

## 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) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
  - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
  - (c) demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and
  - (d) the installation of a vehicular footway crossing servicing the development, and
  - (e) the erection of any sign, not being "Exempt Development" under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

### 1.4 Services

- 1.4.1 The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
  - (b) Endeavour Energy
  - (c) Natural Gas Company

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- (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 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](http://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 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 Other Matters

- 1.6.1 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the Department of Environment and Climate Change (National Parks and Wildlife Service) and a member of each of the Western Sydney

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Aboriginal Stakeholder Groups is to be contacted.

## **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 DA1001 Issue 7	22/08/13	1B
Demolition Plan DA1101 Issue 4	22/08/13	1D
Demolitions Elevations DA1102 Issue 4	22/08/13	1E
General Arrangements Plan DA2001 Issue 4	22/08/13	1G
Roof Plan DA2002 Issue 2	22/08/13	1H
Stadium Extension Floor Plans DA2101 Issue 6	22/08/13	1I
Tennis Facility Ground Floor Plan DA2201 Issue 4	22/08/13	1J
Tennis Facility Level 1 Floor Plan DA2202 Issue 4	22/08/13	1K
Elevations Sheet 1 DA3101 Issue 6	22/08/13	1L
Elevations Sheet 2 DA3102 Issue 4	22/08/13	1M
Elevations Sheet 3 DA3103 Issue 4	22/08/13	1N
Sections Sheet 1 DA3201 Issue 6	22/08/13	1O

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Sections Sheet 2 DA3202 Issue 4	22/08/13	1P
Sections Sheet 3 DA3203 Issue 4	22/08/13	1Q
Exterior Finishes & Colours DA3301 Issue 3	22/08/13	1R
Landscape Plans 3159.DA02, DA03A, DA03B, DA03C, DA03 to DA12.	August 2013	1A & 1D to 1P on Council File JRPP-13-2289/A.
1349		

\* Unless modified by any condition(s) of this consent.

## 2.2 Services

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

## 2.3 Engineering Matters

### 2.3.1 Definitions

- 2.3.1.1 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)"(earthworks, roadworks, carpark, drainage and bio-retention) 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 relation to this consent, an engineering approval pursuant to the Road Act, 1993 or Section 68 of the Local Government Act must be issued for road connections to Stanhope Parkway and drainage connections within the drainage reserve prior to the issue of the Construction Certificate.

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. This is not applicable where Roads Act or Local Government Act Approvals are required.

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.

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- 2.3.1.2 The Construction Certificate for Engineering works must be issued by Council. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications.

**2.3.2 Design and Works Specification**

- 2.3.2.1 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 DCP Part R.
- (f) Facility for Advancing Water Biofiltration – Stormwater Biofiltration Systems – Adoption Guidelines Version 1 June 2009 (or as amended).

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.

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

**2.3.3 Payment of Engineering Fees**

- 2.3.3.1 Fees are required to be paid to Council's Development Services Unit pursuant to the Environmental Planning Assessment Act and Section 223 of the Roads Act 1993 for;

(a) The checking of engineering drawings for earthworks, roadworks, carpark, stormwater drainage and biofiltration and the issue of an Engineering Approval pursuant to the EPA, Local Government and Roads Act.

(b) All construction inspections for the works approved by (a) above. The required fee will be determined upon submission of the relevant plans to Council. This fee is subject to periodic review and may vary at the actual time of payment.

**2.4 Other Matters**

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- 2.4.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.
- 2.4.2 No permission from Sydney Water is given for any encroachment onto the trunk drainage land for grassed swale, road work, footpath, stormwater pipe, drainage pit or similar structures.

### 3 PRIOR TO 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 \$159.10;
- (b) Road maintenance bond of \$5000.00; and
- (c) Road maintenance bond administration fee of \$94.00

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 Endeavour Energy, or any other recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the development.

#### 3.4 Other Matters

- 3.4.1 In accordance with Sydney Water's letter dated 14 February 2014, a drawing clearly marking Sydney Water's trunk drainage boundary with the proposed work is to be submitted to Sydney Water to ensure that there are no proposed works within the

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trunk drainage land. In this regard, only the proposed connection pipe would be allowed to lie within the trunk drainage corridor.

