

1 **ADVISORY NOTES**

1.1 **Terminology**

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

1.2 **Scope of Consent**

- 1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

1.3 **Other Approvals**

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:
- (a) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan.
- 1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.4 **Services**

- 1.4.1 The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

1.4.2 Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

1.4.3 Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.

1.5 Identification Survey

- 1.5.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.6 Road and Maritime Services

- 1.6.1 All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.
- 1.7 The subject property is affected by a road proposal. New buildings or substantial structures are not to be erected on the land required for future road widening (unlimited in height or depth).
- 1.8 The developer shall be responsible for all public utility adjustment / relocation works necessitated by the works and as required by the various public utility authorities and / or their agents.

1.9 Other Matters.

- 1.9.1 Retaining wall elements must be no greater than 3 metres in height. All retaining walls must be screened by vegetation.

2 GENERAL

2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the

Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Dated	Council's File Enclosure No.
Site Plan Drawing No. DA-110 Issue F	8/6/2013	30A
Overall Floor Plan Drawing No. DA-201 Issue C	30/4/2013	1D on JRPP-13-745/A
Overall Roof Plan Drawing No. DA-211 Issue C	30/4/2013	1E on JRPP-13-745/A
Elevations Drawing No. DA-301 Issue C	30/4/2013	1F on JRPP-13-745/A
Overall Sections Sheet 1 Drawing No. DA-311 Issue D	18/6/2013	30C
Overall Sections Sheet 2 Drawing No. DA-312 Issue D	18/6/2013	30D
Enlarged Floor Plan Sheet 1 Drawing No. DA-401 Issue C	30/4/2013	1I on JRPP -13-745/A
Enlarged Floor Plan Sheet 2 Drawing No. DA-402 Issue C	30/4/2013	1J on JRPP-13-745/A
External Flagpole and Signage Details Drawing No. DA-901 Issue C	30/4/2013	1K on JRPP-13-745/A
Signage Details Sheet 2 Drawing No. DA-902 Issue C	30/4/2013	1L on JRPP-13-745/A
Artist Impression Sheet 1 Drawing No. DA-1001 Issue C	30/4/2013	1M on JRPP-13-745/A
Artist Impression Sheet 2 Drawing No. DA-1002 Issue C	30/4/2013	1N on JRPP-13-745/A
Landscape Plan Drawing No. 121309-01	March 2013	1NN on JRPP-13-745/A

- 2.1.2 This consent authorises the use of the completed approved building for the following purposes, subject to full compliance with all other conditions of this consent:

Bulky Goods Retailing for use by IKEA.

2.2 **Services**

- 2.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

2.3 **Suburb Name**

- 2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: Marsden Park

2.4 **Engineering Matters**

2.4.1 **Definitions**

- 2.4.1.1 Where this consent requires both engineering and building works to be undertaken, a separate Construction Certificate may be issued for each category of works i.e. a separate construction Certificate for the Engineering works nominated in "Prior to Construction Certificate (Engineering)" and a separate Construction Certificate (for all building works relating to the erection and fit-out of a structure). This excludes all works on existing public roads significant enough to warrant separate engineering approval pursuant to the Road Act 1993.

In lieu of issuing a separate Construction Certificate, the above-mentioned engineering works can be included on an overall Construction Certificate provided that SPECIFIC REFERENCE is made to the relevant Engineering works. In such instances, the certifier shall provide evidence that they are accredited to do so.

Council does not permit the private certification of works on existing public roads or reserves, or any land under the care and control of Council.

- 2.4.1.2 Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Scope of Engineering Works and other sections of this consent which do not require separate Roads Act 1993 or Local Government Act 1993 approval and any ancillary works necessary to make the construction effective.
- 2.4.1.3 The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications. You are further advised that Council does not permit the private certification of works on existing public roads or reserves Council property or any property under the care and control of Council.

2.4.2 **Design and Works Specification**

- 2.4.2.1 All engineering works required by Scope of Engineering Works and other sections of this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version)
- (d) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (e) Blacktown City Council Stormwater Quality Control Policy

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council with any application for Construction Certificate, Road Act 1993 or Local Government Act 1993 Approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documentations.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.4.3 Payment of Engineering Fees

- 2.4.3.1 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.4.3.2 If it is the applicant's intention to engage Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.4.3.3 The payment of the following fee to Council's Development Services Unit pursuant to Section 608 of the Local Government Act 1993 and/or Section 223 of the Roads Act 1993. The fee is subject to periodic review and may vary at the actual time of payment.

