

Our Reference:  
Contact:  
Phone:

2016/280/1  
Mr P Anzellotti  
02 8745 9771

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979  
NOTICE OF DETERMINATION OF APPLICATION**

To be advised

Pure Projects  
C/- Urbis Pty Ltd  
Tower 2 Level 23 201 Sussex Street  
SYDNEY NSW 2000

Dear Sir/Madam

Pursuant to Section 81 of the Act, Council has granted conditional approval to your Development Application described as follows:

**PROPERTY:** Lot: 100, DP: 1214820

**STREET ADDRESS:** 428 Great Western Highway, Wentworthville

**DEVELOPMENT CONSENT NO:** 2016/280/1

**DECISION:** Sydney West Central Planning Panel

**DATE OF EXPIRY OF CONSENT:** To be advised

**PROPOSED DEVELOPMENT:** Alterations and additions to the existing  
Wentworthville Leagues Club, siteworks and  
signage.

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Cumberland Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

**PRELIMINARY**

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent.
2. Development shall take place in accordance with the attached endorsed plans:

Doc No.	Issue	Title	Prepared By	Date
<b>Architectural Plans all Project No. 209073</b>				
DA - 0011	H	Lower Ground Floor	The Buchan Group	12.08. 2016
DA - 0012	H	Area Plan - Ground Floor	The Buchan Group	12.08. 2016
DA - 0013	H	Area Plan - Mezzanine Floor Plan	The Buchan Group	12.08. 2016
DA - 0014	H	Area Plan – Level 1	The Buchan Group	12.08. 2016
DA - 0022	N	Site Plan	The Buchan Group	12.08. 2016
DA - 0023	H	Site Demolition Plan	The Buchan Group	12.08. 2016
DA - 0030	G	Club Lwr Ground Floor Demolition Plan	The Buchan Group	12.08. 2016
DA - 0040	G	Club Ground Floor Demolition Plan	The Buchan Group	12.08. 2016
DA - 0050	G	Club Piazza Level Demolition Plan	The Buchan Group	12.08. 2016
DA - 0060	G	Club Level 1 Demolition Plan	The Buchan Group	12.08. 2016
DA - 0070	G	Club Roof Demolition Plan	The Buchan Group	12.08. 2016
DA - 1000	M	Lower Ground Floor Plan 1 of 2	The Buchan Group	12.08. 2016
DA - 1001	N	Lower Ground Floor Plan 2 of 2	The Buchan Group	12.08. 2016
DA - 1100	P	Ground Floor Plan 1 of 2	The Buchan Group	12.08. 2016
DA - 1101	O	Ground Floor Plan 2 of 2	The Buchan Group	12.08. 2016
DA - 1200	N	Mezzanine Floor Plan	The Buchan Group	12.08. 2016
DA - 1300	P	Level 1 Floor Plan	The Buchan Group	12.08. 2016
DA - 1400	O	Roof Plan	The Buchan Group	12.08. 2016
DA - 2000	G	Club Elevations 1 of 2	The Buchan Group	12.08. 2016
DA - 2001	G	Club Elevations 2 of 2	The Buchan Group	12.08. 2016
DA – 2600	E	Streetscape	The Buchan Group	12.08. 2016
DA - 3000	G	Sections – Sheet 1	The Buchan Group	12.08. 2016

DA - 3001	G	Sections – Sheet 2	The Buchan Group	12.08. 2016
DA - 6200	D	Finishes Board 1 of 2	The Buchan Group	12.08. 2016
DA - 6201	D	Finishes Board 2 of 2	The Buchan Group	12.08. 2016
DA - 7100	G	Ground Floor Seating Layout 1 of 2	The Buchan Group	12.08. 2016
DA - 7101	G	Ground Floor Seating Layout 2 of 2	The Buchan Group	12.08. 2016
DA - 7200	G	Mezzanine Seating Layout	The Buchan Group	12.08. 2016
DA - 7300	G	Level 1 Seating Layout 1 of 2	The Buchan Group	12.08. 2016
DA - 7301	G	Level 1 Seating Layout 2 of 2	The Buchan Group	12.08. 2016
<b>Hydraulic Plans all Job No. 20493-008</b>				
H-TE-1000-01	Issue. D	Lower Ground 1 of 4 Drainage Layout	EWWF Consulting Engineers	16.09. 2016
H-TE-1002-01	Issue. C	Lower Ground 2 of 4 Drainage Layout	EWWF Consulting Engineers	16.09. 2016
H-TE-1102-01	Issue. B	Ground 3 of 4 Drainage Layout	EWWF Consulting Engineers	16.09. 2016
H-TE-1103-01	Issue. B	Ground 4 of 4 Drainage Layout	EWWF Consulting Engineers	16.09. 2016
<b>Landscape Plans</b>				
000	F	Cover Sheet	Site Image	25.05.2016
101	F	Landscape Master Plan	Site Image	25.05.2016
102	F	Lower Ground Floor Plan	Site Image	25.05.2016
103	F	Alfresco Dining Area & Foyer Area	Site Image	25.05.2016
104	F	Ground Floor – Porte Cochere	Site Image	25.05.2016
105	F	Level 1 – Landscape Terrace and Internal Courtyard	Site Image	25.05.2016
501	F	Landscape Details	Site Image	25.05.2016
502	F	Landscape Details	Site Image	25.05.2016
601	F	Specification Notes and Plant Schedule	Site Image	25.05.2016
<b>Food Preparation Area Plans all Project No. 1608 - 01</b>				
SD - 000	A	Project Notes	Quantum Design International	28.09.2016

SD - 100	A	Standard Sectional Details	Quantum Design International	28.09.2016
SD - 101	A	Standard Sectional Details	Quantum Design International	28.09.2016
SD - 102	A	Standard Sectional Details	Quantum Design International	28.09.2016
SD - 103	A	Standard Sectional Details	Quantum Design International	28.09.2016
SD - 104	A	Standard Sectional Details	Quantum Design International	28.09.2016
AK - 101	A	Basement – Asian Commissary Kitchen Equipment Layout	Quantum Design International	13.08.2016
BA - 100	F	Basement BoH Areas – Overall Equipment Layout	Quantum Design International	13.08.2016
CK - 101	A	Basement – Commissary Kitchen Overall Layout	Quantum Design International	13.08.2016
CK - 102	A	Basement – Commissary Kitchen – Zone A Equipment Layout	Quantum Design International	13.08.2016
CK - 103	A	Basement – Commissary Kitchen – Zone B Equipment Layout	Quantum Design International	13.08.2016
CK - 104	A	Basement – Commissary Kitchen – Zone C Equipment Layout	Quantum Design International	13.08.2016
EQ – 100	A	Basement BoH Areas – Overall Equipment Legend	Quantum Design International	13.08.2016
AH – 100	B	First Floor – Asian Kitchen Preliminary Equipment Layout	Quantum Design International	14.06.2016
FK - 100	B	First Floor – Function Kitchen Preliminary Equipment Layout	Quantum Design International	14.06.2016
BK – 100	C	Ground Floor – Brasserie Kitchen Preliminary Equipment Layout	Quantum Design International	14.06.2016
CA - 100	B	Ground Floor – Café Preliminary Equipment Layout	Quantum Design International	14.06.2016
TB – 100	B	Ground Floor – Terrace Bar Preliminary Equipment Layout	Quantum Design International	14.06.2016
KC - 101	A	Basement – Keg Coolroom Equipment Layout	Quantum Design International	13.08.2016

