

CONDITIONS OF CONSENT

GENERAL MATTERS

1. The development must be implemented substantially in accordance with the following Plans:

Project No.	Plan No.	Description	Prepared by	Dated
N09-041	DA00A	Cover Sheet	i2C Architects	08/11/13
N09-041	DA01A	Existing Site Plan	i2C Architects	08/11/13
N09-041	DA02A	Site Plan Stage 1	i2C Architects	08/11/13
N09-041	DA03A	Site Plan Stage 2	i2C Architects	08/11/13
N09-041	DA04A	Ground Floor Plan	I2C Architects	08/11/13
N09-041	DA05A	Roof Plan	I2C Architects	08/11/13
N09-041	DA06A	Elevations	I2C Architects	08/11/13
N09-041	DA07A	Sections	I2C Architects	08/11/13
N09-041	DA08A	Perspectives	I2C Architects	08/11/13
N09-041	DA09A	Notification Plan	I2C Architects	08/11/13
	SKDA01D	Overall Landscaping Plan	Umbaco Landscape Architects	November 2013

In addition to the application form, the Statement of Environmental Effects for the Redevelopment of the Cranebrook Village Shopping Centre prepared by PGH Environmental Planning, dated 20th November 2013, the staging letter and accompanying plans from Cranebrook Village Pty Ltd dated 13/03/14 and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

2. The development shall not be used or occupied until an Occupation Certificate has been issued.
3. The operating hours of the shopping centre are from 7:00 am to 10:00 pm 7 days a week. The operating hours of delivery and service vehicles to and from the development are limited to 7:00 am to 8:00pm Monday to Saturday and 8:00am to 8:00pm Sundays and Public Holidays unless as otherwise restricted by conditions in this consent.
4. No motor vehicles are to be displayed for sale on the subject premises.
5. A Construction Certificate shall be obtained prior to commencement of any building works.
6. A minimum of six (6) accessible parking spaces shall be provided on the site near the entrance to the shopping centre.

7. In addition to Council's street sweeping and cleansing operations, the owner/manager of the building shall ensure that the footpath , gutter , building entry and surrounds are kept clean and clear of litters at all times.
8. A public address system or sound amplifying equipment shall not, without the consent of Council, be installed in or upon the premises so as to cause or permit the emission of sound onto any public place or nearby residential area.
9. All wastewater and stormwater treatment devices (including all drainage systems, sumps and traps) must be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.
10. Staff toilets are to be supplied with a hand wash basin/s that is supplied with a constant supply of warm potable water (40 degrees Celcius), soap and disposable paper towels or mechanical hand dryer.
11. The entrances to the shopping complex are to be fitted with device/s to prevent the entry of pests including flies.
12. The following safety and security requirements are to be complied with:
 - a. Pedestrian pathways, lane ways and access routes in outdoor public spaces should be lit to the minimum Australian Standard of AS 1158. Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting.
 - b. Lighting should take into account all vegetation and landscaping that may act as an entrapment spot.
 - c. Lighting should be designed so that it is 'vandal-tough' or difficult for vandals to break.
 - d. All lighting should be maintained and kept in a clean condition with all broken or burnt out globes to be replaced quickly.
 - e. Avoid medium height vegetation with concentrated top to bottom foliage.
 - f. Trees with dense low growth foliage should be spaces or crown raised to avoid a continuous barrier.
 - g. Avoid vegetation that impedes the effectiveness of public and private space lighting.
 - h. Use "green screens" (wall hugging vegetation that cannot be hidden behind) if screening large expanses of fencing to minimise graffiti.
 - i. Anti-motor vehicle theft signage is to be displayed in visible locations within the car park.

- j. Any outdoor furniture should utilise vandal-resistant treatments where possible and should be constructed of sturdy materials to minimise opportunities for malicious damage, graffiti, vandalism and theft. Graffiti resistant coatings must be applied to any surfaces subject to graffiti to assist with removal.
 - k. The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired (within 48 hours).
13. The pylon sign is restricted to a maximum height of 7.0m in accordance with the signage requirements within Part 3, Section 3.1 – Advertising Signs outlined within Penrith Development Control Plan 2006.

