6mm glazing – 100mm air gap – 6 mm glazing set in a sealed metal or timber frame to achieve the sound insulation of a window and sliding door system (R_w 40 – 45).
- All residential apartments’ window and sliding door system should achieve sound insulation (R_w 40 – 45).
- Frames should be well sealed internally and externally to provide acoustic, thermal and moisture protection.
- The air gap between the two panes should be at least 100mm.

Prior to the Issue of the Occupation Certificate

- 96 A Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

- 97 **Drainage**
The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the requirements stated in the On-Site Stormwater Detention and Drainage Design Codes and all the stormwater requirements stated in Chapter E14 of Wollongong DCP 2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.
- 98 **Restriction on Use – On-site Detention System**
The applicant must create a restriction on use under the Conveyancing Act 1919 over the on-site detention system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

“The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression ‘on-site stormwater detention system’ shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council.”

The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.
- 99 **Retaining Wall Certification**
The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifying Authority is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifying Authority.
- 100 **BASIX**
A final occupation certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifying Authority must not issue the final occupation certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. NOTE: Clause 154B of the Environmental Planning and Assessment Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.
- 101 **Positive Covenant – On-Site Detention Maintenance Schedule**
A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).

The instrument, showing the positive covenant must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.
- 102 **On-Site Detention – Structural Certification**
The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

103 **Drainage within Council Land WAE**

The developer shall obtain written verification from a suitably qualified civil engineer, stating that the construction of the drainage infrastructure works within Council land has been undertaken in accordance with the approved construction plans. In addition, a full works-as-executed plan, prepared and signed by a Registered Surveyor shall be submitted. This plan shall include the location and levels of the drainage lines, structures and finished surface levels. This information shall be approved by Wollongong City Council's Development Engineering Manager prior to the issue of the final Occupation Certificate.

104 **Completion of Engineering Works**

The completion of all engineering works within Council's road reserve or other Council owned or controlled land in accordance with the conditions of this consent and any necessary work to make the construction effective to the satisfaction of Council's Manager Development Engineering. The total cost of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be restored in a satisfactory manner, prior to the issue of the Occupation Certificate.

105 **Dilapidation Report Post Construction**

A Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads following construction of the development shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the certifying authority prior to issue of the Occupation Certificate.

A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of an Occupation Certificate.

106 **Works-as-Executed Plans**

On completion of any civil infrastructure works, the applicant must submit, to Council's Manager Development Engineering, the Works-As-Executed plans for any works within any road reserve or other Council owned or controlled land. A certificate shall also be submitted by a registered surveyor confirming that the survey is a true and accurate record and that all pipelines and associated structures lie wholly within any easements required by the engineering works. The WAE plans shall also be certified by an accredited engineer indicating that construction works have been built in accordance with the conditions of development consent.

107 **Acoustic Compliance Report**

An acoustic compliance report must be provided to the principal Certifying Authority prior to issue of the Occupation Certificate. The report must demonstrate achievement of noise and vibration measures and compliance with Environment Protection Authority requirements. The report must be prepared by an acoustic consultant who is a member of the Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC).

108 **Consolidation**

Prior to issue of the Occupation Certificate, evidence of consolidation of all allotments must be provided to the Principal Certifying Authority.

109 **Design and Construction of Food Premises**

Prior to issue of the Occupation Certificate, evidence must be submitted to the Principal Certifying Authority confirming that the proposed food premises complies with AS4674-2004: Design, construction and fit out of food premises and the following conditions:

Floor Construction

The floor must be finished to a smooth, even non-slip surface, graded and drained to the floor waste (AS4674-2004-Section 3).

Floor Waste

The floor waste(s) in the food premises must be fitted with a sump removable basket and grate and constructed in all stainless steel finish (AS4674-2004-Section 4.1.8).

