



**NOTICE TO APPLICANT OF DETERMINATION OF A
DEVELOPMENT APPLICATION
Environmental Planning and Assessment Act, 1979**

Megan Yates - Development Assessment Officer
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To: Facility Design Group
PO Box 82
CAMBEWARRA NSW 2540

Being the applicant in respect of: **Development Application No. DA2021/0250**

Redevelopment of Casino Memorial Swimming Pool including:

- Partial demolition of existing building
- New indoor 25 metre program/learn to swim pool
- New family accessible amenities
- New adult change room
- New enclosed walkway from entry
- New plant room
- New store room
- Refurbishment of control/kiosk, administration, first aid, staff facilities
- New swim club
- Refurbished gym and swim squad room
- New twin flume waterslide
- Solar photovoltaic roof panels
- Removal of one (1) Poinciana tree

And associated works

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, notice is hereby given of the determination by the Council, as Consent Authority, of the Development Application lodged **1 April 2021** relating to the land described as follows:

Lots 1 & 2 DP 862730 – 84 Centre Street, Casino

The Development Application has been determined by:

GRANTING OF CONSENT subject to the conditions specified in the notice.

This consent operates from **TBA**

Lapses on **TBA**

**ACTIVITIES ACKNOWLEDGED UNDER THE LOCAL GOVERNMENT ACT 1993, IN
CONJUNCTION WITH THIS APPLICATION:**

1. Carry out water supply work.
2. Carry out sewerage work.

IMPORTANT NOTICE

THIS IS A LEGAL DOCUMENT. ENSURE THAT YOU READ THE DOCUMENT CAREFULLY,
AND PARTICULARLY NOTE ALL ATTENDANT INSTRUCTIONS AND CONDITIONS

DETAILS OF CONDITIONS

The conditions of consent are set out as follows:

1. In granting this development consent, Council requires:
 - All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
 - All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
 - Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions

and be substantially in accordance with the Statement of Environmental Effects, and/or supporting documents submitted with the application, and stamped approved plan(s) No.

ARCHITECTURAL DRAWINGS

TITLE	DRAWING NO.	JOB NO.	REV	DATE
Overall Site Plan	A007	W298		16/3/21
Site Plan	A010	W298	B	14.5.21
Demolition Plan	A050	W298		16/3/21
Floor Plan 1	A100	W298	B	14.5.21
Floor Plans 2 and 3	A101	W298	B	14.5.21
Fire Egress Plan 1	A120	W298		11/5/21
Fire Egress Plans 2 and 3	A121	W298		11/5/21
Entry Doors and Glazing Details	A150	W298		16/3/21
Roof Plan 1	A200	W298		16/3/21
Sections 1	A400	W298		16/3/21
Sections 2	A401	W298		03/29/21
Sections 3	A403	W298		04/21/21
Pool Details	A450	W298		03/29/21
Depth Markers and Warning Tile	A470	W298		04/09/21
Elevations	A500	W298	B	14.5.21
Detail Floor Plan 1 and Internal Colours	A700	W298		16/3/21

PRELIMINARY ENGINEERING DRAWINGS

TITLE	DRAWING NO.	PROJECT NO.	REV	DATE
Sediment & Erosion Control Plan	C202 - C	10118	C	13.05.21
Stormwater Drainage Plan	C204 - C	10118	C	13.05.21
Stormwater Drainage Details	C205 - C	10118	C	13.05.21

A copy/copies of the approved plan is/are attached to this consent.

Reason: To correctly describe what has been approved. (EPA Act Sec 4.15).

2. The twin flume waterslide shall be no higher than 13.8 metres from the relative ground level (RL38.33AHD).

Reason: To correctly describe what has been approved and comply with the Clause 4.6 variation.

3. No works are permitted to be undertaken to the heritage listed brick entrance façade. The steel entry gates do not form part of the heritage entrance façade.

Reason: To correctly describe what has been approved.

4. Vegetation removal is limited to that one (1) Poinciana tree located at the entrance to the facility as identified on Site Plan drawing no. A010 Rev B dated 14.5.21 prepared by Facility Design Group. Plans submitted with the relevant Construction Certificate shall identify trees to be cleared in accordance with the abovementioned site plan.