DEMOLITION

14. All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". Prior to demolition, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority prior to commencement of demolition.

15.

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

16. Dust suppression techniques are to be employed during demolition and construction to reduce any potential nuisances to surrounding properties.
17. Mud and soil from vehicular movements to and from the site must not be deposited on the road.
18. Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No demolition work is permitted on Sundays and Public Holidays.
- In the event that the demolition relates to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the demolition works are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Environmental Matters

19. Erosion and sediment control measures shall be installed prior to the commencement of works on site including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

Certification that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan (s) for the development and "Managing Urban Stormwater: Soils and Construction 2004" shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site.

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development land until the land that was subject to the works, have been stabilised and grass cover established.

20. All land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.
21. No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.
22. All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

23. All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

24. Noise levels from the premises shall not exceed the relevant noise criteria detailed in Cranebrook Village Shopping Centre Development prepared by Marshall Day Acoustics dated 22 November 2013. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

In addition to the above requirements, any noise levels from mechanical equipment or plant installed to or within the premises must comply with the specified maximum allowable noise level for mechanical services as indicated in table 10 of the Acoustic Report prepared by Marshall Day Acoustics dated 22 November 2013.

25. The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating noise.
26. A plan detailing spill prevention, contingency and emergency clean-up procedures for the development shall be submitted for approval prior to construction works commencing. The approved procedures plan shall be implemented in the event of a spill or emergency.

27. Waste oil shall be stored in a covered and bunded area and regularly removed to a waste oil recycle operation.

28. All works and storage areas where spillages are likely to occur shall be bunded. The size of the area to be bunded shall be calculated as being equal to 10% of the total volume of containers stored, or 110% of the largest

container stored, whichever is the greater. All bunded areas shall be graded to a blind sump so as to facilitate emptying and cleaning. Details are to accompany the application for a Construction Certificate.

29. Prior to the issue of a Construction Certificate, details of any pre-treatment facilities as required by Sydney Water and, if required a Section 73 Certificate issued by Sydney Water for the said development, are to be submitted to the Certifying Authority.
30. Stormwater runoff from parking and open areas shall be directed to the stormwater drainage system. The Stormwater pre-treatment devices specified in the Stormwater Details Plan prepared by i2c Architects 13709_DA_C210 Revision 1 September 2013 and OSD Section and Details Plan prepared by i2c Architects 13709_DA_C201 Revision 1 September 2013 shall be used to remove litter and sediment.
31. Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

32. No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:
 - a. state the legal property description of the fill material source site,
 - b. be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
 - c. clearly indicate the legal property description of the fill material source site,
 - d. provide details of the volume of fill material to be used in the filling operations,
 - e. provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
 - f. (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:

- a. Supervise the filling works,
- b. (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- c. Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soilscience, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance.”}

33. The roller doors located within the Waste Storage and Dock area shall operate silently and be appropriately maintained.
34. 12 Months after the issue of the Occupation Certificate , an Acoustic Compliance Report is to be submitted to and approved by Council. The report is to be prepared by a suitability qualified Acoustic Consultant and is to address, but is not limited to, all noise generating activities on the site and the level of compliance with the noise criteria set within the Cranebrook Village Shopping Centre Redevelopment Environmental Noise Assessment RP 001 R01 2013378SY Dated 22 November 2013.
35. The operation of any cardboard compacting equipment or similar equipment within the waste management / dock area shall be restricted to between the hours of 8:00am to 5:00pm 7 days a week.
36. All loading/unloading of delivery vehicles shall take place in the approved dock area and under no circumstances are vehicles to stand on Borrowdale Way for the purpose of loading/unloading.
37. The construction and operation of the premises shall comply with the NSW Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2000.

BCA Issues

38. Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 “Design for Access and Mobility”. Details of

compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application.

