



Our Reference:  
Contact:  
Phone:

2016/392/1  
Mr P Anzellotti  
02 8745 9771

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

To Be Advised

The Saiva Manram  
C/- The Secretary  
217 Great Western Highway  
MAYS HILL NSW 2145

Dear Sir/Madam

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

**PROPERTY:** Lot: 1 DP: 870186, Lot: 0 SP: 52225, Lot: 220 - 222 DP: 12899

**STREET ADDRESS:** 217 Great Western Highway and 3 – 9 Belinda Place, MAYS HILL

**DEVELOPMENT CONSENT NO:** 2016/392/1

**DECISION:** Sydney West Central Planning Panel

**DATE OF EXPIRY OF CONSENT:** To Be Advised

**PROPOSED DEVELOPMENT:** Consolidation of 5 lots into 1 lot, part demolition of existing structures, new access driveway off Belinda Place, construction of a part 2, part 3 storey community facility over 3 levels of basement car parking accommodating 197 parking spaces, a dining hall and an auditorium (meeting hall) accommodating a maximum of 800 patrons, multi purpose halls to be used in association with an existing place of public worship.

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.

### Important

English

This letter contains important information. If you do not understand it please ask a relative or friend to translate it or come to Council and discuss this letter with Council's staff using the Telephone Interpreter Service.

هام

Arabic

تحتوي هذه الرسالة على معلومات هامة. إذا لم تكن تفهمها يرجى طلب ترجمتها من قريب أو صديق أو إحضر إلى المجلس وتناقش هذه الرسالة مع موظفي المجلس عن طريق الاستعانة بخدمة الترجمة الهاتفية.

### 重要資訊

Cantonese

本函包含重要的資訊。如果您無法理解相關內容，可請您的親屬或朋友翻譯成中文，或者前往市政府並通過電話傳譯服務與市政府的工作人員討論本函內容。

مهم

Dari

این نامه حاوی معلومات مهم است. اگر شما آن را نمی فهمید، از دوستان یا فامیل تان بخواهید که برایتان ترجمه کند و یا به شورا آمده و در مورد این نامه با کارمندان شورا یا استعاده از خدمات ترجمه تلفونی بحث کنید.

### Σημαντικό

Greek

Αυτή η επιστολή περιεχει σημαντικές πληροφορίες. Εάν δεν την καταλαβαίνετε, ζητήστε από ένα συγγενή ή φίλο να σας την μεταφράσει, ή ελάτε στο Συμβούλιο και συζητήστε για την επιστολή με το προσωπικό του Συμβουλίου χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

### महत्वपूर्ण

Hindi

इस पत्र में महत्वपूर्ण जानकारी दी गई है। यदि आप इसे नहीं समझ पाते हैं तो कृपया अपने रिश्तेदार या दोस्त से कहें कि वे इसे अनुवाद कर बताएँ या परिषद में आएँ और टेलीफोन दुभाषिया सेवा का इस्तेमाल करते हुए परिषद के स्टाफ के साथ इस पत्र पर चर्चा करें।

### IMPORTANTE

Italian

Questa lettera contiene informazioni importanti. Se non la comprende chiedi ad un parente od amico di tradurgliela, o venga al Municipio a discuterla col personale del Comune con l'aiuto del Servizio Telefonico Interpreti.

### 중요

Korean

이 서신에는 중요한 정보가 포함되어 있습니다. 잘 이해되지 않으면, 친척이나 친구에게 번역을 부탁하거나 또는 위원회를 방문하여 전화 통역 서비스로 위원회 직원과 이 서신에 대해 논의하십시오.

### Importanti

Maltese

Din l-Ittra fiha taghrif importanti. Jekk ma tifimhiex, jekk joghgbok staqsi lil qarib jew habib biex jittraducihielek jew ejja sal-Kunsill u ddiskuti din l-ittra ma' l-istaff tal-Kunsill billi tuza s-Servizz Telefoniku tal-Interpreti.

