



Report to Sydney West Central Planning Panel

Panel reference	2016SYW170 DA
DA number	JRPP-16-03328
Proposed development	Construction of a building for use as a pub and craft brewery
Street address	Proposed Lot 310 within the subdivision of Lot 11 DP 262886, Richmond Road, Marsden Park
Applicant/owner	FDC Construction and Fitout Pty Ltd (Applicant) Ganian Pty Ltd (Owner)
Date of DA lodgement	12 August 2016
Number of submissions	2 late submissions
Regional development criteria (Schedule 4A of the EP&A Act)	Capital investment value (CIV) over \$20 million (DA has CIV of \$23.6 million)
All relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River • Blacktown City Council Growth Centre Precincts Development Control Plan 2010
Report prepared by	Melissa Parnis, Assistant Team Leader Projects
Report date	18 May 2017
Recommendation	Approval subject to conditions

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report? Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? N/A

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s94EF)? Yes

Conditions

Have draft conditions been provided to the applicant for comment? Yes
Agreed to

CONTENTS

1	Executive summary.....	2
2	Key issues list.....	2
3	Location.....	3
4	Site description.....	3
5	Background.....	3
6	The proposal.....	3
7	Assessment against planning controls.....	4
8	Key planning issues assessment.....	4
9	Issues raised by the public.....	6
10	External referrals.....	7
11	Internal referrals.....	7
12	Conclusion.....	7
13	Recommendation.....	7

ATTACHMENTS

Attachment 1	–	Location map and extract from Marsden Park Industrial Precinct Indicative Layout Plan
Attachment 2	–	Aerial image as of 12 March 2017
Attachment 3	–	Zoning extract
Attachment 4	–	Approved subdivision plan under DA-14-02160
Attachment 5	–	Detailed information about proposal and DA submission material
Attachment 6	–	Development application plans
Attachment 7	–	Assessment against planning controls
Attachment 8	–	Proposed NSW Police conditions
Attachment 9	–	Draft conditions of consent

1 Executive summary

- 1.1 This report considers a proposal to construct a pub and craft brewery on land within the Sydney Business Park at Richmond Road.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.3 The application is therefore satisfactory when evaluated against Section 79C of the Environmental Planning and Assessment Act 1979.
- 1.4 This report recommends that the Panel approve the application subject to the recommended conditions.

2 Key issues list

- 2.1 The key issues that need to be considered by the Panel in respect of this application are:
 - a. Landscaping to Richmond Road (Section 8)
 - b. Comments of NSW Police (Section 8)
 - c. Matters raised by the objector (Section 9).

3 Location

- 3.1 The site is located within the Marsden Park Industrial Precinct within the North West Growth Centre as identified by the Growth Centres SEPP. It is within the developing Sydney Business Park, in the suburb of Marsden Park.
- 3.2 The location of the site is shown in **Attachment 1**. The land immediately to the north and west of the site is zoned B7 Business Park. The land immediately to the south is zoned SP2 Infrastructure (Drainage). The site adjoins Richmond Road to the east. On the opposite side of Richmond Road the land is zoned B5 Business Development. Diagonally opposite the site to the north-east is an R3 Medium Density Residential zone.
- 3.3 A signalised intersection is currently located at the north-east corner of the site at the intersection of proposed Hawthorne Avenue and Richmond Road.

4 Site description

- 4.1 The site is vacant and is a proposed lot within the subdivision of larger allotments within the Sydney Business Park. The current registered land is Lot 11 DP 262886. The site is proposed Lot 310 created in the approved subdivision under DA-14-02160 (as modified), which is yet to be registered at Land Property Information.
- 4.2 Proposed Lot 310 is a battle-axe lot. Whilst the lot has street frontage to Richmond Road and proposed Hawthorne Avenue, access to the site is provided from Darling Street, a new local road to the west.
- 4.3 An aerial image of the site and surrounding area is at **Attachment 2**.

5 Background

- 5.1 On 18 November 2010, the site was rezoned to B7 Business Park and SP2 Infrastructure (Drainage) under State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The zoning plan for the site and surrounds is at **Attachment 3**. The site was previously zoned 1(a) General Rural under the Blacktown Local Environmental Plan 1988.
- 5.2 On 18 March 2013, Council approved DA-11-02284 for a Torrens title subdivision, to create 24 industrial lots, 6 residue lots and new roads.
- 5.3 On 14 August 2015, Council approved DA-14-02160 on a residue lot created by DA-11-02284, for the subdivision on the site to create 6 industrial lots, 3 residue lots and the construction of new roads. A number of Section 96 applications were subsequently considered to modify DA-14-02160 regarding lot configuration. Lot 310 is created under this DA. **Attachment 4** shows the approved subdivision plan under DA-14-02160.

6 The proposal

- 6.1 The Development Application (DA) has been lodged by FDC Construction and Fitout Pty Ltd for the construction of a pub and craft brewery on proposed Lot 310.
- 6.2 The applicant proposes to erect a building on the site which will include various rooms where food and beverages will be available for consumption, a gaming room, outdoor areas and car parking. The brewery will form a part of the building housing the pub.
- 6.3 The building comprises 3 levels, being:

- a. Upper ground level floor providing food and beverage services and gaming services as part of the pub
 - b. Mezzanine level providing for function rooms
 - c. Lower ground floor containing back of house spaces for the pub and the brewery, as well as car parking spaces in the undercroft.
- 6.4 A deck is provided with an outdoor sports lounge and outdoor green space extending above the car parking on the southern side of the pub. This area is also provided with a small service bar. On ground outdoor seating is proposed on the northern side of the building, with public spaces and a fenced children's play area adjoining this space.
- 6.5 The building has a gross floor area of 2,823 sqm. Of this area, 1,419 sqm will be designated for drinking and dining on the upper ground floor and 749 sqm at the mezzanine level would accommodate up to 400 people. A gaming room of 139 sqm is also provided and is not fully enclosed to allow players to smoke.
- 6.6 The pub will have a gaming room which could accommodate 30 gaming machines. This room has been designed to permit smoking and will have its own bar, amenities and separate lift from the undercroft parking area.
- 6.7 The building has been architecturally designed by ALTIS Architecture Pty Ltd. The building sits on the high point of the site and has been designed to address both Richmond Road and proposed Hawthorne Avenue. The building incorporates a variety of finishes, including glazing, stone, rendered masonry walls, metal cladded roof and timber look aluminium finishes.
- 6.8 Other details about the proposal are at **Attachment 5**, including traffic, parking and acoustic matters, and a copy of the development plans is included at **Attachment 6**.

7 Assessment against planning controls

- 7.1 A full assessment of the DA against relevant planning controls is provided in **Attachment 7**, including:
- a. Environmental Planning and Assessment Act 1979
 - b. State Environmental Planning Policy (State and Regional Development) 2011
 - c. State Environmental Planning Policy (Infrastructure) 2007
 - d. State Environmental Planning Policy No. 55 – Remediation of Land
 - e. State Environmental Planning Policy (Sydney Region Growth Centres) 2006
 - f. State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River
 - g. Draft West Central District Plan
 - h. Blacktown City Council Growth Centre Precincts Development Control Plan 2010.

8 Key planning issues assessment

8.1 Landscaping to Richmond Road

- a. The Growth Centres DCP establishes a requirement for a 20 m building setback to Richmond Road and a landscape strategy within the setback.

- b. The building is setback the minimum 20 m from the property boundary. Within this setback the proposal provides for car parking, vehicle circulation and landscaped areas. There is a minimum 3 m landscaped buffer between circulation areas and the property boundary. This is inconsistent with the surrounding landscape setbacks elsewhere within Sydney Business Park, which provide landscape setbacks of between 5 m and 10 m along Richmond Road.
- c. However, the site boundary is separated by a 20 m landscaped setback from Richmond Road. This area is to be landscaped by Sydney Business Park consistent with the adjoining landscaping already undertaken by them and will provide a landscaped buffer between the development proposal and Richmond Road. This is a side setback to this proposal.
- d. The development also provides a 7.5 m landscaped setback between the site and the new road. This is considered to be the development's primary frontage and setback, and no car parking is proposed within this area.

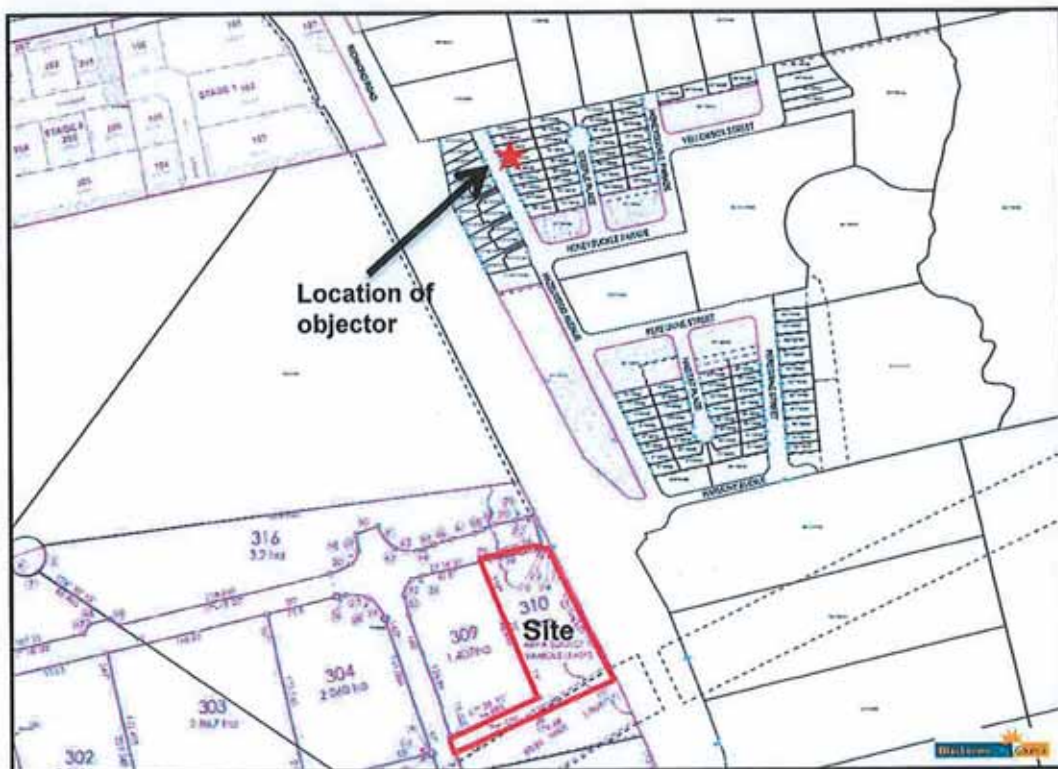
8.2 NSW Police

- a. Given the nature of the development as a licensed premises, the DA was referred to the NSW Police - Mount Druitt Local Area Command to undertake a Crime Prevention Assessment.
- b. NSW Police undertook a detailed assessment of the proposal and has not lodged an objection to the DA. However, they have suggested the imposition of a number of conditions to ensure the appropriate and safe management and use of the premises.
- c. We have reviewed the recommended conditions provided by NSW Police and have provided a copy to the applicant during the assessment process. The applicant has raised some concerns as it considers some conditions will impact on the future feasibility of the operation of the pub and brewery. NSW Police was provided with an opportunity to meet with the applicant to help resolve the issues, which was declined.
- d. We have considered both NSW Police conditions and the applicant's response. We have also reviewed the NSW Police conditions to determine which conditions are enforceable as conditions of consent and we have included them. **Attachment 8** provides a copy of the NSW Police recommended conditions and how we have addressed them in the proposed conditions.
- e. Key conditions include:
 - A Venue Management Plan and a Security Management Plan will be required to be endorsed by NSW Police for the operation of the premises. A copy of each final plan must be submitted to Council and the development will be required to operate in accordance with these plans.
 - The development will require a licence from the Independent Liquor and Gaming Authority (ILGA). As part of this process, NSW Police will have the opportunity to make a submission and relevant conditions can be imposed as part of that licence. NSW Police has acknowledged this opportunity to both Council and the applicant.

These conditions will encompass many of the operational safety measures required by NSW Police in its submission.

9 Issues raised by the public

- 11.1 The proposed development was notified to property owners and occupiers within the locality between 14 and 28 September 2016. The DA was also advertised in the local newspapers and a sign was erected on the site.
- 11.2 During the notification period no submissions were received. However, 2 late submissions were received in March 2017.
- 11.3 One submission is in support of the DA, as the development will provide a social and corporate venue for the employment area and locals, and prevent the need for locals to travel large distances to similar venues. This submitter is located in the Stonecutters Ridge estate, which is approximately 1.5 km south-east of the site.
- 11.4 The other submission objects to the DA on the ground that the venue should not be near a residential area as the area is an employment area for white collar jobs. The location of this objector is identified below.



- 11.5 The following comments are provided in response to the objector's concerns:
- The proposal is diagonally across Richmond Road from a residential area, separated by 150 m including a 75 m road reserve.
 - The Sydney Business Park is for both white and blue collar workers, and the pub is considered to provide employment within these categories.
 - The site is zoned B7 Business Park and its use for a pub and light industry is permissible in the zone with consent.
 - The development is considered to meet the objectives of the zone, by providing employment opportunities and providing facilities and services to meet the day to day needs of workers in the area.

- The use is considered to generate a range of employment opportunities which is considered beneficial to the wider area, providing an employment opportunity for about 120 persons.

11.6 The objection is considered to not warrant refusal of the DA.

10 External referrals

9.1 The DA was referred to the following external authorities for comment:

Section	Comments
Roads and Maritime Services	No objection subject to conditions
Sydney Water	No objection subject to conditions
Transgrid	No objection subject to conditions
NSW Police	Conditions provided (see Section 8 above)

11 Internal referrals

10.1 The DA was referred to the internal sections of Council and no objections were made subject to conditions.

12 Conclusion

12.1 The proposed development has been assessed against all matters for consideration and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

13 Recommendation

13.1 The development application be approved by the Sydney West Central Planning Panel subject to the conditions held at **Attachment 9**.

13.2 The submitters be notified of the Planning Panel's decision.


 Melissa Parnis
 Assistant Team Leader Projects


 Judith Portelli
 Manager Development Assessment


 Glennys James
 Director Design and Development



Location map and extract from Marsden Park Industrial Precinct Indicative Layout Plan



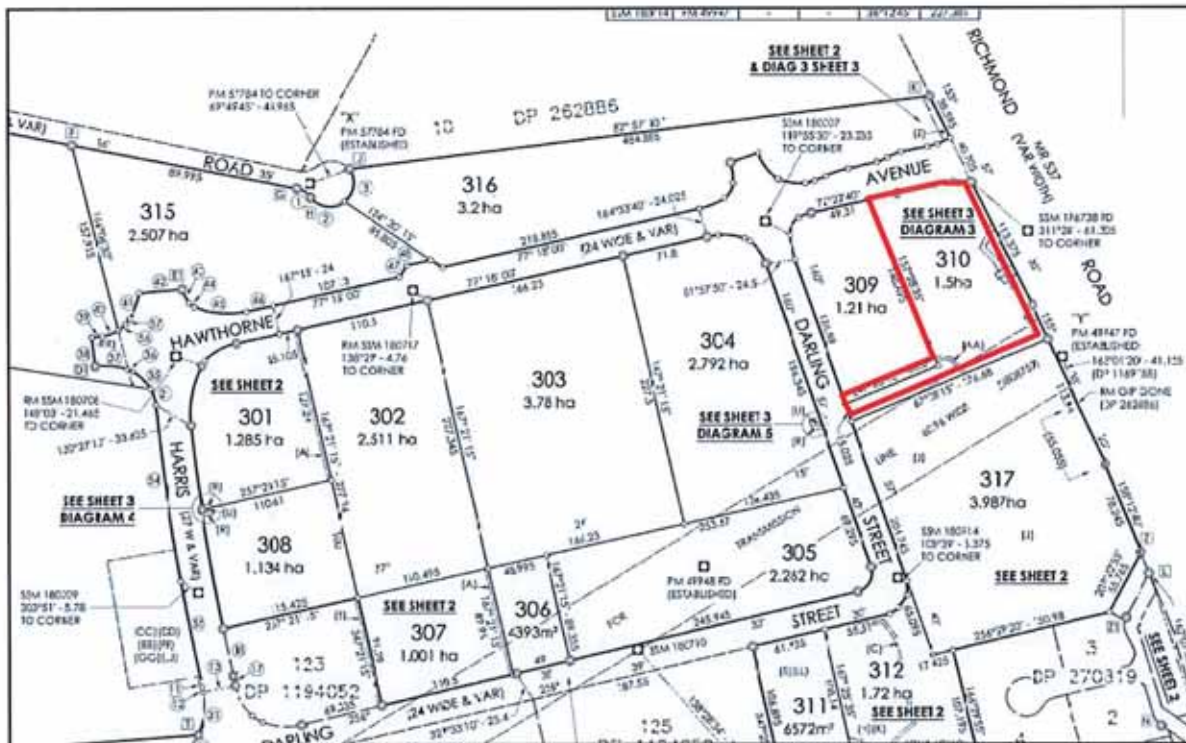
Aerial image as of 12 March 2017



LEGEND
Zone

B1 Neighbourhood Centre	IN2 Light Industrial
B2 Local Centre	R1 General Residential
B4 Mixed Use	R2 Low Density Residential
B5 Business Development	R3 Medium Density Residential
B6 Enterprise Corridor	R4 High Density Residential
B7 Business Park	RE1 Public Recreation
E2 Environmental Conservation	RE2 Private Recreation
E3 Environmental Management	RU8 Transition
E4 Environmental Living	SP2 Infrastructure
IN1 General Industrial	

