

Attachment 'A' – Draft Conditions of Consent

Part B - Administrative or General Conditions

This Part includes general background controls and minor administrative matters or procedures that ensure the development is clearly identified and specified.

(1) Approved Plans

The Development must be implemented substantially in accordance with Development Application No. 42/2016 received by Council on 26 February 2016 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing No. or Document	Date Received by Council	Prepared or Drawn By
01-A02 - Site Plan	26 February 2016	Griffith City Council
01-A03 - Demolition Plan	26 February 2016	Griffith City Council
01-A04 - Floor Plan	26 February 2016	Griffith City Council
01-A05 – Floor Plan	26 February 2016	Griffith City Council
01-A06 – 50 Meter Pool Plan and Section	26 February 2016	Griffith City Council
01-A07 – Site Plan	26 February 2016	Griffith City Council

(2) Scope of Consent

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate for building and engineering works. These Certificates can be issued either by Council or an appropriately qualified 'Accredited Private Certifier'. A separate application, complete with detailed plans and specifications, shall be submitted to Council for these Construction Certificates.

(3) Lapsing of Consent

This Consent is valid for a period of five years from the date of consent. It will lapse if the approved use of any land or construction work has not commenced prior to that date. No further extensions will be granted.

(4) Development consent is granted for alterations and additions to an existing recreation facility (indoor) and the construction of a new recreation facility (outdoor) at Lot 1 DP 1035387 (5-17 Wayeela Street) Griffith including:

- A 50 metre pool;
- Demolition of an existing skate park;
- A pump room;

- A BBQ shelter;
- A turfed area to be used in conjunction with the outdoor pool;
- Landscaping; and
- Fencing

Part F - Building Matters

This part relates to applications for buildings of all types.

(1) Compliances, Certificates and Statements

Where indicated, the following Codes, Standards, Treatments and Certificates shall apply to, or are required for, the development.

Details – Code, Certificate or Statement	Required
National Construction Code	All building work must comply with and be carried out in accordance with the requirements of the National Construction Code.
Australian Standard 1684 – 2010 Residential Timber Frames Construction	Timber framework shall comply with the requirements of Australian Standard 1684 - 2010 Residential Timber Frame Construction. Design specifications and relevant calculations are to be submitted to Council prior to the framework inspection being carried out.
Construction Certificate (Building)	Site works are not to commence until such time as Council has received a construction certificate for the proposed works. Council or an Accredited Private Certifier may issue construction certificates.
Termite Treatment Certificate	<p>Upon installation of a termite management system, a durable notice is to be displayed within the meter box. The notice shall indicate:</p> <ul style="list-style-type: none"> - The method of protection used, - Date of installation, - Life expectancy of any chemical system used as listed on the National Register label, and <p>The implementation of the manufacturers recommendations for the scope and frequency of future inspections for termite activity.</p>
Disability (Access to Premises-Buildings) Standards 2010	The swimming pool shall be accessible for people with disabilities to and within all areas normally used by the occupants in accordance with Part D of the Building Code of Australia and the Disability (Access to Premises - Buildings) Standards 2010.

(2) Hot Water Installations

All new hot water installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes, at temperatures not exceeding 50°C.

Where during the course of carrying out building work, there is a change to any existing hot water systems, installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes, at temperatures not exceeding 50°C.

(3) Footpath Advice

If any damage is occasioned to Council property, particularly concrete kerbing and guttering and footpaving during building construction, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before construction be immediately notified to Council to avoid later conflict.

(4) Removal of Hazardous Waste

Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).

- Only competent persons, or competent and registered persons shall carry out removal.
- Removal of asbestos or materials containing asbestos fibres, shall be in accordance with the National Occupational Health and Safety Commission code of practice.
- All demolition works and asbestos handling/removal is to be carried out in accordance with NSW Workcover requirements.
- Precautions to be observed and procedures to be adopted during the removal of dangerous or hazardous materials other than asbestos, shall be in accordance with the relevant State regulations pertaining to those materials.

(5) Clearance of Building

The building is to be sited clear of sewerage drains, manholes, boundary traps and inspection shafts.

(6) Existing Manholes

All existing/proposed sewer manholes must be kept free of any obstructions at all times so that their positioning and maintenance are easily obtainable.

Part I - Prior to the lodgement of a Construction Certificate application

If the development involves construction work (for example a building, road or stormwater drainage system for a subdivision), you will need a Construction Certificate issued either by Council or an Accredited Certifier before work can commence on your project. Before a Construction Certificate can be issued, you will have to satisfy the following conditions.