### 重要信息

Mandarin

本函包含重要的信息。如果您无法理解相关内容，可请您的亲属或朋友翻译成中文，或者前往市政府并通过电话传译服务与市政府的工作人员讨论本函内容。

### Mahalaga

Tagalog

Ang sulat na ito ay naglalaman ng mahalagang impormasyon. Kung hindi mo ito nauunawaan, mangyaring hilingin ang isang kamag-anak o kaibigan na isalin ito o lumapit sa isang Council at talakayin ang sulat na ito sa kawani ng Council gamit ang Serbisyo ng Interpreter sa Telepono.

### முக்கிய குறிப்பு:

Tamil

இந்த கடிதத்தில் முக்கிய தகவல் அடங்கியுள்ளது. உங்களுக்கு இது புரியவில்லையென்றால், உங்கள் உறவினர் அல்லது நண்பரை மொழிபெயர்க்க சொல்லி கேட்கவும் அல்லது அமைச்சகத்திற்கு வருகை அளித்து, அமைச்சக ஊழியருடன் தொலைபேசி மொழிபெயர்ப்பு சேவை உதவியுடன் இந்த கடிதத்தைப் பற்றி விவாதிக்கவும்.

### Önemli

Turkish

Bu mektup önemli bilgiler içermektedir. Bu bilgileri anlamıyorsanız lütfen bir akrabanızdan veya arkadaşınızdan onu çevirmesini isteyin ya da Konseye gelin ve Telefonla Sözlü Çeviri Hizmeti'ni kullanarak bu mektup hakkında Konsey personeli ile görüşün.

### TIN QUAN TRỌNG

Vietnamese

Tin tức trong thư này rất quan trọng. Nếu quý vị không hiểu rõ, xin hỏi những người thân hoặc bạn bè phiên dịch cho quý vị hoặc đến hỏi nhân viên Tòa Hành Chánh, tại đây có phương tiện Thông Ngôn Qua Điện Thoại

## 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. 16014</b>				
DA - 05	D	Lower Ground Level Plan	Gardner Wetherill Associates	31.03. 2017
DA - 06	E	Ground Level Plan	Gardner Wetherill Associates	05.06. 2017
DA - 07	C	Roof Plan	Gardner Wetherill Associates	31.03. 2017
DA - 08	D	Basement 1	Gardner Wetherill Associates	31.03. 2017
DA - 09	D	Basement 2	Gardner Wetherill Associates	31.03. 2017
DA - 10	D	Basement 3	Gardner Wetherill Associates	31.03. 2017
DA - 11	C	North and South Elevations	Gardner Wetherill Associates	31.03. 2017
DA - 12	D	East and West Elevations	Gardner Wetherill Associates	31.03. 2017
DA - 13	D	Cross Sections	Gardner Wetherill Associates	31.03. 2017
DA - 16	B	Colours & Materials	Gardner Wetherill Associates	31.03. 2017
<b>Hydraulic Plans (OSD Plan No. 2017-098)</b>				
DA 00	Rev. 01	Title Cover	Spad Pty. Ltd	Sept. 2016
DA 01	Rev. 02	Overall Site Plan	Spad Pty. Ltd	19.03.2017
DA 02	Rev. 03	Stormwater Drainage Plan (Basement - 3)	Spad Pty. Ltd	03.04.2017
DA 03	Rev. 03	Stormwater Drainage Plan (Basement - 2)	Spad Pty. Ltd	03.04.2017
DA 04	Rev. 03	Stormwater Drainage Plan (Basement - 1)	Spad Pty. Ltd	03.04.2017
DA 05	Rev. 03	Stormwater Drainage Plan (Ground Floor)	Spad Pty. Ltd	03.04.2017
DA 06	Rev. 03	Stormwater Drainage Plan (Lower ground Floor – Part 1)	Spad Pty. Ltd	03.04.2017
DA 07	Rev. 03	Stormwater Drainage Plan (Lower ground Floor – Part 2 OSD Tank Section Detail)	Spad Pty. Ltd	03.04.2017
DA 08	Rev.	Stormwater Drainage Plan	Spad Pty. Ltd	03.04.2017