Zoning extract



Approved subdivision plan under DA-14-02160

Detailed information about proposal and DA submission material

1 The proposal

- 1.1 The brewery will occupy space extending from the lower ground floor to the roof, with a total area of 524 sqm on the upper and lower ground levels. The upper ground floor area has been designed to enable patrons to taste the beers brewed on site and be able to see the brewing process. It is not proposed to sell brewed beer for take-away to patrons. All production will be put into kegs or barrels and is intended to be used at the pub and at other Laundry establishments. The brewery will initially operate one shift per day, 5 days per week and employ 2 workers.
- 1.2 The internal public spaces in the pub have a theoretical capacity for 2,000 persons. The outdoor areas could accommodate about 1,000 more. However, the applicant has nominated 2,000 as the maximum number of persons able to be in the 2 licensed areas. Of those, 70 may be in the licensed area of the brewery.
- 1.3 The building has been architecturally designed by ALTIS Architecture Pty Ltd. The proposed pub sits on the high point of the site and has been designed to address both Richmond Road and proposed Road No. 4. The building incorporates a variety of finishes, including glazing, stone, rendered masonry walls, metal clad roof and timber look aluminium finishes.
- 1.4 Pedestrian access will be provided into the site from proposed Road No. 4 and Darling Street. No direct pedestrian access will be provided from Richmond Road.
- 1.5 Vehicle access has been provided to the site from proposed Road No. 4 and the battle-axe handle on Darling Street. Access to all car parking spaces will be provided from both access points, and larger vehicles servicing the site will enter and leave the site via proposed Road No. 4. To ensure vehicles entering from Road No 4 can do so safely, it is proposed to provide a deceleration lane on the approach to the entry. That will entail widening a section of that road by 5 m over a length of 20 m, with tapers at each end. The land required to accommodate that lane is proposed to be dedicated as part of the public road reserve. The entry/exit from Road No. 4 is a left-in, left-out access point only, and vehicles can turn around to exit at the roundabout provided at the intersection of Road No. 4 and Darling Street.
- 1.6 Undercroft and at-grade parking for 266 vehicles is proposed, including 4 accessible spaces. In addition, drop-off/pick-up facilities for 2 minibuses and 2 taxis have been provided within the southern carpark with access via the western driveway.
- 1.7 The applicant proposes the provision of 2 minibuses to operate after 6 pm and 8 pm on peak nights. The minibuses will provide access to public transport nodes, hotels and adjacent town centres, within an approximate 5 km radius of the site. This currently includes suburbs such as Marsden Park, Riverstone, Schofields, Colebee and Dean Park.
- 1.8 A loading dock will be provided on the southern end of the building, with access provided via the western driveway and access handle, which is isolated from the primary parking areas.
- 1.9 The proposed hours of operation are:
 - 5 am until 3 am the following day, Monday to Saturday
 - 5 am to midnight on Sundays

The pub will require a hotel licence. Whether or not the Independent Liquor and Gaming Authority (ILGA) will approve those hours remains to be determined when the application for the grant of a hotel licence is determined. That application will be made, as required by Liquor and Gaming NSW, after development consent is granted.

- 1.10 The proposed development will be a major employer with about 120 persons expected to be on the payroll. At peak trading times, the number of staff on duty could be in the order of 60-70. In quiet times, there would be at least 20 on duty. Security persons contracted to the hotel would be in addition to those numbers. Many of those employed would be part-time or casual employees due to the fluctuations of patronage levels across the day and the week.
- 1.11 The pub would be operated in accordance with a Venue Management Plan (VMP) and Security Management Plan (SMP) approved by Council, the Mount Druitt Local Area Command and ILGA.

2 Traffic and parking

- 2.1 The applicant has submitted a Traffic and Parking Assessment prepared by Parking and Traffic Consultants. The report identifies that, in accordance with the Traffic Impact Assessment prepared by AECOM for the Marsden Park Precinct, the development will generate 2 trips during the AM peak period (7 – 9 am) and 52 trips during the PM peak period (4 – 6 pm). The assessment concludes that the development will generate peak traffic activity less than the anticipated traffic activity associated with the site, and therefore the proposed road network (currently under construction) will be able to accommodate the peak traffic volumes.
- 2.2 The assessment identifies that, in accordance with the Growth Centres DCP, the DA requires the following car parking:
 - **Pub**

DCP requirement:	1 space per 18.5 sqm of gross floor area (GFA)
GFA of pub:	2,293 sqm
Required:	124 spaces
 - **Function Centre**

DCP requirement:	1 space per 10 sqm of dining area or 1 space per 3 seats, whichever is the greater, plus 1 space per 2 employees
Proposal:	10 employees, 400 seats and 328 sqm of floor space
Required:	138 spaces
 - **Brewery**

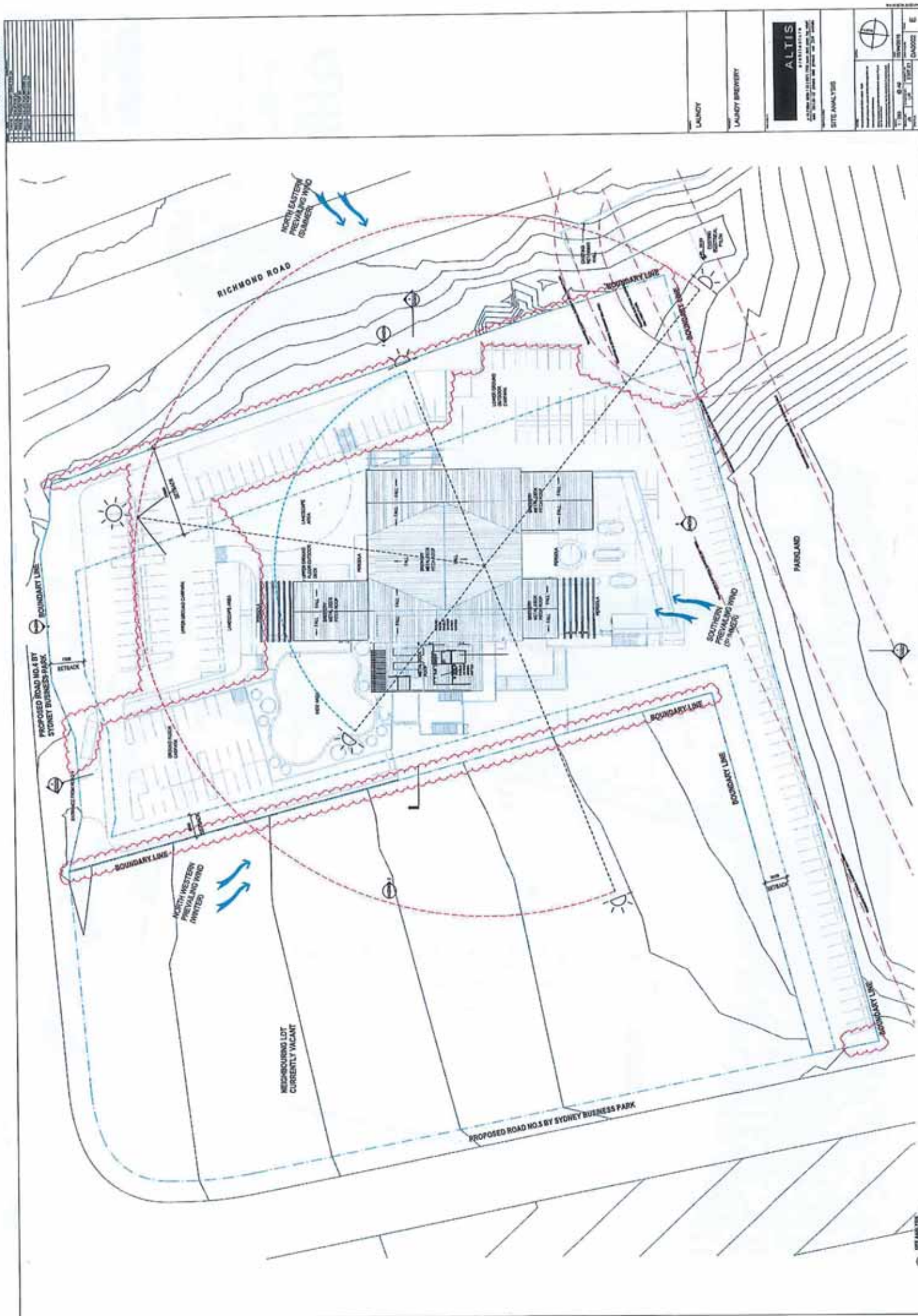
DCP requirement:	Merit based
Proposal:	2 staff at one time and patronage considered as part of the pub
Required:	2 spaces
- 2.3 The development generates a requirement for 264 car parking spaces. The development provides 266 car parking spaces and therefore exceeds the minimum number of car parking spaces required by the DCP. The report has also undertaken an assessment of similar establishments, including The Australian, The Mill Hotel and The Terry Hills Tavern. Based on a comparison with similar establishments, the proposed car parking for this development exceeds the car parking provision based on publicly accessible areas.

- 2.4 The site is serviced by bus routes from Rooty Hill, Mount Druitt, Riverstone and Blacktown. The development has made provision for 2 minibuses to service the local area at peak times and provided a taxi-rank within the design of the development. The report concludes that the car parking provision should meet the demand requirements of the development and should have no detrimental effect on on-street parking in the vicinity of the site.
- 2.5 An assessment of the car parking arrangements, vehicle access locations and provisions, servicing and loading provisions and minibus and taxi provisions have also been undertaken by the consultant and been found to be satisfactory and compliant with relevant Australian Standards. This includes vehicle access via a left-in, left-out arrangement from Road No. 4 and a 2-way vehicle access from Darling Street.

3 Acoustic matters

- 3.1 An Acoustic Assessment has been prepared by The Acoustic Group. The report undertakes an environmental noise impact assessment of the operational noise from the pub and brewery. The report quantifies the activities potentially creating the noise impact and assesses potential impacts on nearby receivers in accordance with the NSW Environment Protection Authority's (EPA) Industrial Noise Policy (INP). In addition, the acoustic assessment reviews the development in regard to compliance with the Independent Liquor and Gaming Authority (ILGA) noise criteria, which is more stringent than the EPA requirements.
- 3.2 Attended and unattended measurements were conducted to determine the acoustic environment of the area. This was done by using measurement locations set back a similar distance from Richmond Road as the nearest residential zoned properties to the north-east. Acoustic criteria has been established with respect to the EPA's INP (incorporating corrections for high traffic noise and Sydney Business Park) and the ILGA octave band requirements (in particular the more stringent criteria after midnight).
- 3.3 Achieving the effective sound power targets for the operation of the brewery and mechanical plant is not envisaged to be an issue, but cannot be carried out in the DA stage as the selection of such plant is yet to be determined.
- 3.4 With respect to the operation of the licensed areas of the development, this assessment has considered the before and after midnight operations and requires some minor noise control measures to be incorporated into the development.
- 3.5 With respect to the licensed areas of the pub, some noise control measures will be required for the operation of the conference rooms for functions to satisfy the ILGA requirements. Those measures are relatively straightforward and easy to incorporate into the design. There are no restrictions on the use of the outdoor areas of the pub. As the ground floor outdoor areas are well over 150 m from the nearest residential receiver and the building and landscaping has been designed appropriately, acoustic treatment to the outdoor areas is not considered necessary. In addition, the dwellings have been provided with an acoustic wall to cater for the noise impact from Richmond Road, being an arterial road that separates the development and the residential receivers. However, upon receipt of a justified complaint, further acoustic testing will be required and any recommendations of the acoustic testing will need to be satisfied.
- 3.6 The report recommends the implementation of the following acoustic measures in the building design:
 - Installation of electronic limiters to restrict the overall level of music
 - Vibration isolation to any low frequency speakers installed in the conference rooms

- Restrictions to the timing of live entertainment, to finish before midnight
 - A sound lock to be installed between the conference room and the external balconies.
- 3.7 Suitable conditions will be imposed requiring that the recommendations of the acoustic assessment are implemented at the different development stages, including further testing of plant and equipment prior to the release of a Construction Certificate and that post-operation acoustic validation is undertaken. Conditions will also be imposed to ensure that there is no outdoor entertainment and that the premises is not to be used as an entertainment venue, which is confirmed in the applicant's Statement of Environment Effects.



ALTIS
ENVIRONMENTAL
CONSULTANTS

SITE ANALYSIS

DATE	10/10/2023
BY	ALTIS
FOR	ALTIS
PROJECT	ALTIS
LOCATION	ALTIS
SCALE	1:1000
REVISION	1
DATE	10/10/2023
BY	ALTIS
FOR	ALTIS
PROJECT	ALTIS
LOCATION	ALTIS
SCALE	1:1000
REVISION	1



NOTE: ALL LIGHTING TO BE DESIGNED AND SITED TO MEET ALL LEVELS AS REQUIRED BY RELEVANT AUSTRALIAN STANDARDS AND OPTED REPORT

PROPOSED LANDSCAPE AREA REFER TO LANDSCAPE ARCHITECT'S PLAN

TRAFFIC LINE MARKING

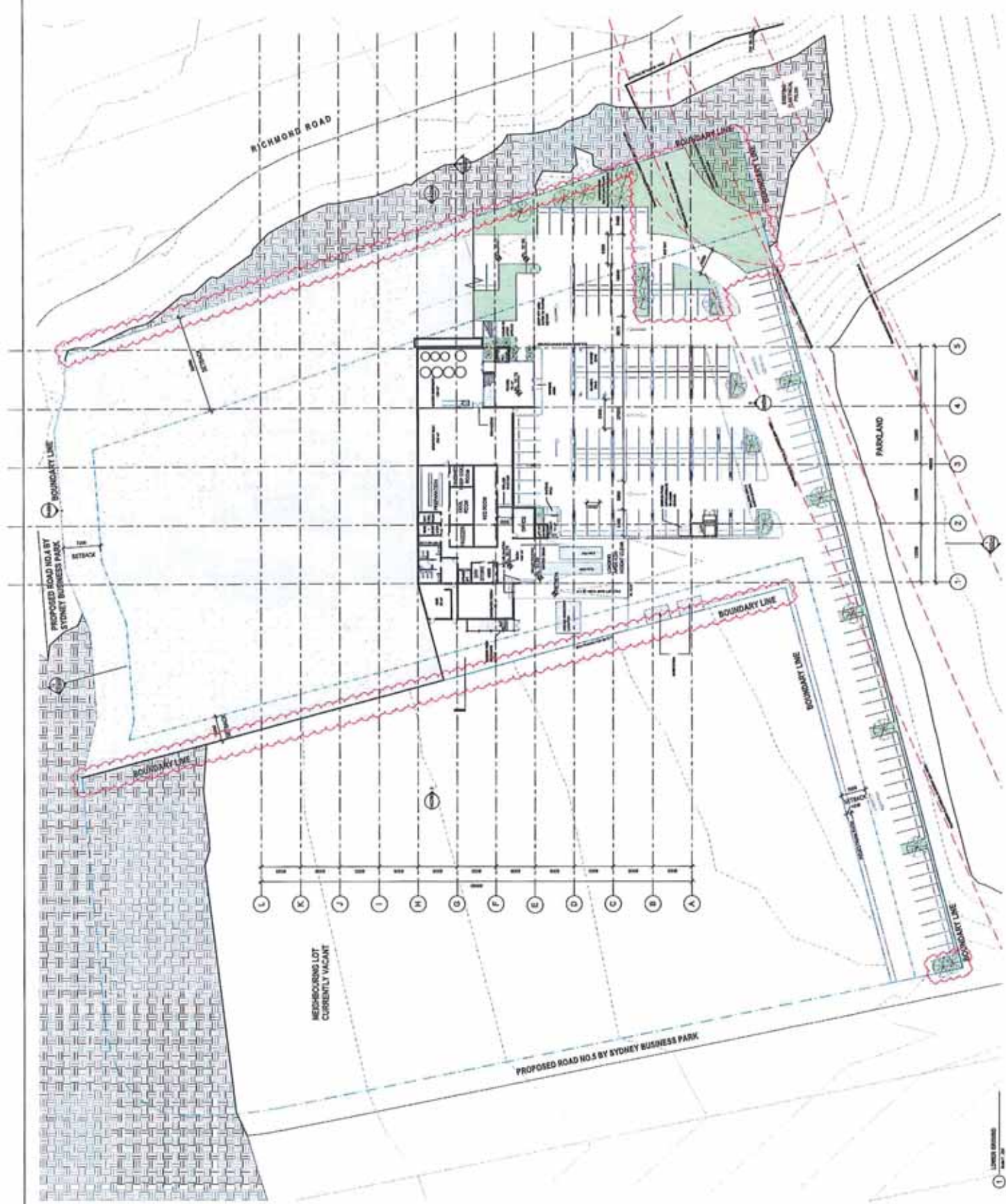
LAUNDRY

LAUNDRY BREWERY

ALTIS
RESIDENTIAL

LOWER GROUND FLOOR PLAN

Scale	1:500
North Arrow	True North
Project Name	ALTIS
Client	ALTIS
Architect	ALTIS
Engineer	ALTIS
Surveyor	ALTIS
Drawn By	ALTIS
Checked By	ALTIS
Date	10/10/2023
Revision	R