39. A fire safety list of essential fire or other safety measures shall be submitted to Penrith City Council prior to the issue of the Construction Certificate. The fire safety list shall specify all measures (both current and proposed) that are required for the building so as to ensure the safety of persons in the building in the event of fire. The fire safety list must distinguish between:
- a. the measures that are currently implemented in the building premises,
 - b. and the measures that are to be proposed to be implemented in the building premises, and must specify the minimum standard of performance for each measure.
40. The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:
- (a) deal with each essential fire safety measure in the building premises, and
 - (b) be given:
 - within 12 months after the last such statement was given, or
 - if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
 - prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.
41. 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 on-going benefit of the community. Compliance with the performance requirements can only be achieved by:
- 42.
- (a) complying with the deemed to satisfy provisions, or
 - (b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
 - a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

Health Matters

43. Prior to occupation of a tenancy within the building, a separate Development Application or Complying Development certificate is to be obtained to use each tenancy within the building/complex. This condition does not apply to the Supermarket.
44. The construction, fit out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS4674-2004 Design, Construction and Fitout of Food Premises.
45. Air-handling systems, hot-water systems, humidifying systems, warm-water systems and water-cooling systems must be installed in accordance with AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning, as applicable to the specific system. An air-handling system must be fitted with supply air filters.

The regulated system shall be thoroughly flushed before being brought into service and shall be located in a position to ensure that the exhaust discharge from the tower is away from occupied areas, air intake and building openings.

46. Prior to commencing outdoor dining or trading, the operator of the business shall obtain an Outdoor Eating & Trading Licence in accordance with Council's Outdoor Eating & Trading Development Control Plan. An application form can be obtained by contacting Council on (02) 4732 7777 or from Council's website www.penrithcity.nsw.gov.au.
47. Any cooling towers and warm water systems are to be registered with Penrith City Council by completing the registration form for regulated systems. This form is to be returned to Council prior to the issuing of the occupation certificate and operation of the system if applicable.
48. The occupier of any premises at which a water-cooling system or warm-water system is intended to be installed must notify Council using the NSW Ministry of Health Notification Form available from www.health.nsw.gov.au:
 - if the system is installed before he or she becomes the occupier, within one month after he or she becomes the occupier, or
 - if the system is installed after he or she becomes the occupier, within one month after the system is installed.
 - The occupier of the premises must notify Council within 7 days of any change of details.
49. All garbage must be stored in accordance with the requirements of the Food Safety Standards of the Australian and New Zealand Food Standards Code and the

Protection of the Environment Operations Act 1997 to prevent the harbourage of vermin or generation of odours.

Construction

50. Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected: at the commencement of, and for the full length of the, construction works onsite, and in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

51. Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made: must preserve and protect the building from damage, and if necessary, must underpin and support the building in an approved manner, and must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place, the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and any such hoarding, fence or awning is to be removed when the work has been completed.

52. The approved waste management plan must be implemented on-site and adhered to throughout all stages of the development including demolition, with supporting documentation / receipts retained in order to verify the recycling and disposal of materials in accordance with the approved plan.
53. Detailed engineering plans and specifications relating to the work shall be submitted for consideration and approval prior to the issue of a Construction Certificate.
54. Glass installations within the building shall comply with AS 1288 and the Building Code of Australia. On completion of the glass installation, a report shall be submitted certifying compliance with AS 1288.
55. Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:
 - Mondays to Fridays, 7am to 6pm
 - Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
 - No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise audible at the boundary of the site, are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

56. The pedestrian paths are to be 1.5m wide to allow for accessible access and people with prams and shopping trolleys.
57. Prior to the issue of an Occupation Certificate, and to maintain sight distances around the new loading entry and exit, "No Stopping" restrictions are to be implemented on the southern side of Borrowdale Way, between the existing zone at the pedestrian refuge in Borrowdale Way and the eastern site boundary. This is to be approved by Council's Local Traffic Committee prior to implementation and installed at no cost to Council.

58. Prior to the issue of an Occupation Certificate, secure bicycle parking is to be provided in at convenient location(s) in accordance with AS2890.3:1993 Bicycle Parking Facilities.

Engineering

59. Prior to the issue of a Construction Certificate, a Roads Act application, including payment of application and inspection fees shall be lodged with Penrith City Council, as the Roads Authority, for the following works:
- a) Provision of a heavy-duty vehicular crossing/s.
 - b) Provision of private drainage connections to Council's road drainage system.
 - c) Removal of redundant vehicular crossings and reinstatement of kerb and gutter.
 - d) Opening the road reserve for the provision of services including stormwater.
 - e) Placing of hoardings, containers, waste skips, etc. in the road reserve.
 - f) Replacement of damaged kerb and gutter for the full property frontage.