	03	(Roof)		
DA 09	Rev. 01	Sediment Control Plan	Spad Pty. Ltd	09.09.2016
<b>Landscape Plans</b>				
ONE/TWO	A	Overall Landscape Plan Job Drawing No. 111.17(16)331'A'	Iscape Landscape Architecture	31.03.2017
TWO/TWO	A	Landscape Plan Job Drawing No. 111.17(16)332'A'	Iscape Landscape Architecture	31.03.2017

- Survey plan prepared by Frankham Engineering Surveys, Drawing No. 214164, Revision A, dated 17 March, 2017;
  - Preliminary Operational Management Plan, dated June 2017;
  - Arboricultural Impact Assessment prepared by New Leaf Arboriculture, dated 8 September, 2016;
  - Correspondence from Jacki Brown (New Leaf Arboriculture), dated 21 March, 2017;
  - Noise Impact Assessment, prepared by Resonate Acoustics, Reference No. S16028RP1, Revision E, dated 31 March, 2017;
  - Stormwater Management Report prepared by Spad Consulting Structural and Civil Engineers, Report No. TSM-16-01, dated 3 April, 2017;
  - Waste Management Plan, Revision No. 1 dated 13 September, 2016;
  - Food Safety Management Plan, dated May 2017; and
  - NSW Police Force – Holroyd Local Area Command comments, Reference Number D/2016/553948, dated 6 December, 2016; and
- 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 the demolition of existing structures on No's. 3 – 9 Belinda Place, Mays Hill, 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.

#### **Substation / fire hydrant boosters**

11. 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**

12. 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.**

DRAFT



## **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**

13. 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.

### **Section 94 Contribution**

14. Prior to the issue of a Construction Certificate, a monetary contribution imposed under section 94 of the *Environmental Planning and Assessment Act 1979* and Holroyd Section 94 Development Contributions Plan 2013, for 3,497m<sup>2</sup> additional floor area in association with the new community facility is to be paid to Council. At the time of this development consent, the current rate of the contribution is **\$87,425.00**. The amount of the contribution will be determined at the time of payment in accordance with the relevant s94 Contributions Plan in force at that time. A copy of the Holroyd Section 94 Development Contributions Plan 2013 can be viewed on Council's website at [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au) or inspected at Council's Civic Centre located at 16 Memorial Avenue, Merrylands between the hours of 8am and 4.30pm Monday to Friday.

### **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.

### **Tree Planting/Landscaping**

17. The following bond/s shall be lodged with Council prior to works commencing against the retention, protection during demolition/construction and adaptation to the altered environment, of the following tree/s identified on the endorsed plans:-

<b>Tree No &amp; Species</b>	<b>Bond</b>
8            Gum Tree	\$3,000.00

The bond/s will be retained for a minimum period of twelve (12) months from the date of issue of a Final Occupation Certificate after which a further inspection will be undertaken by the PCA to ensure the satisfactory adaptation of the tree/s to its/their altered environment.

The bond/s will be retained pending final inspection being obtained from Council in relation to the trees and the demolition/construction works.

If Council is not the PCA, a report on the health and condition of the tree/s, from the Arborist engaged to ensure the proper protection and management of the trees required to be retained/transplanted, is to be submitted to Council at the completion of works and expiry of the bond period prior to the release of bond/s. If the report indicates that the tree/s require remedial works, which are not exempt under Council's Tree Management Order, an application for General Tree Works will be required to be submitted and approved, before the works are carried out and certified by the Arborist. Remedial works which are exempt under Council's Tree Management Order will also be required to be completed and certified.

If the trees are not retained, protected or managed to Council's or the PCA's satisfaction, bond monies will be forfeited at the following rates unless remedial works are implemented:-

- (a) An initial breach of any tree protection condition – 20% of total bond for particular tree/s.
- (b) A second or the continuing breach of any tree protection condition - 40% of total bond for particular tree/s.
- (c) If after 40% of the bond is retained, further breaches of the tree protection conditions occur, Council may instigate legal proceedings for the cessation of all works on the site.
- (d) Death of any protected tree/s due to non-compliance with tree protection conditions – 100% of total bond for particular tree/s and possible legal action by Council.