Coving

Recessed coving must be provided at all intersections of the floor with the walls. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface. “Feather edge skirting” and non-rebated coving are not permitted (AS4674-2004 – Section 3.1.5).

Penetrations

All service pipes and electrical conduit must be contained in the floor, walls and plinths or ceiling or fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surfaces and 100mm between the pipe or conduit and any adjacent horizontal surface (AS4674-2004-Section 3.2.9).

Wall Requirements

All walls must be of solid construction and be finished to provide a smooth impervious surface capable of being easily and effectively cleaned, in accordance with Table 3.2 of AS4674-2004. Cavity walls are not permitted (AS4674-2004 – Section 3.2).

Ceiling Construction

All ceilings must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light-coloured washable paint. The intersection of the walls and ceiling must be right-joined, sealed and dustproof. Drop-in panel style ceilings are not permitted (AS4674-2004 - Section 3.2).

Light Fittings

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. Recessed so that the diffuser is flush with the ceiling; or
- b. Designed to ensure that no horizontal surface exists that would allow dust and grease to accumulate (AS4674-2004 – Section 2.6.2).

Hand Basin(s) and Hand Towels

A suitable number of hand basins must be provided in accessible and convenient locations within all food handling areas and in or adjacent to toilet facilities used by food handlers. The basins must be freestanding, serviced with hot and cold water through a single outlet and able to be mixed at a temperature of at least 40°C (AS4674-2004 – Section 4.4).

Hand basins within food handling areas must be located no further than 5m from any place where food handlers are handling open food.

A disposable paper hand towel dispenser must be installed adjacent to each hand basin. Air dryers installed as the sole means of drying hands are not permitted (AS4674-2004 - Section 4.4).

Double Bowl Sinks

A double bowl wash sink of adequate size and capacity must be provided for washing food handling equipment and utensils (AS4674-2004 - Section 4.1).

Water Service

Any equipment washing or preparation sink must be serviced with hot and cold water through a single outlet (AS4674-2004-Section 4.1).

Cleaner's Sink

Where floor wastes are not installed as a means of disposing of wastewater, a cleaner's sink serviced with hot and cold water through taps fitted with hose connectors must be provided and located outside or areas where open food is handled (AS4674-2004-Section 4.1.8).

Tap Fittings

Where floor wastes are installed as a means of disposing of wastewater, hot and cold wall mounted taps fitted with hose connectors and positioned at least 600mm above the

floor must be installed in a convenient and accessible location outside of areas where open food is handled (AS4674-2004 – Section 4.1.8).

Fittings

All fixtures, fittings and equipment must be installed in accordance with Section 4 of AS4674-2004.

Food Preparation Benches

All food preparation benches must be constructed in stainless steel (AS4674-2004-Section 4.2).

Benches

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, and free of cracks, gaps, crevices or exposed joints (AS4674-2004-Section 4.2).

Storage Cabinets

Storage cabinets, both internally and externally, must be finished in a smooth and non-absorbent material, and be free of cracks, gaps, crevices or exposed joints (AS4674-2004- Section 4.2).

False Bottoms

False bottoms and cavities under fittings are not permitted (AS4674-2004-Section 4.2 and 4.3).

Installation of Fittings and Fixtures

All fittings and fixtures must be built into the wall and floor so to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

- a Plinths – Plinths must be an integral part of the floor, constructed of solid materials, at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth.
- b Wheels or Castors – The wheels and castors must be capable of supporting and easily moving a full loaded fitting and be provided with a restraining device.
- c Legs – Fittings and fixtures may be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and cervices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

Shelving

All shelving must be located at least 25mm off the wall. Alternatively, the intersection of the shelf and the wall is to be completely sealed to the satisfaction of Council (AS4674-2004-Section 4.2).

Display Units

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Regulation 2004, AS 4674-2004-Section 4.2).

Cool Room – Floor

The cool room floor must be finished to a smooth even surface and graded to drain to the door. A sanitary floor waste must be located outside the cool room and adjacent to the door.

