

## **RECOMMENDED CONDITIONS**

### **1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

<b>Plan Reference/ Drawing No.</b>	<b>Name of Plan</b>	<b>Prepared by</b>	<b>Date</b>
Drawing: SK102	Proposed Site Plan	Archebiosis Architects	Date: 16 April 2020, Issue: 5.
Drawing: SK103	Basement Plan		
Drawing: SK104	Ground Floor Plan		
Drawing: SK105	First Floor Plan		
Drawing: SK106	Second Floor Plan		
Drawing: SK107	Roof Plan		
Drawing: SK200	Elevations		
Drawing: SK300	Sections		
Drawing: SK400	Basement Plan - Construction Fit Out Stages Diagram		
Drawing: SK401	Ground Floor Plan - Construction Fit Out Stages Diagram		
Drawing: SK402	First Floor Plan - Construction Fit Out Stages Diagram		
Drawing: SK403	Second Floor Plan - Construction Fit Out Stages Diagram		
Drawing: SK500	Signage Location Plan		
Drawing: SK501	Signage 01 + Signage 02		
Drawing: SK502	Signage 03 + Signage 04 + Signage 05		
Drawing: SK503	Signage 06 + Signage 07		
Drawing: SK504	Signage 08 + Signage 10 + Signage 11		
Drawing: SK505	Signage 9 + Signage 12 + Signage 13		
Drawing: SK506	Signage 14 + Signage 15		
Ref: GRDOP-1-139-4	Tavern Car Park Layout	Design and Planning	Date: 22/06/2020, Rev: A.
Job: 181102, Dwg: Lda-00	Cover Sheet	Geoscapes Landscape Architects	Date: 19 December 2019, Rev: I.
Job: 181102, Dwg: Lda-01	Landscape Ground Floor Plan		
Job: 181102, Dwg: Lda-02	Landscape Playground Plan		
Job: 181102, Dwg: Lda-03	Landscape Level 1 Plan		

Job: 181102, Dwg: Lda-04	Landscape Level 2 & Roof Plan		
Job: 181102, Dwg: Lda-05	Specification & Details		
Job: 181102, Dwg: Lda-06	Planting Schedules & Imagery		
Job: 181102, Dwg: Lda-07	Dick Johnson Drive Boundary Elevation		
Job: 181102, Dwg: Lda-08	Level 2 Green Roof Elevations		
Project: 19-000061, Dwg: 000	Drainage Plan – Basement Plan	Calibre	Date: 07/01/2019, Rev: 2.
Project: 19-000061, Dwg: 001	Drainage Plan - Ground Floor Plan		
Project: 19-000061, Dwg: 002	Drainage Plan - First Floor Plan		
Project: 19-000061, Dwg: 003	Drainage Plan – Second Floor Plan		
Project: 19-000061, Dwg: 004	Drainage Plan - Roof Plan		
Project: 19-000061, Dwg: 005	Drainage Plan - Calculations		
Project: 19-000061, Dwg: 006	Drainage Plan - Osd Tank Plan And Components		
Project: 19-000061, Dwg: 007	Drainage Plan - Osd Tank Sections And Notes		

Document Title	Prepared by	Date
Energy Efficiency Evaluation Section J of BCA 2016, Ref: 20612	Michael May	19 February 2019
Loading Dock Management Plan	DFP Planning	22 January 2020
Bushfire Protection Assessment - Oran Park Town Centre Tavern	Eco Logical Australia 2019	20 March 2019
Plan of Management	Liquor Advisory Services	15 March 2019
Oran Park Hotel ( <i>Acoustic Report</i> )	The Acoustic Group	15 April 2019

- (2) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

- (3) **Infrastructure in Road and Footpath Areas** – Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

**Note.** The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

- (4) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.

- (5) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (6) **Local Traffic Committee Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads, and the Roads and Maritime Services on State roads.

These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line-marking and devices.

- (7) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or

disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (8) **Prohibition of Burning** - The open burning of waste and other refuse is prohibited throughout the Camden LGA.
- (9) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.
- (10) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (11) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (12) **Safer By Design** - The following safer-by-design features shall be incorporated into the approved development:
  - a) Graffiti and vandal resistance building materials and fixtures must be used in the construction of the development. Management policy should be to remove Graffiti within 24 hours of its appearance.
  - b) Surveillance management (i.e. CCTV) be applied to the car parking area and all external and internal areas.
  - c) Lighting shall be designed in accordance with AS 1158.1. Where damaged or broken, lighting shall be repaired within 48 hours.
  - d) Pathways / line of pedestrian travel must be lit with low lighting to mark the path of travel and reduce opportunity for concealment.
  - e) Ensure landscaping does not create concealment opportunities over time and landscaping is appropriately maintained.
  - f) Ensure storage of equipment and furniture associated with the pub does not create concealment opportunities.
  - g) Directional signage must be provided throughout the development.
  - h) Landscaping must not inhibit natural surveillance (block sight lines) or provide concealment and entrapment opportunities.