LD - 101	A	Basement – Loading Dock Equipment Layout	Quantum Design International	13.08.2016
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- Waste Room Design prepared by TTM Consulting Pty Ltd, Project No. 16BRW0010, Drawing No. 16BRW0010-01, Sheet 1 of 1, Revision B, dated 6 August, 2016;
  - Report on Targeted Phase 2 Contamination Assessment prepared by Douglas Partners, Project No. 45938.04, Revision 0, dated 8 April, 2011;
  - Hazardous Building Materials Report prepared by Douglas Partners, Project No. 85251.01, Revision 0, dated 8 April, 2016;
  - Proposed Expansion – Da Acoustic Assessment prepared by Renzo Tonin and Associates, Document Reference No. TE191-14F04(r3), Revision 3, dated 12 August, 2016;
  - CPTED Assessment (proposed expansion of the Wentworthville Leagues Club) prepared by Urbis, Job Code SSP04316, Report Number Final, dated 25 May 2016;
  - Access Report prepared by AED Group, Report Number A2483, Revision 02, dated 19 May, 2016;
  - Site Refuse Management Brief prepared by TTM Consulting Pty Ltd, Reference No. 16BRW0010, Revision No. 1, dated 3 May, 2016;
  - Proposed Staging of Works – Option 3 prepared by Pure Project management, Revision 01, dated 21 April, 2016;
  - Building Code of Australia Report prepared by Mckenzie Group, Reference No. 069610-04BCA, Revision 3, dated 25 May, 2016;
  - Fire Engineering statement for DA Submission prepared by Olsson Fire and Risk Consulting Engineers, Reference No. S15305, dated 24 May, 2016;
  - Obtrusive Lighting Statement prepared by Haron Robson, dated 1 June, 2016.
  - Roads and Maritime comments, Reference No. SYD16/00944/01 (A13994103), dated 4 August, 2016; and
  - Endeavour Energy comments provided by e-mail, dated 4 August, 2016.
- a) As amended in red by Council. The above amendments are to be incorporated in the Construction Certificate plans.
3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia. Fully detailed plans including fire safety details shall be submitted with the Construction Certificate application. No work is to commence until such time as a Construction Certificate is obtained for the work/building permitted by this Consent.

### **Appointment of Council or a Private Certifier as the Principal Certifying Authority (PCA)**

4. Either Council or a Private Certifier is to be appointed as the Principal Certifying Authority (PCA) for the development in accordance with Section 109E of the Act.

Accordingly, wherever reference is made to the Principal Certifying Authority in this Consent, it refers to Council or the Private Certifier as chosen by you.

**Note:** Once you have chosen either Council or a Private Certifier as the PCA, you cannot change from one to the other, or from one Private Certifier or another, without the approval of Department of Planning & Infrastructure.

5. The applicant shall consult with, as required:
  - (a) Sydney Water Corporation Limited
  - (b) Integral Energy
  - (c) Natural Gas Company
  - (d) A local telecommunications carrierregarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).
6. The proposed structure/s are to be located clear of existing Council easements. Special footings will be required where the proposed/existing structures are adjacent to a drainage easement. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary.  
The footing system is to be designed by a practising professional structural engineer.
7. Building materials, builders sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

### **Demolition**

8. In the event that demolition is to occur prior to the issue/release of a Construction Certificate, all relevant fees and bonds such as the demolition inspection fee, kerb & gutter and tree protection bonds shall be paid in full to Council prior to demolition commencing (as per the relevant conditions elsewhere in this Development Consent). Furthermore, the applicant/developer is to ensure that all relevant conditions in this Development Consent relating to the protection of the site, adjoining lands and trees are adhered to in full prior to commencement of any demolition works.
9. Permission is granted for partial demolition of existing structures as detailed in the endorsed plans, subject to strict compliance with the following:-
  - a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - *Demolition of Structures*. **Note:** Developers

are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications. a) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite the demolition site. The demolition must not commence prior to the date stated in the notification.

- b) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Cumberland Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- c) On the first day of demolition, work is not to commence until Cumberland Council has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with WorkCover's document "Your Guide to Working with Asbestos", a copy of which accompanies this Development Consent and demolition works must at all times comply with its requirements.
- d) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. Advice on the availability of these signs can be obtained by telephoning Council's Customer Service Centre during business hours on 9840 9840. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- e) Demolition shall not commence until all trees required to be retained/transplanted are protected in accordance with those conditions stipulated under "Prior to Works Commencing" in this Consent.
- f) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- g) Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- h) Demolition is to be completed within 5 days of commencement.
- i) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 6.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- j) Protective fencing is to be installed to prevent public access to the site.

- k) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- l) Before demolition operations begin, the property shall be connected to the sewer of Sydney Water to which a pedestal pan shall be temporarily connected for the use as the employees' toilet service during demolition operations.
- m) After completion, the applicant shall notify Cumberland Council within 7 days to assess the site and ensure compliance with AS2601-2001 – *Demolition of Structures*.

**NOTE:** The person responsible for disposing of the above asbestos waste is to telephone the DECCW on (02) 9995 5000 or Council's Waste Officer on (02) 9840 9715 to determine the location of a tip licensed to receive asbestos. Within fourteen (14) days of the completion of demolition works, the applicant must lodge with Council, all original weighbridge receipts issued by the receiving tip as evidence of proper disposal.

- n) Within 14 days of completion of demolition, the applicant shall submit to Council:
  - i) An asbestos clearance certificate carried out by a licensed asbestos assessor (normally a NATA accredited occupational hygienist), or a person who has the knowledge and skills to be a licensed assessor, regardless of whether or not they are licensed; and
  - ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent under DCP 2007 Part A, Section 9.0. **In reviewing such documentation Council will require the provision of original weighbridge receipts for the recycling/disposal of all materials;** and

**Note:** To find a list of NATA accredited facilities visit the NATA website at [www.nata.asn.au](http://www.nata.asn.au) and under 'Facilities and Labs' click on 'Facilities List by Field', then click on 'Chemical Testing', then click on 'Asbestos' and finally click on 'identification'. A list of laboratories will be produced which you can contact for the purpose of having a clearance certificate issued.

- 10. Payment of **\$459.20** fee for inspection by Council of the demolition site prior to commencement of any demolition works.

### **Smoke Free Environment**

- 11. The subject development consent issued by Council does not imply or otherwise verify compliance with the Smoke-Free Environment Act 2000 and/or the Smoke-Free Environment Regulation 2016. The applicant and/or owner of the premises should seek their own legal advice as to compliance with Act and/or Regulation if proprietors of the premises intend allowing smoking in any area of the premises, including that area subject of this consent.



**Substation / fire hydrant boosters**

12. No approval is granted or implied for any encasing structures (i.e. blast walls or radiant heat shields) associated with the installation of any substations or fire hydrant booster pumps. Separate Development Consent is required for such structures.

**Cranes**

13. No approval is granted or implied for the installation of any crane on the premises that has the potential to swing beyond the boundaries of the subject site. Separate necessary approvals, including but not limited to Section 138 of the Roads Act and/or Section 68 of the Local Government Act, must be obtained from Council prior to installation of any such cranes.

**NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS "FEES AND CHARGES" AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.**

## **PRIOR TO ISSUE/RELEASE OF CONSTRUCTION CERTIFICATE/PRELIMINARY CONDITIONS FOR DEMOLITION**

The following conditions must be complied with prior to the issue of a Construction Certificate, or where relevant prior to demolition occurring. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate:-

### **Payment of Bonds, Fees and Long Service Levy**

14. The Principal Certifying Authority is to ensure and obtain written proof that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

### **Damage Deposit**

15. A cash bond/bank guarantee of **\$5,872.10** must be paid/lodged with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' or six (6) months after the issue of 'Final Occupation Certificate' (whichever occurs last) to remedy any defects that may arise within this time.

**Note:-** The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property (such as road pavement, kerb and guttering, footway, stormwater drainage etc), unless the applicant/owner notifies Council in writing and provides photographic proof of any existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

### **Consistency with Endorsed Development Consent Plans**

16. The Principal Certifying Authority must ensure that any certified plans forming part of the Construction Certificate, are in accordance with the Development Consent plans.

