

Appendix 7 – Recommended Conditions of Consent

- The development must be implemented substantially in accordance with the Architectural drawing/Plans outlined below:

Drawing Title	Drawing No.	Issue	Prepared by	Dated
Site Plans	DA002, DA002 and DA004		Benier Francis Pty Ltd	25/07/2015
Undercroft UC2 Floor and carpark Plan	DA200		Benier Francis Pty Ltd	19/05/2011
Undercroft UC1 car park level plan	DA201		Benier Francis Pty Ltd	25/07/2015
Coles and Specialty shops level plan	DA202		Benier Francis Pty Ltd	25/07/2015
Mezzanine floor level	DA203		Benier Francis Pty Ltd	25/07/2015
Roof Plan	DA204		Benier Francis Pty Ltd	25/07/2015
Elevations 01	DA400		Benier Francis Pty Ltd	25/07/2015
Sections	DA401		Benier Francis Pty Ltd	25/07/2015
3D Level views	DA402		Benier Francis Pty Ltd	25/07/2015
Landscape Site Analysis	1698-LDA1	A	Wall Brink Landscape Architecture	25/04/2015
Landscape Concept Site Plan	1698-LDA2	E	Wall Brink Landscape Architecture	25/04/2015
Landscape Concept Function Plan & Materials	1698-LDA3	C	Wall Brink Landscape Architecture	25/04/2015
Landscape DA UC 2 Level Plan	1698-LDA4	E	Wall Brink Landscape Architecture	25/04/2015

Drawing Title	Drawing No.	Issue	Prepared by	Dated
Landscape DA Coles loading dock level Plan	1698-LDA5	E	Wall Brink Landscape Architecture	25/04/2015

as stamped approved by Penrith City Council, the application form , the BASIX Certificate and any other supporting documents received with the application, approved in respect to Schedule 1 by Council or an Accredited Certifier, except as may be amended in red on the attached plans and by the following conditions.

2. The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired. The development shall incorporate the use of materials and fixtures which are resistant to vandalism and therefore minimise ongoing maintenance.
3. The following lots are to be consolidated as one lot.
 - Lot 9100 in DP 1022720 ; Lot 2 DP 1022720;
 - Lot 9204 DP 1022720; Lot 9105 DA122720 ;
 - Lot 9108 DP 1022720 ; Lot 9103, 9106 and 9107 in DP 102220

Written evidence that the request to consolidate the lots has been lodged with Land and Property Information division of the Department of Lands is to be submitted to the certifying authority before the Construction Certificate for the development can be issued by the certifier.

A copy of the registered plan of consolidation from Land and Property Information division of the Department of Lands is to be submitted to the Principal Certifying Authority (PCA) and Penrith City Council, if Council is not the PCA, prior to the issue of the Occupation Certificate for the development.

4. A Construction Certificate shall be obtained prior to commencement of any building works.
5. The development shall not be used or occupied until an Occupation Certificate has been issued.
6. The hours of operation are limited to between 8am and 8pm daily and up to 9pm on Thursdays for all facilities except for the Supermarket and Restaurants which can operate up to 11 pm daily.
7. Any air conditioning units proposed for development are to be located in such a way that they are not visible from the street and are to be integrated with the building design. Details are to be submitted to Council for consideration and approval prior to their installations.

8. Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
9. Mud and soil from vehicular movements to and from the site must not be deposited on any public road.
10. If any archaeological relics are uncovered during the course of the work no further work shall be undertaken until further permitted by Penrith City Council or the NSW Heritage Office.

The applicant is advised that depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act, 1977 may be required before any further work can be recommenced in that area of the site.

11. Erosion and sediment control measures shall be installed prior to the commencement of works on site including approved clearing of site vegetation or demolition. 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).

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

12. 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.
13. Noise levels from the premises shall not exceed the relevant noise criteria detailed in "Proposed Glenmore Park Shopping Centre, Penrith: Environmental Noise Impact Assessment" prepared by Acoustic Logic dated 29 May 2014 (Ref. 20140392.1/2905A/R2/GW). 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

14. 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.
15. 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.

16. 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.
17. 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.

