

## Attachment 5 – Condition Changes

Condition No.	Proposed change	Details
1	Amended condition	Amended Condition 1 to include amended plans, and documentation which supported the application, including RMS letter dated 1 August 2019.
12	Amended condition	<p>Replace date of '15 August 2018' with '2 August 2017' as per Letter of Offer submitted to support this development application.</p> <p>Wording change to included Parties to the VPA:</p> <p>The amended Voluntary Planning Agreement in accordance with the Letter of Offer from Panthers Rugby League Club, dated 2 August 2017 known as the 'Planning Agreement - Road Works' is to be executed by Panthers Rugby League Club, Penrith City Council and/or Roads and Maritime Services (RMS) prior to the issue of a Construction Certificate.</p>
13	Amended condition	<p>Wording change to include Parties to the VPA:</p> <p>Prior to the issue of a Occupation Certificate the Principal Certifying Authority is to ensure that the amended VPA known as 'Planning Agreement-Road Works' is executed by Panthers Rugby League Club, Penrith City Council and/or Roads and Maritime Services (RMS) and that all the applicable requirements of the Planning Agreement- Road Works, have been undertaken and are met.</p>
14	Delete condition.	VPA registration on land title is a condition under the VPA and is enforced once executed.
22	Delete condition	Condition no longer required due to ADG building separation requirement achieved.
26	Delete condition	Duplicate condition to condition 25.
49	Amend condition	Retain condition but replace Construction Certificate with Occupation Certificate.
58	Amend condition	Retain condition but replace plan reference to 'reference number 110251/DA100, Rev E, dated 12/06/2019 to reflect correct plans and to align with Condition 1 which nominates the correct plans and most up to date plans.
61 & 62	Condition 61 deleted as duplication of condition 62. Condition 62 amended	Plan revision updated to reflect current plans which are 12 June 2019 and Rev E

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	to reflect additional detail from condition 61.	
64	Condition amended.	Retain condition but updated to reflect current addendum dated 11 June 2019.
99	Delete Condition 99.	Duplication of condition to condition 98.
102	Condition deleted.	Blank condition
	New Condition	Prior to the issue of a Construction Certificate, a full set of revised architectural plans, incorporating amended plans outlined in Condition 1, is to be provided to the Principal Certifying Authority.
	New Condition	When the swimming pool construction has reached a stage where the pool is capable of holding water, the pool area shall be restricted from access in accordance with AS1926 "Swimming Pool Safety". Restriction of access to the pool area shall also comply with the Swimming Pools Act, 1992
	New Condition	<p>At all times, the swimming pool is to be surrounded by a child-resistant barrier that:</p> <ul style="list-style-type: none"> <li>• separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises, and</li> <li>• is designed, constructed, installed and maintained in accordance with the standards prescribed by AS 1926 "Swimming Pool Safety".</li> </ul>
	New Condition	<p>The following means of access to the swimming pool shall be restricted to:</p> <p>(a) For each doorway giving access to the swimming pool:</p> <ul style="list-style-type: none"> <li>• the door or, if there is a security door in addition to another door then either of those doors must be kept child-safe by means of a lock, latch, bolt, chain or another child-resistant device located at least 1.5 metres above finished floor level, and</li> <li>• there must not, on the door or on the door frame, be any footholds wider than 10 millimetres between the release mechanism of the door and any point 100 millimetres above finished floor level.</li> </ul>

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		<p>(b) For each window giving access to the swimming pool (but does not apply to a child-safe window or to a window that is totally enclosed by a child-safe grille):</p> <ul style="list-style-type: none"> <li>the bottom of the lowest opening panel of the window must (when measured in the closed position) be at least 1.2 metres above finished floor level, and</li> <li>there must not be any footholds wider than 10 millimetres between the bottom of the lowest opening panel of the window and any point within 1.1 metres below the bottom of that panel.</li> </ul>
	New Condition	<p>If a common boundary fence forms part of the pool enclosure, the provision, maintenance and effectiveness of the said boundary fence is the responsibility of the pool owner whilst ever the pool exists. Alternatively, the pool shall be fully enclosed by isolation fencing.</p>
	New Condition	<p>A sign must be erected in a prominent position in the immediate vicinity of the swimming pool and must:</p> <ul style="list-style-type: none"> <li>be erected in accordance with the provisions relating to instructional posters of the document entitled “Policy Statement No. 9.4.1: Guidelines for the Preparation of Posters on Resuscitation” published by the Resuscitation Council. (A copy may be purchased from Penrith City Council's Civic Centre, 601 High Street, Penrith), and</li> <li>bear a notice that contains the words “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL”, together with details of resuscitation techniques (for adults, children and infants) set out in the relevant provisions of the document entitled “Cardio Pulmonary Resuscitation” published by the Australian Resuscitation Council. A copy may be purchased from Penrith City Council's Civic Centre, 601 High Street, Penrith.</li> </ul>
	New Condition	<p>The swimming pool must be registered on the NSW Swimming Pool Register when it is capable of holding water and before the issue of an Occupation Certificate. The swimming pool is to be registered at <a href="http://www.swimmingpoolregister.nsw.gov.au">www.swimmingpoolregister.nsw.gov.au</a> or in person at Penrith City Council (\$10 fee applies when registering at Council).</p>

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	New Condition	<p>All backwash from the swimming pool shall be directed into the mains sewer. In areas where sewer is not available, the following requirements apply –</p> <ul style="list-style-type: none"><li>• The swimming pool shall be provided with filtration equipment that does not require a backwash facility (eg. a cartridge filtration system).</li><li>• Overspill water shall be diverted away from the swimming pool and not directed onto adjoining properties.</li><li>• The frequency of emptying of the swimming pool water shall be minimised. Water resulting from the emptying of the pool shall be collected and disposed of by a private wastewater disposal contractor. Disposal by other means is not permitted.</li></ul>
	New Condition	<p>Prior to the issues of an Occupation Certificate floodway signage is to be provided along the riparian corridor. Consult with Penrith City Council's Engineering department for specification relating to signage requirements.</p>