### **Landscape Inspection Fee**

17. Payment of a **\$616.20** fee for the inspection by Council of landscape works and/or trees to be retained at the key stages, where Council is the Principal Certifying Authority.

### **Engineering Fees and Bonds**

18. Payment of a **\$675.80** fee for the design, specifications and inspection by Council of the vehicular crossing/s prior to placement of concrete.

19. The applicant shall lodge with Council a **\$2,000.00** cash bond or bank guarantee to cover the removal of redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.
20. The applicant shall lodge with Council a **\$5000** cash bond or bank guarantee to cover the satisfactory reconstruction/restoration at the intersection of Smith Street and Mack Street (Exist) and associated works along all areas of the site fronting. This bond will be held for six (6) months after the completion of works or issue of a final occupation certificate which ever occurs last to remedy any defects that may arise within this time.

#### **On-site Stormwater Detention (OSD)**

21. The development has been identified as requiring an on-site stormwater detention (OSD) system which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the building, any construction certificate for the building shall include the construction of the (proposed/existing) OSD system. In this regard, the following shall also be addressed and approved by Council's Manager of Engineering and Traffic prior to issue of Construction Certification:
  - a. Full detailed design drawings and calculations for each OSD (Proposed/Existing) system shall be prepared by a practising Civil Engineer shall be submitted to Council. Design and construction of the on-site stormwater detention system shall be in accordance with Council's OSD Policy and the latest revision of the 3<sup>rd</sup> Edition of Upper Parramatta Catchment Trust's O.S.D. Handbook. The engineering plans shall indicate all existing OSD components that include but not limit to the following:
    - i. The proposed/existing OSD system locations;
    - ii. Discharge Control Unit (DCU) and other access grate locations within the OSD system;
    - iii. Layout and volume storage provided for each OSD system (Existing/Proposed);
    - iv. Proposed and existing pits/pipes for stormwater connection to each OSD;
    - v. If the existing OSD system/s is to be altered then the detailed design drawings and calculation shall be submitted to Council for approval prior to issue of Construction Certificate.

**Note:** In accordance with DA 2009/381 and DA 2016/1, there are at least six (6) proposed/existing OSD systems within the development site.
  - b. A OSD catchment plan shall be prepared by a practising Civil Engineer, the plan shall be scaled and clearly demonstrate the items following but not limit to:
    - i. Total site area;
    - ii. Catchment area for each OSD systems (Proposed/Existing);
    - iii. Area of each catchment draining into the OSD system (Existing/Proposed);
    - iv. Area of each catchment bypassing OSD system shall be hatched or coloured;

- v. All OSD system locations within the site;
  - vi. If the existing OSD system/s is to be altered then the detailed design drawings and calculation shall be submitted to Council for approval prior to issue of Construction Certificate.
- c. Any existing overland flow up to the 1% AEP storm event that enter the site via the upstream boundary shall be accepted within the site, and conveyed through the site not draining into the . Full details of the hydraulic evaluation of the overland flow shall be prepared by a practising Civil Engineer and be in accordance with Council's OSD policy.
  - d. In terms of the proposed works for the multi-deck car park, the catchment area shall be approximately 3,790m<sup>2</sup> based on the building footprint of the multi-decking car park (existing/proposed). In this regard, a minimum volume of 180m<sup>3</sup> storage shall be provided for the OSD system subject to the noting below.  
  
**Note:** Council's information indicates the 1% AEP tail water level of 27.85m AHD at the existing stormwater connection to the existing channel. In this regard, the OSD volume requirement may need to be adjusted if the design invert level of orifice outlet within the Discharge Control Unit (DCU) is below the 1% AEP level of the existing channel. The orifice outlet shall be considered to be functioning as a submerged outlet.
  - e. In terms of the proposed works for the multi-deck car park, the applicant's engineer shall demonstrate that the existing stormwater pipe capacity of Council's stormwater easement is adequate to collect the flow from the development and not surcharge and/or worsen the existing condition.
  - f. Any design/redesign OSD system, the applicant's Engineer shall ensure that a minimum of 75% High Early Discharge (HED) shall achieve within the OSD system.
  - g. Downpipe locations and stormwater line connection to the proposed OSD system and/or stormwater quality treatment units shall be indicated on the engineering drawings.  
  
**Note:** Hydraulic service stormwater drainage plans shall be consistent with the engineering drawings.
  - h. All proposed structure/works, including roof eaves, retaining walls, drainage lines etc shall be clear of the existing Council 600mm diameter RCP with a minimum of 3 metre wide Council drainage easement.
  - i. Design and construction of the proposed multi-deck car parking shall also include the proposed structures being able to withstand the forces of floodwater, debris and buoyancy up to 1%AEP plus freeboard.
  - j. All new works of proposed multi-deck car parking within flood affected area shall be constructed in flood compatible materials to the 1% AEP flood level plus freeboard, including the requirements for electrical equipment, power supply, wiring, GPO's etc. All works shall generally be in accordance with Council DCP 2013 Section 8 table 9 and 10.

### Structures near Easements

22. Special footings will be required where the proposed/existing structure is adjacent to a drainage easement to protect Council's stormwater drainage infrastructure. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary. A Structural Engineer's certificate for the special footings referred to above is to be submitted to the Principal Certifying Authority.

### Road Works

23. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the applicant shall pay Council a **\$511.20** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

24. The applicant shall also provide a Construction and Traffic Management Plan, prepared by a suitably qualified consultant and submitted to Council for approval. The following matters must be specifically addressed in the Plan:

(a) A plan view (min 1:100 scale) of the entire site and frontage roadways indicating:

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways;
- Signage type and location to manage pedestrians in the vicinity;
- The locations of any proposed Work Zones in the frontage roadways – note: Work Zone fees apply in accordance with Council's Fees and Charges;
- Locations and type of any hoardings proposed along all street frontages;
- Area of site sheds and the like;
- Location of any proposed crane standing areas;
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible; and

(b) A Traffic Control Plan for the site must be prepared for approval by Council incorporating the following: -

- (i) Traffic control devices proposed in the road reserve must in accordance with the RMS publication "Traffic Control Worksite Manual" and designed by a person licensed to do so (minimum RMS 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- (ii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided detailing: -
  - a. Light traffic roads and those subject to a load or height limit must be avoided at all times; and
  - b. A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.
- (iii) Evidence of RMS concurrence where construction access is provided directly or within 20m of an Arterial Road.
- (iv) A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements;
- (v) For those construction personnel that drive to the site, the Applicant shall provide on-site parking so that their personnel's vehicles do not impact on the area.
- (c) Council's adopted fee for certification of compliance with this condition shall be payable on lodgement, or in any event, prior to the issue of the relevant approval.
- (d) Any use of Council property shall require appropriate approvals and demonstration of liability insurances prior to such work commencing.
- (e) Failure to provide complete and detailed information may result in delays. It is recommended that your Construction and Traffic Management Plan be lodged with Council as early as possible.
- (f) Dependent on the circumstances of the site, Council may request additional information to that detailed above.
- (g) Subject to an application for the occupation of public roadway or footway (Section 138, Local Govt. Act 1993), and Covered by a \$20M public liability insurance policy, with the policy noting Council as an interested party.

#### **Required Submissions to Certifying Authority**

- 25. If the development likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works

must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first.

26. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.
27. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.
28. Structural engineer's details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the Principal Certifying Authority.
29. Documentation shall be included with the Construction Certificate application detailing how the recommendations made in the Social Impact Statement prepared by Urbis and dated 1 August, 2016 have been addressed.
30. All plans (architectural, landscape and engineering) are to correspond with each other. Details are to be provided to the Principal Certifying Authority prior to issue of any Construction Certificate.