**Note:** Retention of bonds for twelve (12) months provides for the tree/s to adapt to its/their altered situation over a full cycle of seasons.

### **Landscape Inspection Fee**

18. Payment of a **\$544.20** 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**

19. Payment of a **\$337.90** fee for the design, specifications and inspection by Council of the vehicular crossing/s prior to placement of concrete.
20. Payment of a **\$1,183.00** fee for the design, specifications and inspection by Council of the footpath paving prior to placement of concrete.
21. Payment of a **\$474.80** fee for the inspection by Council of the stormwater drainage and Onsite Stormwater Detention System and Pollution Control Devices at the key stages, where Council is the Principal Certifying Authority.
22. The applicant shall lodge with Council a **\$7,200.00** cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete footpath paving adjacent to the site. 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.
23. The applicant shall lodge with Council a **\$6,000.00** cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Onsite Stormwater Detention System and Pollution Control Device/s. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land and Property Information NSW.

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

24. The development has been identified as requiring a stormwater and 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 OSD system. In this regard, design and construction details of the Stormwater and OSD systems demonstrating compliance with the development consent, OSD plan number 2017-098, Council's on-site detention policy and DCP 2013 Part A section 7.0 Stormwater Management shall be submitted to the certifying authority prior to the issue of a construction certificate. The following shall also be addressed:
  - i. The roof gutter, downpipe and pipe system shall be design to convey the 5 minute duration 1% AEP storm event into the OSD system with no gutter overflows.

### **Water Sensitive Urban Design (WSUD)**

25. The development has been identified as requiring water sensitive urban design (WSUD) 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 WSUD system. In this regard, design and construction details of the WSUD system demonstrating compliance with DCP 2013 Part A section 7.5 shall be submitted to the certifying authority prior to the issue of a construction certificate.
- i. Demonstrate compliance with the Stormwater Quality Management Plan Report prepared by SPAD Consulting Structural and Civil Engineers dated 3 April 2017 submitted as part of the development application.

### **Construction and Traffic Management Plan**

26. 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 **\$191.50** 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.
27. 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**

28. 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](http://sydneywater.com.au/tapin) to apply.

29. 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.
30. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.
31. 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.
32. 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.

### **Access**

33. 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.

### **Fencing/Gates**

34. Fencing/gates must not obstruct pedestrian or vehicular access and shall not cause vehicles to queue on the public road/reserve. All fencing and gates shall be located in accordance with the relevant Australian Standards. Details to be provided to the Principal Certifying Authority prior to the issue of the Construction Certificate.

### **Sight Distances**

35. To maintain sight distance to pedestrians, all fencing and landscaping within 2.0m of a driveway shall have a maximum height of 1m and 50% transparent above a height of 0.5m. All solid posts higher than 0.5m (but lower than 1m) shall have a maximum width 350mm and a minimum spacing of 1.2m. Details are to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

### **Acoustic Measures**

36. Plans and/or specifications indicating how compliance with the recommendations of the Environmental Noise Impact Assessment prepared by Rsonate Acoustics, Project No. S160028, Reference S16028RP1, Revision E, dated 31 March 2017, will be achieved, are to be submitted to the Principal Certifying Authority.
37. Prior to the issuing of the Construction Certificate, the following report is required to be prepared and submitted to Cumberland Council for assessment and comment: 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 also consider noise emissions from the development including but not limited to proposed mechanical plant (air conditioners). The report should be prepared in accordance with the NSW Environment Protection Authority *Industrial Noise Policy* and NSW EPA *Interim Construction Noise Guideline*.

### **Construction Management Plan**

38. Prior to the issuing of Construction Certificate, the following report is required to be prepared and submitted to Cumberland Council for assessment and comment. A Construction Management Plan (CMP) prepared by a suitable qualified consultant shall be prepared to address issues such as traffic control, hazardous material survey, unexpected finds protocol, managing construction noise, dust, vibration intrusion, etc., during construction. All measures works/methods/procedures/control measures/recommendations made within the Construction Management Plan shall be implemented accordingly.