All works within the road reserve shall be carried out in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

Penrith City Council (being the Roads Authority under the Roads Act) shall approve the works completed on or over the road reserve. Contact Council's City Works Department on (02) 4732 7777 to arrange an inspection of the works (and payment of inspection fees, if required).

60. On-site detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by (Henry & Hymas), reference number (13709), revision (B), dated (Sept 2013).

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

61. Stormwater runoff from parking, uncovered paved areas shall be directed to a stormwater pre-treatment system. The treatment devices shall be designed to remove expected pollutant loadings in accordance with the Department of Environment, Climate Change & Water's 'Managing Urban Stormwater – Environmental Targets/ Treatment Techniques– October 2007' publications.

Any Construction Certificate issued by the Principal Certifying Authority or Certifying Authority shall incorporate:

Specification & installation details of the stormwater pre-treatment system
The approval of an operation and maintenance manual/ schedule for the proposed device

A copy of the approved operation and maintenance manual/ schedule shall be submitted to Penrith City Council with notification of the Construction Certificate issue.

62. Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council's Development Control Plan.
63. Inter-allotment drainage shall be provided for all lots that are unable to be drained by gravity to the street system. Inter-allotment drainage is to be constructed with a maximum pit spacing of 40m. A stub connection shall be provided for lots without a pit with location details to be provided on the works as executed drawings.
64. Prior to the connection of private drainage to Council's drainage system, an inspection is to be carried out by Penrith City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges, and is to be paid prior to the inspection.

Drainage pipe connection from private property to Council's drainage pit shall be reinforced concrete or FRC.

65. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works within the road reserve have been inspected and approved by Penrith City Council.
66. After completion of all civil works, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

67. Prior to the issue of select (an Occupation) Certificate, the Principal Certifying Authority shall ensure that the:
- a) On-site detention system/s
 - b) Stormwater pre-treatment system/s

Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
Have met the design intent with regard to any construction variations to the approved design.

Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

68. Prior to the issue of an Occupation Certificate, a restriction as to user and positive covenant relating to the:

- a) On-site detention system/s
- b) Stormwater pre-treatment system/s

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

Landscaping

69. All landscape works are to be constructed in accordance with the a landscape plan as required by a condition of this development consent, approved by Council prior to the issue of a Construction Certificate and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

70. The approved landscaping for the site must be constructed by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to construct category 3 landscape works.

71. The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works.

i. Implementation Report

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation

Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works

An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

ii. Maintenance Report

On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works.

iii Final Site Arborist's Report (significant tree protection)

This report is to be submitted to Penrith City Council 2 years after the Occupation Certificate was issued. This report is to be prepared by a consulting arborist listed in Council's Approved Landscape Consultants Register. At Council's discretion this period may be reduced under circumstances where the Site Arborist is able to guarantee the health and ongoing survival of the trees.

iv 3 Year Landscaping Report (category 3 developments) 3 years after an Occupation Certificate was issued for the development, a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

- (a) The landscaping on site has matured and is in accordance with the original landscape approval.
- (b) The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In this case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

72. All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.

73. All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,

- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

74. All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in section F4 of Councils Landscape Development Control Plan yet based on treatments proposed in the Arborist Report.
75. No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.
76. The trees identified for retention on the approved Plans shall be retained and duly protected during the construction of the development. Tree protection measures shall:
- be installed before any works can commence on site including the clearing of site vegetation, and
 - comply with the standards prescribed by the Tree Management Plan, and
 - be certified by the author of the Tree Management Plan (TMP) before any works can commence on site. The certification is to be a Compliance Certificate or other written document certifying that the tree protection measures have been installed in accordance with the recommendations in the approved TMP. The Compliance Certificate or other suitable documentation shall be submitted to the Principal Certifying Authority a minimum 2 days prior to the commencement of site works. A copy of the Compliance Certificate or written documentation is to be submitted to Council with the "Notice of Commencement".
77. Detailed landscape documentation is to be submitted for approval by Council's Landscape Architect prior to issue of a Construction Certificate. Particular landscape detail is to be provided for the village green, circulation areas south of the village green, northern and north-east boundary presentation, and tree planting methods in the car park. The landscape plan should also contain measures as specified in Condition 12 of this consent.
78. A Tree Management Plan, shall prepared by a suitably qualified arborist that is approved by Council officers. The plan shall be submitted to Council and approved by Council prior to demolition and earthworks (includes tree protection measures) being undertaken on the site.
79. Prior to the commencement of any earthworks or construction works on site, the proponent is to:
- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
 - (b) submit a Notice of Commencement to Penrith City Council