- (1) The applicant is required to pay for all inspections carried out by Council's Engineers. Payment must be paid for one (1) inspection as per Council's current Revenue Policy **prior to the lodgement of a Construction Certificate application**. Any adjustments to the total amount must be paid in full **prior to the lodgement of an Occupation Certificate application**.
- (2) A Construction Management Plan is to be submitted to Council and approved **prior to the lodgement of a Construction Certificate application**. This is to ensure that suitable provision is available on site for all vehicles associated with the construction of the development to alleviate any need to park within, load/unload from, the surrounding public road network. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
- (3) All stormwater run off shall be directed to Council's Drainage System via an onsite detention system for disposal. Stormwater run off shall not be permitted to flow over the property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. Detailed design drawings including hydraulic calculations for the proposed drainage design are to comply with *Council's Engineering Guidelines – Subdivision and Development Standards* and Council's *Stormwater Drainage and Disposal Policy (CS-CP-310)* and are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**.
- (4) Stormwater detention for the hardstand areas created as part of the proposed development is to be created onsite for the critical storm event. The maximum developed stormwater discharge shall not exceed 65 litres per second per hectare. Design and details in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards* and Council's *Stormwater Drainage and Disposal Policy (CS-CP-310)* are to be submitted to Council for approval **prior to the lodgement of Construction Certificate (Civil Works) application**.
- (5) A qualified Civil Engineer with experience in Hydraulic Analysis shall design and certify the Onsite Detention System, which shall be maintained for the life of the project. The consultant must sign off all drawings and calculations and provide details of Professional Indemnity insurance.

Design and details in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards* are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**.

- (6) Any areas that are subject to water ponding as a result of storm events must have appropriate warning signs erected in accordance with Council's *Onsite Detention Policy (CS-CP-404)*. Details of sign location and type to be

submitted to Council **prior to the issue of a Construction Certificate (Civil Works)** relating to drainage.

- (7) One unisex sanitary facility is to be provided for people with disabilities in accordance with AS1428.1 which has direct access to the outdoor pool. Alternatively, an accessible sanitary facility can be located within both male and female facilities with direct access to the outdoor pool. Details of the provision of this facility are to be submitted **with the application for the Construction Certificate**.

- (8) Details of all proposed shade structures shall be submitted to and approved by Council **prior to the lodgement of a Construction Certificate application**. Shade structures shall be strategically located to provide shade for patrons during the entire daytime operation of the facility and shall be installed prior to the use of the pool.

- (9) **Landscape Plan**

The landscaped area shown on the plan submitted with the application shall be the subject of a detailed working plan by a suitably qualified person. Three (3) copies are to be submitted to and approved by Council **prior to the lodgement of the Construction Certificate application**.

This detailed plan should be drawn to scale (minimum 1:200) and include the location of tree and shrub species, height and spread at maturity and elevation of landscaped areas. Garden beds are to be fitted with trickle irrigation, bark chips and mounds. Curved lines, the nature strip and the footpath areas of the development are to be incorporated into the overall landscaped area of the development. Lawns are to have underground sprinklers.

- (10) **Acoustic Report**

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background LA90, 15min noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assessed as an LAeq, 15min and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

An acoustic report prepared by a suitably qualified and experienced acoustic consultant shall be provided to the satisfaction of the Principal Certifying Authority demonstrating that noise and vibration from the operation of the premises including the use, plant and equipment will satisfy the stipulated criteria above and relevant provisions of the Protection of the Environment Operations Act 1997 and Regulations and relevant state and local policies and guidelines. Recommendations must be consistent with the approved plans. Details demonstrating compliance with the requirements of this condition are to be submitted to the Principal Certifying Authority for approval **prior to the lodgement of a Construction Certificate application**

Part J - Prior to Commencement of Work

There are a number of matters that need to be done before your project can physically commence. These are set out in the following conditions.

(1) Appointment of Principal Certifying Authority

Site works are not to commence until the person having the benefit of the development consent has appointed a Principal Certifying Authority (PCA) (Note:- this can be Council or an Accredited Private Certifier) and has notified Council of the appointment. Should the applicant elect to nominate Council as the PCA it will be necessary to complete Form 7 and pay the required inspection fees.

An Accredited Private Certifier who has been appointed as a Principal Certifying Authority (PCA) must not be replaced, except with the approval of the relevant accreditation body. A replacement PCA must ensure that notice of his or her appointment, together with the relevant Accreditation Body's approval of the appointment, is given to Council within 2 days of the appointment.