### **Waste Storage Area**

39. The waste storage area shall be roofed, screened from public view and provided with:-
  - Openings, 5% of the floor area and recessed into the walls, positioned to provide cross floor ventilation OR mechanical ventilation to Council's satisfaction;
  - An adequate water supply provided by a hose cock and hose (hot water for commercial premises)
  - The floor shall be made of an impervious surface, drained to sewer in accordance with Sydney Water requirements and include a dry arrestor pit with a removable basket.

Plans and specifications for the storage room shall be submitted with the application for the Construction Certificate.

### **Salinity**

40. 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

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## **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**

41. 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**

42. 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**

43. 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**

44. 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**

45. 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**

46. 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**

47. 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**

48. 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**

49. 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**

50. 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.

### **Tree Protection Conditions**

51. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected prior to and throughout the demolition/construction process in accordance with the attached Guidelines for the Protection of Trees On and Adjacent To Demolition/Building sites, and relevant conditions of this Consent. All trees not authorised to be removed by this Consent must be retained. Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to the Principal Certifying Authority by a suitably qualified person or the Arborist (as appropriate) engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted. A copy of the Certificate is to be issued to Council within seven (7) days of the inspection and prior to any works commencing. Additionally, trees identified for removal are to be retained until immediately prior to works commencing, to assist with soil management and erosion control.

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

52. 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.
53. 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**

54. 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).
55. 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**

56. 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**

57. 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.
58. 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**

59. 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.
60. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
61. 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.

### **Property/Street Number**

62. Council is the authority responsible for the allocation of all official property addresses. For ease of identification of your new development, it is important that the allocated property numbers are used and displayed prominently. It is requested that you contact Council as soon as possible before construction is commenced to discuss proposed addressing for your development.

Please email your site plan to [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au) or contact Council's Rates Section by Phone on 9840 9767.

Council's 'Allocation of Property Numbers' policy is available on Council's website [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au).

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## DURING DEMOLITION/CONSTRUCTION

The following conditions are applicable during demolition/construction:-

### Endorsed Plans & Specifications

63. 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

64. 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

65. 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.
66. 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.
67. 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

68. 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.

### **Waste Management Plan**

- 69. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
- 70. 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**

- 71. 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.

### **Construction**

72. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has been supplied with a check survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels (FFL)s and setbacks to boundary/ies. **The slab shall not be poured, nor works continue, until the Principal Certifying Authority has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.**

In the event that Council is not the Principal Certifying Authority, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the Principal Certifying Authority has issued a Certificate stating that the Condition of approval has been complied with and that the slab has been poured at the approved levels.

### **Salinity**

73. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has confirmed that all required construction measures addressing salinity, as required by this Consent and its accompanying Construction Certificate have been carried out.

### **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 tree/s identified on the endorsed plans as being retained/transplanted shall be protected against damage throughout the demolition/construction process in accordance with the attached Guidelines for the Protection of Trees On and Adjacent to Demolition/Building Sites and relevant conditions of this Consent.
76. 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.

### **Inspection of On Site Detention Works**

77. The stormwater drainage works are to be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of construction of the detention basin/tank.
- (b) Prior to landscaping of detention basin or pouring of the roof of the detention tank.
- (c) After completion of storage but prior to installation of fittings (e.g. orifice plates, screens, flap valves etc.)
- (d) Final Inspection

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

### **Road Works and Footpaving**

78. 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".
79. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

### **Food Safety**

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.

### **NSW Police Force**

83. Police recommend security on site whilst in the building phase. Either an alarm type system or drive by security shall be provided during construction.
84. Exterior lighting and placement shall be incorporated into the development to improve visibility, and increase the likelihood that offenders will be detected and apprehended. Particular attention needs to be paid to the entry/exit points and near the car park.
85. Closed Circuit Television (CCTV) is recommended to monitor the external areas of the Community Facility plus the car park. NSW Police recommend a security expert assist with the camera placement and lighting to maximise the effectiveness of the CCTV cameras. If utilised, appropriate signage needs to be displayed in conjunction with the CCTV.
86. Graffiti resistant materials shall be used on the exterior of the community facility.