Reason: To identify which trees are approved to be removed.

5. Approved landscaping shall be maintained for the life of the development. If any landscaping materials/components or plantings under this consent fails, they are to be replaced with similar materials/components and species to maintain the landscape theme and be generally in accordance with the approved landscaping plans. Approved landscaping shall be completed and established **prior to the release of the relevant Occupation Certificate**

Reason: To ensure that appropriate landscaping is provided. (EPA Act Sec 4.15 (formerly 79C(c))

6. A Construction Environmental Management Plan (CEMP) must be submitted to and approved by Richmond Valley Council **prior to the issue of the Construction Certificate**. The CEMP must address, but not be limited to the following matters:

- Hours of work
- Contact details of site manager and project liaison officer. The Project Liaison Officer shall act as a single point of contact for Council, Government Authorities and the general public in relation to any issues that arise in relation to the project generally. A sign detailing the project and containing the names and contact numbers of the Developer, Main Contractor, and Designer shall be erected and maintained in a prominent position at the relevant works site. The sign is to remain in place until the relevant Occupation/Subdivision Certificate is issued.
- Complaints management register
- Location of existing services
- Details of the source of fill
- Traffic management (vehicles, pedestrian and cyclists)
- Construction Traffic Management Plan
- Restoration of damage to public assets
- Noise and vibration
- Dust - Air quality management plan (include escalation protocols and triggers)
- Materials storage areas including any soil stockpiles
- An unexpected finds protocol to appropriately manage unexpected potential contamination issues encountered during works

During construction, the Developer shall comply with the requirements of the approved Construction Environmental Management Plan. To the extent of any inconsistency between the plan and the conditions of this consent, the conditions shall prevail.

Reason: *To ensure the construction of the development is management appropriately.*

7. The new exit doors located on Richmond Street shall only be used for maintenance or emergency purposes. The exit doors shall be sign posted as emergency exits. All patron access to the facility shall be through the existing entrance.

Reason: *To provide a single entrance point to the facility and protect the amenity of the area.*

8. Any proposed signage shall comply with the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or a separate Development Application shall be lodged.

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

9. The hours of operation shall be:
- Weekdays - 6.00am to 9.00pm
 - Saturday - 10.00am to 6.00pm
 - Sunday - 10.00am to 6.00pm
 - Public holiday - 10.00am to 6.00pm

Reason: *To correctly identify what has been approved and protect the amenity of the area.*

Heritage conditions

10. The brick façade is to be carefully conserved and must remain unpainted. No advertising panels or signs, murals or other elements are to be affixed to the brickwork.

Reason: *To protect the heritage significance of the building.*

11. The water tower structure element (twin flume waterslide) must not be finished in bold, primary or highly contrasting colours, to avoid an adverse impact on the setting of the memorial façade and its backdrop.

Reason: *To protect the heritage significance of the building.*

BUILDING

12. A Construction Certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the Construction Certificate is obtained from an accredited certifier the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.

Reason: *Required by Section 6.6 (formerly 81A) of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.*

13. Notification of appointment of the Principal Certifying Authority must be submitted to the Council two (2) days prior to the commencement of work.

Reason: Required by Section 6.6(2) (formerly Section 81A(2)) of the Environmental Planning and Assessment Act, 1979 and Clause 135 of the Environmental Planning and Assessment Regulation, 2000.

14. **Prior to any work commencing** toilet facilities must be provided at or in the vicinity of the work site.

Reason: To provide sanitary facilities for workers.

15. A fence must be erected between the work site and a public place.

Reason: To protect the health and safety of the public.

16. Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:

- a) Monday to Friday - 7.00 am to 6.00 pm.
- b) Saturday - 8.00 am to 1.00 pm.
- c) No construction work which will adversely impact on the amenity of the area is to take place outside the above hours, including Public Holidays.

Reason: To preserve the amenity of the area.

17. All demolition work must comply with the provisions of AS 2601 - 2001 "The Demolition of Structures" as in force at 1 July 1993.

Appropriate precautions shall also be taken to ensure compliance with the requirements of WorkCover Authority of NSW.

Reason: To ensure compliance with the Australian Standard and protection of the public is provide.