- 3.4.2 In accordance with Sydney Water's letter dated 14 February 2014, a Water Servicing Coordinator for any stormwater connection is to be engaged. The connection is to be through the face of the pit and not through the corner of the pit. If the connection size is equal or more than 300mm, then the connection is to be designed by a qualified structural engineer and the structural engineer's certificate is to be attached with the connection drawing. The stormwater connection drawing should also contain details of the restoration of the disturbed land to its original state.
- 3.4.3 In accordance with Sydney Water's letter dated 14 February 2014, prior to the approval for the stormwater connection, a bond is to be lodged with Sydney Water which would be refunded upon satisfactory completion of the connection and restoration work. The amount of bond money would be determined upon review of the connection drawing based on the extent of the land to be disturbed in order to carry out the connection.

#### **4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

##### **4.1 Aesthetics/Landscaping**

- 4.1.1 The reflectivity index of glass used in the external facade of the building is not to exceed 20 percent.
- 4.1.2 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.
- 4.1.3 The development approved by Council is to be constructed in accordance with the schedule of materials, finishes and colours previously endorsed by Council as part of the subject approval process (Drawing No. 3301 Issue 3 dated 22/08/13 and held at Enclosure 1R on Council File JRPP-13-2289).

##### **4.2 Access/Parking**

- 4.2.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
- 4.2.2 On-site resident and visitor car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:
- Commercial Car Space: 2.6m x 5.4m
- 4.2.3 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 4.2.4 Access to and parking for persons with disabilities shall be designed in accordance

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with Australian Standard 2890.6.

## 5 PRIOR TO 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 The structural alterations to the building shall not unduly reduce or compromise:

- (a) the existing level of fire protection afforded to persons accommodated in or resorting to the building, or
- (b) the existing level of resistance to fire of the building, or
- (c) the existing safeguards against the potential spread of fire to adjoining buildings.

5.1.3 In accordance with the provisions of Clauses 94 and 143 of the Environmental Planning and Assessment Regulation, 2000, and in order to enable a determination of the appropriate level of conformity with the provisions of the Building Code of Australia which the existing building will be required to meet, it will be necessary to submit to Council a Fire Safety Study (FSS) for the proposed development. This study is to address the impact of the proposal on the existing building, particularly in regard to fire safety measures contained to protect persons using the building and to facilitate egress from the building in the event of a fire, together with measures to restrict the growth and spread of fire. The FSS shall clearly identify the operational capacity of each such measure, existing and proposed. The FSS may also make recommendations as to the level of conformity or overall fire safety considered appropriate, which may be taken into account by Council Officers in assessing the overall suitability of the proposal.

5.1.4 It is advised the building is the subject of an alternative solution under the performance requirements of the Building Code of Australia. In this respect, your attention is drawn to the need to ensure any associated construction certification for the development work is consistent with, and conforms to, the terms of the approved alternative solution, and does not compromise or reduce the level of fire or structural safety afforded the building.

### 5.2 Site Works and Drainage

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 5.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
- 5.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:
- (a) be in accordance with Australian Standard 3500.3, and
  - (b) provide for drainage discharge to an existing Council drainage system, and
  - (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.
- 5.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.
- 5.2.4 Should any proposed 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), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:
- (a) Preserved and protected from damage, and
  - (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

### 5.3 Building Additions

- 5.3.1 The design of the building addition or attachment shall not compromise the Building Code of Australia structural design criteria of any portion of the existing building.
- 5.3.2 Pursuant to the provisions of Clause 143(3) of the Environmental Planning and Assessment Regulation, 2000, a Construction Certificate for the work shall not be issued unless the consent authority is satisfied that, on completion of the building work, the fire protection and structural capacity of the building will not be reduced, assuming that the building work is carried out in accordance with the plans and specifications to which the Construction Certificate relates.

## 6 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

### 6.1 Compliance with Conditions

These conditions are imposed for the following reasons:

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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 any Construction certificates.

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.

## 6.2 Road-works

6.2.1 Road and carpark pavements 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 the traffic loadings listed in "Scope of Engineering Works" of this consent. The pavement designs must be lodged with Council for approval prior to issue of the Construction Certificate for Engineering works.