The Principal Certifying Authority shall submit to Council an “Appointment of Principal Certifying Authority” in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a “Notice of Commencement” to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Operational Matters

80. The following security measures are to be implemented:

- a) Bollards shall be placed at regular intervals in front of glazing in retail spaces to reduce the risk of ‘ram raids’ and unauthorised vehicle access.
- b) CCTV shall be installed to cover all shopping centre entrances/exits, walkways, loading dock and service areas, entrances to amenities, and fire escapes. The CCTV should be of sufficient quality to enable facial recognition in the event that footage is required by NSW Police.
- c) All Car Parks shall be locked outside of normal operating hours, with boom gates installed at all entry points to restrict vehicle and pedestrian access afterhours and minimise opportunities for vehicles to loiter in the car park.
- d) Designated car parking spaces must be reserved for Emergency Services personnel (Police, Fire, Ambulance) for ease of access in the case of an emergency. These spaces must be strategically located in close proximity to key entry points.
- e) The following requirements shall be observed with respect to lighting:
 - All entrances and exits to the centre shall be well lit.
 - Car park areas shall be well lit in accordance with Australian Standards, to improve visibility for users and staff.
 - All lighting shall be vandal resistant.
 - Lighting shall be consistent to reduce contrast between shadows and illuminated areas.
 - Light spillage shall be contained within the property boundary and no light shall be projected upwards.
- f) Shopping trolleys must be secured inside retail premises after hours to prevent theft and/or vandalism. Consideration should be given to coin-operated trolleys or similar systems which reduce opportunities for theft or dumping of trolleys.
- g) A Security Management Plan shall be approved by the Development Services Manager prior to occupation of any building. The plan shall address the following t:

- CCTV (including details of camera type, locations and procedures for storage of footage)
 - Use of Security Personnel (including staffing levels and frequency of patrols). In this regard the plan shall provide details with respect to 24 hours surveillance of the site.
 - Responses to incidents/emergencies
 - Management of vandalism, graffiti and strategies to deter loitering and antisocial activity, particularly after hours.
81. A security door shall be installed at the perimeter of businesses to clearly define the boundaries and restrict access afterhours.
82. An additional trolley bay of similar dimensions to the approved bay, shall be provided in the northern part of the car park. The trolley bays shall be designed to operate on a coin lock system to minimise theft of trolleys.
83.
Upon issue of a Final Certificate of Occupation for the eastern most supermarket, the remainder of the development shall be completed within a period of two years.
84. The hours of operation of the loading dock shall be restricted for a trial period of twelve months. Prior to the expiration of the trial period the proponent shall make application for the continuation of the approved hours of operation. If no approval is obtained from Council for the continuation of the operating hours of the loading dock as specified in this consent or no application is made, prior to the expiration of the trial period, the hours operation of the loading dock shall be restricted to between 8.00am to 8.00pm seven days a week.
85. A baby care room shall be provided and maintained in accordance with Penrith City Council's Baby Care Rooms Development Control Plan 2002. Details are to be submitted to Penrith City Council as part of the Construction Certificate application.
86. To ensure compliance with Local Government Act (1973) Section 124 Order 8, the street/shop number shall be prominently displayed at the front of each of the tenancies.
87. A security door shall be provided on both ends of the internal corridor linking the retail floor space of the shopping centre to the loading dock
88. Retailing, including island kiosks, is prohibited in the corridor areas of the shopping centre.

Advisory Notation

The proponent is requested to meet with the Cranebrook Neighbourhood Advisory Board on a regular basis with the aim of integrating the development into community activities in the locality.