18. A completed waste management plan shall be submitted to Penrith City Council for consideration and approval. Council must approve the plan before a Construction Certificate can be issued for the approved development.

The waste management plan is to address all phases of the current development proposal and shall be prepared in accordance with the Waste Planning Development Control Plan (2004). It is to address all waste materials likely to result from the development, with details of the estimated waste volumes, onsite storage and management, proposed re-use of materials, designated waste contractors, recycling outlet and / or landfill site.

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.

19. 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 offensive noise.

20. (a) 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.

(b) The Validation Certificate shall:

- ☐ state the legal property description of the fill material source site,
- ☐ 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,
- ☐ clearly indicate the legal property description of the fill material source site,
- ☐ provide details of the volume of fill material to be used in the filling operations,
- ☐ 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
- ☐ (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:

- ☐ Supervise the filling works,
- ☐ (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,
- ☐ Certify by way of certificate or 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 Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

- (c) The contact details of any appropriately qualified person/s engaged for the filling works shall be provided with the Notice of Commencement.
- (d) 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.
- (e) For the purposes of this condition appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies and who has appropriate professional indemnity and public risk insurance.”}

21. 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 occupants of the development. Compliance with the performance requirements can only be achieved by:

- (i) complying with the deemed to satisfy provisions, or
- (ii) 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
- (iii) a combination of (a) and (b).

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

22. 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:

- the measures that are currently implemented in the building premises,
- 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.

The development shall not be used or occupied until an Occupation Certificate has been issued. (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.

23. 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.

Any accessible pathway into the building or within the building shall comply with the AS 1428.2.

24. A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

25. Prior to the issue of a Construction Certificate, a written clearance is to be obtained from Integral Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a padmounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

26. A completed Permit Application for Plumbing and Drainage Work is to be submitted to

Sydney Water at least two working days before any rainwater tank is installed and associated plumbing work is started on the site.

27. 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.**

28. 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 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.

29. Detailed engineering plans and specifications relating to the work shall be submitted for consideration and approval prior to the issue of a Construction Certificate.

30. Rainwater tanks are to be provided for the collection of roof surface to be used for irrigation of landscaping area and utility rooms. All rainwater tank(s) are to be:

- ☐ erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- ☐ structurally sound and constructed in accordance with AS/NZS 3500 1.2-1998: *National Plumbing and Drainage - Water Supply - Acceptable Solutions*,
- ☐ fully enclosed and all openings sealed to prevent access by mosquitoes,
- ☐ fitted with a first flush device,
- ☐ fitted with a trickle system to top up from mains water,
- ☐ provided with an air gap, and
- ☐ installed by a licensed plumber in accordance with Sydney Water's *"Plumbing requirements Information for rainwater tank suppliers and*

plumbers April 2003” and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- ☐ back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- ☐ In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- ☐ The rainwater tank(s) and associated piping is to be labelled 'Rainwater Not for Drinking' in accordance with Sydney Water requirements.
- ☐ The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- ☐ The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

(a) Before any rainwater tank is used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- ☐ the manufacturer’s specifications, and
- ☐ Sydney Water and NSW Health requirements.

(b) This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted **prior to the issue of the Occupation Certificate.**

31. The catchment area (for any rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- ☐ roof catchment areas must be kept clear of overhanging vegetation,
- ☐ gutters must have sufficient fall to downpipes to prevent pooling of water,
- ☐ overflow, discharge from bleed off pipes from roof mounted appliances such as air conditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- ☐ for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- ☐ gutter guard must be installed in roof gutters to prevent foreign materials from contaminating the water which enters the rainwater tank.

32. The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

33. The noise from any pump used for the development must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.
34. 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 which do not involve the use of equipment that emits noise is 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.

35. The Landscape plan mentioned below shall be amended to reflect the final site plan.

Site Plans	DA002, DA002 and DA004		Benier Francis Pty Ltd	25/07/2015
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Details of landscaping are to be generally planted in accordance with the future approved concept landscaping for the site prepared by:

and as amended in red on the plan and must be constructed by a landscape professional.

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.

36. The following reports relating to landscaping are to be submitted at the appropriate time periods as listed below. These reports shall be prepared by a suitably qualified

landscape professional or Consultant.