6.2.2 A Traffic Management / Control Plan shall be included as part of the Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.

## 6.3 Erosion and Sediment Control

6.3.1 Soil erosion and sediment control measures for road, drainage, On Site Stormwater Detention and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

## 6.4 Compaction Requirements

6.4.1 Special attention is drawn to the following requirements of Council's current Works Specification – Civil.

- (i) Submission of compaction certificates for fill within road reserves.
- (ii) Submission of compaction certificates for road subgrade.
- (iii) Submission of compaction certificates for road pavement materials.
- (iv) The submission of fill compaction certificates.
- (v) Certificates from road material suppliers.

## 6.5 Asset Management

These conditions are imposed for the following reasons:

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- 6.5.1 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.

**6.6 Other Approvals/Clearances/Adjoining Owners Permission.**

- 6.6.1 Sydney Water Corporation approval in the form of appropriately stamped Construction Certificate Plans is to be obtained to verify that the proposed works meets the Corporation's requirements concerning drainage connections into stormwater channels/ basins and ancillary works relating to water or sewer mains.

**6.7 Tree Preservation**

- 6.7.1 A tree retention plan shall be included with any Construction Certificate indicating:
- (a) the trees to be retained.
  - (b) all areas left undisturbed and to be cordoned off from construction works.

**6.8 Scope of Engineering Works**

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

**6.8.1 Road and Drainage works**

- 6.8.1.1 The construction and dedication of all new roads associated with the development and the creation/provision of temporary roads, drainage, carparks, pathways, concrete path paving and any other ancillary work necessary to make this construction effective.

The internal road linking Stanhope Parkway to Sentry Road is to be designed with a minimum width of 7.0m, and the access road off Stanhope Parkway is to be designed with a minimum width of 6.0m, and must otherwise generally comply with normal engineering requirements for a local road as required in the BCC Engineering Guide for Developments. The road pavement must be designed for a traffic loading of  $2 \times 10^5$ . The carpark pavement shall be designed for a traffic loading of  $5 \times 10^4$ .

Consideration should be given to providing kerb and gutter on the drainage reserve side of the link road. Alternatively, fencing, bollards or suitable landscaping will be required to deter vehicle movements into the drainage reserve area. Provision for access by maintenance vehicles will be required.

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The entries to the roads off Stanhope Parkway are to be provided with lockable access gates to allow vehicle access to be prevented out of hours. Suitable treatments to the roadway entrance, to the satisfaction of Council's Manager Open Space, Manager Transport and City Projects, and Manager Building and Engineering Services, are to be provided to deter entry of through traffic. Treatments are to also include traffic calming measures where appropriate. Appropriate signposting and linemarking, including the provision of "No Stopping" signs on both sides of both roads, are to be provided.

- 6.8.1.2 Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of Council's Stormwater Quality Control Policy DCP Part R and "Facility for Advancing Water Biofiltration – Stormwater Biofiltration Systems – Adoption Guidelines" Version 1 June 2009 (or as amended). Details are to be included with the plans and specifications accompanying any Construction Certificate. Any variation to the proposed size and location of bio-filtration systems and Gross Pollutant Traps will require a lodgement of a Section 96 application to Council for amendment of the consent. The bio-retention basins are to be designed as lined basins.

- 6.8.1.3 A Maintenance Schedule must be provided for the stormwater treatment measures in accordance with the requirements of Council's Stormwater Quality Control Policy. The designer of the stormwater treatment measures must prepare the Maintenance Schedule and this schedule must show the designer's name, signature and date on it.

## 6.8.2 Filling of Land

- 6.8.2.1 Batters are not to exceed a grade or slope of 5 metres horizontal to 1 metre vertical. These are to have topsoil placed on them and vegetated to ensure control of sediment and erosion. No filling including fill batters are to be placed on the drainage reserve area. The fill batters are to be suitably designed to protect them from erosion from the channel.

## 6.8.3 Finished Boundary Levels

- 6.8.3.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of the adjacent road kerb.