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

NOTE: ALL LIGHTING TO
UNDESCRIPT, LANDSCAPING AND
SITE TO MEET LUX LEVELS AS
REQUIRED BY RELEVANT
AUSTRALIAN STANDARDS AND
CITY OF REPORT

PROPOSED LANDSCAPE AREA
REFER TO LANDSCAPE
ARCHITECT'S PLAN

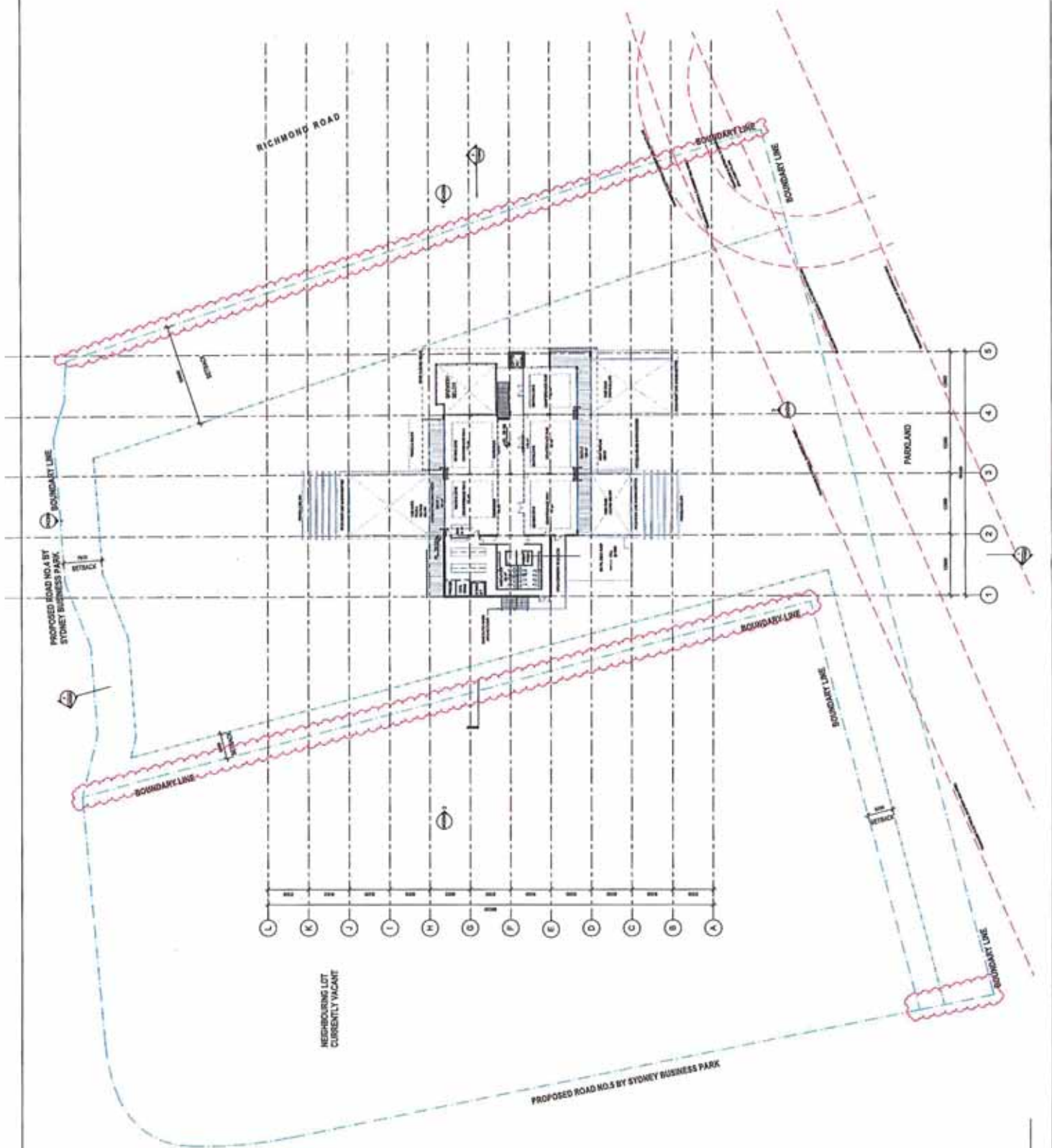
LAUNDRY

LAUNDRY BREWERY

ALTIS
ALTIMA

MOZZANONE FLOOR PLAN

		DATE: 04/11/2021 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT NO: [Number]
--	--	--



PROJECT NAME	LAUNCEY BREWERY
PROJECT ADDRESS	1000 LAUNCEY ROAD, LAUNCEY, TAS 7290
CLIENT	LAUNCEY BREWERY
ARCHITECT	ALTIS ARCHITECTS
DATE	10/01/2023
DRAWN BY	ALTIS ARCHITECTS
CHECKED BY	ALTIS ARCHITECTS
SCALE	1:100
PROJECT NO.	LAUNCEY-23-01
DRAWING NO.	04-01
DATE	10/01/2023

ALTIS ARCHITECTS
1000 LAUNCEY ROAD
LAUNCEY, TAS 7290
TEL: 08 6333 1111
WWW.ALTISARCHITECTS.COM.AU

LAUNCEY

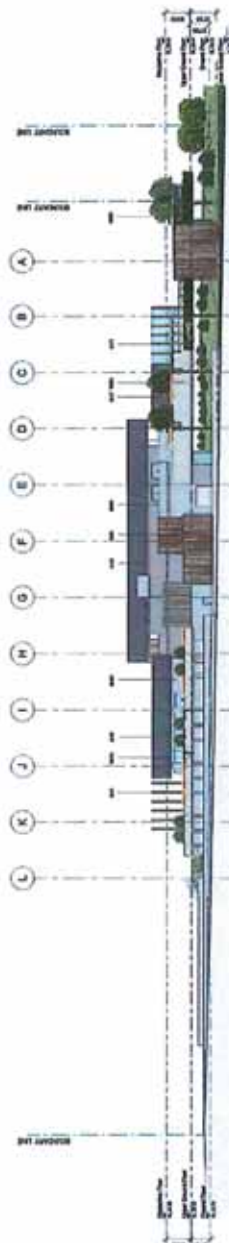
LAUNCEY BREWERY

ALTIS
ARCHITECTS

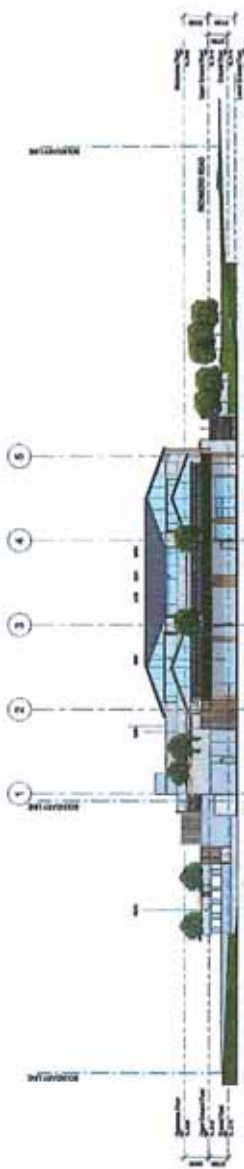
PROPOSED ELEVATIONS



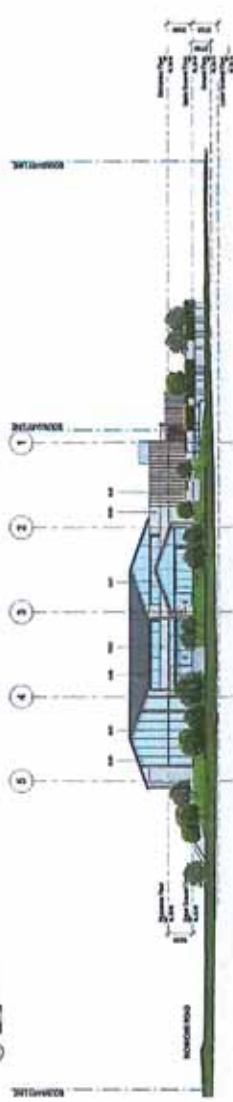
1 EAST ELEVATION
Scale: 1:100



2 WEST ELEVATION
Scale: 1:100



3 NORTH ELEVATION
Scale: 1:100



4 SOUTH ELEVATION
Scale: 1:100

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



DEVELOPMENT APPLICATION

[illegible]

IMAGING AND

acknowledgments

ALTI S



www.fishbase.org



100%
 100%
 100%
 100%



12
11/11/2011

[illegible]

REVIEWS: 23-04-2016 11:01:01
 BY: 23-04-2016 11:01:01
 VIA: 23-04-2016 11:01:01
 FROM: 23-04-2016 11:01:01
 TO: 23-04-2016 11:01:01

[illegible]

NOTE: The above information is for informational purposes only. It is not intended to be a substitute for professional advice. Please consult your physician or other qualified health care provider for more information.



Specialized services are available for individuals with special needs. For more information, call 1-800-445-2222.



LAURENCE

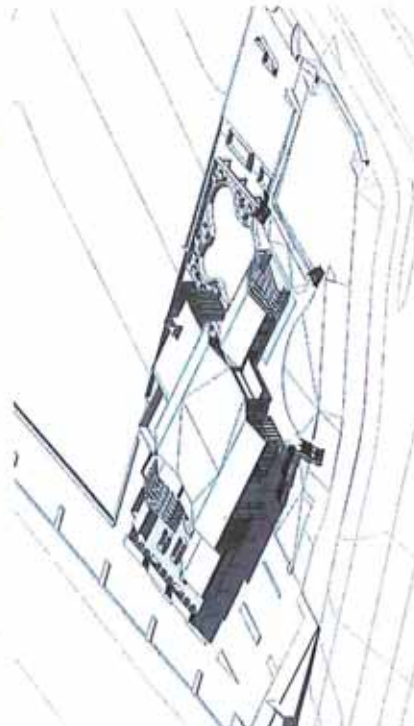
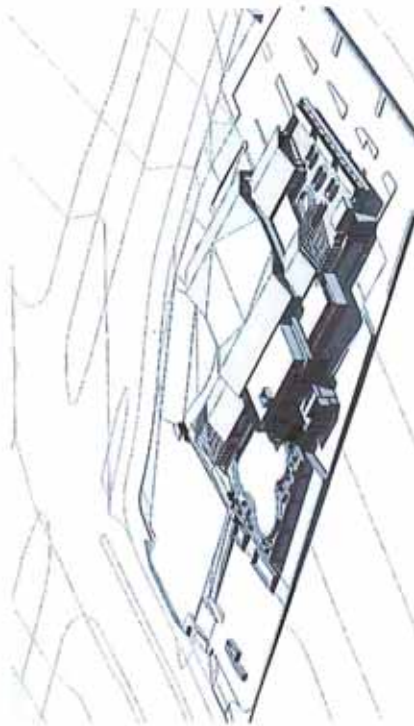
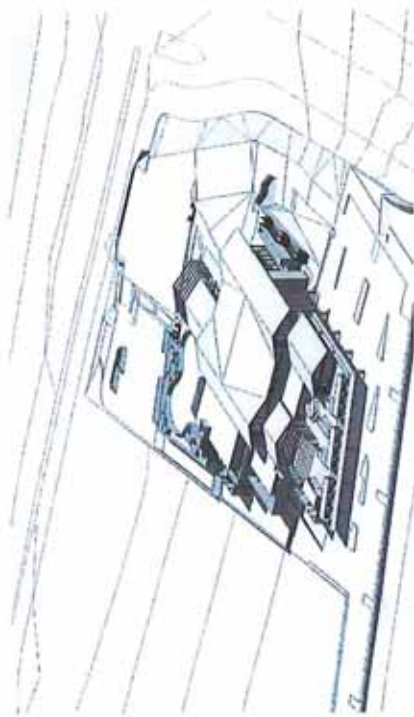
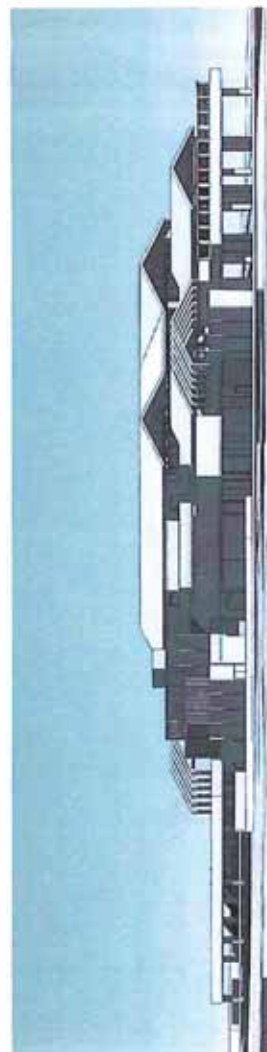
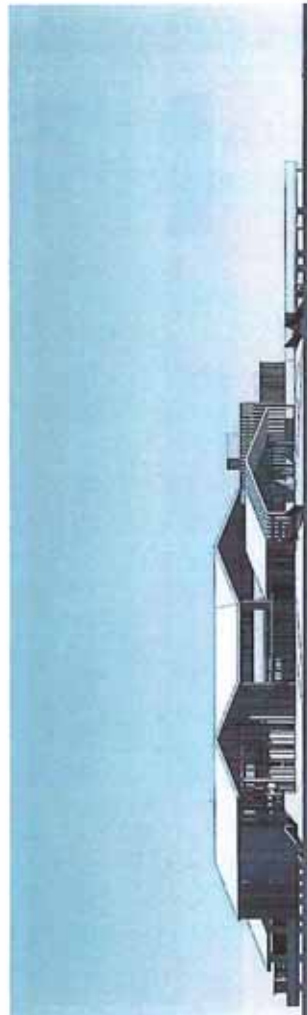
LAUNCH EDITION

ALTIS

© 2000 Blackwell Science Ltd
Journal of Internal Medicine 247: 111–117

— **James**

700	DA5001	C
-----	--------	---



DEVELOPMENT APPLICATION

The authors would like to thank Dr. J. H. W. Lam for his helpful comments.

100

Urgent



Laundry

Laundry Pub and Brewery
Fulton Road
Marsden Park

SITE IMAGE



Level 1, 100 Banks Street
Bentleyville NSW
Australia
Tel: 61 2 9222 1588
Fax: 61 2 9222 1577
www.stronglight.com
© 2006 Stronglight Ltd
ABS no 21 123 355

PRELIMINARY

Landscaping Plan

Scale 1-500 @ A1

5516-3468

NOT FOR CONSTRUCTION

1

1 A
001

Assessment against planning controls

1 Environmental Planning and Assessment Act 1979

a. Section 79C 'Heads of Consideration'

The development satisfies the matters for consideration under Section 79C of the Act as detailed below.