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.
- ☐ 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.

iv. 3 Year Landscaping Report prepared by a qualified person 3 years after an Occupation Certificate was issued for the development, a suitably qualified landscape professional shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

- ☐ The landscaping on site has matured and is in accordance with:
 - i. the original landscape approval.
 - ii. 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 it consideration and approval. The approved plans shall be implemented at the expense of the property owners.

37. 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 Development Control Plan 2014 –Section Landscape.

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.

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 2014 –Section Landscape.

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.

38. The development is to be carried out wholly located within this subject site.
39. All driveways must be designed so that vehicles are able to enter and exit the development in a forward direction.
40. All construction vehicles and activities must be fully contained within the site. No vehicles associated with the construction or demolition activities are to stand on any surrounding streets.
41. Any Construction Certificate issued by the Principal Certifying Authority or Certifying Authority shall incorporate plans and details for erosion and sediment control in accordance with the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
42. Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design Policy.
43. Stormwater runoff from parking and 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.

The applicant shall provide to the Principal Certifying Authority or Certifying Authority such documentary or other evidence as maybe required so as to ensure that:

- 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 for the

stormwater pre-treatment system required shall be submitted to Penrith City Council with notification of the Construction Certificate.

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 stormwater drainage 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 applicant must provide the Certifying Authority such documentary evidence as maybe required to demonstrate that the stormwater drainage system has been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

44. Prior to the issue of an Occupation Certificate directional signage and linemarking shall be installed within the development indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.
45. Prior to occupation of the building or a tenancy within the building, a separate development approval is to be obtained from Penrith City Council to use the building or each tenancy within the building/complex.
46. Noise levels from the premises shall not exceed the relevant noise criteria detailed in "detailed in "Glenmore Park Town Centre: Development Application Noise Emission Assessment" (Report Reference: 2010951.1/2610A/R1/MAS)" prepared by Acoustic Logic dated 26 October 2010. 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.

47. 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.
48. 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.

49. The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Lanigan Civil, reference number LC715-TP1 to LC715-TP2 and LC715-SK2, issue D, dated 23 July 2015 and the associated MUSIC modeling LC715-20150715-Glenmore Park-MusicLink.
50. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.
51. Prior to the issue of an Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.
52. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:
 - a) Stormwater management systems (including on-site detention and water sensitive urban design)
 - b) Overland flowpath works
 - c) Flood control works
 - 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 been undertaken have been satisfactorily completed.

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

53. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the:
 - a) Stormwater management systems (including on-site detention and water sensitive urban design)
 - b) Overland flowpath works
 - c) Flood control works

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 Stormwater Drainage for Building

Development.

54. The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.
55. The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
56. All roadworks, stormwater works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.
57. Prior to the issue of a Construction Certificate, a S138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:
 - Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
 - Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Penrith City Council's specifications. Contact Council's City Works Department on (02) 4732 7777 for further information regarding the application process.

Note:

1. Approvals may also be required from the Roads and Maritime Service for classified roads.

58. An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council prior to the issue of a Construction Certificate. The bond shall be determined accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit Council's website to obtain the form and request for final inspection.

59. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the

Construction Certificate or Roads Act application.

Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design.

60. Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement has been designed clear of the zone of influence.
61. Prior to the issue of any Construction Certificate, a performance bond is to be lodged with Penrith City Council for all works located within the road reserve associated with the S138 Roads Act Approval.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note: Contact Council's Development Engineering Unit on 4732 7777 for further information relating to bond requirements.

62. Prior to the Commencement of Works, a dilapidation report of all infrastructures fronting the development in Glenmore Parkway and Luttrell Street is to be submitted to Penrith City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 50m either side of the development.
63. Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Penrith City Council.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

64. Prior to the issue of any Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.

An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and 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.

65. Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that the:
 - a) Stormwater management systems (including on-site detention and water sensitive urban design)

- 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.

66. Prior to the issue of select any Occupation Certificate, and installation of regulatory / advisory linemarking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.