# 7 PRIOR TO 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.

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- Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*

## **8 PRIOR TO DEVELOPMENT WORKS**

### **8.1 Safety/Health/Amenity**

- 8.1.1 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.
- 8.1.2 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.

### **8.2 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.

## **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:
  - (a) the name, address and telephone number of the principal certifying authority for the work, and
  - (b) 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

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(c) 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

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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- 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.

**9.5 Car Parking and Access**

- 9.5.1 The internal driveways and car parking spaces are to be line-marked, appropriately signposted to indicate their intended usage, sealed with hard standing all-weather material and maintained to a satisfactory useable standard.

- 9.5.2 All driveways and other paved areas are to be graded to provide continuous surface drainage flow paths to approved points of discharge.

- 9.5.3 The design of the car parking area, aisle widths, driveway widths, manoeuvring areas, sight distances, ramp grades, etc are to conform to AS 2890.1 2004.

- 9.5.4 Off street car parking is to be encouraged by the placement of prominent signs indicating its availability.

- 9.5.5 Access to and parking for persons with disabilities is to be provided in accordance with Australian Standard 2890.1.

**9.6 Field and Reserve Lighting**

- 9.6.1 All approved field lighting shall be in designed and operated in accordance with the spill lighting assessment dated 15 July 2013 and held at Enclosure 2P on Council's File JRPP-13-2289.

**9.7 Site Contamination**

- 9.7.1 Should any contaminated material be unearthed during the construction works, all works are to cease immediately and a suitably qualified environmental site

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contamination consultant is to investigate and report on the findings. Any recommended remediation and validation works are to be undertaken pursuant to Council's Contamination Lands Policy.

## 10 DURING CONSTRUCTION (ENGINEERING)

### 10.1 Compaction Requirements

10.1.1 Land shall be filled where necessary. All fill including existing fill shall be compacted in accordance with the Council's "Works Specification - Civil (current version)". A compaction certificate shall be obtained from a Registered Engineer (NPER) verifying that the correct compaction requirements have been met.

10.1.2 Removal of any unsuitable soil and/or fill material and its replacement with suitable material compacted in accordance with the current version of Council's "Works Specification - Civil".

10.1.3 Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):

(a) Submission of compaction certificates for fill within road reserves.

(b) Submission of compaction certificates for road sub-grade.

(c) Submission of compaction certificates for road pavement materials (sub-base and base courses).

(d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.

(e) Compliance Certificates from road material suppliers.

### 10.2 Maintenance of Soil Erosion Measures

10.2.1 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.

10.2.2 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.

### 10.3 Filling of Land & Compaction

These conditions are imposed for the following reasons:

(a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.

(b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.

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- 10.3.1 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.
- 10.3.2 Trucks transporting fill must have their loads covered.
- 10.3.3 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.
- 10.3.4 Site filling and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.

#### 10.4 Inspections of Works

- 10.4.1 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 works (including inter-allotment)

- (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

These conditions are imposed for the following reasons:

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- (g) Connection to existing system
- (h) Tailout works
- (i) Final Inspection

(iv) Construction of Road Pavement (including carpark)

- (a) Boxing out
- (b) Sub-grade roller test
- (c) Subsoil drainage
- (d) Sandstone roller test layer 1
- (e) Sandstone roller test layer 2
- (f) Kerb pre-laying
- (g) Kerb during laying including provision of roof-water outlets
- (h) Sandstone depth
- (i) Pavement profiles
- (j) DGB depths and roller tests
- (k) Wearing Course
- (l) Kerb final
- (m) Concrete tests
- (n) Formwork concrete pavements
- (o) Final inspection

(v) Provision of Street Furniture

- (a) Street Furniture (including street signs guideposts guardrail etc)
- (b) Erection of fencing adjoining public/ drainage reserves

(vi) Footpath Works

- (a) Footpath Trimming and/or turfing (to ensure 4% fall)
- (b) Pathway construction (cycle/ link pathways)
- (c) Path-paving construction
- (d) Service Adjustments
- (e) Final Inspection

(vii) Stormwater Quality Control

- (a) Installation of Stormwater Quality Control devices
- (b) Final Inspection

(viii) CCTV Inspection of Drainage Structures (pipelines and pits)

- (a) All road drainage

(ix) Final overall Inspections

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

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- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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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.