#### **Contamination**

31. The targeted Phase 2 Contamination Assessment prepared by Douglas Partners Pty Ltd (Project No: 45938.04) dated April 2011 requires an unexpected asbestos finds protocol to be prepared for the use by the contractor. The unexpected finds protocol is required to be prepared and included as part of the Construction Environmental Management Plan, prior to the issuing of the Construction Certificate.

#### **Access**

32. The development shall comply with the Access to Premises Standards. Details to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

#### **Acoustic Measures**

33. Prior to the issuing of the Construction Certificate an acoustic report is to be prepared by an appropriately qualified acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS). The report should consider noise emissions from the development including but not limited to proposed mechanical plant (air conditioners, automatic roller doors, ventilation plant for the underground car park. The report should be prepared in accordance with the NSW Environment Protection Authority Industrial Noise Policy.

34. Prior to the issuing of the Construction Certificate a Construction Environmental Management Plan is required to be prepared and submitted to Council for assessment and comment. The Plan should consider the NSW EPA 'Interim Construction Noise Guidelines'.

#### **Food Premises Fitout**

35. Prior to the issuing of the Construction Certificate, detailed plans regarding all food preparation, storage and service areas are required to be prepared in accordance with Standard 3.2.3 Australia & New Zealand Food Standards Code and Australian Standard 4674-2004 (Design, Construction & Fitout of Food Premises) are required to be submitted to Council for assessment and comment.

#### **Traffic Management**

36. Any required adjustment to utility services, trees, signs and other street furniture requires approval of the appropriate authority shall be undertaken by the applicant. All cost associated with the proposed works shall be borne from the applicant and at no cost to Council.
37. Any works requiring closure of any road or footway closure will require submission of a Council's Temporary Road Closure application form and payment of fees.
38. Signs and line marking plans for the car parking area (e.g. parking spaces, internal arrows, Give-way signs, pedestrian crossing/walkways etc.) shall be prepared prior to the issue of Construction Certificate and to be in accordance with AS 2890.1-2004, AS 2890.6-2009 and the endorsed plans.

#### **Salinity**

39. The site has been identified as having a potential salinity hazard. To prevent moisture/salinity from entering the built structure, appropriate construction methods are to be incorporated for all dwellings/buildings.

Details of proposed methods of construction are to be detailed in the engineering plans and submitted to the PCA.

**Note:** Further information for building in a saline environment is available in the following documents:

- "Building in Saline Environment" prepared by DIPNR 2003.
- Water Sensitive Urban Design in the Sydney Regions "Practice Note 12: Urban Salinity"
- Wagga Wagga City Council's "Urban Salinity Action" October 1999
- "Guide to Residential Slabs and Footings in Saline Environments" prepared by Cement Concrete and Aggregates Australia, May 2005

#### **Sydney Water**

40. A building plan approval must be obtained from Sydney Water Tap In™ to ensure the development will not affect any sewer, water or stormwater mains or easements.



A copy of the building plan approval receipt from Sydney Water must be submitted to the certifying authority, prior to the issue of a construction certificate.

Please go to [sydneywater.com.au/tapin](https://sydneywater.com.au/tapin) to apply.

### **Light Fixtures**

41. A plan showing the location of light fixtures throughout the development shall be submitted to the Principal Certifying Authority. Light spillage shall comply with AS 4282-1997.

### **Construction Management Plan**

42. A Construction Management Plan (CMP) prepared by a suitable qualified consultant shall be prepared to address issues such as traffic control, noise, dust, etc., during construction. All measures works/methods/procedures/control measures/recommendations made within the Construction Management Plan shall be implemented accordingly.

The acoustic components of such report are required to be prepared by an appropriately qualified acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS). The report should consider the construction noise and vibration intrusion for the proposed development.

## **PRIOR TO WORKS COMMENCING**

**The following conditions are to be complied with prior to any works commencing on the site:**

### **Appointment of Principal Certifying Authority and Notification of Commencement of Work**

43. The person having the benefit of the development consent, not the principal contractor (builder), must: -
- a) Appoint a Principal Certifying Authority in accordance with Section 81A(2)(b) of the Act.
  - b) Have the Principal Certifying Authority complete the 'Accredited Certifier Details' on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.
  - c) Notify Council of the appointment of the Principal Certifying Authority and of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

*If nominated, Council can provide this service for you and act as the Principal Certifying Authority.*

**N.B.** The Principal Certifying Authority must also notify the person having the benefit of the Development Consent of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work such notification must comply with Clause 103A of the Regulations.

### **Notification of Principal Contractor (Builder)/Owner-Builder**

44. The person having the benefit of the Development Consent must:-
- (a) Notify the Principal Certifying Authority that the person will carry out the work as an owner-builder, if that is the case;
- OR
- (b) Appoint a Principal Contractor for the building work (who must be the holder of a contractor licence if any residential building work is involved), and notify the Principal Contractor of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work.
  - (c) Notify the Principal Certifying Authority of any such appointment.

Where Council is the Principal Certifying Authority, such notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

#### **Required Submissions to Council or the Principal Certifying Authority**

45. To facilitate a complete assessment and enable the Certifying Authority to check compliance on site, truss validation and design, details certified by a qualified practising structural engineer shall be submitted to Council or the Principal Certifying Authority for examination and approval. Details shall include:
- a) job address and builder's name
  - b) design wind velocity
  - c) terrain category
  - d) truss spacing
  - e) roof pitch
  - f) material of roof
  - g) roof batten/purlin spacing
  - h) material of ceiling
  - i) job number

#### **Photographic Record of Council Property – Damage Deposit**

46. The applicant shall submit to Council, for the purposes of the damage deposit bond lodged to cover making good any damage caused to the property of Council, a full and satisfactory photographic record of the condition of Council's property (i.e., road pavement, kerb and guttering, footway, stormwater drainage, etc.) adjacent to the subject site. The purpose of the photographic record is to establish any pre-existing damage to Council's property to ensure that you are not liable for any re-instatement works associated with that damage. However, if in the opinion of Council, the existing damage has worsened or any new damage is caused during the course of construction, the Council may require either part or full re-instatement.

**Note:** Failure to provide a full and satisfactory photographic record described above, is likely to render the applicant liable to rectify all damages unless satisfactory proof can be provided that the damage was pre-existing.

#### **Notification to Relevant Public Authority**

47. The applicant shall ensure that relevant public utility authorities are made aware of the potential salinity problems that have been identified onsite, such that their services are designed to take into consideration the effects the saline soils may have on their installations.

#### **Fencing of Sites**

48. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

### **Signs to be Erected on Sites**

49. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
  - (c) stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

**Note:** Principal Certifying Authorities and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

### **Prohibited Signage**

50. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

### **Protection of Public Places**

51. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

### **Site Control Measures**

52. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans accompanying the

Construction Certificate, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Holroyd City Council's "Erosion & Sediment Control Policy."

**Note:** On-the-spot fines may be issued by council where measures are absent or inadequate.

### **Footpaving, Kerbing and Guttering**

53. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
54. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

### **Support for Neighbouring Buildings**

55. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land (including a public road and any other public place), the person causing the excavation to be made:-
  - a) must preserve and protect the building from damage, and
  - b) if necessary, must underpin and support the building in an approved manner, and
  - c) must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (In this clause, *allotment of land* includes a public road and any other public place).
56. A dilapidation report of adjoining properties/allotments and details of the proposed excavation works in excess of 2m or within the zone of influence of neighbouring building foundations and required underpinning and supportive measures shall be submitted to the Principal Certifying Authority. Any required underpinning and supportive measures shall be designed by a practising structural engineer and details shall be submitted to the Principal Certifying Authority for approval prior to construction works commencing.