Notes:

1. Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information on this process.
2. Allow eight (8) weeks for approval by the Local Traffic Committee.
3. This process can run concurrently with the S138 Road Act Approval

67. Prior to the issue of any Occupation Certificate, signage which is clearly visible from the public road shall be placed within the development site which clearly nominates which access points are for loading docks and car parks.

68. Prior to the issue of any Occupation Certificate, a maintenance bond is to be lodged with Penrith City Council for all works within the road reserve.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note:

1. Contact Council's Engineering Services Department on 4732 7777 for further information relating to bond requirements.

69. Prior to the commencement of any earthworks, construction or demolition 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.

The following documentation shall accompany the "Notice of Commencement" to be submitted to Penrith City Council:

- ☐ Certification that the sediment and erosion control measures has been installed in accordance with condition 11.
- ☐ A copy of the Traffic Control Plan for the development/site in accordance with condition 127.

70. An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation of the building/tenancy and commencement of the approved use. The Occupation Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding, and the development does not comply with the provisions of the Environmental Planning and Assessment Act and Regulation.

Before the Occupation Certificate can be issued for the development, Fire Safety Certificates issued for the building are to be submitted to Penrith City Council and the New South Wales Fire Brigades. In addition, Certification or other documentation deemed suitable to the Principal Certifying Authority (PCA) is to be submitted to the PCA, detailing compliance with:

- ☐ Condition No.23 The provisions of AS1428.1 and that any person with disabilities can access the building. In this regard, the Certification (or other documentation) is to be prepared by an accredited access consultant.
- ☐ Condition No 57 whereupon Council has certified that the works approved under the Roads Act 1993 are satisfactorily completed.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of that Certificate including the abovementioned documents shall be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Special Conditions

71. **Prior to occupation** of the building or a tenancy within the building, a separate development approval is to be obtained from Penrith City Council to use the building or each tenancy within the building/complex.
72. A detailed schedule of external material and finishes for the building and all pavement areas/pathways and eastern terrace area are to be submitted to Council for consideration and approval and this must include the use of sandstone materials along the Luttrell Street elevation matching those of the existing centre to maintain and improve the elevation along Luttrell Street such that this space is valued. These details are to be submitted prior to the release of any Construction Certificate.
73. **Prior to the issue of Construction Certificate** being issued, the applicant is to

submit the following information for assessment and approval by Penrith City Council:

- a. Detailed hydrological and hydraulic assessment of the stormwater system that is proposed to capture and convey the 1 in 100 year flows from the car park (lot 9100/lot 9108 DP 1022720) shall demonstrate compliance with Councils Stormwater for Building Developments policy and industry best practice.
- b. The stormwater system that captures and conveys the 1 in 100 year flows from the car park (lot 9100/lot 9108 DP 1022720) shall not be located beneath any structures (except driveways) and duplicated pipes will generally not be accepted.
- c. A drainage easement shall be created and registered to provide a legal point of discharge for the car park (lot 9100/lot 9108 DP 1022720) over the downstream property. The alignment of the drainage easement shall be consistent with the Stormwater plans approved by Penrith City Council in points a and b. Any negotiations and costs incurred as a result of the drainage easement alignment will be the responsibility of the applicant. The width of the drainage easement shall be in accordance with Councils Engineering Specifications.

74. A Phase 2 Detailed Site Investigation for contamination is required to be carried out for this site and should occur prior to the development commencing and **prior to the release of the Construction Certificate (CC) being issued**. This investigation is to consider the requirements of the relevant DECCW/EPA Guidelines and be prepared by a suitably qualified environmental consultant. The associated report needs to establish whether the site is suitable for its intended use and is to be submitted to Penrith City Council if Council is not the Certifying Authority for approval.

Should it be identified in the Phase 2 investigation that remediation works are required to be undertaken on the site, a separate development application is to be submitted to Council for this work. No work on the current development is to proceed until such time as this new application has been approved by Council, and Council has approved the Validation Report associated with the remediation works.