Heads of Consideration 79C	Comment	Complies
<p>a. The provisions of :</p> <ul style="list-style-type: none"> (i) Any environmental planning instrument (EPI) (ii) Any development control plan (DCP) (i) The regulations 	<p>The proposal is considered to be consistent with the relevant EPIs, including the Infrastructure SEPP, Growth Centres SEPP 2006 and SEPP No. 55 Remediation of Land.</p> <p>The proposed development is a permissible land use within the B7 Business Park zone and satisfies the zone objectives outlined under the Growth Centres SEPP. A small area of the site is zoned SP2 Infrastructure (Drainage), however the use of Clause 5.3 is acceptable in this circumstance. The proposal is consistent with the Marsden Park Industrial Precinct Plan.</p> <p>The Growth Centre DCP applies to the site. Whilst there are no specific development controls in relation to the development within the DCP, the development is consistent with the general controls for development within the business park zone.</p>	Yes
<p>b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality</p>	<p>It is considered that the likely impacts of the development, including traffic, noise, parking and access, design, bulk and scale, overshadowing, privacy, amenity and stormwater management have been satisfactorily addressed.</p> <p>A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties.</p> <p>In view of the above it is believed that the proposed development will not have any unfavourable social, economic or environmental impacts.</p>	Yes
<p>c. The suitability of the site for the development</p>	<p>The site has an area and configuration that is suited to this form of development. The design solution is based on sound site analysis and responds positively to the different types of land uses adjoining the site. The development is located within the business estate and so will minimise impacts on the amenity of residents. Its location on Richmond Road allows for public transport links to the site.</p>	Yes
<p>d. Any submissions made in accordance with this Act, or the regulations</p>	<p>Two submissions were received as a result of notification, one supporting the application and the other objecting. Objector concerns are in relation to the development being close to a residential area and that the area is designated for white collar jobs. These have been addressed through the use being permissible in the zone and meeting the objectives of the zone. The objection does not warrant refusal of the</p>	Yes

Heads of Consideration 79C	Comment	Complies
	application.	
e. The public interest	It is considered that no adverse matters relating to the public interest arise from the proposal. The proposal will provide high quality social and economic development within the Marsden Park Industrial Precinct.	Yes

The development does not involve subdivision and is not development for a special fire protection purpose. It is therefore not considered to be 'integrated development' under Section 91 of the Act. However, Section 79BA does apply.

b. Section 79BA Consultation and development consent – certain bush fire prone land

The site is identified as bush fire prone land. Therefore, development consent cannot be granted for the development unless the consent authority is satisfied that:

- The development conforms to the specifications and requirements of 'Planning for Bush Fire Protection 2006' prepared by the NSW Rural Fire Service, or
- It has been certified by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment, stating that the development conforms to the relevant specifications and requirements.

The application has been supported with a Bushfire Protection Assessment prepared by EcoLogical Australia. The report has been prepared by an accredited practitioner in bush fire planning and design. The report provides recommendations regarding landscaping location, works to be constructed to BAL-12.5, installation of reticulated or bottled gas and maintenance in accordance with Australian Standards and that an Evacuation and Emergency Response Plan is required prior to occupation. Based on compliance with the above recommendations, the proposed development is considered to provide an adequate standard of bush fire protection that is consistent with *Planning for Bush Fire Protection 2006*.

2 State Environmental Planning Policy (State and Regional Development) 2011

The Sydney Planning Panel (SPP) is the consent authority for all development with a capital investment value (CIV) of over \$20 million. As the DA has a CIV of \$23.6 million, Council is responsible for the assessment of the DA and determination of the application is to be made by the SPP.

3 State Environmental Planning Policy (Infrastructure) 2007

a. Transgrid

The site is partially affected by a 60.96 m wide transmission line along the south-east corner of the site. As development is being carried out within and immediately adjacent to the easement, the concurrence of Transgrid is required in accordance with Clause 45 of the SEPP. Transgrid provided its concurrence on 10 March 2017, with conditions of approval.

b. Roads and Maritime Services (RMS)

The SEPP ensures that the Roads and Maritime Services (RMS) is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP.

The RMS raised no objection to the application subject to conditions.

4 State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

a. Clause 7 Contamination and remediation to be considered in determining development application

SEPP 55 aims to 'provide a State wide planning approach to the remediation of contaminated land'. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.

A Site Audit Statement (SAS GN319B) was issued on Lot 11 and is considered validated for the ongoing use. However, bulk earthworks undertaken as part of DA-14-02160 will be required to be validated as suitable for the development, prior to the creation of Lot 310 (the subject site). Prior to the issue of any Construction Certificate for this proposal, the lot will be required to be registered. Therefore the site will be validated to the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999, as amended 2013.

5 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Appendix 12 of the SEPP, Blacktown Growth Centres Precinct Plan, applies to the site as it is located within the Marsden Park Precinct. The table below provides a summary assessment of the development standards established within the Growth Centres SEPP and the proposal's compliance with these standards. The development complies with the development standards contained within the SEPP.

Compliance with SEPP (Sydney Region Growth Centres) 2006 General controls within main body of the SEPP		
Clause	Proposal	Complies
Part 5 Development controls – flood prone and major creek land		
Cl.19 Development on flood prone and major creeks land—additional heads of consideration	N/A	N/A
Cl. 20 Development on and near certain land at Riverstone West	N/A	N/A
Compliance with SEPP (Sydney Region Growth Centres) 2006 Appendix 4 - Alex Avenue and Riverstone Precinct Plan 2010		
Clause	Proposal	Complies
Part 2 Permitted or prohibited development		
2.1 Zoning and Land Use Tables	B7 Business Park and SP2 Infrastructure (Drainage).	Use permissible on B7 zone and Clause 5.3 sought on SP2 zone.

Part 4 Principal development standards			
4.1	Minimum subdivision lot size Min. 2000 sqm	No subdivision is proposed. The site has an area of 1.5 ha, and is a proposed lot in a recent subdivision application.	Yes
4.1AB– 4.1AG	Minimum lot sizes	N/A as minimum lot size for land use not identified.	N/A
4.1B	Residential Density	N/A – approval for residential development not sought.	N/A
4.3	Height of Buildings ➤ Max. 16 m	Maximum 13 m	Yes
4.4	Floor space ratio (NB. calculations to be in accordance with 4.5) ➤ Max. 1:1	0.25:1	Yes
4.6	Exceptions to development standard ➤ Request must be in writing	Clause 4.6 not sought.	N/A
Part 5 Miscellaneous provisions			
5.3	Development near zone boundaries	Application seeks to use Clause 5.3 for a minor area of the site, which increases the developable area by 1.7%. The use of this clause is discussed in the main report.	Yes – acceptable on its merits.
5.6	Architectural roof features	N/A	N/A
5.9	Preservation of trees or vegetation	Site is vacant of trees.	N/A
5.10	Heritage conservation	AHIP issued on site as part of subdivision works and no European heritage identified on site.	Yes
Part 6 Additional local provisions			
6.1	Public utility infrastructure	Suitable arrangements have been made on the site.	Yes
6.2	Attached dwellings, manor homes and multi-dwelling housing in R2 zone	N/A	Yes
6.4 & 6.5	Native vegetation	The site is currently vacant of trees.	N/A
6.6	Zone B4 Mixed Use	N/A - the site is zoned B7.	N/A
6.7	B1 Neighbourhood Centre	N/A - the site is zoned B7.	N/A

Some specific clauses are detailed below.

a. Clause 2.3 Zone objectives and land use table

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The site is zoned B7 Business Development and SP2 Infrastructure (Drainage) under the Growth Centres SEPP. The proposal is defined as a pub and light industry, which are permissible in the B7 zone with development consent. A small portion of the site is zoned SP2 Infrastructure (Drainage). Whilst the relocation of the drainage zone was endorsed through previous subdivisions on the site, an amendment to the zoning has not been undertaken to date. Therefore, the use of Clause 5.3 to permit the use in the SP2 zone is applied (see b. below). The development is considered to meet the objectives of the zones, by providing other land uses that support the well-being of the community compatible with the amenity of a low and medium density residential environment.

b. Clause 5.3 Development near zone boundaries

256 sqm of the site is zoned SP2 Infrastructure (Drainage). The SP2 zone was reconfigured as part of a previous subdivision approval on the site, as the drainage basin design was agreed by Council's Drainage Engineers in an alternative location. However, an amendment to the zoning under the Growth Centres SEPP has not been undertaken. Therefore, to permit the use of the site as a pub and light industry, Clause 5.3 of the Growth Centres SEPP is used.

The maximum distance of the zone to be adjusted is 14.6 m, below the maximum distance of 100 m permitted by Clause 5.3. The use of Clause 5.3 would result in a 1.7 % increase in developable area.

In using Clause 5.3 the consent authority must be satisfied by the following matters:

- (a) *The development is not inconsistent with the objectives for development in both zones, and*
- (b) *The carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.*

The development is considered to be consistent with the objectives of both the B7 Business Park zone and the SP2 Infrastructure zone. The development will provide employment opportunities and provide facilities and services to meet the day-to-day needs of workers in the area. In addition, the development is compatible with the provision of infrastructure to the area.

c. Clause 6.1 Public utility infrastructure

The consent authority must not grant development consent to development on land to which the Precinct Plan applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available, or that adequate arrangements have been made to make that infrastructure available when required.

Council has received confirmation from Sydney Water and Endeavour Energy that drinking water, sewer and electricity are available in the Marsden Park Industrial Precinct. In addition, suitable conditions will be imposed requiring a Section 73 Certificate and a Notification of Arrangements prior to the release of an Occupation Certificate.

6 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP 20)

a. *Clause 4 – Application of general planning considerations, specific planning policies and recommended strategies*

A consent authority must take into consideration the general planning considerations set out in Clause 5 of SREP 20 and the specific planning policies and recommended strategies in Clause 6 of SREP 20. The planning policies and recommended strategies under SREP 20 are considered to be met through the development controls of the Growth Centres SEPP. The development complies with the development standards and controls established within the Growth Centres SEPP, to enable the orderly development of the site. Therefore, the proposal is considered to satisfy Clause 4 of SREP 20.

7 Draft West Central District Plan

Whilst the Environmental Planning and Assessment Act 1979 does not require consideration of District Plans in the assessment of development applications, an assessment of the Draft West Central District Plan has been undertaken. Outlined below is where the development application is consistent with the overarching priorities outlined in the Draft West Central District Plan:

Productivity

- Planning for job targets in strategic and district centres
- Attracting employment and urban services activity
- Improving access to a greater number of jobs and centres within 30 minutes.

8 Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (Growth Centre DCP)

The Growth Centre DCP applies to the site. Whilst there are no specific controls relating to the pub and brewery, the table below outlines the proposal's compliance with the general controls established in the DCP.

a. *Compliance with the Employment Area controls within the Blacktown City Council Growth Centre Precincts Development Control Plan*

Control	Proposal	Compliant
6.1 Land to which this Park applies		
<p>This Part applies all land to which a Precinct Plan with Employment Land zones applies. The Employment Land zones are:</p> <ul style="list-style-type: none"> • IN1 – General Industrial • IN2 – Light Industrial • B5 – Business Development • B7 – Business Park <p>This part does not apply to land zoned IN2 – Light Industrial under the Riverstone Precinct Plan. Controls for that land are located in Schedule Two – Riverstone Precinct of this DCP.</p>	<p>Site is zoned B7 Business Park and is in the Marsden Park Industrial Precinct. Therefore, these controls apply.</p>	<p>Yes</p>

Control		Proposal	Compliant
6.2 Subdivision			
6.2.1 Lot Subdivision		N/A – No subdivision proposed	N/A
6.2.2 Strata or Community title		N/A – No subdivision proposed	N/A
6.2.3 Battle Axe Lots		N/A – No subdivision proposed	N/A
6.3 Landscape Design			
6.3.1 Streetscape and Allotment Frontages			
1. The streetscape design is to integrate vertical elements (trees, light poles and allotment signage) to provide consistency of elements and materials across the zone. 2. Service lids and above ground structures are to be minimised in street frontages. Service lids are to be located adjoining pavement or kerbs to avoid small areas of turf or planting beds. 3. Street tree planting is to be implemented at the subdivision stage to ensure plantings are visually consistent in height, spread and form across the zone. 4. In the Business Development zone, a minimum 7m wide landscape area must be provided along the street front, except where zero setback controls apply. 5. The selection of plant species for street tree planting must be in accordance with Appendix D Prescribed Trees, Preferred Species and Street Trees .		Street design and planting has been addressed on the subdivision DA for the site. The site is zoned B7 Business Park, therefore a minimum landscape area is not required, however a minimum 3 m landscape area provided to Richmond Road and a 7.5 m landscaped area has been provided to proposed Road No. 4.	Yes
6.3.2 Allotment Landscape			
1. A Landscape Plan must be prepared in accordance with Appendix F of this DCP for all new industrial subdivisions and new buildings. 2. Landscaped areas are required between buildings (i.e. within the building separation zone). 3. Allotment landscape design is to be integrated with site planning and building design to: <ul style="list-style-type: none"> • Reduce the perceived scale of built form from the street • Reduce visual impact and the extent of continuous building facades. • Highlight architectural features and complement façade articulation; • Identify site and building entries, car park entries and parking areas, in coordination with signage; • Mitigate adverse site conditions through buffering of western sun, provision of shade, wind • Protection, and screening of poor views; • Maximise northern sun exposure; and 		A landscape plan prepared by Site Image Landscape Architects has been prepared for the development and meets the controls of 6.3.2.	Yes

Control	Proposal	Compliant						
<ul style="list-style-type: none">Integrate usable and attractive external seating and amenity areas for staff incorporating pavedAreas, soft landscape, and shade planting (and canopies where necessary). <p>4. Allotment landscape should incorporate hard and soft landscape elements in pavements, retaining walls, low walls and terracing, trees, garden bed planting, turfed areas and irrigation.</p> <p>5. Indigenous species from the area are encouraged for all landscape plantings however, non native species may be considered in limited use to external courtyard areas to achieve seasonal climate management. Trees should be a minimum height of one metre at the time of planting. Mass plantings may use a variety of sizes including viro tubes.</p> <p>6. The allotment landscape is to be provided with an automatic trickle irrigation system installed below mulch level. The system is to be supplied by rainwater collected from the site.</p> <p>7. Landscaped areas are to be separated from vehicular access areas by an appropriate edge, preferably a raised kerb.</p> <p>8. Landscaped areas are to be separated from storage areas by an appropriate edge, preferably low walls. Signage and management strategies are to be put in place to ensure that storage activities do not impact on, or extend into, landscaped areas. No storage is allowed in landscaped areas.</p>								
6.3.3 Landscaping of car parking areas								
<p>1. Landscaping of car parking areas is to comply with Table 6-1 below:</p> <p>Table 6-1: Landscape car parking</p> <table><tr><td>Large canopy tree plantings</td><td>Maximum Intervals of 26 m (9 parking bays)</td></tr><tr><td>Tree plantings</td><td>Minimum 2 m bay of deep soil condition</td></tr><tr><td>Car parking bays</td><td>Raised kerb barrier (rounded adjoining accessways) and native groundcover planting.</td></tr></table>	Large canopy tree plantings	Maximum Intervals of 26 m (9 parking bays)	Tree plantings	Minimum 2 m bay of deep soil condition	Car parking bays	Raised kerb barrier (rounded adjoining accessways) and native groundcover planting.	Car park landscaping provided in 26 m intervals. Car park design integrated with landscaping, incorporating permeable stone paving, feature areas, tree planting and shrubbery.	Yes
Large canopy tree plantings	Maximum Intervals of 26 m (9 parking bays)							
Tree plantings	Minimum 2 m bay of deep soil condition							
Car parking bays	Raised kerb barrier (rounded adjoining accessways) and native groundcover planting.							
<p>2. Allotment car parking areas are to be effectively landscaped to:</p> <ul style="list-style-type: none">Reduce their visual impactReduce heat generation and glare from hard paved surfacesProvide shade for parked vehicles								

Control	Proposal	Compliant								
<ul style="list-style-type: none">Maximise potential for soft drainage (non-piped) to soft landscaped areas or collection zones. <p>3. Car park lighting design is to be coordinated with the preferred tree layout.</p> <p>4. Dividing zones between parking bays should be landscaped as applicable to specific site conditions:</p> <ul style="list-style-type: none">Where pedestrian access will generate desire lines across the dividing zone, pedestrian trafficable wearing surface is required (eg. stabilised gravel)Where pedestrian access is not required and some infiltration drainage may be provided, mass planted landscape areas (requiring flush kerb edge and wheel stops to car parking bays) must be providedWhere a major drainage role is envisaged and pedestrian access is not required, a gravel surfaced trench with collection pipework draining to onsite storage or stormwater must be provided. <p>5. Clearly defined and appropriately surfaced pedestrian access links from parking areas to building entry points must be provided, incorporating kerb crossing ramps as required.</p> <p>6. Car park landscaping is to be provided with an automatic trickle irrigation system installed below mulch level. Irrigation services provision must be implemented before car park surfacing. The system is to be supplied by the rainwater tanks on site.</p> <p>7. Retaining wall elements must be no greater than 3 m in height. All retaining walls must be screened by vegetation.</p>										
6.3.4 Communal areas										
<p>1. Provision of communal areas must comply with Table 6-2 below. Communal areas must include soft landscaping.</p> <p>Table 6-2: Communal Area provision</p> <table><tr><th>Zone</th><th>Communal area as % of total site area</th></tr><tr><td>B7 Business Park</td><td>5%</td></tr><tr><td>IN1 General Industrial</td><td>1%</td></tr><tr><td>B5 Business Development IN2 Light Industrial</td><td>3%</td></tr></table> <p>2. Each development shall be provided with at least 1 communal area for the use and enjoyment of employees and visitors to that development. The area shall be suitably landscaped and accessible from the main office component of the</p>	Zone	Communal area as % of total site area	B7 Business Park	5%	IN1 General Industrial	1%	B5 Business Development IN2 Light Industrial	3%	<p>N/A - Communal areas controls do not apply as development is for a pub.</p>	<p>Yes</p>
Zone	Communal area as % of total site area									
B7 Business Park	5%									
IN1 General Industrial	1%									
B5 Business Development IN2 Light Industrial	3%									