- (a) Engineering Inspection Fee for turfing and 4% cross fall to Townson Road frontage.

Fee: \$109.10

The above fee may not be applicable or could be reduced if a Construction Certificate for the engineering works is required as per conditions of this Consent and Council is requested to issue that Certificate.

2.4.4 Other Fee and Bond/Securities

- 2.4.4.1 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

- (a) Vehicular Crossing Application and Inspection Fee: \$122.75.
(Vehicular crossing to Townson Road)

2.4.5 Other Necessary Approvals

- 2.4.5.1 A separate application or details (as necessary) shall be submitted for the separate approval of Council under the provisions of the Local Government Act 1993 and/or the Roads Act 1993 for any of the following (a) The installation of a vehicular footway crossing servicing the development as required by "Scope of Engineering Works and other sections of this consent" (b) Works on or occupation of existing public roads - that are not covered by a Roads Act Approval - which may require a Road Occupancy Licence or Work Zone Permit.

2.4.6 Annual Report

- 2.4.6.1 Each year on 1 September the occupier is to provide to Council's Asset Design Services Section an annual report outlining all maintenance undertaken on the

Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule and details of all non-potable water used. All material removed are to be disposed of in an approved manner. Copies are to be provided of all cleaning reports and tipping dockets.

3 PRIOR TO THE RELEVANT CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

- 3.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

3.2 Road Deposit/Bond

- 3.2.1 The following current fee and bond (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

- (a) Road inspection fee of \$169.00, and
- (b) Road maintenance bond of \$5000.00.

The bond is required to cover the cost of any damage to Council's public assets (eg: road, guttering, footpaths, drainage systems) arising from development works. The bond (less an administration fee) will be refunded upon the completion of the development should there be no damage to Council's assets as a result of the development works.

The road inspection fee covers Council's costs to inspect public assets adjacent to the development site before and after development work.

3.3 Services/Utilities

- 3.3.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A Notification of Arrangement" Certificate from Integral Energy, stating that electrical services, including the provision of street lighting, have been made available to the development.
- (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

4 PRIOR TO THE RELEVANT CONSTRUCTION CERTIFICATE (PLANNING)

4.1 Access/Parking

- 4.1.1 The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirement, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004 and AS2890.2-2002 for heavy vehicle usage.
- 4.1.2 A minimum of 623 on-site customer and staff car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 and 2890.6 as follows:

Customer Car Space: 2.6m x 5.4m
Disabled Car Space: 2.4m x 5.4m with a shared area of 2.4m x 5.4m
Parents with prams car space: 3.4m x 5.4m

- 4.1.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.1.
- 4.1.4 A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of the Construction Certificate.
- 4.1.5 If not already in place, full time "No Stopping" restrictions are to be implemented along the full Townson Road and Richmond Road frontage of the development site.

4.2 **Site Salinity**

- 4.2.1 All works are to be carried out in accordance with the recommended salinity management strategies outlined in the Salinity Investigation Report prepared by GHD Pty Ltd dated 1 April 2011 that was prepared for the Subdivision Application (i.e. DA-11-96). Further to this a final sign-off from a suitably qualified consultant verifying that the salinity management requirements have been implemented prior to a Construction Certificate being issued.

4.3 **Other Matters**

- 4.3.1 The landscape is to be provided with an automatic trickle irrigation system installed below mulch level. The system is to be supplied by rainwater collected from the site.
- 4.3.2 Landscaped areas are to be separated from vehicular access areas by an appropriate edge, preferably a raised kerb.
- 4.3.3 The tree planting bay area is to have a 2 metre bay of deep soil condition.
- 4.3.4 Retaining wall elements must be finished in decorative masonry and no greater than 3 metres in height. All retaining walls must be screened by vegetation.
- 4.3.5 The open space area is to be embellished with landscaping, paving, tables, chairs and the like for the use and enjoyment of employees.
- 4.3.6 The water tank and pump room located on the northern side of the subject lot are to be provided with a solid screen enclosure to ensure these are not viewed from the street. Painting the tank and pump room to match the main building wall will not be accepted as a form of screening. Details of the method of screening are to be submitted to Council for approval prior to a construction certificate being issued.
- 4.3.7 The service area, loading dock area to the north of the site is to be provided with a 2.1 metre high open style palisade fence that is in dark green or black.
- 4.3.9 A lighting plan is to be provided that shows the provision of lighting within the car park, entry points to the building, as well as the entry and exit points to the site. The use of energy efficient lighting is encouraged.