**10.5 Public Safety**

10.5.1 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.

10.5.2 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.

**10.6 Site Contamination**

10.6.1 Should any contaminated material be unearthed during the construction works, all works are to cease immediately and a suitably qualified environmental site contamination consultant is to investigate and report on the findings. Any recommended remediation and validation works are to be undertaken pursuant to Council's Contamination Lands Policy.

**11 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**

**11.1 Environmental Management**

11.1.1 The recommendations provided in the Environmental Noise Impact prepared by Day Design Pty Ltd dated 5 May 2014 (Report Number 5192-1 Rev B), shall be implemented.

**11.2 Food Premises**

11.2.1 On completion of the installation of the ventilation system, a Compliance Certificate is to be submitted to Council certifying that the system has been installed and commissioned in accordance with the approved details.

**12 PRIOR TO OCCUPATION CERTIFICATE**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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**12.1 Road Damage**

- 12.1.1 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.

**12.2 Compliance with Conditions**

- 12.2.1 An 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.
- 12.2.2 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.
- 12.2.3 A practising acoustic engineer shall issue a compliance certificate stating that the works as completed comply with the assumptions and recommendations contained within the report from Day Design Pty Ltd dated 5 May 2014 and held at enclosure 45A of Council File JRPP-13-2289.

**12.3 Service Authorities**

- 12.3.1 The following documentary evidence shall accompany any Occupation Certificate:
- (a) 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](http://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. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development.
- 12.3.2 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

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**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 Landscaping/Car Parking**

- 12.6.1 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.
- 12.6.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 12.6.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 12.6.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 12.6.5 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.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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- 12.6.6 Appropriate security system gates are to be installed across all vehicle entry and exit points to the site, to prevent out of hours access to the car park and improve the safety and security of the surrounding residences.
- 12.6.7 Appropriate signage is to be installed identifying relevant contact details should safety or security issues arise.
- 12.6.8 To ensure that the safety, security and amenity levels of Blacktown Leisure Centre as well as the adjoining and surrounding residents are maintained, a management plan is to be prepared for the leisure centre, addressing the maintenance of signage, landscaping, lighting, graffiti removal, security of operation beyond 10pm and tennis courts. Details are to be provided prior to the release of any Occupation Certificate.
- 12.6.9 Appropriate signage is to be erected at the bus standing area advising drivers to turn off their engines whilst waiting.

**12.7 Fee Payment**

- 12.7.1 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 Engineering Matters**

**12.8.1 Surveys/Certificates/Works As Executed plans**

- 12.8.1.1 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.
- 12.8.1.2 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.
- 12.8.1.3 Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):
- (a) Submission of compaction certificates for fill within road reserves.
  - (b) Submission of compaction certificates for road sub-grade.
  - (c) Submission of compaction certificates for road pavement materials (sub base and base courses).

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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(d) The submission of two (2) contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.

(e) Compliance Certificates from road material suppliers.

#### 12.8.2 Easements/Restrictions/Positive Covenants

12.8.2.1 Restrictions and positive covenants must be registered with Land Property Information over the Stormwater Quality Control devices and outlet works.

Prior to Council endorsing the Restrictions and Positive Covenants, all the Stormwater Treatment Measure (STM) engineering conditions in the consent must be satisfied. All relevant STM documentation as required by the conditions of consent must be submitted to Council in accordance with Council's standards and requirements. All submitted documentations will be checked by Council's officer for compliance prior to endorsement of required instruments.

In summary the following documentations will be required;

1. An approved and certified design plan of the STM system by an accredited certifier.
2. STM maintenance schedule including a manufacturer maintenance manual.
3. Inspection Certificate from an Accredited Certifier or a (NPER registered) Professional Engineer for the installation of STM system.
4. A certificate from a chartered professional engineer verifying that the installed STM (including its specific name, type and model number) will function effectively in accordance with Council's Stormwater Quality Control Policy.
5. Works as executed (WAE) plan for STM system in accordance with Council' requirements.

#### 12.8.3 Bonds/Securities/Payments in Lieu of Works

12.8.3.1 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

- a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
- b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

#### 12.8.4 Inspections

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 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.