Control	Proposal	Compliant
<p>development.</p> <ol style="list-style-type: none"> Small pockets of open space designed to enhance the appearance of the development will not be counted in the communal area allocation, neither will car parking areas, manoeuvring areas, or landscaped setback areas. In locating communal areas, consideration should be given to the outlook, natural features of the site, and neighbouring buildings. Communal areas shall be embellished with appropriate landscaping, shade, paving, tables, chairs and the like. Communal areas shall be relatively flat and not contain impediments which divide the area or create physical barriers which may impede use. Solar access to communal open spaces is to be provided. Communal areas must receive a minimum of 2 hours direct sunlight between 11am and 3pm on the 21st of June. Appropriate shading is to be provided, preferably using trees, so that communal spaces are useable during summer. 		
6.4 Built Form and Streetscape		
6.4.1 Setbacks		
<ol style="list-style-type: none"> All buildings erected in industrial areas are to be set back a minimum of 7.5m from the front property boundary unless otherwise specified in a Precinct's Schedule. No building or hardstand area (concrete or bitumen pavement) other than a public utility undertaking shall be erected within any setback. All setback areas should be landscaped and maintained in accordance with the landscape provisions in clause 6.3. Pedestrian access should be provided to all landscaped setback areas for maintenance and security purposes. 	<p>The building is setback 20 m from Richmond Road and proposed Road No 4. Car parking is located within the setback but is suitably landscaped.</p>	Yes
6.4.2 Building Design and siting		
<ol style="list-style-type: none"> Blank building facades facing the primary street frontage are not permitted. The built form and architecture of buildings located at street corners should enhance its location and positively respond to and emphasise the street corner. Building orientation and siting should respond to natural elements such as topography, wind and sunlight. The layout and orientation of buildings should be in a manner that minimises lengthy or deep areas 	<p>The building has been architecturally designed. Being a corner site, the building is suitably oriented to both Richmond Road and proposed Road No. 4. The development complies with the building height limit for the site, is well below the maximum FSR permissible on the site. The building incorporates a variety of outdoor areas, feature areas and is of high quality design. The loading bay area is located at the rear of the site, and not visible from the public street. The</p>	Yes

Control	Proposal	Compliant
<p>of car parking along the street front.</p> <p>5. Buildings should provide variety to facades by the use of projecting upper storeys over building entries, upper storey display windows, emphasising street corners and varying roof forms.</p> <p>6. Buildings should provide effective sunshading for windows, wall surfaces and building entries, (other than loading docks) by the use of design elements such as overhanging eaves and awnings, undercrofts, colonnades and external sunshading devices including screens.</p> <p>7. Building design should be integrated with landscape elements.</p> <p>8. The bulk and scale of the building should minimise impact on district views.</p> <p>9. Building facades should be articulated by elements such as:</p> <ul style="list-style-type: none"> • External structures, finishes, etchings and recessed patterns • Decorative features, textures and colours • Locating offices and highlighting entries within front facades • Emphasised customer entries and service access doors • Protrusions and penetrations in building elements. <p>10. Buildings with dual street frontage should be designed to ensure:</p> <ul style="list-style-type: none"> • The building addresses the primary street frontage • Distinctive identifying architectural elements are incorporated to provide sufficiently interesting and varied facades. <p>11. The building design should consider the amenity of any landscaped or communal areas in adjoining properties.</p> <p>12. The location of roller shutters, loading docks and other building openings should be so that they do not detract from the overall appearance of the building. Where possible, roller shutters and the like should not be located on the primary street frontage.</p> <p>13. Roof design should be visually interesting and provide for natural lighting, and compatibility with the overall building design. Where visible from a public area, all rooftop or exposed structures (lift motor rooms, plant rooms etc), must be suitably screened and integrated with the building.</p>	<p>building is suitable articulated and incorporates terraces, deck areas, a pavilion, pergola and cabana structures that flow onto the landscaped areas.</p>	

Control	Proposal	Compliant
6.4.3 External Building Materials and Colours		
<ol style="list-style-type: none"> External finishes should be constructed of durable, high-quality and low maintenance materials. External finishes should contain a combination of materials and/or colours. Any wall visible from the public domain must be finished with a suitable material to enhance the appearance of that façade. Building materials should be selected to minimise reflection. The following should be considered in the choice of building materials in all developments: <ul style="list-style-type: none"> Energy efficiency Use of renewable resources Maintenance cost and durability Recycled or recyclable materials Non-polluting Minimal PVC content. Where concrete roofs are proposed for the purpose of additional parking, parapeted edges are preferred with appropriate screening to conceal roof top car parking. Materials that are likely to contribute to poor internal air quality and those containing Volatile Organic Compounds (VoCs) should be avoided. Applicants are required to submit with all Development Applications a materials sample board detailing external colours and finishes. 	<p>The building incorporates glazing, stone and timber finishes. It is predominately finished in prefinished concrete wall cladding, but incorporated glazing, split face blockwork, sandstone finishes and timber look aluminium finishes. A materials and finishes board has been submitted.</p>	Yes
6.4.4 Entrance Treatment		
<ol style="list-style-type: none"> Entries to buildings should be clearly visible, well sign posted and lit to pedestrians and motorists. Architectural features are to be provided at ground level giving an entrance element to the building and addressing the primary street frontage. All entrance treatments, such as directory boards, must be located on private property, with appropriate positive covenants and restrictions on title to ensure the ongoing management of such treatments. No third party advertising will be permitted on any entrance treatment facility. 	<p>Clear pathways have been provided into the site to points where the entries to the building are evident.</p>	Yes
6.4.5 Ancillary Buildings, Storage and Service Areas		
<ol style="list-style-type: none"> Ancillary buildings and storage sheds are to be located behind the setback lines and be consistent with the design of the main building. Details of any proposed ancillary buildings, open storage and services areas must be submitted 	<p>N/A – There are no ancillary buildings. Services have been designed to not be viewable from the public area.</p>	Yes

Control	Proposal	Compliant
<p>with all Development Applications.</p> <ol style="list-style-type: none"> Storage areas should be located within the confines of the primary building. Appropriate screening must be provided where this cannot be achieved. Above ground open storage areas visible from the public domain are not permissible. Above ground open storage areas should not compromise truck or vehicle manoeuvring and car parking areas. Vehicular access to loading facilities is to be provided from secondary and tertiary streets. Rubbish and recycling areas must be provided in accordance with Part O Site Waste Management and Minimisation of Blacktown DCP 2006. These areas must: <ul style="list-style-type: none"> Be integrated with the development Minimise the visibility of these facilities from the street Be located away from openable windows to habitable rooms. Barrier free access is to be provided to all shared facilities. Provide at least one shower and changing facility that is accessible to the building users. The following information must be provided at Development Application stage for outdoor storage areas: <ul style="list-style-type: none"> Size of outdoor storage area Maximum storage height Types of goods, materials and equipment being stored outdoors; and Details on landscaping and screening structures. Sunken loading docks should be avoided. A minimum 225mm clearance is required between finished floor level and finished ground level. Above ground water tanks must not be located forward of the front facade of the primary buildings. They should not be visible from the public domain and must be suitably screened. Details (including elevations) of all water tanks must be submitted with the DA. 		
6.5 Ecologically Sustainable Development		
<ol style="list-style-type: none"> A Site Water Management Plan must be prepared in accordance with Appendix F. 	<p>The Proposed development has been designed to achieve the objectives relating to ecological sustainable development in that:</p> <ol style="list-style-type: none"> The building has been sited and 	Yes

Control	Proposal	Compliant
<p>2. Development Applications are required to demonstrate consideration of:</p> <ul style="list-style-type: none"> Measures that will reduce waste and conserve water through water recycling Measures to minimise run-off and stormwater generation Implementing total water cycle management by including measures that reduce consumption of potable water for non-potable uses, minimise site run-off and promote stormwater re-use Utilising recycled materials and renewable building resources Promoting biological diversity through appropriate retention, planting and maintenance of indigenous flora of the area Implementing a waste management strategy that promotes the overall reduction of waste levels and promoting the achievement of the 60% waste reduction target for New South Wales Implementing energy conservation measures that include reducing energy consumption and increasing inherent energy efficiency through design and materials selection, and adopting energy management plans. <p>3. Development Applications are required to demonstrate that consideration has been given to promoting ecologically sustainable transport by complementing and reinforcing the development and use of the existing and planned integrated public transport, pedestrian and cycling networks servicing the site.</p> <p>4. Roof stormwater should be collected in tanks or street level reticulation which would serve as a retention system. The water in the retention system would be available for use for non-potable uses such as the watering of landscaped areas and use in toilet and hot water systems.</p> <p>5. Consideration should be given to the feasibility of any measures to substitute grid-source power with environmentally sustainable alternatives such as tri-generation (green transformers), co-generation (i.e. recovery of waste energy) or photovoltaics.</p> <p>6. New commercial buildings must achieve a minimum 4 star Green Star rating from the Green Building</p> <p>7. Council of Australia. Refer to the 'Green Star – Office As Built v3 Technical Manual'.</p> <p>8. New industrial and light industrial buildings must achieve a minimum 4 star Green Star rating from</p>	<p>designed to be energy efficient</p> <p>b. It will be fitted out with energy and water efficient fittings including air conditioning</p> <p>c. The selection of materials and form of construction of the development has taken into account the need for energy efficiency.</p> <p>In terms of the controls set out in 6.5, a site water management plan accompanies the DA which entails the re-use of rain water as far as is reasonably possible. The building will be designed to achieve at least a 4 star Green Star rating.</p>	

Control	Proposal	Compliant
9. The Green Building Council of Australia from such time that an Industrial Tool has been adopted. 10. Development shall incorporate water efficient fixtures such as taps, showerheads, and toilets. The fixtures must be rated to at least AAA under the National Water Conservation Rating and Labelling Scheme. Where the building or development is water intensive (ie. high water user), specific water conservation objectives must be resolved with Council. 11. Appropriate use of energy efficient materials during construction is to be demonstrated. 12. Development should incorporate energy efficient hot water systems, air-conditioning, lighting and lighting control systems.		
6.6 Fencing, Signage and Lighting		
6.6.1 Fencing		
1. Low feature walls are encouraged at entry driveways. These walls should be used for retaining purposes, as garden beds or as landscaped features and should be integrated into the overall design of the development. 2. Front and side boundary fences forward of the building line shall consist of an open wrought iron palisade style fence, finished in either dark green or black. 3. Side fencing behind the building line may comprise chain wire mesh or similar open style fence, plastic coated in dark green or black. 4. Pre-painted solid metal fencing and other solid fencing is not permissible. 5. Fencing must be set back 1m from the front property boundary. 6. Fencing should be sited so it does not impede sightlines for drivers. 7. Fencing along boundaries should not exceed a height greater than 3m, measured from finished ground level. 8. Pedestrian fencing within the road reserve is to be RTA Type 1, without embellishment and black in colour. 9. The use of timber fencing or bollards within public reserves or roads is not permitted.	No fencing is proposed along the street frontages or along most of the other boundaries due to the policy of SBP. Within the development, fencing will enclose the children's play area as it is required for safety reasons. It will probably be swimming pool type fencing largely hidden in landscaping. A small area between the building and the western boundary where back-of-house facilities are accessible will be enclosed for security and safety reasons using Sydney Business Park's standard metal picket fencing.	Yes

Control	Proposal	Compliant
6.6.2 Signage and Lighting		
<ol style="list-style-type: none"> 1. Signage is to relate to the use occurring on the respective property, and should identify the relevant business name. 2. Business identification signage should be attached to the wall of the main building and be designed to complement the architectural style of the building. Free standing signs will only be permitted where signs are integrated with the landscaping and visual character of the site and surrounding area. 3. Directional signs for car parking areas, loading docks, delivery areas and the like should be located close to the main access of a development site. The design, colouring, type and scale of signage within individual properties should be consistent with signage across the zone as a whole. 4. Signage is only to display corporate logos and company names and is not to occupy more than 10% of any façade or wall of a building, unless it can be demonstrated that characteristics of the site or the building require a larger area of signage. 5. Details of all signage, including free standing, fascia, and wall signs must accompany Development Applications. 6. The design and lux of any internal or spot lighting shall be designed to avoid off-site or traffic safety impacts. 7. No form of moving or flashing signage or lighting is permitted. 8. Signage is not to have a detrimental impact on the visual character of the site or surrounding area. 	<p>Signage will be attached to the building and placed on the existing pylon sign at the corner of the two roads. Another pylon sign may be erected at the entry/exit on Road No 5a. Minor directional signage will also be required. However, signage will be the subject of a later development application.</p> <p>The proposed development will be illuminated at night because it will be a landmark building. The parking areas will be lit to a level sufficient to ensure safety and to enable effective surveillance by security officers and CCTV while the pub is trading and until all patrons have left the site.</p> <p>The level of illumination of the parking areas will be reduced after the last patrons have left the site but will remain sufficient for security purposes.</p>	Yes
6.7 Access and Parking		
6.7.1 Vehicular Access		
<ol style="list-style-type: none"> 1. A site specific Traffic Impact Report must be prepared in accordance with Appendix F of this DCP. <p>Industrial Areas</p> <ol style="list-style-type: none"> 2. Applicants are required to submit plans and details of proposed vehicular access and circulation for Council's approval with the Development Application. Details must specifically relate to vehicular movement, layout and turning circles. 	<p>A Traffic Report prepared by Parking and Traffic Consultants has been prepared for the DA.</p>	Yes

Control	Proposal	Compliant
<p>3. Adequate vehicular entrance to and exit from the development is to be provided and designed in order to provide safety for pedestrians and vehicles using the site and adjacent roadways. In some cases combined ingress and egress will be permitted.</p> <p>4. Vehicular ingress and egress to the site must be in a forward direction at all times.</p> <p>5. Driveway crossovers accesses by heavy vehicles should be a minimum of 9m wide, when measured at the kerb alignment.</p> <p>6. Turning circles will not be permitted to encroach upon any building.</p> <p>7. Adequate space is to be provided within the site for the loading, unloading and fuelling (if applicable) of vehicles. These areas are to be screened from the road.</p> <p>All parking areas and access roadways must be provided with a drainage system comprising surface inlet pits. Details of pipe sizes (with calculations) and drainage layouts (including discharge points) must be submitted with the Development Application.</p>	N/A	N/A
<p>B5 Business Development and B7 Business Park Areas</p> <p>1. Vehicular access should be designed to avoid conflicts with pedestrians.</p> <p>2. Adequate space shall be provided within any development site for the loading and unloading of service vehicles. The standard of loading facilities required will depend upon the nature of the development and the uses to be carried out.</p> <p>3. Council may require the provision of parking for courier vehicles. Loading facilities should be located at the rear of developments.</p> <p>4. Vehicular movements associated with loading facilities and customer/employee parking should be separated and all pedestrian movements should be segregated from vehicular movements to avoid possible conflict and congestion.</p> <p>5. Ingress to and egress from a site should be located where they will cause least interference with vehicular and pedestrian movement on public roads. Direct access will not be permitted off arterial and sub-arterial roads. Access to parking areas will not be permitted in close proximity to traffic signals, intersections or where sight distance is inadequate.</p> <p>6. The potential for on-street queuing should be eliminated by the provision of sufficient standing areas on-site for vehicles entering the car parking and loading areas.</p>	<p>Vehicle access is proposed from Road No. 4 and Road No. 5.</p> <p>A loading bay has been provided on the western side of the development.</p> <p>Assessment of car parking provision is undertaken below.</p> <p>Vehicles are capable of entering and exiting the site in a forward direction.</p>	Yes

Control		Proposal	Compliant
7. Provision is to be made for all vehicles to enter and leave a site in a forward direction.			
6.8 Car parking			
1. The provision of car parking must comply with the Table 6-3 unless otherwise specified in the relevant Precinct Schedule. 2. Refer to Sections 5.4 to 5.7 of Part A (Introduction and General Guidelines) of Blacktown DCP for general guidelines and principles for car parking, including design, materials, signs and monetary contributions. 3. Safe and secure 24 hour access to car parking areas is to be provided for building users.		At grade car parking has been provided on site for 266 parking spaces. Car parking has been assessed under Part A of the BDCP requiring: Pub – 1 space per 18.5 GFA Function centre – 1 space per 10 sqm of dining area OR 1 per 3 seats, plus 1 space per 2 employees Function centre 10 employees – 5 spaces required 328 sqm of conference space – 33 spaces required OR 400 seats – 133 spaces Pub 2,293 sqm – 124 spaces Brewery Merit based, maximum 2 staff at one time – 2 spaces Total required – 264 spaces Total provided – 266 spaces At grade parking provided, however, dense landscaping proposed to public streets. Car parking is not located within the 7.5 m front setback to proposed Road No. 4.	Yes
Table 6-3 Specific land use requirements for car parking			
Zone	Car parking requirements	Bicycle parking requirements	
IN2 IN1	Buildings 7,500 sqm or less – 1 space per 75 sqm GFA Buildings greater than 7500 sqm 0 1 spacer per 200 sqm GFA only for the area in excess of 7,500 sqm where there is a specific end user which would not demand a higher rate and where employee parking is adequately catered for a spacer per 40 sqm GFA of Office Component	Employees: 1 bicycle locker or other suitable form of secure bicycle accommodation is to be provided per 200 sqm GFA	
B7	1 space per 40 sqm GFA		
B5	1 space per 45 sqm GFA		
At-grade parking			
4. At-grade parking areas are to be located so as to minimise visual impacts from the street, public domain and communal open space areas, using site planning and appropriate screen planting or structures. 5. Parking areas are to be located generally behind front building lines. 6. In the Business Park and Business Development zones, parking areas must not be located within the front setback area.			