### **Toilet Facilities**

57. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.  
Each toilet provided:
  - a) Must be a standard flushing toilet, and
  - b) Must be connected:
    - i) To a public sewer,
    - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or

- iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

### **Roadworks**

- 58. The applicant is to submit to Council an application for a road opening permit when the drainage connection into Council's system is within the road reserve. In this regard the applicant shall pay Council a **\$168.60** fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (eg. telephone, electricity, sewer, water or gas) required within the road reserve.
- 59. The new road is to be provided with underground electricity reticulation for street lighting and residential allotments. The applicant shall arrange with Integral Energy for the laying of service conduits and cables in the road and footpath areas prior to the construction of the road carriageway, vehicular crossings and concrete footpaving.
- 60. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.

### **Works Within Council's Reserve**

- 61. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.
- 62. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
- 63. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$10,000,000 is to be submitted prior to commencement of works. Holroyd City Council shall be named on the Certificate of Currency as an interested party.

## DURING DEMOLITION/CONSTRUCTION

The following conditions are applicable during demolition/construction:-

### Endorsed Plans & Specifications

64. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and approved Traffic Management Plan are to be retained on site at all times.

### Hours of Work & Display of Council Supplied Sign

65. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow "Hours of Building Work" sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

### Site Control

66. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
67. Builder's refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
68. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

### Asbestos Cement Sheeting

69. i) All asbestos cement sheeting must be removed by contractors with an appropriate licence issued by WorkCover and who are familiar with asbestos removal prior to the commencement of:-
- (a) Recladding or brick veneering of any building where the existing walls to be covered are currently clad with asbestos cement;

OR

- (b) Construction work where new work abuts existing asbestos cement sheeting and/or where parts of the existing building clad with asbestos cement sheeting are to be altered or demolished.

Removal must be carried out strictly in accordance with WorkCover's "Your Guide to Working with Asbestos" (copy attached).

- ii) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).

**Note:** The person responsible for disposing of the above asbestos waste is to telephone the EPA on (02) 9995 5000 or Council's Waste Officer on (02) 9840 9715 to determine the location of a tip licensed to receive asbestos. **Upon completion of tipping operations the applicant shall lodge with the Council, all receipts issued by the receiving tip as evidence of proper disposal.**

- iii) Within fourteen (14) days of completion of renovation or recladding or brick veneering works where asbestos cement sheeting was removed, the applicant shall submit to Council an asbestos clearance certificate prepared by a NATA accredited occupational hygienist.

**Note:** To find a list of NATA accredited facilities visit the NATA website at [www.nata.asn.au](http://www.nata.asn.au) and under 'Find a Facility or Lab' type in 'asbestos identification' in 'keywords' then click on 'chemical testing' in NSW then click on the search button. A list of laboratories will be produced which you can contact for the purpose of having a clearance certificate issued.

### **Hazardous Building Materials**

- 70. All demolition works are to be undertaken in accordance with the recommendation as outlined in the Hazardous Buildings Materials Report prepared by Douglas Partners Pty Ltd (Project 85251.01) dated April 2016.

### **Waste Management Plan**

- 71. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
- 72. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to Council or the Principal Certifying Authority verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Principal Certifying Authority shall submit a copy of the statement to Council.

***In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.***



### **Compliance with Critical Stage Inspections and other Inspections nominated by the Principal Certifying Authority**

73. Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as 'Critical Stage Inspections' to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

**N.B.** An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

### **Landscaping/Site Works**

74. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.

### **Tree Protection**

75. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained/transplanted and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.

### **Structures Near Easements**

76. The proposed structure/s to be located clear of the existing Council easement. A certificate from a Registered Surveyor is to be submitted to Council verifying the location of the structure/s after footings have been poured and before the construction of any walls.

### **Road Works and Footpaving**

77. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 "Part 3 – Traffic Control Devices for Works on Roads".
78. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

### **Acoustic Management**

79. The recommendations as outlined in Section 6 of the acoustical report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Reference: TE191-14F04 (r3) Masterplan Acoustic

Assessment) dated 12 August 2016 are required to be incorporated into the design, construction and use of the proposed development.

### **Food Shop**

80. The premises are to be constructed and fitted out strictly in accordance with the Australian/New Zealand Food Safety Standards Code 3.2.3 'Food Premises and Equipment' and Australian Standard 4674.2004 Design, Construction & Fit Out of Food Premises.

### **Underground Cabling**

81. All communications cabling shall be installed underground as per relevant authority requirements (including broadband and Category 5).

### **Underground Power Connection**

82. Where electricity reticulation cannot be obtained directly from the street, power connection is to be underground. No intermediate power pole is permitted.

### **Vehicle Cleansing**

83. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

### **Importation of Fill**

84. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

### **Additional Information during Remediation/Demolition/Construction**

85. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination, shall be notified to Council immediately.

### **Line Marking**

86. Directional arrows for internal circulation shall be prominently displayed on the pavement on approaches to, and within, the carpark area.

## **FOOD PREMISES**

### **Ceiling**

87. A rigid smooth faced impervious ceiling shall be provided over the food preparation, cooking and serving areas. The surface finish shall be free of open joints, cracks, crevices

or openings with the intersection of the walls and ceiling being tight jointed, sealed and dustproof.

88. The ceiling shall be painted with a light coloured washable paint.

### **Lighting**

89. All fluorescent light fittings shall be fitted with a smooth faced diffuser. The light fitting shall be either:-
- recessed so that the diffuser is flush with the ceiling, or
  - designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate

### **Floor**

90. The floor is to be constructed of concrete or other material impervious to moisture, finished to a smooth steel trowelled finish, coved at the intersections with the walls and graded and drained to approved sewerage connections.
91. Coving is to be provided between all walls and the floor and between the floor and all fittings. This can be achieved by coving tiles, cement render, or by turning vinyl flooring up the walls. In this case a fillet or backing piece is required to support the cove.
92. The floor shall be constructed of a material which is impervious to water, non slip and graded and drained to the floor waste.

### **Walls**

93. The walls in the food preparation areas to be constructed of cement rendered bricks, blocks or concrete finished to a smooth, steel trowelled surface, coved to the floor, and where not tiled, painted with a light coloured gloss paint. Unrendered brick or block work is not permitted.
94. The walls of food preparation areas to be tiled with close-jointed, glazed tiles of a light colour to a height of 2 metres.
95. The walls of the food preparation areas to be tiled with close-jointed, glazed tiles of a light colour to a height of 450mm above all sinks, tubs, draining boards, wash hand basins and preparation benches.
96. The walls of the food preparation areas to be tiled with close-jointed, glazed tiles of a light colour from the floor to the underside of the exhaust hood.
97. All walls where not tiled shall be cement rendered to a smooth even surface and painted with a light coloured washable paint.

### **Fitting Out Installation of Refrigeration Counters Cupboards**

98. Refrigeration, frozen food cabinets, cooking appliances, equipment, fittings, cupboards, and cabinets are to be supported on one of the following systems:-

- Wheels or casters which allow the fully loaded fitting to be easily moved
  - Legs which provide a minimum 150mm clearance from the floor to the underside of the fitting.
99. All shelving being installed on approved metal brackets and kept at least 25mm clear of wall.
  100. Food preparation benches shall be constructed of stainless steel.
  101. The top and exposed edges of all benches, counters and shelving shall be finished in a smooth and non absorbent material free of joints.
  102. All service pipes and electrical conduits shall be concealed within the floors, plinths, walls or ceilings.
  103. All service pipes and electrical conduits which are not capable of being concealed within the walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent (wall) vertical surface and 100mm between the pipe and adjacent (floor) horizontal surface.

### **Plumbing and Drainage Fittings**

104. A freestanding hand wash basin is to be provided in an approved position in the kitchen/food preparation area, which provides a supply of warm water (minimum 40°C) through a single spout. The hand wash basin shall facilitate hands free operation (should a mixer tap be used for this purpose it shall have an extended handle of not less than 250mm in length), and shall be provided with a mounted liquid soap and paper towel dispenser adjacent to the basin.