### **Vehicle Cleansing**

87. 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**

88. 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.

### **Line Marking**

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

### **Acoustic Measures**

90. The recommendations provided within the Environmental Noise Impact Assessment prepared by Resonate Acoustics, Reference No. S16028RP1, Revision E, dated 31 March, 2017, shall be implemented.

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

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

## **FOOD PREMISES**

### **Ceiling**

92. A rigid smooth faced impervious ceiling shall be provided over any proposed 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.
93. The ceiling shall be painted with a light coloured washable paint.

### **Lighting**

94. 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**

95. 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.
96. 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.
97. The floor shall be constructed of a material which is impervious to water, non slip and graded and drained to the floor waste.

### **Walls**

98. The walls of any food preparation areas are 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.
99. The walls of any food preparation areas are to be tiled with close-jointed, glazed tiles of a light colour to a height of 2 metres.
100. The walls of any food preparation areas are 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.
101. The walls of any the food preparation areas are to be tiled with close-jointed, glazed tiles of a light colour from the floor to the underside of the exhaust hood.

102. 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**

103. Refrigeration, frozen food cabinets, cooking appliances, equipment, fittings, cupboards, and cabinets to be provided 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.
104. All shelving being installed on approved metal brackets and kept at least 25mm clear of wall.
105. Any food preparation benches shall be constructed of stainless steel.
106. The top and exposed edges of all benches, counters and shelving shall be finished in a smooth and non absorbent material free of joints.
107. All service pipes and electrical conduits shall be concealed within the floors, plinths, walls or ceilings.
108. 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**

109. A freestanding hand wash basin is to be provided in an approved position for any kitchen/food preparation area proposed, 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**

110. All openings in the walls, floors and ceiling and all external doors and windows must be vermin proof.
111. All windows and doors to the external air are to be provided with fly screens.
112. 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.
113. A self closing and close fitting flyproof door to be provided to the food preparation areas.
114. 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**

115. Any coolroom provided 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.
116. All internal intersections and external intersections of the floor with walls of the coolroom shall be coved.
117. Any coolroom provided shall be fitted with an alarm device located outside the coolroom but controllable only from within the chamber.
118. Any coolroom provided must be fitted with a door that is capable of being opened by hand from inside without a key.
119. Any coolroom provided must be fitted with internal lighting controlled by a switch, which is located adjacent to the entrance doorway inside the coolroom.
120. Any coolroom provided must be fitted with an indicator lamp positioned outside the coolroom which is illuminated when the interior light is switched on.
121. All metal work in the coolroom shall be pre-treated to resist corrosion.
122. 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.
123. The top of any coolroom provided shall be covered with an approved vermin proof material.

### **Mechanical Ventilation**

124. A system of filtered mechanical exhaust ventilation being provided to any 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.
125. 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.
126. The external ductwork system to have a finish similar to that of the building.
127. A system of filtered mechanical exhaust ventilation being provided to the kitchen with hoods over all cooking and heating appliances.

128. Any mechanical exhaust ventilation provided serving the kitchen is to extend to the dishwashing machine.
129. Any hood provided shall be designed to extend not less than 150mm beyond the perimeter of all fittings to be ventilated.
130. 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:-**

### **Certificates/Documentary Evidence**

131. A final clearance is to be obtained from Integral Energy if such clearance has not previously been issued.
132. A 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.

133. 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.

### **Complaint Register**

134. Details are to be provided to Council in regard to the Operation of a Complaint Register in association with the operation of the Community Facility. Details to be provided to Council are to be the specific person(s) responsible for the receipt of complaints and contact details for the purpose of complaints handling for notification and endorsement.

### **Landscaping/Tree Protection**

135. 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.