Control	Proposal	Compliant
Industrial Areas		
7. The car parking area should be located immediately behind the minimum setback area and in front of any activity on the site.		
8. The car parking area should be accessible to all parts of the industrial development which it serves.		
9. The use of stack parking is not favoured and may only be permitted in special circumstances.		
10. Parking facilities for commercial vehicles should be designed in accordance with Australian Standard 2890.2 to accommodate the largest type of truck which could reasonably be expected to park on the site.		
11. Sufficient spaces should be provided for disabled parking. All developments providing 50 parking spaces or more must provide at least 2% or part thereof of those spaces for disabled drivers, clearly marked and signposted for this purpose and located as close as possible to the building's entrance.		
12. All parking areas shall be constructed of hard-standing, all-weather material, with parking bays and circulation aisles clearly delineated.		
6.9 Waste Management		
General		
1. A Waste Management Plan must be prepared in accordance with Appendix F of this DCP.	A Waste Management Plan has been submitted and waste management is considered satisfactory as the site is to be serviced by a private contractor.	Yes
2. Facilities to allow on-site source separation and re-use of materials on-site should be provided.		
3. Waste collection should be provided on-site at the street frontage with clear access to facilitate pick up.		
4. The siting of any stockpile must take into account environmental factors such as slope, drainage, location of watercourses and native vegetation.		
5. Sufficient space must be provided for the storage of garden waste and other waste materials on site.		
6. Re-use of stockpile materials on-site should be facilitated.		
7. Sufficient space for storage of recyclables and garbage should be provided on-site.		
8. Adequate space should be provided for the temporary storage of recyclables, garbage and compostable materials in each unit.		
9. Waste cupboards should be designed and located so as to be accessible, useable and cater for change of use.		
10. The area or room allocated for garbage and		

Control	Proposal	Compliant
<p>recycling is to be of a sufficient size to store Council's standard bins in an efficient manner.</p> <p>11. Garbage and recycling areas/rooms must be accessible to all users and have unobstructed access to Council's standard bins in an efficient manner.</p> <p>12. Areas for the storage of bulky waste (eg. clean up materials) should be provided.</p> <p>13. Volume reduction equipment should be specified in the Development application.</p> <p>14. Where the development is large or where the site characteristics warrant, multiple garbage and recycling areas should be provided.</p> <p>15. External space for compostable materials should be provided and located separate to the garbage and recycling room.</p> <p>16. Composting facilities should be purpose built and be incorporated into the landscape plan for development.</p> <p>17. The siting of composting facilities should take into account the potential impact on neighbouring properties.</p> <p>18. Composting facilities should be adequately signposted to indicate availability of composting facilities on-site.</p>		
6.10 Safety and Surveillance		
<p>1. A Crime Risk Assessment Report must be prepared in accordance with Appendix G of this DCP, for each development that involves the erection of new buildings, or new or modified landscaping works.</p> <p>2. Buildings should be designed to overlook public domain areas and provide casual surveillance.</p> <p>3. Building entrances should be orientated towards the street to ensure visibility between entrances, foyers, car parking areas and the street.</p> <p>4. Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings.</p> <p>5. Development should provide clear sight lines and well-lit routes between buildings and the street, and along pedestrian and cycle networks within the public domain.</p> <p>6. Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety.</p>	<p>NSW Police have provided conditions of consent. The design of the development is open, relevant security measures including CCTV and bollard lighting throughout the car parking is proposed. Areas are to be designed to provide overlooking and casual surveillance of the car park areas. In addition, there will be employment of security guards.</p>	<p>Yes</p>

Control	Proposal	Compliant
Additional provisions specific to the site – Schedule 3 Marsden Park Industrial Precinct		
5.1.2 Development Adjoining Richmond Road and South Street		
<u>Development to the west of Richmond Road</u> Development adjoining Richmond Road should: <ul style="list-style-type: none"> • Provide a high quality co-ordinated landscaping theme in the 20m setback between the development and Richmond Road • Be designed so that the rear of the building provides visual interest through articulated building facades when viewed from Richmond Road • Avoid long expanses of blank walls • Provide a co-ordinated signage theme, which minimises the number, size and extent of signage • Address both the slip road and Richmond Road. 	<ul style="list-style-type: none"> • The building is setback 20 m or more from the Richmond Road reserve. • The building design addressed the street frontages to Richmond Road and proposed Road No. 4. • Signage is not proposed as part of this development. • High quality landscaping, including a landscape buffer in addition to Sydney Business Park's own landscape buffer has been provided. 	Yes

NSW Police Conditions		Council comment
Miscellaneous Conditions		
1	That the license to be known as "Laundy Hotel – Marsden Park" be a part of the Mt Druitt Liquor Accord and be an active participant of said Accord (consented undertaking listed in application)	In accordance with ILGA, NSW Liquor accords are voluntary industry-based partnerships that reach agreements on ways to improve the operation of licensed venues. As the NSW Liquor accords are voluntary, this is not an enforceable condition.
Patron Numbers/ Proposed Trading Hours		
2	A 3 x year trial of the proposed trading hours put forward by the applicant be initiated (except Sunday's proposed Midnight closing put forward by the applicant, which we would argue is not needed).	A 3 year trial period is not a feasible condition given the level of expense for the applicant to development the site and the development's compliance with acoustic, SEPP and DCP controls. A trail period and the revocation of the liquor license are all possible opportunities for NSW Police.
3	That a lockout of 2am on a Friday and Saturday morning be initiated.	A lockout condition is not an enforceable DA condition.
4	That the Licensee shall ensure the number of patrons in each room of the licensed premises shall not exceed the numbers permitted by Blacktown Council.	Condition of consent imposed limiting patron numbers in each area, as identified by the applicant.
5	That each room of the licensed venue has maximum patron numbers assigned to each room.	As above.
CCTV Conditions		
6	<p>The licensee must maintain a closed-circuit television system on the premises in accordance with the following requirements:</p> <ul style="list-style-type: none"> a. The system must record continuously from opening time until one hour after the premises are required to close (or, in the case of premises that are not required to cease trading, continuously at all times). b. Recordings must be in digital format and at a minimum of 15 fps. c. Any recorded image must specify the time and date of the recorded image. d. The systems cameras must cover the following areas: <ul style="list-style-type: none"> i. All entry and exit points on the premises ii. The 266 car parks that are intended for the location iii. All publicly accessible areas (other than toilets) on the premises iv. Sufficient lighting should be installed in the interior and exterior of the location to assist in clear night time footage being captured v. Any system must contain the appropriate night time recording facilities 	<p>A condition of consent has been imposed requiring prior to a Construction Certificate that a specific plan be submitted and endorsed by Council identifying the location of CCTV internal and external of the development, as well as security lighting throughout the car park. Prior to an Occupation Certificate, CCTV and security lighting are to be installed in accordance with the approved plan.</p> <p>Matters regarding the type of CCTV to be used are to be addressed with the NSW Police as part of their endorsement of a Security Management Plan prior to the release of any Occupation Certificate.</p>
7	<p>The licensee must also:</p> <ul style="list-style-type: none"> a. Keep all recordings made by the CCTV system for at 	Matters regarding the type of CCTV to be used are to be

NSW Police Conditions		Council comment
	least 30 days, and b. Ensure that the system is accessible by at least one member of staff at all times it is in operation	addressed with the NSW Police as part of their endorsement of a Security Management Plan prior to the release of any Occupation Certificate.
8	Provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector to provide such recordings.	This will form part of the Security Management Plan.
Crime Scene Preservation		
9	The licensee must ensure that immediately after the licensee or a staff member becomes aware of any incident involving an act of violence causing an injury to a person on the premises, the following is adhered to: a. Take all practical steps to preserve and keep intact the area where the act of violence occurred, retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation guidelines issued by the NSW police; b. Make direct and personal contact with the Local Area Commander or his/her delegate and advise the Commander or Delegate of the incident; and c. comply with any directions given by the Commander or delegate to preserve or keep intact the area where violence occurred. In this condition: "staff member", in relation to subject premises, means any person employed by or acting on behalf of the licensee or the premises, and includes any person who is employed to carry on activities as a crowd controller or bouncer on or about the premises.	This matter is to be enforced through the Venue Management Plan. The Venue Management Plan is to be endorsed by NSW Police prior to the release of an Occupation Certificate.
Security		
10	The licensee shall ensure that the premises are operated within the relevant Hotel Operation and Security Management plan agreed in principle with the Mt Druitt LAC.	Conditions of consent imposed for a Venue Management Plan (VMP) and a Security Management Plan (SMP) to be endorsed by NSW Police prior to the release of an Occupation Certificate and during operation, the development is to adhere to the approved VMP and SMP.
11	Any changes in these plans should be done in consultation with Mt Druitt LAC.	Operational condition imposed requiring any changes to the VMP or SMP to be endorsed by NSW Police.
12	The licensee shall provide at least the following licensed security guards at the Hotel.	Security guards have been identified in the draft VMP. This matter is to be addressed through the liquor license process.
13	i) On a Friday and Saturday evening from 9 pm until the last patron has left the vicinity of the Licensed premises: ii) Two (2) licensed security officers at the main entrance to the Hotel. iii) One (1) licensed security officer per one hundred (100) persons to patrol the inside of the	Number of security guards are to be determined by the liquor license and Venue Management Plan process.

NSW Police Conditions		Council comment
	<p>licensed premises</p> <p>iv) At least one (1) extra licensed security officer to patrol the vicinity of the hotel at random, and at least each hour from midnight until half an hour after closing or when the last patron has left the premises and the vicinity of the hotel (whichever is later) to ensure that patrons do not loiter or linger in the nearby area</p> <p>v) At least one (1) further licensed security officer to continually patrol the vicinity of the hotel from 30 minutes prior to closure and until the last patron has left the premises and the vicinity of the hotel (whichever is later) to ensure that patrons do not loiter or linger in the nearby area</p> <p>vi) That with any planned function (within the nominated function rooms) at the venue on a Friday and Saturday evening that at least one (1) security guard is rostered per function to monitor patron behaviour within that particular function room.</p> <p>vii) that with any planned functions involving 'beer tastings' within the confines of the brewery involving more than 20 people, that 1x security guard is rostered to monitor patron behaviour per function with that particular area.</p> <p>viii) That all security actively employed at the venue have direct communication with each other via internal portable radios and headsets or devices of a similar nature.</p>	
Noise		
14	<p>At any time amplified music is conducted at the hotel, all amplifiers or noise generating equipment must be under the control of a noise limiter/s. The noise limiters must</p> <p>a. Set by an acoustic consultant in accordance with current noise control regulations</p> <p>b. Be secured within a locked container or in a secure area only accessible by hotel management</p> <p>c. Only be varied by an acoustic consultant to achieve compliance with any update or changes in regulations.</p>	<p>This requirement was identified in the applicant's Acoustic assessment. A condition of consent has been specifically imposed requiring the installation of noise limiters as well as compliance with the recommendations of the acoustic report.</p>
15	<p>By the 31st November of each calendar year, the licensee must undertake acoustic compliance testing. The testing must:</p> <p>a. Be undertaken by a suitably qualified acoustic consultant</p> <p>b. Be undertaken during live entertainment being played at the hotel after 10 pm on a peak trading evening (either Friday or Saturday)</p> <p>c. Include testing from within any room that is closest to any residential dwelling or estate</p> <p>d. Be recorded in a report prepared by the acoustic consultant within 4x weeks of the completion of the testing.</p> <p>e. A copy of the report must be maintained at the premises and made available for inspectors, NSW police or Council officers.</p>	<p>We have alternatively imposed the following conditions:</p> <ul style="list-style-type: none"> • Validation of acoustic assessment prior to the issue of an Occupation Certificate. • Acoustic validation within 3 month of the operation of the pub, with testing to occur during peak periods on Friday and Saturday nights. • Should the receipt of a justified compliant be received, acoustic testing is to be undertaken in accordance with the Protection of the

NSW Police Conditions		Council comment
		Environment Operations Act 1997. These are enforceable conditions of consent. This could also form part to the VMP to be endorsed by NSW Police.
16	That the venue only provides live entertainment in the manner in which they indicated to Council.	Conditions of consent imposed identifying that no live music to occur on site as per the applicant's Statement of Environmental Effects.
Transport		
17	An adequate queuing system for patrons must be implemented at the main entrance of the hotel to ensure no obstruction is caused to pedestrian traffic and the entry and exit of patrons is performed in an orderly manner.	This has been included within the applicant's draft VMP to be endorsed by NSW Police.
18	1x courtesy bus (of minimum 12x seats) to operate from 6pm (until close) every evening the venue is open.	Condition of consent for a courtesy bus to be provided on Friday and Saturday evenings. Any additional nights could form part of the VMP.
19	A 2nd courtesy bus (of minimum 12x seats) to operate from 8pm until close on a Friday and Saturday evening.	To be addressed with NSW Police as part of their endorsement of the VMP.
20	That a clear and defined taxi rank is established for patron migration to and from the venue.	Site Plan identifies taxi rank for 2 taxis. Also imposed as a condition of consent.
Drinking Vessels		
21	That from 10 pm on a Friday and Saturday evening (until close) any drink (whether or not it contains liquor) sold or supplied for consumption on the premises, must not be served or supplied in a glass or breakable container. This condition applies to all areas of the licensed venue, including the function rooms, beer tasting rooms, and all licensed areas of the hotel.	This is not an enforceable conditions of consent. This could be imposed as part of the Liquor License or the Venue Management Plan.
22	No drinking vessels or open containers of liquor are to be taken off the licensed premises by patrons.	This is not an enforceable DA condition of consent. This would be part of the applicant's Liquor License application or VMP.
Function Management		
23	The licensee shall ensure that functions occurring in the designated function rooms at the license venue are operated within the relevant Function Management plan agreed in principle with Mt Druitt LAC.	A function management plan forms part of the VMP to be endorsed prior to an Occupation Certificate. Conditions have been imposed during occupation for compliance with the VMP.

Development Description:

Construction of a pub, including conference rooms, and a craft brewery as well as associated car parking and landscaping on proposed lot 310 within the subdivision of Lot 11 DP 262886.

1 ADVISORY NOTES

1.1 Terminology

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

1.2 Scope of Consent

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

1.3 Other Approvals

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:
 - (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
 - (b) any fence, retaining wall, land excavation or filling, signage, advertising structure or other development not being exempt development, and
 - (c) the installation of a vehicular footway crossing servicing the development.

1.4 Services

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

regarding any requirements for the provision of services to the development and the

location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

1.4.2 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

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

1.5 Identification Survey

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

1.6 Engineering Notes

1.6.1 Any Construction Certificate covering Engineering Works must include and address the following:

- Design of specified Engineering Works as required by this consent.
- Any ancillary works necessary to make the construction effective

If both Building and Engineering works are required, separate construction certificates can be issued for the following works:

- Construction Certificate for Building Works

- Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent)

Works which require approval under the *Roads Act 1993* or *Local Government Act 1993* CAN NOT be privately certified. Examples of these works are, but not limited to:

- Works in public areas (i.e. Road Reserve, Public Reserves)
- Inter-allotment drainage (i.e. drainage outside the boundary of the land being developed)

Engineering works (as nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent) can be included within a Construction Certificate for Building works, provided that:

- All Engineering Works are specifically mentioned on the Construction Certificate
- The Certifier holds relevant qualifications to issue a Construction Certificate for the Engineering works. Appropriate accreditation qualifications must be shown on Construction Certificate.