### **Windows/Doors**

105. All openings in the walls, floors and ceiling and all external doors and windows must be vermin proof.
106. All windows and doors to the external air are to be provided with fly screens.
107. All external doors to the food preparation areas to be provided with approved door closers and kept closed when not in use for ingress or egress.
108. A self closing and close fitting flyproof door to be provided to the food preparation areas.
109. All doors be rendered vermin proof by installing a metal strip 150mm wide at the bottom of the door on both sides of the door.

### **Coolroom**

110. The coolroom shall be constructed with a concrete floor finished to a smooth even surface and graded to drain to the door. A sanitary floor waste shall be located outside the coolroom.

111. All internal intersections and external intersections of the floor with walls of the coolroom shall be coved.
112. The coolroom shall be fitted with an alarm device located outside the coolroom but controllable only from within the chamber.
113. The coolroom must be fitted with a door that is capable of being opened by hand from inside without a key.
114. The coolroom must be fitted with internal lighting controlled by a switch, which is located adjacent to the entrance doorway inside the coolroom.
115. The coolroom must be fitted with an indicator lamp positioned outside the coolroom which is illuminated when the interior light is switched on.
116. All metal work in the coolroom shall be pre-treated to resist corrosion.
117. Storage racks of the coolroom shall be constructed of galvanised steel or other approved material all of which shall be treated to prevent corrosion. Racks may be fixed or free standing, the lowest shelf shall be at least 150mm clear of the floor.
118. The top of the coolroom shall be covered with an approved vermin proof material.

#### **Mechanical Ventilation**

119. A system of filtered mechanical exhaust ventilation being provided to the kitchen with hoods over all cooking and heating appliances having an effective capture velocity at any position over the face area of the hoods of not less (0.3 / 0.4 / 0.6 m/s) and designed to discharge the effluent air above roof level in the position approved by the Principal Certifying Authority where no nuisance will be created.
120. A kitchen exhaust hood is to be provided above all appliances of heating capacity greater than 8KW in accordance with AS 1668 Part 2. A test certificate shall be submitted to the Principal Certifying Authority with application for an Occupation Certificate.
121. The external ductwork system to have a finish similar to that of the building.
122. A system of filtered mechanical exhaust ventilation being provided to the kitchen with hoods over all cooking and heating appliances.
123. The mechanical exhaust ventilation serving the kitchen is to extend to the dishwashing machine.
124. The hood being designed to extend not less than 150mm beyond the perimeter of all fittings to be ventilated.
125. Approved grease tight cleanout panels being provided in the horizontal exhaust ductwork every 3m and at each change of direction.

## PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

**The following conditions are to be complied with prior to the issue of an occupation certificate:-**

126. A final clearance is to be obtained from Integral Energy if such clearance has not previously been issued.
127. Section 73 compliance certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Application can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to [sydneywater.com.au/section73](http://sydneywater.com.au/section73) or call 1300 082 746 to learn more about applying through an authorised Water Servicing Coordinator or Sydney Water.

Following application, Sydney Water may issue a Notice of Requirements letter detailing all requirements that must be met prior to the issue of the section 73 certificate.

The section 73 compliance certificate must be submitted to the Principal Certifying Authority prior to the issue of a final occupation certificate.

128. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifying Authority and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

**Note:** Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

### **Landscaping/Tree Protection**

129. Certification is to be provided to the Principal Certifying Authority (PCA), from the designer of the landscape proposal, that all tree planting/landscape works have been carried out in accordance with the endorsed plan. If Council **is** the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council **is not** the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.
130. Certification is to be provided to the Principal Certifying Authority (PCA) from a suitably qualified and licensed contractor that the specified planter boxes have been waterproofed and drained in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is not the PCA a copy of the certification is to be provided to Council with the Occupation Certificate.
131. Certification is to be provided to the Principal Certifying Authority from a suitably qualified and licensed contractor that the specified fully automated commercial grade irrigation system has been designed and installed to all common planted areas in accordance with

the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is not the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.

### **Parking/Driveway**

132. The driveway shall be signposted indicating availability of visitor off-street parking. Spaces reserved for this purpose shall be marked as such.
133. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

### **Fire Safety**

134. Submission to Council of a Final Fire Safety Certificate pursuant to Clause 170 of the Environmental Planning and Assessment Regulation 2000 in respect of each essential fire or other safety measure listed on the Fire Safety Schedule attached to the Construction Certificate.

#### **NOTE:**

1. Such Certificate shall state, pursuant to Clause 80E in relation to each essential fire safety measure mentioned in the certificate:–
  - that the service has been assessed by a properly qualified person (chosen by the owner of the building); and
  - that the service was found to be, when assessed, capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.
2. The person who carries out the assessment must inspect and verify the performance of each fire safety measure being assessed, and must test the operation of each new item of equipment installed in the building premises that is included in the current fire safety schedules for the building.
3. The assessment must have been carried out within the three (3) months prior to the date on which the final fire safety certificate is issued.
135. A copy of the Fire Safety Certificate, together with a copy of the current Fire Safety Schedule, is to be given to the Commissioner of New South Wales Fire Brigades, and a further copy of the Certificate and Schedule is to be prominently displayed in the building.
136. At least once in each period of twelve (12) months after a Fire Safety Certificate is required to have been furnished to the Council, the owner of the building shall, pursuant to Clause 177 of the Regulation, submit to the Council and the Commissioner of the New South Wales Fire Brigades, an Annual Fire Safety Statement, in respect of each essential fire or other safety measure listed on the current Fire Safety Schedule. A copy of the Certificate and Schedule is to be prominently displayed in the building.

### **Air Handling/Cooling Towers**

137. The air handling system is to comply with the requirements of Sections 28 and 29 of the NSW Public Health Act 2010, and the requirements of Australian Standard 3666 – Air Handling and Water Systems in Buildings – Microbial Control. In this regard:
  - a) A certificate, attesting to the compliance of the system with AS 3666 shall be submitted to the Principal Certifying Authority upon completion of the installation;
  - b) All drainage and liquid discharges are to be discharged into a waste water system to the satisfaction of the Principal Certifying Authority (Note: discharge to stormwater is not satisfactory); and
  - c) Upon completion of the installation and before being commissioned, the system shall be cleaned to the satisfaction of Council.
138. Copies of reports prepared during annual compliance checks are to be submitted to Council.

#### **On-site Stormwater Detention, Certification and Covenant**

139. A certificate of compliance in accordance with Council's standards and specifications for stormwater drainage and On Site Detention and Pollution Control Device shall be issued to the Principal Certifying Authority by a suitably qualified Civil Engineer.
140. A copy of work as executed (WAE) stormwater engineering plans showing the works details as per the items listed under *Prior to Issue of Construction Certificate* of the Development Consent shall be submitted to Council. The WAE plans shall be in scaled and accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention policy.
141. A hydraulic certificate of compliance stating all existing on-site stormwater detention (OSD) systems have not been altered and/or the modified existing OSD system/s has been reconstructed in accordance with the approved drawings by Council shall be issued to Principal Certifying Authority by a suitably qualified Civil Engineer.

#### **Road Works**

142. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
143. A full width **Heavy duty** vehicular crossing shall be provided opposite each vehicular entrance to the site from Smith Street, with a maximum width of **6.0** metres at the boundary line. Alternatively, a maximum width of **3.0** metres for vehicles entrance and **3.0** metres for vehicles exit with a minimum width of **1.6** meters separation at the boundary line. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's issued drawings and level sheets.
144. The reconstruction of cracked and/or damaged footpath, kerb and gutter, and any associated works along all areas of the site frontage. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8100 and issued level sheets.
145. Removal of all redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. These works shall be carried out by a licensed



construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing number SD-8100.

146. A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to the Principal Certifying Authority.

### **Lighting**

147. Adequate lighting shall be provided within the development (i.e. pedestrian access ways, common areas and communal open space, car parking areas and all entries) and shall comply with AS 1680.0:2009.