- i) Security personnel must be provided on Friday and Saturday nights, Christmas Eve and New Years Eve from 6pm.
  - j) On Friday and Saturday nights after 9pm a ratio of one [1] security unit per one hundred [100] patrons on ground floor must be deployed, with one [1] security unit will man the front door entrance to the venue.
  - k) On Friday and Saturday nights regular patrols by security units of the surrounding areas shall occur.
  - l) The allocation of security is to be increased when assessed as necessary by the Licensee in order to maintain the law, the safety of patrons and staff and the quiet and good order of the neighbourhood.
- (13) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.
- Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.
- Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.
- (14) **NSW Police** – The requirements of the NSW Police Force Safer by Design Evaluation, dated 18th June 2019, must be adhered to at all times.

## 2.0 - Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Staging of Construction Works** - The development is to be completed in stages in accordance with the approved Staging Plan/s "SK400 – SK403, prepared by: Archebiosis Architects, Date: 16 April 2020, Issue: 5". One Construction Certificate may be issued for all stages, or a single Construction Certificate may be issued with respect to each stage or a combination of stages.
- (2) **Performance Bond** - The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council's Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

- (3) **Parent Subdivision** – Prior to the issue of any Construction Certificate, a Subdivision Works Certificate must be issued for DA/2019/317/1. Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

- (4) **Revised / Additional Plans and Details** – Plans and details demonstrating the following must be provided to Council for review and approval prior to the issue of any construction certificate:
- a) The temporary overflow car park must be provided with drainage to prevent stormwater sheet flowing onto any adjoining sites or road reserve, and
  - b) All surface water from the car parks must be collected and directed to an on-site disposal system incorporating silt and oil arrestors.
  - c) Deterrents are to be provided to restrict vehicles from entering or leaving the temporary overflow car park at points other than the designated vehicle entry/exit as shown on the approved car park layout plan.
- (5) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.
- (6) **Carpark Design** – The design of the on-site car parking must address the following:
- a) Comply with AS 2890.1 - Off-street car parking,
  - b) Signs SG-11 and SG-13 (as designated on the approved architectural) must be updated to include 'Exit Only' and 'Entry Only' or similar phrases that allow motorists to identify the entry/exit points. If these phrases are to be shown on the LED Screen, it must be visible at all times during hours of operation, and
  - c) The turning bay shall be line marked and/or signposted to ensure vehicles do not stop in this area and block access.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

- (7) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
  - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

- (8) **Retaining Walls** – The following restrictions apply to any retaining wall erected within the allotment boundaries:
- a) retaining walls shall be designed and certified by a suitably qualified structural engineer;
  - b) retaining walls in cut shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
  - c) retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;
  - d) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries.
  - e) retaining walls shall not be erected within drainage easements; and
  - f) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (9) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:
- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (10) **Bush Fire Protection** - This approved development shall comply with the requirements of the approved bush fire protection assessment titled “Bushfire Protection Assessment - Oran Park Town Centre Tavern” prepared by Eco Logical Australia 2019, and dated 20 March 2019.
- Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.
- (11) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council’s Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.

**Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (12) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Where a Construction Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the certifier with the Construction Certificate application.

Where a Construction Certificate is not required by this development consent, a detailed on-site detention and water quality report reflecting the approved development application plans and Council's Engineering Specifications shall be provided to Council prior to works commencing.

- (13) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (14) **Construction / Operational Waste Management Plan/s** - A suitable construction and operational waste management plan/s are required to be written for the hotel. The plan/s must address construction waste and also ongoing operational waste generated from the business. Recycling of waste material where appropriate must be incorporated into the plan/s.
- (15) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to the issue of a Construction Certificate.
- (16) **Smoke Free Premises** - The construction and fit out of the premises shall comply with the *Smoke-Free Environment Act 2000* and Smoke- Free Environment Regulation 2016. Details demonstrating compliance shall be provided to the accredited certifier.
- (17) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the accredited certifier for approval. Garbage room(s) are to be constructed of solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.
- (18) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the certifier.