- 4.3.9 A total of 17 spaces for disabled drivers with clearance area, clearly marked should be signposted for this purpose and located as close as possible to the building entrance.
- 4.3.10 Parking facilities for commercial vehicles are to be designed in accordance with Australian Standard 2890.2 to accommodate the largest type of truck which could reasonably be expected to park on the site.

5 PRIOR TO THE RELEVANT CONSTRUCTION CERTIFICATE (BUILDING)

5.1 Building Code of Australia Compliance

- 5.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :
- (a) Complying with the deemed to satisfy provisions, or
 - (b) Formulating an alternative solution which :
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).
- 5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of the relevant Construction Certificate to ensure compliance with the Building Code of Australia:
- (a) Section C, D, E, F and J

6 PRIOR TO THE RELEVANT CONSTRUCTION CERTIFICATE (ENGINEERING)

6.1 Compliance with Conditions

- 6.1.1 All conditions in the "Prior to Construction Certificate (Engineering)" Section and the relevant conditions in the "General" Section of this consent, must be complied with prior to the issue of the relevant Construction certificate.
- 6.1.2 All fees for Construction and Compliance Certificates, Roads Act 1993 and Local government Act 1993 approvals must be paid to Council prior to the issue of any of the above certificates or approvals.
- 6.1.3 **Road Works Required Under DA-12-485**
- 6.1.4 Building Construction Certificate plans shall not be approved until due consideration has been made to the approved Construction Certificate plans for Road and Drainage works approved under subdivision DA-12-485 (in regard to amending the car park layout in the south-eastern corner of the site to accommodate the removal

of the temporary flexible pavement section of Road No. 23. Removal covered by a security bond under condition 8.15.2.2 of DA-12-485.

6.1.5 Pavement-works

- 6.1.6 Car park and other pavement works are to be designed by a Professional Civil Engineer in accordance with the current version of Council's Engineering Guide for Developments and based upon soil tests performed by a registered NATA soils Laboratory and a minimum traffic loading of 5x10⁴ N(E.S.A.).

6.2 Asset Management

- 6.2.1 A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000; documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

6.3 Ancillary Works

- 6.3.1 Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:

- (a) the relocation of underground services where required by the positioning of new drainage and road infrastructure.
- (b) the relocation of above ground power and telephone services.
- (c) the matching of new infrastructure into existing or future designed infrastructure.

6.4 Stormwater Quality Control

- 6.4.1 Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of Council's Stormwater Quality Control Policy and be generally in accordance with the submitted plans prepared by Acor Consultants P/L Project No. NW 130012 Issue P dated 28/10/2013 and the submitted MUSIC model. Details are to be included with the plans and specifications accompanying any Construction Certificate.

6.5 Scope of Engineering Works

The following scope of works shall be included in the design documentation accompanying the Construction Certificate for engineering works:

6.5.1 Road and Drainage works

- 6.5.1.1 Drainage from the site must be connected into Council's existing drainage system generally in accordance with the submitted plans prepared by Acor Consultants P/L Project No. NW 130012 Issue P dated 28/10/2013 and the submitted MUSIC model.
- 6.5.1.2 Any drainage currently entering the site is to be collected and conveyed in an approved manner to the nearest appropriate point of discharge.

6.5.2 Vehicular Crossings

- 6.5.2.1 Construction of Council's standard commercial and industrial vehicular footway crossing to Townson Road with the following nominated width at the property boundary in accordance with Council plan A(BS)103S.

Nominated Width: 11 metres.

6.5.3 **Footpaths**

- 6.5.3.1 The footway area being fully turfed in an appropriate manner to be free draining to the street and of neat appearance.

6.5.4 **Finished Boundary Levels**

- 6.5.4.1 Finished levels of all internal works at the road boundary of the property must be:
(a) 4% above the top of the kerb.