75. The applicant is to provide 4 parking spaces accessible from the CYC within the existing parking area and these spots will be signposted to say that it is only to be used for CYC at all times.
76. The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval and the plan approved by the prior to the Construction Certificate being issued condition number 73.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

77. The operating hours for Stage 2 of the Town Centre are limited to between 8am and 8pm daily and up to 9pm on Thursdays for all facilities except for the Supermarkets and Restaurants which can operate up to 11pm daily. The hours of truck and other large delivery and pick up vehicles are limited to between 7am and 9pm in order to avoid any sleep disturbance to the nearby residences.
78. The upper level of the carpark is only to be used between 7am and 10pm. Access is

to be restricted to this area outside of these hours. The loading docks are only to be used between 7am and 9pm. Deliveries, garbage compacting and garbage removals are only to occur during this time.

79. Any signage proposed for the building shall not to use flashing and/or bright light in order to minimise any impact on to the residential dwellings nearby. Details of any signage shall be subject to a new development application and submitted to Council separately for consideration and approval.
80. The stone banding in the pavement proposed in the common area between the new building and the Community & Youth Centre is to be continuing into the access area adjacent to the basketball court to have a similar theme and outlook.
81. All new trees within any roads and disturbed at ground parking area are to be planted in deep soil where appropriate and not on slab to ensure consistency of streetscape.
82. Detailed design of street furniture and lighting with the East Terrace or any other area shall be submitted to Council for consideration and approval prior to the release of the Construction Certificate.
83. All Street tree species should be *Lophostemon confertus* and their planting size should be in minimum 75 litre pots.
84. All street trees at the park interface (Luttrell Street east) must have tree guards to minimise vandalism.
85. The applicant should revise the positions of street trees and space them at a regular spacing where possible on Luttrell Street west to ensure that there is minimal conflict with awnings and street lighting. All street trees shall not compromise the effectiveness of street lighting.
86. All acoustic and visual screen treatments (e.g. walls) facing public roads shall be designed in a coordinated suite to unify the streetscape and improve the visual amenity and screen or mechanical plant, equipment and the like otherwise visible externally. They shall incorporate repetition of materials, colours, finishes etc. These treatments shall be extended as a recurring visual theme to other street frontages and addresses (e.g. from the Luttrell/Glenmore Parkway roundabout initial arrival area to the KFC garden bed) to unify the streetscape and present in an aesthetically pleasing yet urban sense. Design of these treatments must address the potential for graffiti. Treatments may incorporate planted areas to the outside (roadside) e.g. shrubs. The treatments shall be high quality and urban in character. Details are to be submitted to Council for consideration and approval prior to the release of the Construction Certificate.
87. The applicant shall provide cross sections, detailed levels, materials and finishes to demonstrate safety, accessibility (logical and complying) and an appropriate positive visual impact at the interface with the park (Luttrell St east). Details are to be submitted to Council for consideration and approval prior to the release of the Construction Certificate.
88. The pedestrian crossing proposed along the East Terrace and the new development

shall have a clear visual differentiation from the footpath and road appearance to ensure pedestrians are fully aware they are crossing a vehicular road.

89. The bicycle racks proposed along the entrance of the new building from existing car park area shall be relocated elsewhere to ensure there is no conflict to pedestrian access and desire lines.
90. All proposed the acoustic walls shall be wholly located within the subject site. No structures including light fixtures shall be located within Council's property. All acoustic and other boundary fences as well as any lighting shall be the responsibility of and managed by the applicant/operator at all times.
91. Provision of detailed design of all retaining walls, filling, access paths, retention of some trees for the construction of parking spaces that will be part of this development along Luttrell Street shall be submitted Council for consideration and approval. These details are to be submitted to Council for consideration and approval prior to the release of the Construction Certificate.
92. Establishment and ongoing landscape (hard and soft) maintenance responsibilities shall be carried out and any associated costs are to be borne by the applicant. Plan of ongoing Management of the landscaping details are to be submitted to Council for consideration and approval prior to the release of any Construction Certificate.
93. To mitigate conflict points and to protect through-traffic movements along Glenmore Parkway, all vehicle movements to/from Glenmore Parkway shall be restricted to left in/left out only. As such, the layout plan shall be amended to include:
 - A concrete median island (0.9m width and approximately 170.0m length) on Glenmore Parkway, including swept path diagrams showing a 19.0m articulated vehicle entering and exiting loading areas (with adequate driveway widths and/or any required road widening), to preclude right-turn movements for the length of the median;
 - The median shall be constructed to be a 300mm (height) straight-kerb (non-mountable kerb) and shall be tapered back into the existing splitter island at the western end of the roundabout at the intersection of Glenmore Parkway and Luttrell Street;
 - The median shall extend along the entire frontage of the site on Glenmore Parkway, to a point approximately 5.0m south of the proposed southernmost Coles loading dock driveway (near KFC), with consultation to be undertaken by the developer with affected residents at number 380 Glenmore Parkway;
 - The kerb return, at the access driveway to the lower level customer car park (at the north of the site), must be designed so that it is physically impossible to turn right onto Glenmore Parkway should an errant driver attempt to do so;
 - Provision of a westbound left-in deceleration lane off the collector road environment, of approximately 20.0m, on approach to the access driveway to the lower level customer car park (at the north of the site).