### **Air Conditioning**

148. At the completion of the installation of the mechanical ventilation system, the Principal Certifying Authority is to be provided with a certificate from the installer that includes:
  - (a) inspection, testing and commissioning details,
  - (b) date of inspection testing and commissioning,
  - (c) the name and address of the individual who carried out the test,
  - (d) statement that the service has been designed, installed and is capable of operating to the above standard.

### **Noise Compliance Report**

149. A report is to be prepared by an appropriately qualified acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS). The report must certify that the construction has incorporated the recommendations of the DA Acoustic Report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-14F04 (r3) Masterplan Acoustic Assessment) dated 12 August, 2016. The report shall be submitted to Council prior to the issue of the Occupation Certificate.

### **Registration – Air Handling/Cooling/Water Systems**

150. An application shall be made to Council for registration of any regulated system if provided, liable to cause legionnaires disease prior to the issuing of the Occupation Certificate. Regulated systems include air handling systems, hot water systems, warm water systems and water cooling systems.

### **Food Shop**

151. A certificate shall be submitted to Council for the air conditioning system, together with a copy of the test report done at completion of installation and balancing in accordance with the minimum requirements of AS.1668, Part 1 and 2.
152. Food Business registration shall be obtained from Council, PRIOR to commencement of business operations, in accordance with Council's adopted policy.

153. To ensure compliance with the Australia/New Zealand Food Safety Standards Code, Food Safety Standards 3.2.3 "Food Premises and Equipment" and Australian Standard 4674.2004 Design, Construction & Fit Out of Food Premises", Council is to be given forty eight (48) hours notice prior of intention to occupy the premises and commence trade.
154. Certification that the mechanical ventilation system has been tested and found to comply with the approved plans and specification together with a copy of the final test figures shall be submitted to the Principal Certifying Authority.

#### **Thermometers**

155. All equipment (including pie warmers, hot food display units, bain maries etc.) used for the display or storage of hot food shall be capable of maintaining the food temperature in the food storage area at a temperature of not less than 60°C.
156. All equipment (sandwich bars, delicatessen display cabinets, cold food display units etc.) used for the display or storage of cold food shall be capable of maintaining the food temperature in the food storage area at a temperature of not more than 5°C.

#### **General**

157. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all works have been completed in accordance with this Development Consent and its accompanying Construction Certificate.
158. A final Occupation Certificate is not to be issued prior to the issuing of the Occupation Certificate in association with Development Consent 2009/381/1.

## CONDITIONS RELATING TO USE

The following conditions are applicable to the use of the development:-

### Safety & Amenity

159. No signs or goods are to be displayed or trading of any description is to be carried out on the public road, public footpath, utility service land, customer and/or employee parking area, the driveways or pedestrian walkways outside or in the immediate vicinity of the premises.
160. Where an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
161. For the purposes of preserving the amenity of neighbouring occupations and residents, hours of operation are to be restricted as per Development Consent 2009/381/1 to between:-  
  
10.00am and 4.00am Sunday to Thursday (inclusive); and  
9.00am and 6.00am on Friday, Saturday and Public Holidays
162. Further to Condition 161, in order to control patron noise in certain area of the Club, the use / operation of the following areas of the Club are restricted to the following hours:
  - Alfresco Area
    - i. If entertainment is to be provided, all operable elements of this area are to be closed. In addition, entertainment is to be limited to before midnight;
    - ii. Notwithstanding the above, operable elements and façade elements are to close at 10.00pm;
    - iii. With the exception of 10m<sup>2</sup> that can remain open, the operable roof is to close at 10.00pm;
    - iv. The operable roof is to completely close at midnight (12.00am)
  - Smoking Terrace
    - i. The smoking terrace is not to be used after midnight (12.00am)
  - BBQ Area
    - i. The BBQ area is not to be used after 10.00pm
  - Pavillion
    - i. The entry doors from the pavilion to Bowling Green are to be closed at 10.00pm;
    - ii. If entertainment is to be provided, all doors and operable façade elements shall be closed
163. The operation of the premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.

- 164. Business is to be conducted and patrons are to be controlled at all times so that no interference occurs to the amenity of the adjoining occupants.
- 165. A Trade Waste Dischargers' Licence is to be obtained from Sydney Water.

#### **Traffic and Parking**

- 166. The car parking spaces, driveways and manoeuvring areas are to be used for employees and visitors vehicles only.
- 167. At least 1,536 car parking spaces numbered and linemarked in accordance with the endorsed plans (and including parking spaces from Development Consent 2009/381/1) are to be made available at all times for employees and visitors' vehicles only in conjunction with the occupation of the building/premises on site.
- 168. Accessible parking spaces shall be appropriately marked and sign posted.
- 169. The car parking area is to not to be used for any purpose other than for the parking and manoeuvring of vehicles.
- 170. All vehicles shall enter and exit the site in a forward direction.

#### **Refuse & Trade Waste**

- 171. Waste storage bins must be covered at all times to prevent entry of stormwater or dispersal by wind and must be sealed to prevent leakage.

#### **Mechanical Ventilation System – Food Shop**

- 172. Noise and vibration from the use of the air handling system (mechanical exhaust ventilation) system shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy.

#### **Identification Number**

- 173. An identification number is to be clearly displayed at the front of the premises

#### **Emergency Procedures**

- 174. The owner of a building to which an essential fire safety measure is applicable must not fail to maintain each essential fire safety measure in the building premises to a standard not less than that specified in the Fire Safety Schedule.
- 175. Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information, at all times.

### **Maintenance of Waste Storage Area**

176. The use of the premises shall not give rise to air impurities in contravention of the *Protection of the Environment Operations Act 1997* and shall be controlled in accordance with the requirements of such Act.
177. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour exiting the premises.
178. Any discharge to the atmosphere must not result in any odour or other air impurity detectable outside the boundaries of the property.
179. All waste and recycling containers shall be stored in the designated waste storage area. Wenty Leagues Club shall be responsible for movement of the waste and recycling containers to the footpath for weekly collections, and the return of waste and recycling containers to the waste storage area. Wenty Leagues Club shall clean the waste storage area, dry arrestor pit and waste collection containers.
180. In the event of Council receiving complaints regarding excessive odour from the garbage bay area, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the garbage bay area.

### **Noise**

181. The operation of all plant and equipment shall not give rise to an equivalent continuous ( $LA_{eq}$ ) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background  $L_{A90}$  level (in the absence of the noise under consideration).
182. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises.
183. Noise and vibration from the use of the air conditioning system (if any installed) shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10:00pm and 7:00am on weekdays and 10:00pm and 8:00am on weekends and public holidays.
184. The recommendations as outlined in the Development Application Acoustic Assessment prepared by Renzo Tonin and Associates, Document Reference No. TE191-14F04 (r3), Revision 3, dated 12 August, 2016, are required to be adhered to during the operation of the development.

### **Liquor Licensed Premises**

185. Noise emissions from the licensed premises shall comply with the following:
- (a) The LA10 noise level emitted from the licensed premises shall not exceed 5dB above the background (LA90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 7.00am to 12.00 midnight when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
  - (b) The LA10 noise level emitted from the licensed premises shall not exceed the background (LA90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 12.00 midnight to 7.00am when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
186. Notwithstanding compliance with the above clauses, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours 12.00 midnight to 7.00am.

**Note:** Where this condition is inconsistent with the requirements imposed by the Officer of Liquor Gaming and Racing, the more stringent condition shall prevail.

### **Clean Water Discharge**

187. The operation of the premises shall be conducted in a manner, which does not pollute waters as defined by the *Protection of the Environment Operations Act 1997*.