6.5.4.2 **Drainage Section Requirements**

- 6.5.4.3 The location and levels of the culverts under Townson Road at this stage is assumed and to be confirmed by a detailed Survey Plan by a Registered Surveyor and submitted to Council for approval. If these assumptions differ, amended drainage plans are to be resubmitted to Council for approval.
- 6.5.4.4 All non-potable water supplies including toilet and urinal flushing, cooling tower make-up water (mechanical condensers), wash down, sprinkler tank top up, water features, external taps and landscape watering is to be supplied from the Rainwater tanks.
- 6.5.4.5 Details are to be provided for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.
- 6.5.4.6 Maintenance requirements are to be provided for each of the proposed Stormwater Quality Improvement Devices including rainwater tanks, Enviropods and Stormfilters. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, signature and date on it.
- 6.5.4.7 Where Council is not the Certifying Authority, an independent engineering consultant is to assess the final drainage plans and certify that the pipe/pit systems and water quality requirements meet Council's Engineering Guide for Development 2005 (and as amended) design standard and the consent conditions. A copy of the certification is to be provided to Council.
- 6.5.4.8 An experienced hydraulic engineer is to prepare and have approved a detailed Rainwater Reuse Supply, Pipe and Fixture Plan for non-potable water uses on the site for an average daily use of 15.82 kL/day as per the letter from Wood and Grieve Engineers of 17th October 2013. The plan is to

show the rainwater pipe arrangement including first flush or pre-treatment system, pump, mains water direct tank top up, isolation valves, flow meters for the pump outflow and mains water top up, a timer for landscape watering, an inline filter and indicate that all Sydney Water requirements have been satisfied. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.

6.5.4.9 A detailed Landscape Watering Plan is to be provided showing the layout of filters, timers, taps and pipes and the use of sprinklers or drip irrigation. The system is to be designed to automatically achieve a minimum usage rate of 3583 kL/year as nominated in MUSIC allowing for seasonal variations.

6.5.4.10 Amended architectural plans are required for buildings, or parts of buildings that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

i. 4 star dual-flush toilets;

ii. 3 star showerheads;

iii. 4 star taps (for all taps other than bath outlets and garden taps);

iv. 3 star urinals; and

v. Water efficient washing machines and dishwashers are to be specified.

6.5.4.11 A Drainage Engineer registered with NPER and supported by a DRAINS or similar electronic hydraulic model is to certify that the internal drainage system is capable of carrying the 100 year ARI flows without upwelling at any pits.

6.5.4.12 Amended drainage plans from Acor Consultants are required to address the following:

i. Provide details of all internal drainage within the site and how this is directed to the rainwater tanks. In MUSIC, all the building's roof water was captured and directed to the underground Rainwater tanks.

ii. The Stormfilter cartridges size of 690mm is to be clearly labelled on the plans.

iii. On Dwg No. C7.02 (A), the 890mm dimension shown for the weir is to be corrected to 930mm.

iv. On Dwg No. C7.02 (A), the Top of weir within the Stormfilter chamber to be changed from RL 30.63m AHD to RL 30.97m AHD.

v. The base level of the Stormfilter chamber is to be raised from RL 29.90m to RL 30.20m AHD.

vi. A baffle or hood is to be provided upstream of the Stormfilters overflow weir to contain floatable pollutants including oils. The baffle is to be 350 mm upstream of the weir and extend from the ceiling to 450 mm below the top of the weir. The current weir length appears to be too short. The weir length is to be extended to a minimum total length of 12m, to ensure a

maximum velocity over the weir of 0.4 m/s with the maximum flow through the Stormfilter chamber.