The plan must clearly identify this access driveway as an “entry only” driveway;

- The kerb returns, at both the entry and exit driveways associated with the Coles loading area, must be designed so that it is physically impossible to turn right onto Glenmore Parkway;
- Median island centres (inside of kerb) are to be finished / coloured / stencilled to be consistent with the existing roundabout splitter islands on Glenmore Parkway.

Details are **to be provided to Council with the Construction Certificate for consideration and approval.**

94. Appropriate sight lines must be maintained from the proposed driveways in accordance with AS 2890.1(2004) including minimum 2.5 sight distance triangles to pedestrians. Furthermore all landscaping surrounding pedestrian desire lines and pedestrian crossings are not to obscure sight distances.
95. The two Bus Shelters located on The Glenmore Parkway adjacent to the KFC development are to be relocated further south to an agreed location between Council and Busways. All bus stops have been designed in accordance with the requirements of the Disability Discrimination Act 2002 (DDA), Disability Standards for Accessible Public Transport (DSAPT) and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.
96. The Bus Shelters shall be DDA compliant and include integration into Council's footway whilst ensuring adequate circulation, with works at no cost to Council. Documentation of their advice and new location of the Bus Stop is to be shown on the site plan and provided to Penrith City Council for consideration and approval prior to the issue of the Construction Certificate.
97. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that:

All work and costs associated with the removal or relocation of any services within or along the public road including the footpath area and Bus Stops for this development will be responsibility of the applicant.
98. All entering and exiting truck movements must be made in a forward direction with ample internal storage provided for any queuing and loading activities.
99. A detailed Security Management Plan for the whole development site shall be prepared and submitted to Council for consideration and approval along with the Construction Certificate. This Plan shall be prepared in consultation with Council's Community Safety Officer and NSW Police. The followings should be considered indicated in this management plan:
 - Provision of CCTV cameras and identify their locations to indicate that coverage will be in the most suitable areas of the shopping centre and surrounds and in particular where there are potential entrapment areas, loading docks, long corridors and pathways of this development site.

- To indicate whether the screens will be monitored at all times or intermittently. If cameras are to be monitored at all times, a security officer should be rostered on duty for this purpose.
- Monitoring stations should be in secure locations that are accessible to authorised personnel only.
- The cameras shall be located in vandal proof domes, which will assist in deterring cameras from being damaged or tampered with. Cameras should be of a high resolution to enable clear images and facial recognition in the event that footage is required by the police.
- Policies should be developed to outline procedures for the retrieval and release of CCTV footage, ensuring compliance with relevant privacy legislation.
- Under no circumstances should technical information relating to the CCTV Program including the number of authorised staff, camera capability etc., be provided to any unauthorised person.
- Standard operating procedures should be developed to ensure the system is operated in accordance with stated aims and objectives and in accordance with relevant legislation.
- 'Dummy' cameras should not be used.
- Details of the security staff and their numbers including their hours of duty to patrol the shopping centre shall be indicated in this plan. Given that the proposed development is anticipated to increase the scale and patronage at the shopping centre, it is recommended that the security staffing levels be increased. Additional security staff would be required for any special events and during busy trading periods (e.g. periods leading Christmas and Easter trading).
- The applicant is to provide appropriate and adequate lighting in the corridors, entrapment areas, loading docks and pedestrian pathways of this development site.