18. If asbestos materials are present in the building, the following standard requirements are to be complied with (as applicable): (select a to g)

- a. Prior to any work commencing involving the disturbance or removal of any asbestos materials the principal contractor shall give two days written notice to the owner or occupier of any dwelling within 20m of the development site of his intention to carry out the work.
- b. The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with Richmond Valley Council's Asbestos Policy and the relevant requirements of WorkCover NSW and the NSW Department of Environment & Heritage (formerly the Environment Protection Authority), including:
 - Work Health and Safety Act 2011 and associated regulations
 - WorkCover NSW Code of Practice for the Safe Removal of Asbestos
 - Australian Standard 2601 (2001) - Demolition of Structures
 - The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.

A copy of Council's Asbestos Policy is available on Council's web site at www.richmondvalley.nsw.gov.au <<http://www.richmondvalley.nsw.gov.au>> or a copy can be obtained from Council's administration office.

- c. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures.

The Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher/Asbestos Removal Contractor
- Details of hazardous materials, including asbestos
- Method/s of demolition and removal of asbestos
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne asbestos and dust
- Methods and location of disposal of any asbestos or other hazardous materials
- Other relevant details, measures and requirements to be implemented as identified in the Asbestos Survey
- Date the demolition and removal of asbestos will commence.

The Demolition Work Plan must be submitted to Council and the Principal Certifying Authority (PCA) if the Council is not the PCA, not less than two (2) working days before commencing any demolition works involving asbestos products or materials. A copy of the Demolition Work Plan must also be maintained on site and be made available to Council officers upon request.

Note it is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.

- d. Only a WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10²m of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.
- e. On demolition sites involving the removal of asbestos, a professionally manufactured sign must be clearly displayed in a prominent visible position at the front of the site, containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor. The sign shall measure not less than 400mm x 300mm and the sign is to be installed prior to demolition work commencing and is to remain in place until such time as all asbestos has been safely removed from the site.
- f. Asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996. Asbestos waste must be disposed of at an approved waste disposal depot. Copies of all receipts detailing method and location of disposal must be maintained on site and be provided to Council officers upon request, as evidence of correct disposal.

- g. An Asbestos Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos removal contractor, building consultant, architect or experienced licensed building contractor), must be provided to Council upon completion of the asbestos related works (prior to an Occupation Certificate being issued), which confirms that the relevant requirements contained in the Asbestos Survey and conditions of consent, in relation to the safe removal and disposal of asbestos, have been satisfied.

Reason: *To satisfy Richmond Valley Council's Asbestos Policy*

19. All building waste must be stored in a designated waste storage bin and removed from the site to an approved waste disposal facility.

Reason: *To ensure the site is left in a clean condition and ensure proper disposal of waste.*

20. Removal and disposal of materials coated in lead paint shall be undertaken in accordance with the requirements of the WorkCover Authority of NSW.

Reason: *To ensure the work environment is protected.*

21. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Reason: *To safeguard public health.*

22. Footings to structures within the zone of influence have to be designed by a Professional Engineer. A footing would be determined to be within the zone of influence where the invert of a sewer main or at the edge of a drainage easement at the invert level of the pipe falls below a line at 45° in clay, 30° in sand or silt, from the underside of the footing.

Reason: *To safeguard Council's services and to ensure the structural integrity of buildings.*

23. Details and certification prepared by a Practising Structural Engineer must be submitted to the certifying authority for the following **prior to the issue of a Construction Certificate:**

- a) site classification.
- b) all footings and slabs.
- c) all bracing and tie downs including design wind speed assessment.
- d) structural steelwork.
- e) retaining wall.
- f) structural timber work exceeding the design parameters of AS1684-2006.
- g) the existing structure is to be certified as being structurally adequate to carry out the proposed additional loadings.
- h) reinforced masonry construction.
- i) results of compaction/density testing.

The certification must:

- i) certify that the design complies with the requirements of the Building Code of Australia; and
- ii) set out the basis on which it is given and the extent to which relevant codes of practice, specifications, rules or other publications have been relied upon.
- iii) Details of bore log results (if applicable)

Reason: To ensure that the key structural elements of the building or structure have been designed to suit the site conditions.

24. All plumbing, drainage and stormwater work must be in accordance with AS3500, All Plumbing and Drainage work must be carried out by a licensed person.