1.6.2 All works requiring approval under the *Roads Act 1993* or *Local Government Act 1993* must be approved PRIOR to the issue of any Construction Certificate.

1.7 Payment of Engineering Fees

1.7.1 If the applicant wishes for Council to issue the Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)') the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

1.7.2 If the applicant wishes for Council to undertake Construction inspections and issue a Compliance Certificate for engineering works, the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person
- If plans are privately certified, applicant must supply Construction Certificate covering the required works.

1.8 Other Matters.

1.8.1 The construction certificate plans are not to be released until Public Road access is provided. This may require the registration of the adjoining subdivision.

1.9 Tree planting and service locations

1.9.1 Street tree planting must not impact on public utilities. The applicant should liaise with the relevant service authorities on the location and use of services within the public road reserve. These authorities may be able to lay their services on the opposite side of the road, thereby providing larger areas for tree planting.

2 GENERAL

2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Dated	Council's File Enclosure No.
Lower Ground Floor Plan DA1100 Issue R	24/01/17	37L
Upper Ground Floor Plan DA1101 Issue U	24/01/17	55B
Mezzanine Floor Plan DA1102 Issue N	24/01/17	37J
Roof Plan DA1103 Issue J	24/01/17	37I
Elevations DA2200 Issue I	24/01/17	37H
Sections DA3000 Issue G	24/01/17	37G
Colours and Finishes Schedule DA9001 Issue C	10/08/16	37D
Landscape Concept Plan SS16-3466 001 Issue A	28/04/17	53A

2.2 Services

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

2.3 Suburb Name

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

Suburb: MARSDEN PARK

2.4 Engineering Matters

2.4.1 Design and Works Specification

- 2.4.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council Growth Centre Precincts Development Control Plan

(e) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)

(f) Blacktown City Council On Site Detention General Guidelines and Checklist

(g) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook Fourth Edition.

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

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

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

- 2.4.1.2 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

2.4.2 Other Necessary Approvals

- 2.4.2.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

2.5 Other Matters

- 2.5.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.

- 2.5.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

2.6 Roads and Maritime Services

- 2.6.1 A strip of land has previously been dedicated as Public Road by private subdivision (DP262886), along the Richmond Road frontage of the subject property, as shown by yellow colour on the attached Aerial — "X". It is advised that Lot 11 DP 262886 is affected by a road proposal as shown by pink colour on the attached Sketch — "SR 561".

Any new building or structures, together with any improvements integral to the future use of the site, are to be erected clear of the land required for road & the Richmond Road corridor (unlimited in height or depth).

2.6.2 All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Richmond Road.

2.6.3 A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Richmond Road during construction activities.

2.7 Transgrid

2.7.1 The stormwater pipeline shall be of non-metallic construction and located a minimum of 20m from the tower.

2.7.2 All works shall be carried out in accordance with the NSW WorkCover 'Work Near overhead power lines' Code of Practice 2006 and TransGrid's Easement Guidelines for Third Party development (V10) (Enclosed). Please contact TransGrid in the event of any uncertainty.

2.7.3 During construction, adequate precaution shall be taken to protect structures from accidental damage, and the easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction material.

2.7.4 Activities and operating plant within the easement are limited to a height restriction of 4.3m above ground height to ensure safe clearances to the overhead powerline.

2.7.5 Safety clearances shall be observed near powerlines.

2.7.6 Trench backfill for any services within TransGrid's easement shall be constructed to safely withstand the 40 tonne load capacity of maintenance trucks without causing damage to pipes and services.

2.7.7 The planting or cultivation of trees or shrubs capable of growing to a height exceeding 4m is prohibited within the easement.

2.7.8 Any excavation works within 20 metres of any part of a steel tower or pole structure is prohibited. The subsoil stability and surface drainage is not to be adversely affected in the vicinity of these structures. Earth straps are buried coming out from each of the tower legs and these are not to be disturbed or exposed to avoid any danger to the public.

2.7.9 The erection of any structure in a location that could create an unsafe situation work area for TransGrid staff is prohibited.

2.7.10 TransGrid shall be provided formal written notification of any amendment and/or additional works proposed to the subject site. Any additional works proposed within the easement require a technical assessment by TransGrid to ensure that horizontal and vertical clearances to transmission lines and structures are met. TransGrid's clearance requirements must be met for safety reasons.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

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

approved Development Application design plans.

3.2 Road Deposit/Bond

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

- (a) Road inspection fee of \$171.00;
- (b) Road maintenance bond of \$6,000; and
- (c) Road maintenance bond administration fee of \$107.00

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

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

3.3 DCP 2016

3.3.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Blacktown City Council Growth Centre Precincts Development Control Plan 2016.

3.4 Lot Registration

3.4.1 The land to which this approval relates is to be identifiable with a Lot and Deposited Plan number and registered with the NSW Land and Property Information.

3.5 Services/Utilities

3.5.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A "Notification of Requirements" from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.

3.6 Special Infrastructure Contributions

3.6.1 The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 94EE of that Act that is in force on the date of the consent, and must obtain a certificate to that effect from the Department of Planning and Environment before a Construction Certificate is issued in relation to any part of the development to which this consent relates.

More information

Information about the special infrastructure contribution can be found on the Department of Planning and Environment's website:

<http://www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/abid/75/guage/en-US/Default.aspx>

3.7 Roads and Maritime Services

- 3.7.1 If any stormwater is proposed to discharge into Richmond Road drainage system, detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

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

3.8 **Transgrid**

The principal certifying authority is to ensure compliance Transgrid conditions of approval as specified within condition 2.6 of this consent.

3.9 **Salinity**

- 3.9.1 The recommendations of the geotechnical investigation and salinity review prepared by Geotechnique Pty Ltd (Report No. 13270/2-AA dated 10 October 2014) are to be shown on the construction certificate plans.

3.10 **Bush Fire Prone Land**

- 3.10.1 The landscaping and building construction recommendations of the Bushfire Protection Assessment prepared by Eco Logical Australia (Report No. 16SUT_4276 dated 2 August 2016) are to be shown on the construction certificate plans.

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

4.1 **Landscaping**

- 4.1.1 A detailed landscape plan nominating tree species that is generally in accordance with the submitted landscape concept plan is to be submitted to Council for separate approval prior to the release of a Construction Certificate.

4.2 **Fencing**

- 4.2.1 The children's play area is to be fenced with a pre-finished black powder coated aluminium open palisade style fence.
- 4.2.2 Internal fencing within the development is to be pre-finished black powder coated aluminium open style palisade style fence to ensure casual surveillance between the use and its car-parking.

4.3 **Access/Parking**

- 4.3.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
- 4.3.2 A minimum 266 carparking spaces are to be provided on site. On-site car parking

spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1.

4.3.3 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

4.3.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

4.3.5 All vehicles must enter and leave the development in a forward direction.

4.4 Building Materials and Finishes

4.4.1 The development is to be constructed in accordance with the approved materials, finishes and colours submitted as part of the approved colours and finishes schedule.

4.4.2 The reflectivity index of glass used in the external facades of the buildings is not to exceed 20 percent, must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas.

4.5 Crime Prevention through Environmental Design

4.5.1 A Security Management Plan identifying the following is to be submitted to Council for separate approval prior to the release of a Construction Certificate:

- a. Security lighting in accordance with Crime Prevention Through Environmental Design (CPTED) requirements throughout the car parking and at entrance points.
- b. Location of CCTV throughout all car parking areas and internal within the establishment.

5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

5.1 Building Code of Australia Compliance

5.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :

- (a) Complying with the deemed to satisfy provisions, or
- (b) Formulating an alternative solution which :
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

5.2 Site Works and Drainage

5.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.

5.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall

intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:

- (a) be in accordance with Australian Standard 3500.3, and
- (b) provide for drainage discharge to an existing Council drainage system, and
- (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

- 5.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.

6 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

6.1 Food Premises

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

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

6.2 Other Matters

- 6.2.1 A certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that it is acoustically attenuated so that the noise emitted:

- a) does not exceed an L_{Aeq} sound pressure level of 5dB (A) above the ambient background noise level when measured
 - at the most effected point on or within any residential property boundary or
 - at the external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates.
- b) cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10pm and 7am.

7 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

7.1 General

- 7.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
- 7.1.2 All fees for Construction, *Roads Act 1993* and *Local Government Act 1993* approvals must be paid to Council prior to the issue of any of the above certificates or approvals. All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.
- 7.1.3 Construction certificate plans shall be generally in accordance with the following drawings:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
Northrop Job No. 161848	DA-C1.01(7), DA-C2.01(6), DA-C2.10(6), DA-C3.02(5), DA-C4.01(8), DA-C4.02(10), DA-C10.01(8), DA-C10.02(3), DA-C11.01(4),				21/4/2017

The following items are required to be addressed on the Construction Certificate plans:

- i. Enviropods treating only surface flows require a minimum clear depth of 500 mm below the grate to any inlet or outlet pipe obvert. Enviropods treating surface flows and upstream pipe flows require a minimum clear depth of 500 mm from the invert of the upstream pipes to be treated, to the obvert of the outlet pipe. Where these pits are treating upstream pipe flows the inverts of all pipes in and out of the pit are to be shown.
- ii. There are insufficient access grates for the below ground Stormfilter chamber. Access grates must be a minimum 900mm by 900mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 3m in accordance with the requirements of Council's Engineering Guide for Development 2005. Attach metal mosquito screens to the grates.
- iii. On Dwg DA-C4.02(10), the pipe outlet to the basin is to be shown extending into the basin.
- iv. On Dwg DA-C10.01(8), on the Stormwater Tank and Water Quality Chamber Plan for the eastern inlet energy dissipation chamber, reduce the width of the energy dissipation wall to 600mm.
- v. On Dwg DA-C10.01(8), in the Stormwater Tank and Water Quality Chamber Plan, the Stormfilter weir (high level overflow weir on plan) is to be labelled as RL 30.46m AHD and not the full height wall.
- vi. On Dwg DA-C10.01(8), in Section A, the impermeable baffle is to extend from the sealed underside of the tank to 400 mm below the top of the weir for the 690 mm Stormfilter cartridge, to contain floatables including oil. Show dimension.
- vii. On Dwg DA-C10.01(8), in Section B, delete the note "WEIR BEYOND TO DISCHARGE TO STORMWATER TANK" and replace with "WEIR BEHIND TO DISCHARGE TO OVERFLOW CHAMBER".
- viii. On Dwg DA-C10.01(8), in Section B lower the invert of the 225 mm inlet pipe to RL 29.69m AHD. Show only three 200 x 100 RHS overflows with wider gaps to allow flaps to close. Show flap details.
- ix. On Dwg DA-C10.01(8), in Section C show the TWL as RL 29.54m and show the step iron in the Stormwater Chamber.
- x. On Dwg DA-C10.01(8), on the Enviropod Inserts detail or Kerb Inlet pit, show the 500mm (minimum) dimension below the channel inflow invert level.
- xi. On Dwg DA-C10.01(8), include in notes to provide metal mosquito proof mesh welded under all access grate(s) into the Stormfilter Chamber.
- xii. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the Stormfilter Chamber and the 40kL Stormwater Chamber in accordance with Council's Engineering Guide for Development 2005.

- xiii. On Dwg DA-C10.02(3), Provide details of the pipe discharge to the Council basin showing the relationship to future bioretention/ basin levels. Extend the pipe out into the basin until the obvert matches the design ground level. Provide a stacked sandstone headwall.
- xiv. Charge line cleanout pits are to be provided for all rainwater tank charge lines (if applicable) at the lowest point in the system. Provide a 5 mm dribble hole and a screw cap on the charge line.

7.2 Construction Certificate Requirements

7.2.1 Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate for engineering work is required. These works include but are not limited to the following:

- Road and drainage construction
- On-site stormwater detention
- Water quality treatment
- Earthworks

The above requirements are further outlined in this section of the consent.

7.3 Roads Act Requirements

7.3.1 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:

- Any works within Council's road reserve
- Kerb inlet pit connections or construction
- Vehicular crossings
- Path Paving

The above requirements are further outlined in this section of the consent.

7.4 Other Engineering Requirements

7.4.1 Submit a detailed estimate of costs for the engineering works. If this detailed estimate is \$25,000 or greater then a long service levy payment is required. Provide proof of this payment to Council.

7.4.2 Any ancillary works undertaken shall be at no cost to Council.

7.4.3 Submit written permission from the affected property owner for any works proposed on adjoining land.

7.4.4 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

7.5 Drainage

7.5.1 Drainage from the site must be connected into Council's existing drainage system.

7.5.2 Foundations adjacent to easements shall not place a loading on the pipe within the easement. Foundations shall be located at:

- (a) the depth of the invert of the existing pipeline, and/or
- (b) the depth of the invert of the proposed pipeline.

All developments shall be kept clear of drainage easements. The surface levels within the easement are not to be changed.

- 7.5.3 Pier and beam style construction shall be used adjacent to easements to the depth of the invert of the proposed or existing pipeline. A Registered Engineer (NER) shall certify that this condition has been satisfied.
- 7.5.4 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.
- 7.5.5 Where the internal driveway cannot be drained to an internal pit a grated trench drain shall be provided at the property boundary.
- 7.5.6 The eaves roof gutters are to be designed to collect the minimum of the 20 year ARI storm. Any box gutters are to be designed to collect the minimum of the 100 year ARI storm. Details of gutter and downpipe designs are to be provided
- 7.5.7 An experienced Drainage Engineer registered with NER and supported by a DRAINS or similar electronic hydraulic drainage model is to certify that the internal drainage system is capable of carrying the 20 year ARI flows without surcharge at any pits.
- 7.5.8 Details are to be provided for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.
- 7.6 **Erosion and Sediment Control**
- 7.6.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.
- 7.7 **Earthworks**
- 7.7.1 Batters are not to exceed a grade of 1V:5H and are to be stabilised with topsoil, turf and vegetation.
- 7.7.2 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.
- 7.7.3 Retaining walls shall be a maximum single height of 1.2m (600mm cut + 600mm fill). Where a retaining wall is proposed that is more than 1.2m in height, a terraced solution shall be provided. Terraces should not exceed 900mm in height (each). Note that the lower terrace is to be inside the lower lot, and the upper terrace on the boundary. Terraces should have a minimum separation distance equal to the height of the terrace. Retaining walls shall be of masonry construction.
- 7.8 **Stormwater Quality Control**

- 7.8.1 Provide a stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 7.8.2 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate shall be generally in accordance with the approved DA plans however any significant variation to the water quality treatment design shall require a section 96 application.
- 7.8.3 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.
- 7.8.4 Bio-retention basins to be designed in accordance with "Stormwater Biofiltration Systems. Adoption Guidelines. Planning, design and implementation. Version 1 June 2009. Facility for Advancing Water Bio-filtration", as a lined, standard biofiltration system.

7.9 Vehicular Crossings

- 7.9.1 Construct a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

7.10 Footpaths

- 7.10.1 Construct path paving as follows:

Street Name	Side	Paving Width	Length
Road No. 4	Property Frontage	2.5m	Full length As shown on the approved plans

- 7.10.2 The construction of path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2010.

Proposed locations and widths are to be approved by Blacktown City Council's Co-ordinator Engineering Approvals. Cycleways/ shared pathways are to include line marking and signposting in accordance with the requirements of Austroads "Guide to Road Design" Part 6A and the Roads and Maritime Services NSW Bicycle Guidelines November 2003.

8 PRIOR TO DEVELOPMENT WORKS

8.1 Safety/Health/Amenity

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

Each toilet provided shall be:

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

- 8.1.2 A sign is to be erected and maintained in a prominent position on the site in

accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

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

This condition does not apply to:

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

8.1.3 Should the development work:

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

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

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

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

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

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

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

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

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

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

8.2 Notification to Council

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

8.3 Roads and Maritime Services

- 8.3.1 Written evidence shall be obtained from the Roads and Maritime Services indicating compliance with its requirements, including the payment of any necessary works supervision fees. A copy of such approval shall be lodged with Council.
- 8.3.2 A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Richmond Road during construction activities.

8.4 Adjoining Owners

- 8.4.1 Written permission from the respective owner(s) must be obtained to:
 - (a) discharge stormwater onto adjoining owner's land.
 - (b) carry out works on adjoining land.
 - (c) drain the site across land owned by others.