The approved SMP shall be fully complied with at all times. The applicant/operator of the Centre shall make arrangements to have 3 monthly meetings with Council officers and NSW Police to discuss on going security of the development site and within. Any directions given by them for improvement to security of the development shall be implemented within 90 days.

100. The applicant is to provide boom gates, roller shutters and ticketing/security machines at all vehicular entrances to this site. Accesses to the Under croft parking areas should be restricted to customers after hours of operation of the shops.
101. All surfaces of the under croft parking areas is to be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible.
102. Where stairwells are provided, open style or transparent materials are encouraged on doors and/or walls.
103. Appropriate lighting under the shop canopy is to be provided. All lighting should be vandal resistant. Lighting should take into account all vegetation and landscaping that may act as an entrapment spot.
104. Lighting Plans must be provided indicating the type and placement of lighting in and around the proposed development. Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways.

Lighting should be designed so that it is 'vandal tough' or difficult for vandals to break.

All lighting should be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly.

105. The design of the car park should ensure that passive surveillance is possible and where appropriate, incorporate active measures such as cameras and security patrols. Car parks should be designed to minimise dark areas through the provision of appropriate lighting. Any required substation area shall be located within the subject property and must be screened properly. Any screen is to be designed in a manner that is compatible and consistent with the rest of the development. Details are to be submitted to Council for consideration and approval prior to the issue of the construction certificate.
106. All surfaces in the car park should be painted in light coloured paint or finished in light coloured concrete to reflect as much light as possible.
107. Signage must be in place to clearly identify exit and access points, the location of lifts and stairwells within the car park.
108. **Prior to the issue of a Construction Certificate**, a Construction Management Plan (CMP) for the site shall be prepared in consultation with Glenmore Park residents and existing business operators and Council's Traffic Section and submitted to Penrith City Council for consideration and approval. Council's approval of the (CMP) should be provided to the Certifying Authority as part of the Construction Certificate application. The CMP is to:
 - detail the Staged Construction of the development including the parking strategy during the construction period of each stages which is to address parking provisions for the customers in both phases, schedule collection time, customer collection points, any signage and
 - address all environmental aspects of the development's construction and operational phases, and
 - show on the plan any proposed parking areas for the customers and pick up and drop off points in the new building and at the existing centre and in particular how people with a disability are transported, and
 - provide details as to how many parking spaces and pedestrian access are provided during all construction phases, and
 - detail how customers will be serviced and transported from the car parking areas to the existing shopping facilities during all construction phases, and

The CMP should include but is not limited to the following:

- soil and water management
- dust suppression
- litter control
- Noise control

The approved CMP shall be complied with at times.

109. The applicant is to carry out all works recommended in the recommendation of ESD Initiative Report prepared by Waterman dated 12 November 2010. Documentary evidence of these works and actions being complied with are to be submitted to Council prior to the issue of Occupation Certificate.
110. 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.
 - g) Provision of footpath paving along all frontage of the subject site.

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).

111. 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

112. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that all vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development must be constructed in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council's Development Control Plan. Prior to the issue of the Construction Certificate the applicant must provide such documentary evidence as maybe required to satisfy the Principle Certifying Authority that compliance with this condition will be achieved.
113. All trees that are to be planted along the boundary and public spaces of the property should be of such species that have high canopy in order to maintain passive surveillance of the area. Details are to be submitted to Council with the Construction

Certificate for consideration and approval.