The detailed landscape must include:

- Landscaped areas, particularly in the on-site at grade car park, should incorporate WSUD principles



- (19) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the accredited certifier and Council.
- (20) **Food Premises** - The design, construction, fit-out, use and ongoing operation of the food premises and/or food storage area shall comply with all applicable Acts, Regulation, codes and standards including:
- a) the *Food Act 2003*;
  - b) the Food Regulation 2015;
  - c) Food Standards Australia and New Zealand – Food Standards Code 2003;
  - d) Council’s Food Premises Code;
  - e) AS 1668.1-2015 and 1668.2-2012;
  - f) the BCA; and
  - g) AS 4674-2004 Design, construction and fitout of food premises

Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

- (21) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.
- (22) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:
- a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
  - b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

- (23) **Special Infrastructure Contribution** - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the Minister administering the *EP&A Act 1979* under Section 7.23 of that Act and as in force on the date of this consent. This contribution shall be paid to the Department of Planning, Industry and Environment (DPIE).

Evidence of payment of the SIC shall be provided to Council and the certifier.

Alternatively, the applicant must obtain written confirmation from DPIE that the SIC is not required to be paid for the approved development.

- (24) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

**Note.** A fee is payable for the lodgement of the bond.

- (25) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building works that cost \$25,000 or more.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
  - e) if the principal certifier is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as principal certifier; and
  - f) a telephone number on which the principal certifier may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;

- c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a certifier;
  - b) a principal certifier has been appointed by the person having benefit of the development consent;
  - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the principal certifier is notified in writing of the name and contractor license number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the principal certifier.
- The sign shall be maintained while the work is being carried out and removed upon the completion of works.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to [www.sydneypwater.com/tapin](http://www.sydneypwater.com/tapin) to apply.

A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.

- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (9) **Dilapidation Report – Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the principal certifier and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.

- (10) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (11) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
  - b) measures to suppress odours and dust emissions;
  - c) soil and sediment control measures;
  - d) measures to control air emissions that includes odour;
  - e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
  - f) any other recognised environmental impact;
  - g) work, health and safety; and
  - h) community consultation.
- (12) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Work Hours** - All work (including delivery of materials) shall be:
  - restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
  - not carried out on Sundays or public holidays,unless approved in writing by Council.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Mechanical Plant Selection and Attenuation** - Mechanical plant selection for the hotel and its operation should not exceed the following noise levels (refer below) when measured at the property boundaries for locations '1' and '2' and 'future medium density' residential building to be located to the north-west of the commercial building:
  - Day 55 dB(A) (LAeq, 15min);
  - Evening 45 dB(A) (LAeq, 15min);
  - Night 38 dB(A) (LAeq, 15min); at the 'future medium residential' north west of the site;
  - Night 35 dB(A) (LAeq, 15min) at Location 1 (corner of civic way and Hinton Loop) residential;
  - Night 36 dB(A) (LAeq, 15min); at location 2 (Moffat Street (opposite the podium building) residential.

All plant must be suitably located on site or screened with suitable acoustic materials to meet the criteria. Selection of suitable mechanical plant must be undertaken with the involvement of a suitably qualified acoustic consultant.
- (4) **Acoustic Requirements** – The following physical noise controls measures are to be constructed in accordance with the approved acoustic report:
  - a) Window Glazing: The windows on the northern facade of the ground floor 'TAB' area must be 10.38mm thick laminated glazing,
  - b) Ground Floor Glazed Wall - Outdoor garden Terrace: The curved section of the glazed wall on the northern and eastern sides of the ground floor outdoor garden terrace is to be 4.3 metres above the ground floor level and must be 10.38mm thick laminated glazing.
  - c) Material for Operable Roof: The operable roof above the ground floor outdoor terrace is to be constructed from metal louvres (or similar).

- d) Glazing – First Floor Function Room: The roof and eastern facade of the first floor function room is to have double glazing consisting of 6.38mm thick laminated glass with a 125mm air gap and 10.38mm thick laminated glass.
- e) Glazing – Bi-fold Doors on First Floor: The bi-fold doors on the western side of the first floor function room is to have 10.38mm thick laminated glazing
- f) Window Glazing: Windows on the southern facade of the first floor training rooms are to have 10.38mm thick laminated glazing.
- g) Window Glazing: The 3.1 metre high glazed wall on the northern and eastern sides of the rooftop terrace is to be constructed from 10.38mm thick laminated glazing.