(2) Notification of Commencement

A copy of Notification of PCA/Commencement of Work **must be completed and submitted to Council when the project is ready to proceed.**

(3) Builder's Details

Prior to any works commencing on the site, written advice is required for Council records as to the following matters:

- a) builder's details (name, address and licence number);
- b) owner/builder permit.

(4) Unauthorised Entry to the Site

Prior to commencement of works, a sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. The sign is to be removed when the building works have been completed.

(5) Sedimentation and Erosion Controls

Sedimentation and erosion controls are to be implemented prior to the commencement of site works. This is to include (as a minimum) the installation of a sediment fence with returned ends across the low side of the works and a temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

(6) Waste Containment Area

A secure waste containment area or skip bin is to be provided on site **prior to the commencement of works.**

(7) Sign to be displayed

A sign must be erected in a prominent position on the site so that it can be easily read by anyone in a public road adjacent to the site prior to the

commencement of any building work, subdivision work or demolition work.

The sign must:

- (a) show the name, address and telephone number of the principal certifying authority for the work; and
- (b) show the name, address and after hours telephone number of the principal contractor (builder): and
- (c) state the “unauthorised entry to the site is prohibited”.

The sign must 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.

- (8) An application for a **Construction Certificate (Civil Works)** shall be submitted to Council and approved for the stormwater drainage and onsite detention. Detailed engineering design plans shall be submitted and approved by Council and **a Construction Certificate (Civil Works) is to be obtained prior to any Civil Works commencing**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirement must conform to *Council's Engineering Guidelines – Subdivisions and Development Standards*

Part K - During Construction

The development will need to meet certain standards. The following conditions set out matters that need to be done during the construction or implementation process.

- (1) Hours of Work

All building, excavation and demolition work is to be carried out between 7:00am and 6:00 pm Monday to Saturday with no work to be undertaken on Sundays or Public Holidays.

Variation to these times may be permitted on submission of a written request to Council indicating the date/s and time/s of the proposed work. It is also recommended that you liaise with occupants of any surrounding dwellings prior to carrying out work outside these hours.

- (2) Work Cover Authority

The developer is required to comply with any and all requirements of the NSW Work Cover Authority.

- (3) Waste to be Disposed to Waste Depot

All waste, from the building site, shall be disposed of at an approved landfill.

- (4) Required Documentation

For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent and Construction Certificate on site.

Part L - Prior to the lodgement of an Occupation Certificate application

Prior to commencement of use of the development or occupation of a building, Council must be contacted, an inspection carried out and permit to occupy issued. This is to confirm that all works have been completed and the development is suitable for use for its designed purpose.

(1) **Inspections and Certificates - Final**

On completion of these conditions, the applicant shall contact Council's Customer Service Officers to arrange an inspection to be carried out and the development finalised, and appropriate Compliance or Occupation Certificate issued.

(2) **Prior to the lodgement of an Occupation Certificate application** the landscape area shall be established in accordance with the approved landscape plan to the satisfaction of Council.

(3) **Prior to the lodgement of an Occupation Certificate application** an additional accessible parking space shall be provided within the carpark located on Lot 5 DP 1070702 or within the Olympic Street road reserve. The accessible parking space shall be designed in accordance with AS 2890:2009. The additional space can be provided for by modifying an existing accessible parking space or by modifying existing non-accessible parking spaces.

(4) **Drainage Diagram**

Where development includes the installation of sanitary plumbing and drainage works between the building and Council's sewer, the applicant is required to submit to Council a drainage diagram. This diagram shall be prepared and submitted to Council **prior to the lodgement of the Occupation Certificate application**. The diagram shall be drawn to scale at a ratio of 1:100 showing the location of the buildings and fittings and all pipelines, junctions, inspection openings and the like. Alternatively, Council can be requested to carry out the work upon payment of the fee listed in Council's current Revenue Policy.

(5) **Inspection of Pool**

An inspection of the pool by Council's Environmental Health Officer is required **prior to the issue of an Occupation Certificate**. The applicant shall contact Council's Customer Service Officers to arrange an inspection at least 24 hours prior.

Part N - Demolition Management

This section relates specifically to demolition. It provides conditions designed to address the complex matters associated with demolition (eg. asbestos removal).

(1) Demolition Management

The work is to be executed by a competent person, with due regard for safe working practices and in accordance with the requirements of the Work Cover Authority.

At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:

- The structures to be demolished and all components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
- Precautions are taken to ensure that the stability of all parts of the structures and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
- The site shall be secured at all times against the unauthorised entry of persons or vehicles.

Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.