114. The applicant is to construct 24 parking spaces on the eastern side of the Luttrell Street and north of the existing parking spaces within the Council's land as shown on the submitted plans by the applicant. There are to be 2 accessible parking spaces included within this parking area that are to be constructed in accordance with AS 2890.6. All costs associated with the construction of these car parking spaces, line marking, sign posting are to be at no cost to Council. Detailed engineering designs of this area shall be submitted to Council for consideration and approval with the Construction Certificate. Appropriate consent and required agreements shall be obtained from Council's Property Department prior to commencement of any parking space construction works within Luttrell Street.
115. The existing bin storage area for the Community and Youth Centre is not to be obstructed and access made available at any time.
116. Prior to the issue of the Construction Certificate, a Construction Noise Impact Assessment and Management Plan are to be prepared and submitted to Council for approval. This assessment is to consider (at minimum) the details of the construction program, construction methods, equipment and vehicles in association with the NSW Department of Environment and Climate Change's "Interim Construction Noise Guideline" 2009.
117. The recommendations of the approved Construction and Traffic Management Plans are to be implemented and adhered to during the construction phase of the development.
118. No more than two Heavy or Medium Rigid Trucks are to arrive in an one hour period to each loading dock. No more than one Semi-trailer is to arrive to each loading dock in an one hour time period. The loading docks area including deliveries, garbage compacting and garbage removal are only to be used between 7am and 10pm.
119. Prior to the issuing of the Construction Certificate, a detailed assessment of the noise emissions associated with the mechanical plant and equipment for the development is to be provided to Council for consideration and approval. If Council is not the certifying authority for this development, the report is required to be provided to Penrith City Council for approval. The assessment is to include the type and location of all mechanical plant and equipment, and provide suitable data and information on the noise impacts associated with this plant and equipment. All mechanical plant and equipment is to comply with the noise criteria outlined in the "Glenmore Park Town Centre: Environmental Noise Impact Assessment" prepared by Acoustic Logic dated 29 May 2014 (Ref. 20140392.1/2905A/R2/GW
120. Twelve (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 suitably 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 "Proposed Glenmore Park Shopping Centre, Penrith: Environmental Noise Impact Assessment" prepared by Acoustic Logic dated 29 May 2014 (Ref. 20140392.1/2905A/R2/GW). It is also to consider the requirements of the

NSW Environment Protection Authority's Industrial Noise Policy, other relevant guideline documents and the conditions of this development consent.

Should the Compliance Report identify any non-compliance issues, the Report is to provide suitable recommendations for the mitigation of those issues. Any mitigation works are to be undertaken within thirty (30) days from the date of notice from Council, unless otherwise specified.

121. All mechanical plant and equipment is to comply with the noise criteria outlined in "Proposed Glenmore Park Shopping Centre, Penrith: Environmental Noise Impact Assessment" prepared by Acoustic Logic dated 29 May 2014 (Ref. 20140392.1/2905A/R2/GW).

Prior to the issue of the Construction Certificate, further details on the type and location of all mechanical plant and equipment associated with the development is to be provided to Council for consideration and approval. Suitable data and information on the noise impacts associated with this plant and equipment is also to be supplied to demonstrate compliance with the established noise criteria.

122. No more than two Heavy or Medium Rigid Trucks are to arrive in a fifteen (15) minute period to a particular loading dock. The number of heavy Rigid Trucks deliveries is limited to no more than 6 times per one given day. No more than one semi-trailer is to arrive in a fifteen (15) minute period to a particular loading dock.
123. 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.
124. Any Construction Certificate/s issued by the Certifying Authority shall include but not be limited to the following works:
- Stormwater drainage
 - Stormwater pre-treatment systems
 - Overland flow paths
 - Earthworks
 - Car parking
 - Retaining walls
 - Paving works
125. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, ramp gradients, sight distance at the street frontage and parking areas are in accordance with AS 2890.5, AS 2890.6, AS 2890.1-2004 and AS 2890.2 - 2002 for heavy vehicle usage and Penrith City Council's Development Control Plan. Car parking bays are to be designed to AS 2890.1-2004 - User Class 3A and figure 5.2 of AS 2890.1-2004.
126. The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for consideration and approval, which shows that the proposed development complies with this requirement prior to the release of the Construction Certificate.

127. **Prior to the issue of a Construction Certificate** the Certifying Authority shall ensure that a Construction Traffic Management Control Plan (CTMCP) has been submitted and approved by Penrith City Council. Approval of the CTMCP may require endorsement from the Local Traffic Committee. The CTMCP shall include but not limited to the following, vehicle routes, number of construction vehicles, hours of operation, access arrangements, pedestrian management, parking management for existing and traffic control. The CTMCP shall be certified by an appropriately accredited person and/or Roads and Traffic Authority Traffic Controller. The CTMCP shall ensure that adequate parking is provided for the development and not severely impacted by the construction of this development.