### **Signage on Stormwater Drains**

188. Signs shall be displayed adjacent to all stormwater drains on the premises indicating that only clean water is allowed to enter these drains. Examples of possible signage include: 'Clean Rainwater Only', 'Clean water only - NO waste' or 'H<sub>2</sub>O only'.

### **Lighting**

189. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with *AS4282-1997 Control of the obtrusive effects of outdoor lighting*.

### **Landscaping**

190. Landscaping adjacent to the driveway shall not restrict pedestrian and vehicular visibility in accordance with Australian Standard 2890.1 – 2004. Regular maintenance shall be undertaken to ensure this requirement is satisfied.
191. Landscaping and vegetation shall be regularly maintained to ensure areas of concealment or entrapment are minimised and natural surveillance is not obstructed.

### **Waste Collection**

192. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the *Protection of the Environment Operation Act 1997*. Records shall be kept of all liquid and solid waste disposal from the site, and be made available to Council Officers on request.

### **Storage**

193. Provision shall be made for the storage of cleaning chemicals, equipment and staff personal belongings.

### **Storage of Waste Oil**

194. Waste oil shall be stored in a covered and bunded area prior to offsite recycling/disposal. Copies of receipts for the recycling of oil shall be kept onsite and made available to Council officers on request.

### **Waste Storage**

195. Council is to be advised of any change of use upon the premises that may involve the generation of special waste which would require particular waste removal requirements.
196. All waste and recycling material collection is to take place within the confines of the development.
197. All putrescible waste must be stored in approved, lidded, flyproof containers. Proper arrangements such as waste paper bales and stands are to be provided for any waste paper or cardboard.
198. A sufficient number of approved garbage receptacles must be provided on the premises for the storage of garbage and trade waste. Such receptacles are to be fitted with close fitting and flyproof lids.
199. Waste storage bins must be covered at all times to prevent entry of stormwater or disposal by wind and must be sealed to prevent leakage.

### **Thermometers**

200. The premises shall be provided with a hand held digital probe thermometer capable of measuring the temperature of hot and cold foods to within 1 degree Celsius. The thermometer shall have a minimum effective range of minus 50 degrees Celsius to 100 degrees Celsius.
201. The thermometer shall be able to be easily read from outside the appliance.

**Coolroom**

202. Fresh meat shall be stored in a separate area of the coolroom/refrigerator from other foods.

**Mechanical Ventilation**

203. Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property.

**General Conditions – Food Shops**

204. No alterations to the shop or any fittings therein (including the installation of new items of equipment) are to be made without the prior approval of the Principal Certifying Authority.

**General**

205. The front of the premises, fronting the Great Western Highway and Smith Street, is to be maintained in a neat and tidy manner at all times.
206. No retail sales or advertising of retail sales is to be undertaken from the subject site at any time.



## ADVISORY NOTES

### Other Necessary Approvals

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
  - (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
  - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in Schedule 1 of Development Control Plan No. 32 *"Guidelines for Exempt and Complying Development"*.
  - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
  - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.
- B. Section 97 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within 6 months of the date of determination, or as otherwise prescribed.
- C. Section 82A of the Act provides that an applicant may request, within 6 months of the date of determination of the Development Application, that the Council review its determination (this does not apply to integrated or designated development). A fee is required for this review.

It should also be noted that an application under Section 82A of the Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 82A Application must allow sufficient time for Council to complete its review within the prescribed time frame, including the statutory requirement for public notification.
- D. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Human Rights and Equal Opportunity Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.
- E. A Construction Certificate shall be obtained in accordance with Section 81A (2)(a) of the Act, prior to the commencement of any work on site. Council can provide this service for you.
- F. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.

## G. DEMOLITION

- (a) Demolition is to be carried out in accordance with AS2601-2001, *Demolition of Structures*.
- (b) Demolition is to be carried out in such a way and with such control measures as are necessary to prevent the occurrence of any dust, noise, runoff or other nuisance.
- (c) All sediment/soil is to be prevented from entering Council's stormwater drainage system.
- (d) The public footpath and roadway is to be protected against damage as a result of demolition activities and is to be kept clean and free of all soil and other materials.
- (e) On completion of demolition the site is to be left in a clean and tidy condition.
- (f) Council has a Tree Management Order which applies to the entire City of Cumberland. No ring-barking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or trees exceeding 3.5m in height and 3m in branch spread shall take place without the prior written consent of Council.
- (g) There shall be no burning of any waste, as this is prohibited within the City of Cumberland.
- (h) Demolition material can be recycled saving the environment and also tipping costs. For more information, contact the Environment Protection Authority's Recycling hotline on 9325 5555.
- (i) Public roads shall be kept clean and free of any materials which may fall from vehicles or plant to ensure safety and amenity of the area.

## H. TREES

The trees indicated on the endorsed plans to be retained and protected are to be considered with any future development of the subject allotments. In this regard no works are to occur within the driplines of trees to be retained.

## I. BANK GUARANTEES

Bank guarantees will be accepted from list of banks which have at least an "A" rating from Standard and Poors and at least an "A2" or "Prime-1" standard from Moodys Investor Services.

To enable the bank guarantee to be enforceable during an entire project with consideration for delays, **the guarantee must not contain a facility expiry date.**

To get to Standard and Poors [www.standardpoors.com](http://www.standardpoors.com) then from Ratings Action choose Ratings Lists. Then click on Financial Institutions followed by clicking on Financial Institutions Counterparty Ratings List. Go to "**Banks**" and download to Australian Banks.

To get to Moodys [www.moodys.com](http://www.moodys.com) then look up Ratings and then Banking and then Bank Ratings list. It will take you to Bank Credit Research page. Look at the table of contents and choose Global Bank Ratings by Country. Look up Australian Banks.

## J. TERMITE PROTECTION

Structural members are to be protected from attacked by subterranean termites in accordance with the requirements of *AS3660.1-2000 Protection of building from subterranean termites* and a durable notice must be affixed within the metre box indicating the type of protection, its date of installation, life expectancy of any chemical barrier used, and system maintenance and inspection requirements. A certificate of compliance of the approved system must be submitted to Council or the Principal Certifying Authority on completion of the system installation. With respect to chemical protection, a pipe system shall be installed beneath the slabs plastic membrane to allow re-application of the chemical border.

## K. LANDINGS

A landing having a minimum length of 750mm and a grade no steeper than 1:50, must be provided where the sill of a threshold of a doorway opens onto a stair that provides a change in floor level or floor to ground level greater than 3 risers or 570mm in accordance with Clause 3.9.1.3 (Stair Construction) of the Building Code of Australia.

## L. SARKING

To reduce the risk of injury during works to the roof, sarking with fall arresting ability is to be provided to the underside of the roof. Manufacturers specifications for the sarking is to be submitted to Council prior to its installation.

## M. MINIMISING WATER USE

Examples of ways water use can be minimised in the car wash facility are:

- the use of a gun type nozzle on the hose that closes when released and
- filter and recycle wash water where possible.

## N. CONSTRUCTION/OCCUPATION CERTIFICATE FEES

An administration fee per certificate (in accordance with Council's adopted fees and charges) is payable to Council on lodgement of Construction and Occupation Certificates from Principal Certifying Authorities.

## O. DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners 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.

P. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on Phone Number 1800810443.

Q. DIVIDING FENCES

Please be advised that arrangements concerning existing or proposed fences between properties are a civil matter determined by the involved parties under the [Dividing Fences Act](#). You are therefore required to consult with the owners of neighbouring properties if fences are to be removed or constructed.

The Dividing Fences Act is administered by the [Department of Lands](#) who can act as a mediator in disputes.

R. SIGNS

Signs visible from the road or external public areas are to have Council approval, unless they are "exempt" or "complying" under the State Environmental Planning Policy (Exempt & Complying Codes) 2008 or Holroyd Local Environmental Plan 2013.

Yours faithfully

Karl Okorn  
MANAGER DEVELOPMENT ASSESSMENT