(2) Impact on Adjoining Buildings

In consideration of the proximity of the site's adjoining buildings:

- Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
- No demolition activity is to cause damage to or adversely affect the structural integrity of adjoining buildings. Consideration should be given to the use of shoring and underpinning and to changes in the soil conditions as a result of demolition and appropriate action taken.
- The effect of vibration and concussion on adjoining buildings and their occupants is to be minimised by selection of appropriate demolition methods and equipment.

(3) Dust Control

The techniques adopted for stripping out and for demolition are to minimise the release of dust into the atmosphere.

- Before commencing work, any existing accumulations of dust are to be collected, placed in suitable containers and removed. Selection of appropriate collection techniques, such as vacuuming or hosing down, shall take account of the nature of the dust and the type of hazard it presents (eg., explosive, respiratory etc).
- Dust generated during stripping or during the breaking down of the building fabric to removable sized pieces shall be kept damp until it

is removed from the site or can be otherwise contained. The use of excess water for this purpose is to be avoided.

It should be borne in mind, that in certain environments and under certain stimuli, deposits of combustible dust on beams, machinery and other surfaces may be subject to flash fires, and suspensions of combustible dusts in the air can cause them to explode violently (see NFPA Handbook).

(4) **Removal of Material**

All demolished material and excess spoil from the site shall be disposed of at a location and in a manner approved of by Council. No material is to be burnt on site.

Part O - On-Going Requirements

This part includes conditions or requirements that will need to be satisfied at all times.

(1) **Disinfection of Pool**

The pool must be fitted with an automated or a continuous metered disinfectant dosing system and must be disinfected with either chlorine or bromine.

(2) **Operating Requirements**

The pool must be operated in accordance with the Public Health Act 2010 & Public Health Regulation 2012. The prescribed operating requirements are set out in Schedule 1 of the Public Health Regulation 2012.

(3) **Notification of Public Swimming Pool**

The public swimming pool operator is required to complete a notification form for the facility and submit to Council. Form is available by contacting Council's Environmental Health Officers.

(4) **Testing of Pool**

A photometric pool test kit shall be required to manually test the pool's water quality at least once a day and recorded in a log book. The log book shall be made available for inspection by Council Officers upon request.

(5) A parking guide including a map detailing all the parking facilities in close proximity to the facility shall be provided for all new members and made available at the front counter of the facility.

(6) The gate into the outdoor facility located adjacent to Railway Street shall only be used for maintenance or emergency purposes. All patron access to the facility shall be through the existing entrance.

Note W - Inspections, Certificates and Other Approvals

The following inspections must be carried out, certificates issued or supplied, or additional consents gained at the times or stages shown.

(1) Inspections During Construction

Should Council be engaged as the Principal Certifying Authority, the following inspections are required to be carried out by Council's officers.

- a) after excavation for, and prior to the placement of, any footings, and
- b) prior to pouring any in-situ reinforced concrete building element, and
- c) prior to covering of the framework for any floor, wall, roof or other building element, and
- d) prior to covering any stormwater drainage connections, and
- e) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
- f) For concrete pools:
 - (i) reinforcing steel before pouring concrete and with plumbing and drainage lines installed;
 - (ii) pool fencing before pool is filled with water; and
 - (iii) completion.

Should adequate notice not be given for cancellation of an inspection, or if works have not progressed to a stage where an inspection can be completed, a default penalty shall be imposed upon the applicant by Council.

Twenty four (24) hours notice is to be given to Council's Customer Service by telephoning (02) 6962 8100 to arrange for an inspection to be carried out.

(2) Plumbing and Drainage Inspections

The carrying out of Water Supply Work, Sewerage Work and Stormwater Drainage Work requires an approval under Section 68 of the Local Government Act 1993. Approval and Inspection is required by the Regulatory Authority being the NSW Office of Fair Trading who has delegated authority to Griffith City Council to carry out these tasks.

The following inspections are required to be carried out.

- (a) Internal / External sanitary drainage (including sanitary plumbing) prior to covering.
- (b) Stormwater Drainage. - External drains connection from base of down pipes to designated disposal point.

Note: All plumbing and drainage work is to be carried out by licensed tradesman and necessary S68 approval permits obtained through Council prior to works commencing, by submitting a Notice of Works form.

Note: A Certificate of Compliance will need to be submitted, along with a Works as Executed Drawing, at the completion of works. Inspection fees will apply in accordance with Councils revenue policy and are required to be paid prior to inspection.

Should adequate notice not be given for cancellation of an inspection, or if works have not progressed to a stage where an inspection can be completed, a default penalty may be imposed upon the applicant by Council.

Twenty four (24) hours notice is to be given to Council's Customer Service by telephoning (02) 6962 8100 to arrange for an inspection to be carried out.