- (5) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact “Dial Before You Dig” prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

- (6) **Site Management** - The following practices are to be implemented during construction:

- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
- b) builder’s operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
- c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licensed waste disposal facility;

- d) a waste storage area shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (7) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the principal certifier prior to the development proceeding beyond frame stage.
- (8) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.
- (9) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (10) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:
- “WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”*
- The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (11) **Seal Up Existing Redundant Laybacks** – All existing redundant laybacks must be sealed up to match the existing concrete gutter on the road.
- (12) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
  - the wheels of vehicles leaving the site:

- do not track soil and other waste material onto any public road adjoining the site; and
  - fully traverse the site's stabilised access point.
- (13) **Fill Compaction** - All fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (14) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))
- Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.
- (15) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (16) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.
- (17) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (18) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (19) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (20) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and



- c) be prepared in accordance with;
- Virgin Excavated Natural Material (VENM):
- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."
- d) confirm that the fill material;
- i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - iv) is suitable for its intended purpose and land use; and
  - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations; and
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note)	1000 or part thereof

**Note** – Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (21) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.

- (22) **Air Quality** - Vehicles and equipment used on site must be maintained in good working order and be switched off when not operating. The burning of any waste material is prohibited.
- (23) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (24) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the reports:
- *“Report on Salinity Investigation and Management Plan: Part Tranches 25, 26 and 27 Oran Park, Prepared by Douglas Partners, Project No 76618.15, Dated August 2014.”*
  - *“Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision: Tranche 25 and 26 Oran Park NSW, Prepared by Douglas Partners, Project No 76778.70, Dated October 2017.”*

## 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Parent Subdivision** – Prior to the issue of any Occupation Certificate, all works and requirements of DA/2019/317/1 shall be completed and the Subdivision Certificate must be released by the relevant Certifying Authority. Proposed Lot 389 in DA/2019/317/1 must have been registered with Lands and Property Information.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of an Occupation Certificate.

- (3) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the EP&A Regulation 2000.
- (4) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the principal certifier.

- (5) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the principal certifier.
- (6) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved acoustic report *"Oran Park Hotel, Prepared by The Acoustic Group, Dated 15 April 2019"*.
- (7) **Temporary Overflow Car Park** – The temporary overflow car park is to be constructed and made available for overflow parking associated with the approved Tavern prior to the issue of any Occupation Certificate.
- (8) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (9) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
  - a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
  - b) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to [www.sydneypwater.com.au/section73](http://www.sydneypwater.com.au/section73) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.
- (10) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:
  - a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (11) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of any Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures;
- b) the proprietor shall have the facilities inspected annually by a competent person;
- c) the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities; and
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services shall be provided to and approved by the principal certifier prior to the issue of an Occupation Certificate.

- (12) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.
- (13) **Completion of Road Works** - All approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with the *Roads Act* Approval.
- (14) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (15) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (16) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the principal certifier. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
- (17) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.

- (18) **Inspection of Existing Street Trees** – All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.
- (19) **Food Premises** - The following notifications shall occur:
- a) Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for sale and an inspection of the completed fit out is to be conducted. A 'Food Business Registration' form can be found on Council's website; and
  - b) the NSW Food Authority shall be notified and a copy of the notification shall be provided to Council. Notification can be completed on the NSW Food Authority website.
- (20) **Plan of Management** – The approved plan of management shall be updated to detail how the following points will be managed:
- a) Scheduling to ensure the training rooms and function room are not used when the overflow parking may be used for another purpose (e.g. an event in Perich Park),
  - b) Measures to notify patrons attending the training rooms and function room that overflow parking is available,
  - c) Measures to notify staff to park in the overflow parking during periods of expected high parking demand (Friday night, weekends and public holidays).
  - d) Measures to advise drivers and direct them to the overflow parking if the on-site parking is full.
  - e) Measures to further ensure safety of staff and patrons walking to/from the overflow parking.
  - f) Measures to ensure the areas shown as smoking areas on the approved architectural plans are ancillary to the other pub facilities and are not used or operated independently.

The amended Plan of Management must be provided to Council for assessment and approval prior to the issue of any Occupation Certificate.

## **6.0 - Ongoing Use**

The following conditions of consent are operational conditions applying to the development.