- vii. Provide energy dissipators on all entries to the Stormfilter chamber.
- viii. On Dwg No.s C2.04 (p) & C7.02 (a), additional access grates are required for the Stormfilter chamber for maintenance access. An additional 11 access grates are required in total, with 4 additional pits placed on the western and eastern side of the chamber (at a 3m spacing and 2m offset from edge) and 3 pits along the southern side (also at approximately 3m spacing and 2m offset). All pit entries into the Stormfilter chamber are to be grated.
- ix. Galvanised ladders and step irons are to be provided for all entries into the Stormfilter chamber.
- x. Clearly label all the pits that contain Enviropods on the plans.
- xi. Enviropods require a minimum clear depth of 350 mm from the grate, or inlet of any upstream pipe to be treated, to the obvert of any outlet pipe.
- xii. Non-return flaps are to be provided for all the overflows from the rainwater tanks.
- xiii. The collection well in the rainwater tank precast discharge control pit is to be increased from 300mm to 600mm deep below the storage pipe invert. The weir wall in the rainwater discharge control pit is to be raised above the obvert of the highest upstream storage pipe and the access pits to the rainwater discharge control pit are to have sealed covers to prevent the entry of mosquitoes.
- xiv. Provide details of the rainwater tank storage including section and overflow weir details at the obvert level, to ensure 1 in 100 year flows can safely overflow.
- xv. The pump offtake for the rainwater tank is to be positioned in a sump within the total area of the end pit a minimum of 600mm deep, to ensure the invert of the storage can drain effectively.
- xvi. A Swale will need to be provided along the grass verge along the western boundary from Pit 5/5 to collect flow to the pits with Enviropods and to be continued along the grass verge adjacent to the northern boundary (Townson Road). Provide details.
- xvii. The swale level adjoining the carpark needs to be set down a minimum of 50 mm below the kerb level to minimise potential blockages due to the collection of debris washed off the carpark.
- xviii. On Dwg C2.01 (p) the piped drainage lines 4 and 5 need to be clearly defined as it is unclear where the two systems begin and end along the eastern end of the WEST LEG carpark.
- xix. At both Pits 13/1 and 13/5, the 1050mm overflow pipes are to be a minimum of 450mm above the highest pipe inlet invert level. i.e. RL 31.354m AHD for 13/1 invert and RL 31.220m AHD for 13/5 invert.

6.5.4.13 **ADVICE:** Where the MUSIC model is to be rerun the revised model is to incorporate the following changes:

a) The Grass Verge on the SW corner of the site (Pervious Area = 1000m²) was modelled as bypass as it does not contain any piped drainage system collecting the flows. The connecting enviropod in MUSIC was also removed.

b) A maximum of 12 Enviropods for the West leg Road area (instead of 15) was used, assuming each pit within this area contained an Enviropod.

c) The Low flow diversion pipe at Pits 13/5 that connects to the Stormfilter catridges was modelled as a separate Generic node and have a primary (low flow) going to the Stormfilter chamber and a secondary high flow bypass drainage link directed to the outlet. Pit 13/1 is similar.

7 PRIOR TO THE RELEVANT CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

7.1 Food Premises

7.1.1 Plans and specifications submitted for issue of a Construction Certificate shall demonstrate compliance with the requirements of;

- Food Act 2003 and Regulations there under.
- Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*

7.1.2 All works carried out shall comply with the requirements of;

- Food Act 2003 and Regulations there under.
- Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*

7.1.3 The walls and floor of the premises are to be constructed with an approved durable, smooth, impervious material capable of being easily cleaned.

8 PRIOR TO DEVELOPMENT WORKS

8.1 Safety/Health/Amenity

8.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

8.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (a) the name of the principal contractor (if any) for the building work and a

- telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

8.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

8.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

8.1.5 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.

8.1.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

8.1.7 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.

8.1.8 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:

- (a) shall be preserved and protected from damage, and
- (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
- (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

8.2 **Notification to Council**

- 8.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.
- 8.2.2 At least five (5) full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$10,000,000.

8.3 **Road and Maritimes Services**

- 8.3.1 Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works.

Details should be forwarded to:

Sydney Asset Management
Roads and Traffic Authority
P.O.Box 973 Parramatta CBD 2124

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

- 8.3.2 A Road Occupancy Licence should be obtained from the Transport Management Centre (TMC) for any works that may impact on traffic flows on Richmond Road during construction activities.

8.4 **Construction Details**

- 8.4.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (e) Structural steelwork
- (f) Retaining walls

9 **DURING CONSTRUCTION (BUILDING)**

9.1 **Safety/Health/Amenity**

- 9.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for

every 20 persons or part of 20 persons employed at the site.

9.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (b) the name, address and telephone number of the principal certifying authority for the work, and
- (c) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (d) stating that unauthorised entry to the work site is prohibited.

9.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

9.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

9.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

9.1.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.

9.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.