136. 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.
137. 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**

138. All parking spaces including loading bay shall be signposted and linemarked in accordance with the endorsed signs and linemarking plans and Australian Standards (i.e. AS2890.1-2004 and 2890.6-2009).
139. The entry / exit driveway off Belinda Place shall be indicated with appropriate signage and linemarking to avoid traffic conflict at the driveways.
140. Wheel stops shall be provided at appropriate parking locations and in accordance with AS 2890.1-2004.
141. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.
142. Directional signage shall be provided on site and shall be positioned in a location which will not impact on vehicle movements or damage the signage, visible to drivers and to be endorsed by a suitably qualified Traffic Practitioner.

### **Fire Safety**

143. 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.
144. 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.
  145. 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.

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

146. A copy of the as approved stormwater drainage and On Site Detention and Pollution Control Device plan showing work as executed details shall be submitted to Council. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
147. 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.
148. A certificate of compliance for the pump out drainage system of the basement level shall be issued to the Principal Certifying Authority by the pump installers stating that the pump out system has been installed to operate in accordance with the Council requirements and approved drawings.
149. Documents giving effect to the creation of a Positive Covenant and Restriction on Use over the as constructed On Site Detention and Pollution Control Device shall be submitted to the authority benefited for approval prior to lodging with the Land and Property Information NSW. The wording of the terms of the Positive Covenant and Restriction On Use shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention. The documents shall be approved by the benefiting authority for registration with Land and Property Information NSW.  
**Note:** Prior to release of the documents creating the Restriction on Use and Positive Covenant, the benefiting authority shall be satisfied that the as-constructed On Site Detention and Pollution Control Device is in accordance with the approved drawings and Council requirements.

The Positive Covenant and Restriction on Use documents shall be registered with the Land and Property Information NSW within six (6) months from the date of release by the benefiting authority.

150. A maintenance schedule for the stormwater and On-Site Detention system including a sketch plan of the components forming the sites stormwater and On-Site Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.
151. An On-site Stormwater Detention plate shall be installed within the detention tank. The plate shall be located in or near the Discharge Control Unit to alert future owners of their obligations to maintain the facility and its restrictions. The wording and plate shall be in accordance with Council's standard requirements.
152. Confined space signage and step irons at 300mm centres shall be provided to each access of the Basement pumpout tank and to deep pits (>1.5 metres).

### **Road Works**

153. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
154. A full width **heavy** duty vehicular crossing shall be provided opposite each vehicular entrance to the site, with a maximum width of **6.5** metres and a minimum width of **5** metres 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.
155. The reconstruction of concrete footpath paving and associated works along all areas of the site fronting Belinda Place. 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.
156. The applicant shall continue the footpath works to the southern boundary of the site along the site frontage and continue the pathway to link up with the pedestrian laneway/footpath. These works shall be carried out by a licensed contractor at the applicant's expense and in accordance with Council's issued design and level sheets.
157. 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.
158. 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.

### **Lot Consolidation**

159. Lot 1, DP 870186, Lot 0, SP 52225 and Lots 220 – 222, DP 12899 are to be consolidated into one lot on title and all works shall be completed in accordance with this Development Consent.

### **House/Street Number**

160. A house/street number must be displayed on all newly developed properties in accordance with Council's "Policy on the Display of House Numbers" available from the Customer Services Counter or Council's website, [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au).

### **Noise Compliance Report**

161. A noise compliance report shall be submitted to Council prior to the issuing of the Occupation Certificate. The report shall state that the noise reduction measures detailed within the Environmental Noise Impact Assessment prepared by Resonate Acoustics, Reference No. S16028RP1, Revision E, dated 31 March, 2017, have been implemented.

### **Food Shop**

162. A certificate shall be submitted to Council for any air conditioning system provided, 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.
163. Food Business registration shall be obtained from Council if food shop installations are provided, PRIOR to commencement of operations, in accordance with Council's adopted policy.
164. 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.
165. 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.

### **General**

166. 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.