- (1) **Display of Goods on Footpath** - No goods are to be displayed outside the confines of the building.
- (2) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (3) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (4) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	7.00am to 12:00am ( <b>extended hours 12:00am to 2:00am</b> )
Tuesday	7.00am to 12:00am ( <b>extended hours 12:00am to 2:00am</b> )
Wednesday	7.00am to 12:00am ( <b>extended hours 12:00am to 2:00am</b> )
Thursday	7.00am to 12:00am ( <b>extended hours 12:00am to 2:00am</b> )
Friday	7.00am to 12:00am ( <b>extended hours 12:00am to 2:00am</b> )
Saturday	7.00am to 12:00am ( <b>extended hours 12:00am to 2:00am</b> )
Sunday	7.00am to 12:00am

- (4)(a) **Extended Hours (Reviewable Condition)** - To ensure there are no unreasonable impacts on the amenity of the surrounding area, the extended hours in condition 6(4) (i.e. 12:00am to 2:00am) are reviewable in accordance with section 4.17(10B) of the Environmental Planning and Assessment Act 1979 and Division 14 of the Environmental Planning and Assessment Regulation 2000. Such a review is at the discretion of Council every 6 months after the issue of any Occupation Certificate. The extended hours may be changed on any such review.
- (5) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.
- The loading dock shall be used for loading and unloading operations in connection with the approved use.
- (6) **Parking – Signage (Loading docks)** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/ unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.
- (7) **Occupant Capacity** – The number of patrons on the premise must not exceed 1500 people at any one time. A notice is to be displayed in the premises stating that:
- a) the maximum total occupancy of the premises allowed by this consent is 1500 persons.
- (8) **Approved Signage Maintenance** - The approved sign(s) shall be maintained in a presentable and satisfactory state of repair. Where illumination has been approved, the level of illumination and/or lighting intensity used to illuminate the sign/s shall comply with AS 1158 and AS 4282.
- (9) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (10) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.

- (11) **Temporary Overflow Car Park** – The following ongoing use conditions apply to the temporary overflow car park:
- a) The Training Rooms and Function Centre are not to operate unless the temporary overflow car park is made exclusively available to the premises for that day.
  - b) The temporary overflow car park must remain in place until approved by Council for decommissioning through a Section 4.55 modification application. Prior to the decommission of the temporary car park, suitable alternate arrangements must be provided or specific parking studies demonstrating that the use of the car park for the development is no longer required, to Council's satisfaction.
- (12) **Acoustic Requirements** – The premises is to operate with following management restrictions to satisfy noise design targets in accordance with the approved acoustic report:
- a) Patron Restriction – Outdoor Garden Terrace /Atrium and Café: The number of patrons in the ground floor (below the void) outdoor garden terrace /atrium and cafe area is to be limited to a maximum of 88 patrons from midnight
  - b) Patron Restriction – Outdoor Garden Terrace (north East Corner): The number of patrons in the ground floor (north east corner) outdoor garden terrace is to be limited to a maximum of 34 patrons from midnight.
  - c) Operable Roof: The operable roof above the ground floor outdoor garden terrace must be closed at 10pm.
  - d) Bi-fold Doors: The bi-fold doors on the northern side of the ground floor 'outdoor garden terrace/atrium' are to be closed when live entertainment occurs in or near the TAB area.
  - e) In House Sound System and Calibration: Live entertainment on the first floor function room and training rooms must use an 'in-house' sound system owned by the hotel. The system must have RMS limiters to control the low frequency components of the music. The system must be calibrated by a qualified acoustic consultant to meet sound pressure levels when used in each area.
  - f) Restriction on Live Entertainment: Live entertainment at the hotel must cease at midnight.
  - g) Music Sound Levels – Function Room: The sound pressure level of the music in the function room is not to exceed 58 dB(A) in the 31.5 Hz octave band and 79 dB(A) in the 63 Hz octave band, when measured at a distance of 5 metres from any speaker,
  - h) Music Sound Levels – Training Rooms: The sound pressure level of the music in the training room is not to exceed 61 dB(A) in the 31.5 Hz octave band when measured at a distance of 5 metres from any speaker
  - i) Bi-fold Doors To be Closed: The bi-fold doors on the western side of the function room are to be closed when live entertainment is occurring in the function room.

- j) **Operation of Rooftop Terrace:** The rooftop terrace is to cease operation at midnight. Patrons will be required to exit this area at this time.
- (13) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (14) **Independent Liquor and Gaming Authority - License Premises Noise Criteria** - The operation of the premises that includes any entertainment on the property must comply with the noise criteria set by the Independent Liquor and Gaming Authority.
- (15) **Plan of Management** – The operation of the premises must be carried out in accordance with approved plan of management.
- (16) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (e.g. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (17) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (18) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

- (19) **Food Premises** - All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.

All equipment used for the display or storage of cold food shall maintain the food at a temperature of not more than 5°C.

A food business must, at food premises where potentially hazardous food is handled, have a temperature measuring device ( eg probe thermometer ) that:



- a) Is readily accessible; and
- b) Can accurately measure the temperature of potentially hazardous food to +/- 1oC

A suitable waste contractor(s) must be engaged for the removal of wastes generated at the premises. All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.