9.1.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:

- (a) shall be preserved and protected from damage, and
- (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
- (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.

9.1.9 Building and construction materials, plant, equipment and the like shall not to be

placed or stored at any time on Council's footpath, roadway or any public place.

9.2 Building Code of Australia Compliance

- 9.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

9.3 Surveys

- 9.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

9.4 Nuisance Control

- 9.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 9.4.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.
- 9.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

9.5 Waste Control

- 9.5.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

9.6 Construction Inspections

- 9.6.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and
- (d) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (e) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2, 3 or 4 building); and
- (f) Prior to covering any stormwater drainage connections; and
- (g) After the building work has been completed and prior to any Occupation

Certificate being issued in relation to the building.

The critical stage inspection “(g)” must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

9.7 Other matters

- 9.7.1 All water fixtures used within the construction of the building shall achieve a minimum 4 star Green Star rating (or equivalent program rating).

10 DURING CONSTRUCTION (ENGINEERING)

- 10.1 The number and size of Enviropods and/or Stormfilter cartridges supplied by Stormwater 360 are not to be reduced, nor replaced with an alternate manufacturer's product.

10.2 Service Authority Approvals

- 10.2.1 Prior to commencement of construction of footway crossings a clearance shall be obtained from the relevant telecommunications carriers and Integral Energy that all necessary ducts have been provided under the proposed crossing.

10.3 Maintenance of Soil Erosion Measures

- 10.3.1 Soil erosion and sediment control measures shall be implemented in accordance with Council's Soil Erosion and Sediment Control Policy.
- 10.3.2 Re-vegetation must be applied to disturbed areas as soon as practical after completion of earthworks and must be established prior to release of the maintenance security. All open drains must be turfed.
- 10.3.3 All required soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing paving or revegetation. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is inadequate.

10.4 Filling of Land & Compaction

- 10.4.1 Regular wetting down of the site must be undertaken during the course of works being carried out in order to control wind blown dust from the site.
- 10.4.2 Roads adjoining the site must be kept clean and free of all excavated /transportable spoil materials.

10.5 Inspections of Works

- 10.5.1 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended,

are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages: -

- (i) Soil Erosion and Sediment Control
 - (a) Implementation of erosion and sediment control
 - (b) Revegetation of disturbed areas
 - (c) Construction of major controls (i.e gabions mattresses shotcreting etc)
 - (d) Removal of sediment basins/ fencing etc.
 - (e) Internal sediment/ pollution control devices
 - (f) Final Inspection
- (ii) Traffic Control
 - (a) Implementation of traffic control
 - (b) Maintenance of traffic control during works
 - (c) Removal of traffic control
- (iii) Construction of Drainage
 - (a) Pipes before backfilling including trench excavation and bedding
 - (b) Sand Backfilling
 - (c) Final pipe inspection
 - (d) Pit bases and headwall aprons
 - (e) Pit Walls/ wingwalls/ headwalls
 - (f) Concrete pit tops
 - (g) Connection to existing system
 - (h) Tailout works
 - (i) Final Inspection
- (iv) Construction of Car park Pavement
 - (a) Boxing out
 - (b) Sub-grade roller test
 - (c) Subsoil drainage
 - (d) Sandstone roller test layer 1
 - (e) Sandstone roller test layer 2
 - (f) DGB depths and roller tests
 - (g) Wearing Course
 - (h) Kerb final
 - (i) Concrete tests
 - (j) Formwork concrete pavements
 - (k) Final inspection
- (v) Footpath Works
 - (a) Footpath Trimming and/or turfing (to ensure 4% fall)
 - (b) Service Adjustments
 - (c) Final Inspection
- (vi) Stormwater Quality Control
 - (a) Installation of Stormwater Quality Control devices
 - (b) Final Inspection
- (vii) Final overall Inspections

- (a) Preliminary overall final inspection
- (b) Overall final inspection

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.

10.6 Public Safety

- 10.6.1 The applicant is advised that all works undertaken in a public place are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

11 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

11.1 Food Premises

- 11.1.1 The food preparation areas shall be constructed so as to comply with the requirements of;
 - (a) The Food Act 2003 and Regulations there under.
 - (b) Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.
 - (c) Australian Standard 1668.2-2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control*.