**12.8.5 Inspection of Work**

- 12.8.5.1 All road and carpark stormwater drainage structures (pipelines and pits) must be inspected by a CCTV in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of VHS video tape or DVD of the inspection video, a hard copy printout of the SEWRAT (or equivalent) report, and a CCTV certified statement in accordance with section 6.8 of Council's Works Specification Civil and that any defects identified by this inspection have been rectified.

**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*.

**12.10 Local Traffic Committee**

- 12.10.1 A Special Event Traffic Management Plan is required to be prepared and submitted to Council for separate approval through the Local Traffic Committee (LTC) process. In this regard, a special event includes any event on site with a capacity between 1,000 and 2,400 people. In this regard the following information is required to be submitted:

- i. Provide a certified Traffic Control Plan signed by a qualified Select and Modify (Red card) or Design and Inspect (Orange Card) holder .
- ii. Provide evidence of Public Liability Insurance certificate policy of no less than \$10 Million.
- iii. Provide an emergency plan (Emergency vehicle access, pedestrian movements)
- iv. Traffic Controllers will need a certified Traffic control at work site certificate (Blue Card) and an Apply Traffic Control Plan (Yellow Card) in accordance with the Roads and Maritime Services (RMS) requirements. The Traffic Management Plan (TMP) will need to be updated accordingly.
- v. A Traffic Control supervisor will need to hold a "Select and Modify" Certificate (red card) in accordance with the Roads and Maritime Services (RMS) requirements. The TMP will need to be updated accordingly.

**12.11 Noise Management Plan**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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12.11.1 A Noise Management Plan is to be submitted to Council for separate approval. A special event includes activities between 1,000 and 2,400 people on site. The Noise Management Plan is to include:

- Details of the event - an outline of events, timings, all potential sources of noise, identification of closest sensitive receptors.
- Preventive management – details of mitigation of noise impact prior to the event such as barriers, sound limitation devices etc.
- Reactive management – noise monitoring in real time, proposed trigger levels set below limits, modes of communication between noise monitors and operators, noise mitigation in real time, complaints handling in real time and communication modes between complaints handling and operators.

### 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. The land between the swimming centre and Stanhope Parkway, set aside for "overflow" parking, shall be maintained for this purpose unless suitable alternative parking is provided. The "overflow" car parking area shall be maintained in a dust-free manner and 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.

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 Field and Reserve Lighting

13.2.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land. The lighting for the playing fields is to operate no later than 10:00pm each night, except in the case of a special event.

#### 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 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.

13.3.3 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.

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13.3.4 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

13.3.5 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:

- Monday to Friday: 7am to 9pm
- Saturday and Sunday: 8am to 7pm

In addition, operation on Monday to Friday to 11pm for team sports events and competitions is permitted within the stadium as well as Saturday to midnight and Sunday to 11pm for special events pre-booked and with fixed number of patrons.

13.3.6 No nuisance or interference with the amenity of the area shall be created by reason of any process or operation on the land causing the emission of noise, dust, smoke or any polluted discharge whatsoever. Note: The Protection of the Environment Operations Act 1997 requires Council to investigate complaints where only one person complains.

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

13.3.8 The "overflow" car parking area shall be maintained in a dust-free manner and to a standard suitable for the intended purpose.

#### 13.4 Use of Premises

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

#### 13.5 Emergency Procedures

13.5.1 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.

#### 14.7 Special Events

14.7.1 Prior to each Special Event with a capacity of greater than 2,400 people for outdoor events, the following matters must be addressed and submitted to Council's Traffic Management Section (TMS) a minimum 4 months for class 2 events in accordance with Roads and Maritime Services (RMS) "Guide to Traffic and Transport

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Management for Special Events” and a minimum of 8 weeks for class 3 and 4 events:

- i. Considering Traffic Control on public road, Road Occupancy application and approval from Council is required prior to each event.
- ii. The applicant is to provide an application to the Commissioner of Police by the submission of a Schedule 1 Form (Notice of Intention to Hold a Public Assembly).
- iii. The Police, Fire Brigade and Ambulance services are to be given at least twenty four hours written notice.
- iv. The affected residents adjoining the subject development be advised at least twenty four hours before the event.
- v. The above information be submitted to Council in a form of Traffic Management Plan (TMP) for assessment.