A copy of such written permission shall be lodged with Council.

8.5 Use of Crane

- 8.5.1 Any crane used in the construction of this development to swing over public air spaces must have approval under the Roads Act 1993 and Local Government Act 1993 from Council's Manager, Civil and Open Space Maintenance.
- 8.5.2 The crane used must be provided with a light in accordance with the requirements of the Civil Aviation Authority (CASA) requirement. This may require a separate approval from CASA.

9 DURING CONSTRUCTION (GENERAL)

9.1 Roads and Maritime Services

- 9.1.1 All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Richmond Road.

9.2 Salinity and Aggressive Soil Management

- 9.2.1 The environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works. In this regard, Council will require a post earthworks Salinity Investigation demonstrating that the salinity management measures provided in the Salinity Management Plan have been implemented and that the site is suitable for residential development. Any lots identified as containing saline or aggressive soils (aggressive soils are defined as soils that have the potential to damage foundations) shall provide suitable Section 88B restrictions/ covenants on title for building construction measures to mitigate the effects of aggressive soils and salinity.

9.3 Site Contamination

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

9.4 Waste Management Plan

- 9.4.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works. This includes the sorting and storage of waste and recyclable building materials on site for collection and disposal by the nominated waste/recycling contractor to the nominated disposal site.

9.5 European Heritage

- 9.5.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the *Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Heritage Council is issued.

9.6 Aboriginal Heritage

- 9.6.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the NSW Office of Environment & Heritage informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from the NSW Office of Environment & Heritage is received by the Applicant. In addition, a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

10 DURING CONSTRUCTION (BUILDING)

10.1 Safety/Health/Amenity

- 10.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 10.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- 10.1.3 Should the development work:
- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involves the enclosure of a public place,
- the required hoarding, awning or protective barrier shall be maintained between the land and the public place.
- The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.
- 10.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.
- 10.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 10.1.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.
- 10.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 10.2 **Building Code of Australia Compliance**
- 10.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 10.3 **Surveys**
- 10.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

10.3.2 A registered surveyor's report indicating that the required minimum Australian Height Datum floor level has been achieved, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

10.3.3 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

10.4 **Nuisance Control**

10.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

10.4.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

10.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

10.5 **Stormwater Drainage**

10.5.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:

- (a) the floor level being a minimum 225mm above the adjoining finished ground level, and/or
- (b) being drained to an effective drainage system.

10.6 **Waste Control**

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

10.7 **Construction Inspections**

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

- (a) After excavation for, and prior to placement of, any footings; and
- (b) Prior to pouring any in-situ reinforced concrete building element; and
- (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and

(e) Prior to covering any stormwater drainage connections; and

(f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(f)" must be carried out by the Principal Certifying Authority.

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

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

11 DURING CONSTRUCTION (ENGINEERING)

11.1 Notification of Works

11.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.

11.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

11.2 Insurances

11.2.1 Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000.00 Indemnity and Workers Compensation.

11.3 Service Authority Approvals

11.3.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

11.4 Boundary Levels

11.4.1 Any construction at the property boundary, including but not limited to fences, retaining walls and driveways shall not be carried out until boundary alignment levels have been fixed.

11.5 Tree Protection and Preservation

- 11.5.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
- 11.5.2 Prior to commencement of engineering works that may disturb existing vegetation/trees, the site shall be inspected to identify and appropriately mark out any trees to be retained as well as determine areas that are to be left undisturbed. Proposed roads must be set-out onsite prior to this inspection. Note: Inspection must be carried out by Council's representative or an appropriately accredited private certifier. The applicant's representative must be present during this inspection.
- 11.5.3 There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.
- 11.5.4 Council must be notified a minimum of 24 hours prior to the removal of any branches from existing trees which are to be retained. Subject to Council's direction, this work must be generally undertaken by a qualified Arborist.

11.6 Soil Erosion and Sediment Control Measures

- 11.6.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 11.6.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- 11.6.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

11.7 Inspection of Engineering Works - Roads Act 1993

- 11.7.1 All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum twenty-four (24) hours notice. Council's Development Overseers may be contacted on 02 9839 6586 between 7am - 8am and 12.30pm - 1.30pm, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

11.8 Public Safety

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

11.9 Site Security

- 11.9.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

11.10 Traffic Control

- 11.10.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2002.
- 11.10.2 Traffic control devices/facilities (i.e. barricades, signs, lights, etc) must be setup, installed, monitored and maintained in accordance with the certified Traffic Control Plan and by suitably qualified RMS accredited work site traffic controllers.
- 11.10.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold with them their RMS Traffic controllers accreditation.
- 11.10.4 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified RMS accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2002.
- 11.10.5 Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a suitably qualified RMS accredited worksite traffic control designer. This Plan must satisfy all the requirements of AS 1742.3 – 2002 and the current version of the RMS *Traffic Control at Work Sites* manual and shall be submitted to Council prior to implementation.

11.11 Powder Coated Furniture

- 11.11.1 Where the conditions of this consent permit the installation of powder coated furniture (i.e. street lighting poles, bus shelters, rubbish bins, seats or any other items of street furniture), a certificate from the manufacturers shall be provided to Council confirming that the nominated powder coated items have been prepared and coated in accordance with Australian Standard AS/NZ 4506-2005 (service condition category 3). This certificate must be no more than 3 months old and shall be provided to Council prior to the installation of the relevant items of the street furniture. Any items of street furniture not so certified shall be removed and replaced at no cost to Council with items appropriately certified.

12 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

12.1 Premises Construction

- 12.1.1 Any asbestos material is to be handled and treated in accordance with the WorkCover document "*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.
- 12.1.2 All waste generated on the site during the construction must be classified in accordance with the NSW EPA's *Environmental Guidelines: Assessment*,

Classification and management of Liquid and Non-Liquid Waste and disposed of at a facility that may lawfully accept the waste.

13 PRIOR TO OCCUPATION CERTIFICATE

13.1 Compliance with Conditions

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

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

13.1.3 A Subdivision Certificate shall not be issued until all conditions of this consent, other than "operational" conditions, have been satisfied.

13.2 Road Damage

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

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

13.3 Service Authorities

13.3.1 A final written clearance shall be obtained from Sydney Water Corporation, Energy provider and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

13.4 Temporary Facilities Removal

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

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

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

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

13.4.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate

approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

13.5 Fire Safety Certificate

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

13.6 Food Premises

- 13.6.1 The premises shall be registered with Council's Environmental Health Unit. The attached application form shall be used for registration purposes.
- 13.6.2 Trading must not commence until an Occupation Certificate for the development has been issued.
- 13.6.3 The installation of any grease arrestor shall comply with the requirements of the Sydney Water Corporation. A copy of the Corporation's Trade Waste Agreement, shall be submitted to Council.

13.7 Landscaping/Car Parking

- 13.7.1 All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 13.7.2 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 13.7.3 Vandal proof and security lighting, CCTV and security measures are to be provided in accordance with the approved details submitted as part of the Construction Certificate. In this regard, the security lighting, CCTV and security measures are to extend the full length of the battleaxe handle and over staff car parking areas.
- 13.7.4 All fencing and retaining walls shall be completed in accordance with the approved details submitted as part of the Construction Certificate. All fencing/retaining work must be provided at full cost to the developer. All fencing is to be constructed on top of any retaining walls. The selected fencing material/design must also minimise/eliminate the potential for graffiti attacks. Where possible, foliage should be grown on/over fencing adjacent to public areas to minimise any potential for graffiti.
- 13.7.5 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 13.7.6 All common open space areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night.

13.7.7 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

13.7.8 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

13.7.9 All required internal roads, car parking spaces, courtesy bus areas and taxi zones shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose. In this regard, a minimum 35 car parking spaces along the battle axe handle are to be nominated as staff parking.

13.8 Fee Payment

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

13.9 Engineering Matters

13.9.1 Surveys/Certificates/Works As Executed plans

13.9.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A hardcopy (A1 size) and softcopy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.

13.9.1.2 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

13.9.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying the following:

- a. all the requirements of the approved drainage plan have been undertaken;
- b. the 100kL Rainwater tanks have been provided as per the approved construction certificate plans collecting all of the roof area;
- c. the 40kL Stormwater tank collecting treated water from the Stormfilters has been correctly installed;
- d. the required water quality treatment for the Stormwater tank reuse water (if any) has been satisfactorily installed;
- e. all the signage and warning notices have been installed including the interpretative water quality sign;
- f. any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations.
- g. a copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council.

- 13.9.1.4 Maintenance schedule requirements are to be provided for each of the Stormwater Quality Improvement Devices including the rainwater tank. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, signature and date on it.
- 13.9.1.5 Written evidence is to be provided that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the rainwater tank and all proprietary water quality treatment devices. A copy of the signed and endorsed contract(s) and maintenance contractor(s) details are to be forwarded to Council's WSUD Compliance Officer.
- 13.9.1.6 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

When Council has been nominated or defaulted as the nominee for engineering compliance. Final inspections can be arranged through Council's Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

13.9.2 Easements/Restrictions/Positive Covenants

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

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

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

- 13.9.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the Stormwater Quality Control devices/system and outlet works.
- 13.9.2.3 Each of the proposed lots serviced by the existing inter-allotment drainage easements shall have this burden and benefit created pursuant to Section 88B of the Conveyancing Act 1919.
- 13.9.2.4 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

13.9.3 Inspections

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

13.10 Other Matters

- 13.10.1 Retaining wall(s) and/or other effective methods to retain excavated or filled ground

(other than those sites works which may be Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be constructed and/or provided in accordance with the plans attached to the Construction Certificate.

13.11 Bush Fire Prone Land

- 13.11.1 The recommendations of the Bushfire Protection Assessment prepared by Eco Logical Australia (Report No. 16SUT_4276 dated 2 August 2016) are to be implemented. In this regards, reticulated or bottled gas on lot is to be installed in accordance with the recommendations and an Evacuation and Emergency Response Plan is to be prepared and submitted to relevant authorities.

13.12 Food Premises

- 13.12.1 The food preparation areas shall be constructed so as to comply with the requirements of:
- The *Food Act 2003* and Regulations there under.
 - Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.
- 13.12.2 Prior to the issue of an Occupation Certificate, documentation shall be submitted to Council certifying that the ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control*.

13.13 Crime Prevention matters

- 13.13.1 Prior to the release of any Occupation Certificate, a Venue Management Plan and Security Management Plan is to be endorsed by NSW Police. The Venue Management Plan is to incorporate a management of the function rooms also. A copy of the endorsed reports are to be submitted to Council for our records. Report outcomes on vegetation management, lighting, landscaping and CCTV are to be implemented prior to Occupation Certificate.
- 13.13.2 Prior to the release of any Occupation Certificate, relevant license(s) are to be obtained from the Independent Liquor and Gaming Authority.

13.14 Noise Management

- 13.14.1 A verification report is to be undertaken by a suitably qualified acoustic engineer to verify that the findings in The Acoustic Group report dated August 2016 (ref: 46.5230.R1B:MSC) have been satisfied.
- 13.14.2 All amplifiers and noise generating equipment must be fitted with noise limiters and set by an acoustic consultant in accordance with current noise control regulations.
- 13.14.3 Acoustic seals are to be installed on the access doors between the conference rooms and outdoor balconies.

13.15 Odour Management

- 13.15.1 A verification report is to be submitted by a suitably qualified environmental consultant to verify that the findings in *Proposed Laundy Microbrewery at Marsden*

Park, NSW – Odour Assessment, prepared by The Odour Unit Pty Ltd, dated 8 July 2016 have been satisfied.

14 OPERATIONAL (PLANNING)

14.1 Access/Parking

- 14.1.1 All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.
- 14.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 14.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 14.1.4 A minimum of 1 courtesy bus (minimum 12 seats) is to operate from 6 pm until close, on Friday and Saturday evenings.
- 14.1.5 A taxi rank for a minimum 2 taxis is to be provided on site.

14.2 General

- 14.2.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
- 14.2.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 14.2.3 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 14.2.4 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 14.2.5 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 14.2.6 The trading hours of the development shall not be outside of the following nominated times.

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

Approved trading hours:*

Monday to Saturday – 5 am to 3 am
Sunday – 5 am to midnight

* Unless otherwise restricted by required licenses for operation.

- 14.2.7 The establishment, including the mezzanine function rooms, are not to be used for concerts.
- 14.2.8 The use of the land is not to interfere with the amenity of the adjoining residential area.

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

14.2.10 Arrangements shall be made for an effective commercial refuse removal service.

14.3 Landscaping

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

14.3.2 Regular maintenance and up-keep of the site must therefore be undertaken to the site to ensure that sightlines are kept free from obstructions.

14.4 Lighting and Security

14.4.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

14.4.2 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

14.4.3 All external lighting and other security measures are to be maintained at all times.

14.5 Use of Premises

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

14.5.2 The development shall not be used or converted for use for any purpose other than that:

(a) Granted consent by Council's Notice of Determination, or

(b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

14.6 Emergency Procedures

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

14.7 Venue Management

14.7.1 Vandal proof and security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.

14.7.2 Balcony areas on the northern side of the mezzanine floor area to have a limited use from 10.00pm on any night.

14.7.3 Prominent notices shall be placed at the entry and exit points to the carpark and

hotel to remind patrons that noise levels are to be kept to a minimum at all times.

- 14.7.4 The doors leading to the outdoor gaming area must not be held open at any time the premises is open to the public.
- 14.7.5 No entertainment or amplified music is to be provided within the outdoor seating area or mezzanine balconies from 10.00 pm on any night.
- 14.7.6 The authorised maximum capacity of the premises is to be in accordance with the approved capacity plans, being:
- 50 persons within the gaming area
 - 1,460 persons within the ground floor area
 - 100 persons within the microbrewery
 - 390 persons within the mezzanine function rooms
- 14.7.7 The management, maintenance and operation of the premises is to be conducted at all times in a manner satisfactory to Council and NSW Police. In this regard, the operation at all times is to be consistent with the approved Venue Management Plan and Security Management Plan as required by condition 13.13.1 of this consent. Any changes to the Venue Management Plan or Security Management Plan must be endorsed by NSW Police and a copy submitted to Council for our records.
- 14.7.8 After 3 months of the issue of occupation certificate to the premises, an acoustic validation report is to be submitted to Council by a suitably qualified acoustic consultant to verify that the development meets the relevant NSW noise requirements including the Environment Protection Authority and criteria of NSW Office of Liquor and Gaming. Noise monitoring is to be conducted during peak times, including Friday and Saturday nights and when the function rooms are being used. Should the report provide further building or noise management recommendations, these are to be implemented following approval of the validation report by Council.

15 OPERATIONAL (ENVIRONMENTAL HEALTH)

15.1 Environmental Management

- 15.1.1 The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria:
- o The $L_{Aeq, 15min}$ noise level emitted from the use premises must not exceed the intrusiveness criterion (background noise level $L_{A90, 15minute}$ plus 5dB(A) when assessed at the boundary of any affected residence.
 - o The use of the premises shall be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined within the *Protection of the Environment Operations Act 1997*.
 - o Outdoor gaming machines are not to generate a sound pressure noise level of more than 65 dB(A), measured at 1 metre from the machine.
- 15.1.2 The emission of noise from the operation of the premises shall comply with the noise conditions for Licensed Premises issued by NSW Liquor and Gaming.
- 15.1.3 No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.

- 15.1.4 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Environmental Protection Authority's NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an acoustical consultant / engineer with qualifications and experience sufficient for Member Grade of the Australian Acoustical Society and shall be submitted to Council for consideration.
- 15.1.5 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 15.1.6 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 15.1.7 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
- 15.1.8 A copy of the compliance certificate and WorkCover NSW Dangerous Goods licence for the installation of the diesel tanks are to be submitted to Council.
- 15.1.9 All cleaning of medical and surgical instruments and equipment shall comply with the requirements of: Australian Standard 4815:2001: *Office-based health care facilities not involved in complex patient procedures and processes - Cleaning, disinfecting and sterilizing reusable medical and surgical instruments and equipment, and maintenance of the associated environment.*
- 15.1.10 All waste shall be stored suitably and disposed of by an appropriate waste contractor. Under no circumstances is waste from the activity to be disposed of through Council's waste collection services.

15.2 Food Premises

- 15.2.1 The food premises shall be maintained in accordance with the requirements of;
- Food Act 2003 and Regulations there under.
 - Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*
- 15.2.2 The proprietor is to ensure that all food handling complies with the requirements of the Food Act 2003 and Regulations there under.
- 15.2.3 Upon receipt of a justified complaint in relation to odour emanating from the premises, a level 3 odour impact assessment is to be carried out by an environmental consultant. The assessment must be completed in accordance with the requirements of the Office of Environment and Heritage document *Assessment and Management of Odour from Stationary Sources in NSW and Technical Framework* November 2006.