Cool Room – Metal Work

All metal work in the cool room must be protected to resist corrosion.

Cool Room – Access

The cool room must be provided with a door which can at all times be opened from inside without a key and an approved alarm device located outside the cool room, but controllable only from inside.

Condensation Collection

Condensation from the refrigeration units/cool room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

Mechanical Exhaust

Mechanical exhaust ventilation must be provided to the cooking appliances. Detailed plans together with all calculations for the system must be submitted to Council and approved prior to installation (AS4674-2004-Section 2.5, AS1668.2-1991).

Exhaust Hood

The exhaust hood must completely cover the equipment to be ventilated and extended no less than 200mm beyond the perimeter of the equipment (AS1668.2-1991).

Exhaust Hood

The exhaust hood must be provided with a condensation gutter around the base. The gutter must not be less than 50mm wide by 25mm deep. Where abutting walls, the hood must be constructed so as to finish flush against the wall surface (AS1668.2 – 1991).

Exhaust Hood – Canopy Type

The low edge of the canopy-type exhaust hood must be at least 2000mm above floor level (AS1668.2 – 1991).

Doors

Doors to the internal toilet and air lock must be fitted with a self-closing device. Toilet and air lock doors must not be able to be held in an open position (AS4674-2004 – Section 5.2).

Meter Box

An approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45 degrees to the wall at the top and made tight fitting to the wall surfaces.

Hot Water Service

A hot water service of adequate capacity must be provided. The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted a minimum 150mm above floor level on a stand of non-corrosive metal construction (AS4674-2004-Section 4.3).

Toilet Facilities

Adequate toilet facilities must be provided on the premises for staff. A hand basin must be located within or directly adjacent to toilets (AS4674-2004 – Section 5.2).

Storerooms

Storerooms must be constructed in accordance with Section 3.2 of AS4674-2004. Shelving or storage racks must be impervious and constructed to enable easy cleaning.

Self-Service Appliances

Self-service food appliances must be constructed so as to comply with Food Regulation 2004 and the NSW Self-Service Food Industry Code of Practice. Details of the appliances must be submitted to Council and approved prior to installation.

Food Storage

Any appliance used for the storage of hot or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance (Food Regulation 2004).

Fly Protection

Tight-fitting, washable fly screens or other approved means of excluding flies must be provided to all window and door openings (AS4674-2004-Section 2.1.5).

Storage Facilities

Sufficient facilities must be provided for the storage of cleaning materials, office materials, employees' clothing and personal belongings (AS4674-2004 – Section 5.1).

Waste Management Plan

Garbage containers, containers for recyclable materials and compacters must be stored in an external area or in a room specifically for that purpose (AS4674-2004 – Section 2.4).

Operational Phases of the Development/Use of the Site

- 110 Separate development consent is required for operation of all commercial activities (excluding the hotel) within the building.
- 111 **Food premises - Operational**
The following requirements relate to operation of the food premises:
- **Registration**
The food business is required to be registered with Council. An application must be made by submitting the appropriate form prior to commencing. The appropriate form can be found on Councils' web page by visiting:

<http://www.wollongong.nsw.gov.au/customerserviceonline/factsheet/Factsheets/Food%20Business%20Notification.pdf>

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4221 7737 to obtain a registration form.
 - **Food Business Notification Requirement**
The proprietor of the premises is required to notify their business details to the NSW Food Authority prior to operations commencing. An application can be made via www.foodnotify.nsw.gov.au, or by submitting a notification form and fee to Council or NSW Food Authority.
 - **Eating Areas**
Any enclosed eating area must be smoke free. "No Smoking" signs must be displayed within the eating areas to ensure all patrons comply with this requirement (Smoke Free Environment Act 2000).
- 112 All site servicing from the proposed loading dock must be carried out by a vehicle with a maximum length of 8.8 metres (Medium Rigid Vehicle).