12 PRIOR TO OCCUPATION CERTIFICATE

12.1 Drainage Section Requirement

- 12.1.1 A Registered Surveyor is to certify that the finished floor level of the proposed IKEA Store other than at the entries into the building is at or above the minimum floor level being 300 mm above the adjacent Q100 storm flow levels.
- 12.1.2 The Hydraulic Engineer is to certify that all the requirements of the approved drainage plan have been undertaken including the installation of the rainwater tank, pipes and pits, that all the signage and warning notices have been installed and that any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations.
- 12.1.3 An plumber licensed with NSW Fair Trading or experienced hydraulic engineer is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Rainwater Supply, Pipe and Fixture Plan have been installed and are working correctly. A signed works-as-executed Rainwater Supply, Pipe and Fixture Plan is to be provided to Council.
- 12.1.4 A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to

certify that all the requirements of the detailed Landscape Watering Plan have been installed as per the approved plan and are working correctly. A signed works-as-executed Landscape Watering Plan is to be provided to Council.

- 12.1.5 A work-as-executed plan (to a standard suitable for scanning) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed. All Engineering Work-As-Executed plans, MUST be prepared on a copy of the original stamped Construction Certificate for engineering plans.
- 12.1.6 A Restriction and Positive Covenant is to be provided over the Stormwater Quality Improvement Devices including the Rainwater Tank, Rainwater Reuse and Filtration Control System, Stormfilters and Enviropods in accordance with the requirements of Council's Engineering Guide for Development 2005 (and as amended). The covenant requirements are to include the submission of an annual report on water treatment by 1 September each year. The Positive Covenant must be registered with Land & Property Information prior to the final occupation certificate.
- 12.1.7 Written evidence is to be provided that the owner/developer has entered into a minimum three (3) year maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Enviropods and Stormfilters. A copy of the signed and endorsed contract(s) and maintenance contractor(s) details are to be forwarded to Council's WSUD Compliance Officer
- 12.1.8 Stormwater 360 is to certify that the installation of the Enviropods and Stormfilters are as per the standard operational guidelines and production drawings including a baffle 450mm below the minimum 12m long weir to retain floatables including oils and that the Stormfilters have a minimum flow rate of 224 L/s.
- 12.1.9 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
 - i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 4 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. Water efficient washing machines and dishwashers have been used.

12.2 **Road Damage**

- 12.2.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

12.3 **Compliance with Conditions**

12.3.1 The final Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

12.3.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

12.4 Temporary Facilities Removal

12.4.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

12.4.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

12.4.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.

12.4.4 Any temporary builder's sign or other site information sign shall be removed from the land.

12.4.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

12.5 Fire Safety Certificate

12.5.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

12.6 Food Premises

12.6.1 The premises shall be registered with Council's Environmental Health Unit. The attached application form shall be used for registration purposes.

12.6.2 Trading must not commence until an Occupation Certificate for the development has been issued.

12.7 Landscaping/Car Parking

12.7.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

12.7.2 The internal driveways shall be appropriately illuminated by the use of pole mounted lighting or the like to provide for the safety and convenience of customers and staff.

- 12.7.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 12.7.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 12.7.5 Signs shall be erected wholly within private property and shall not encroach or overhang into the road reserve.
- 12.7.6 A total of 623 on grade car parking spaces are to be provided for customers and staff including disabled spaces and parents with prams.
- 12.7.7 A separate application for any on site signage (other than that specified in the submitted plans). Shall be lodged with Council specifying content, height and colours to be used.
- 12.7.8 All required internal roads and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

12.8 Fee Payment

- 12.8.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

12.8.2 Surveys/Certificates/Works As Executed plans

- 12.8.2.1 A works-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed.
- 12.8.2.2 A certificate from a Chartered Professional Civil Engineer must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Council's Stormwater Quality Control Policy.
- 12.8.2.3 The submission to Council of all Inspection/Compliance Certificates required by the "During Construction (Engineering)" Section of this consent.

12.8.3 Easements/Restrictions/Positive Covenants

- 12.8.3.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).

- (b) The standard format for easements and restrictions as accepted by the Lands Title Office.

12.8.4 Inspections

- 12.8.4.1 Any **additional** Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

12.9 Food Premises

- 12.9.1 Prior to the issue of an Occupation Certificate, documentation shall be submitted to Council certifying that the ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control*.