## CONDITIONS RELATING TO USE

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

### Safety & Amenity

167. Activities are to be conducted and patrons are to be controlled at all times so that no interference occurs to the amenity of the adjoining occupations.
168. 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.
169. The endorsed Operational Management Plan must be complied with at all times. In this regard, the maximum number of people permitted on site in association with the operation of the Community facility is limited to 800 people at any time.
170. For the purposes of preserving the amenity of neighbouring occupations and residents, hours of operation and maximum number of activities are to be restricted to between:-

Summary of Cultural Hall Uses		
Activity	Duration	Day/Time
Spiritual discourses and lectures: approximately 15 per year that will be conducted in the Cultural Hall so as to enhance spiritual and cultural principles of the faith.	3 hrs	Monday to Sunday
Weddings: approximately 35 per year and intended only to be used by members of the TSM, devotees and not the general public.	4 hrs	Saturday - Sunday 8:00AM - 9:00PM
Cultural programs: approximately 15 per year and focused on spiritually and educationally oriented devotional singing, drama and cultural dance programs.	4 hrs	Monday to Sunday 8:00AM - 9:00PM
Ticketed annual events: a charitable annual dinner and musical event are held once per year and members are charged a fee to attend but only to raise funds for the charitable institution and to cover costs	4 hrs	Saturday / Sunday 5:00PM - 9:00PM
Educational Sunday Saiva schools: approximately 40 per year	2 hrs	Sundays 2.00PM to 4.00PM
Memorial Services: approximately 30 per year and the Cultural Hall is intended to be used to conduct memorial services for the deceased. The Cultural Hall is intended only to be hired for memorial services by members of TSM, devotees and not the general public. Approximate attendance 150-200 people per service.	3 hrs	Saturday/Sunday 11:00AM - 2:00PM or on weekdays on limited occasions
Annual and special general meetings of the Saiva Manram: approximately 1 each per year.	5 hrs	Sundays (AGM) Saturday / Sunday (SGM)

		9.00AM to 2.00PM
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N.B - The maximum number of people in attendance shall be in accordance with the endorsed Operational Management Plan.

- 171. No independent or separate use or hire of the Community Facility is permitted at any time.
- 172. The Community facility must not be used as a place of public worship.
- 173. No access to patrons is to be provided to ground level balcony facing Belinda Place.
- 174. The directions and controls on the operation of the premises, as outlined in the endorsed Operational Management Plan, are required to be adhered to.
- 175. 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.

#### **Traffic and Parking**

- 176. The car parking spaces, driveways and manoeuvring areas are to be used for employees and visitors vehicles only.
- 177. The number of car parking spaces as noted within the endorsed plans shall be numbered and linemarked, and 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.
- 178. Accessible parking spaces shall be appropriately marked and sign posted.
- 179. The car parking area is to not to be used for any purpose other than for the parking and manoeuvring of vehicles.
- 180. All vehicles shall enter and exit the site in a forward direction.

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

- 181. 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.

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

- 182. All waste and recycling containers shall be stored in the designated waste storage area. The Secretary of The Saiva Manram 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. The Saiva Manram shall clean the waste storage area, dry arrestor pit and waste collection containers.
- 183. 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.

### **Emergency Procedures**

184. 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.
185. 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.

### **Noise**

186. 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).
187. 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.
188. 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.
189. The recommendations as outlined in the Environmental Noise Impact Assessment prepared by Resonate Acoustics, Reference No. S16028RP1, Revision E, dated 31 March, 2017, are required to be adhered to during the operation of the development.

### **Signage on Stormwater Drains**

190. 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**

191. 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**

- 192. 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.
- 193. Landscaping and vegetation shall be regularly maintained to ensure areas of concealment or entrapment are minimised and natural surveillance is not obstructed.

### **Thermometers**

- 194. 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.
- 195. The thermometer shall be able to be easily read from outside the appliance.

### **Coolroom**

- 196. Any fresh meat shall be stored in a separate area of the coolroom/refrigerator from other foods.

### **Storage**

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

### **Waste Storage**

- 198. 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.
- 199. 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.

### **Mechanical Ventilation**

- 200. 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**

- 201. The front of the premises, fronting Belinda Place, is to be maintained in a neat and tidy manner at all times.
- 202. 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