The event is not to be staged unless approval is given by TMS and any requirements have been met.

### **13.6 Waste Management**

13.6.1 Ongoing waste management is to be in accordance with details provided to Council. In this regard, the following must be complied with:

- a. All vehicles for deliveries and pick-up would enter and exit from Stanhope Parkway in a forward direction.
- b. Garbage collection area is gated and the detail of the gates will provide visual screening from Stanhope Parkway.
- c. The two 5 cubic metre bins were measured and will be housed side by side in the garbage pick-up bay.
- d. An additional, wheelie bin storage area is to be provided, being approximately 5m x 4 m. This will be screened from view by buildings and appropriate screening.
- e. Permanent street type bins will be provided along the central pedestrian area and forecourt. Additional wheelie bins being used for major events.
- f. Frequency of waste pick-ups are to be increased when required.

### **13.7 Other Matters**

13.7.1 Within 6 months of operation of the development, a post-operative Acoustic Report is to be undertaken by a suitably qualified consultant. Should the mitigation measures be required within the development site be required to satisfy Acoustic levels, then the mitigation measure should be implemented within the development site.

13.7.2 The Noise Management Plan approved by Council in accordance with condition 12.11.1 of this consent is to be implemented for all events between 1,000 and 2,400 people.

13.7.3 The Special Event Traffic Management Plan approved by the Local Traffic

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

Kerry Robinson  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

Committee in accordance with condition 12.10.1 of this consent is to be implemented for all events between 1,000 and 2,400 people.

## 14 OPERATIONAL (ENVIRONMENTAL HEALTH)

### 14.1 Environmental Management

14.1.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.

14.1.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

14.1.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

14.1.4 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

### 14.2 Food Premises

14.2.1 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*.

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

### 14.3 Other Matters

14.3.1 No more than 6 buses are to be left idling in the dedicated bus bay; no more than 2 buses are to be left idling in the dedicated bus bay after 10pm.

14.3.2 The Eastern Car Park is not to be used after 10pm.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council



- 14.3.3 No public announcement or amplified music is to be used outside of the complex after 10pm.
- 14.3.4 When amplified music is played inside the stadium, all natural ventilation paths should be closed. An electric limiter must be installed to limit the music to a level of  $L_{eq,10\text{ sec}}$  90 dBA when measured inside the stadium.
- 14.3.5 The East and Southern Side roof ventilators and louvers must be closed after 10pm.
- 14.3.6 A Noise Management Plan is to be submitted to Council for approval 3 months in advance of the special event. A special event for greater than 2,400 people attending events at the outdoor courts. The Noise Management Plan is to include:
- Details of the event - an outline of events, timings, all potential sources of noise, identification of closest sensitive receptors.
  - Preventive management – details of mitigation of noise impact prior to the event such as barriers, sound limitation devices etc.
  - Reactive management – noise monitoring in real time, proposed trigger levels set below limits, modes of communication between noise monitors and operators, noise mitigation in real time, complaints handling in real time and communication modes between complaints handling and operators.

## 15 OPERATIONAL (POLICY)

### 15.1 Noise control

- 15.1.1 The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 7.00 am and 12.00 midnight at the boundary of any affected residence.

The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) between 12.00 midnight and 7.00 am at the boundary of any affected residence.

Notwithstanding compliance with the above, the noise from the subject premises shall not be audible within any habitable room in any residential premises between 12.00 midnight and 7.00 am.

- 15.1.2 The recommendations made in the report from Day Design Pty Ltd dated 5 May 2014 and held at Enclosure 45B of Council File JRPP-13-2289 shall be implemented.

### 15.2 General

- 15.2.1 The management, maintenance and operation of the premises is to be conducted at all times in a manner satisfactory to Council.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

Kerry Robinson  
GENERAL MANAGER

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- 15.2.2 The design, construction or internal layout of the premises is not to be altered in any way, unless appropriate details of such alteration are first submitted to and approved by Council.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

Kerry Robinson  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council