13 OPERATIONAL (PLANNING)

13.1 Access/Parking

- 13.1.1 All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.
- 13.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land. All unloading activities is to be conducted in a manner that does not impact on the amenity of adjoining owners between 4:00am and 7:00am.
- 13.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

13.2 Retailing Restrictions

- 13.2.1 The retail use of the land is to be limited to large items which comply with the requirements of the following definition of Bulky Goods Premises as contained in SEPP (Sydney Region Growth Centres) 2006:

bulky goods premises means a building or place used primarily for the sale by retail, wholesale or auction of (or for the hire or display of) bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

13.3 General

- 13.3.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 13.3.2 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 13.3.3 The hours of operation of the development shall not be outside of the following nominated times.

Any alteration to these hours will require the separate approval of Council.

Approved hours of operation:

9:30am to 10:00pm, seven (7) days a week

Should Council receive justified complaints that the activity is operating outside these hours, or is causing noise and disturbance to the neighbouring residents, then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.

- 13.3.4 A total of 5 deliveries per day using heavy rigid vehicles are permitted between the hours of 4:00am and 10:00am for the delivery of goods to the premises. Signage shall be placed on the site for drivers to use low range gears to minimise noise disturbance to adjoining properties and any future residential areas.

13.4 Landscaping

- 13.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

13.5 Use of Premises

- 13.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

13.6 Emergency Procedures

- 13.6.1 Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council.

13.7 Signage Lighting

- 13.7.1 Should Council receive any complaints that the light intensity/illumination that is associated with the approved signage detract from the amenity of the area, Council will request that the intensity of the lighting be adjusted to a suitable level.

13.8 Sydney Water Services

- 13.8.1 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.

13.9 **Signage**

13.9.1 Signs shall be constructed entirely within private property and shall not encroach or overhang, into the road reserve.

13.9.2 The proposed sign must not have/use:

- a. Flashing lights;
- b. Electronically changeable messages;
- c. Animated display, moving parts or simulated movement;
- d. Complex displays that holds a drivers attention beyond "glance appreciation"
- e. Displays resembling traffic lights or signals, or giving instruction to traffic by using words such as 'halt' or 'stop'; and
- f. A method of illumination that distracts or dazzles.

13.10 **Roads and Maritime Services**

13.10.1 All ingress/egress to/from the development (site) shall be from the rear of the property. Access is not permitted from Richmond Road.

13.10.2 The gate at the access to/from Townson Road is to remain locked at all times.

14 **OPERATIONAL (ENVIRONMENTAL HEALTH)**

14.1 **Environmental Management**

14.1.1 The approved Waste Management Plan shall be implemented.

14.2 **Food Premises**

14.2.1 All self service food must be protected from contamination by means of a suitable appliance, or be effectively supervised in accordance with Clause 37(1) of the Food (General) Regulation 1997.

14.2.2 A sign shall be conspicuously displayed on or adjacent to all self service food appliances bearing the following works:

"CUSTOMERS - USE ONLY THE SERVING UTENSILS PROVIDED - IT IS AN OFFENCE TO HANDLE FOOD WITH YOUR FINGERS"

In accordance with Clause 37(2) of the Food (General) Regulation 1997.

14.2.3 A sign shall be provided in a conspicuous location near the self service food bar with the words "NO SMOKING" in standard type with a letter height of at least 10mm.

14.2.4 The food premises shall be maintained in accordance with the requirements of;

- Food Act 2003 and Regulations there under.
- Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.

14.2.5 The proprietor is to ensure that all food handling complies with the requirements of the Food Act 2003 and Regulations there under.

14.2.6 Upon commencement of trading, notify NSW Food Authority of the food business.

- 14.2.7 The premises is to be registered with Council as a food business.
- 14.2.8 Trading shall not commence until an Occupation Certificate for the development has been issued.
- 14.2.9 The food premises shall be maintained in accordance with the requirements of;
- Food Act 2003 and Regulations there under.
 - Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*
 - Children's Services Regulation 2004
- 14.2.10 The cool room shall be maintained in accordance with the requirements of;
- Food Act 2003 and Regulations there under.
 - Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*
- 14.2.11 The hand wash basin must be supplied with an adequate supply of antibacterial liquid soap and disposable paper towels.