Reason: Required by the Plumbing and Drainage Act 2012 and it's Regulation.

25. Roof water shall be disposed by connection to the existing drainage system.

Reason: To ensure adequate and safe disposal of stormwater.

26. Submission of a separate application under Section 68 of the Local Government Act 1993 for a Plumbing Permit. Detailed plans to be submitted and approved by Council **prior to issue of construction certificate.**

Reason: To ensure adequate services to the development.

27. The fire safety measures contained in the fire safety schedule attached to this approval/consent must be implemented and maintained in the building premises.

Reason: Required by Clause 168 of the Regulation.

28. FIRE SAFETY SCHEDULE

A. Statutory fire safety measures currently implemented in the building premises.

B. Measures that are proposed or required to be implemented as a condition of this approval in the building premises.

	Fire Safety Measure	Design Standard (Delete irrelevant clause)	Installation Standard
	Panic Bolts	In accordance with manufacturer's specifications	In accordance with manufacturer's specifications
	Hydrants	AS 2419.1 - 2005 Fire Hydrant Installations	AS 2419.1 - 2005, C2.12, E1.3
	Mechanical Smoke Exhaust Systems	AS 1668.1 - 1998 Fire and Smoke Control	AS 1668.1 - 1998, C2.12, C3.15, Spec C2.5, D1.7, Spec E1.8, E2.2, Spec E2.2a, F4.12, Spec G3.8

	Mechanical Ventilation and Air-conditioning Systems	AS 1668.2 - 1991 Mechanical Ventilation for Acceptable Indoor - Air Quality	AS 1668.2 - 1991, F4.5, F4.11, F4.12, 55.2
	Pressurising Systems	AS 1668.1 - 1998 Mechanical Ventilation and Air-conditioning Code, C2.12, C3.15, Spec C2.5, D1.7, Spec E1.8, E2.2, Spec E2.2a, F4.12, Spec G3.8	AS 1668.1 - 1998
	Fire Alarm Systems	AS 1670.1 - 2004 Automatic Fire Detection and Alarm Systems, C3.5, C3.6, C3.7, C3.8, C3.11, D2.21, G4.8, Spec C3.4, Spec E2.2a, Spec G3.8	AS 1670.1 - 2004
	Smoke Detection Systems	AS 1670.1 - 2004 Automatic Fire Detection and Alarm Systems, C3.5, C3.6, C3.7, C3.8, C3.11, D2.21, G4.8, Spec C3.4, Spec E2.2a, Spec G3.8	AS 1670.1 - 2004
	Fire Doors	AS 1905.1 - 2005 Fire Resistance Doorsets	AS 1905.1 - 2005
	Hose Reels	AS 1221 Fire Hose Reels	AS 2441 - 2005 Installation of Fire Hose Reels
	Emergency Lighting	AS 2293.1 - 2005 Emergency Evacuation Lighting to Buildings	AS 2293.1 - 2005, E4.4, E4.8
	Exit Signs	AS 2293.1 - 2005 Emergency Evacuation Lighting in Buildings	AS 2293.1 - 2005. E4.4, E4.8
	Portable Fire Extinguishers (suitable for the risk to be protected)	AS 1841.2 Portable Fire Extinguishers - Water Type AS 1841.3 Portable Fire Extinguishers - Wet Chemical Type AS 1841.4 Portable Fire Extinguishers - Foam Type AS 1841.5 Portable Fire Extinguishers - Powder Type AS 1841.6 Portable Fire Extinguishers - Carbon Dioxide Type AS 1841.7 Portable Fire Extinguishers - Vaporizing Liquid Type	AS 2444 - 2001, E1.6
	Fire Blankets	AS 3504 - 1989 Fire Blankets	AS 2444 - 2001, E1.6

29. A final fire safety certificate must be issued by the **owner prior to the issue of the Final Occupation Certificate**. Each essential fire safety measure specified in the current schedule has been assessed by a properly qualified person, and as found, to be capable of performing to the standard required by the current schedule.

Reason: Required by Clause 170 of the Regulation.

30. In accordance with Clause 94 of the Environmental Planning & Assessment Regulation 2000 Council requires the existing building, subject to a development application, be brought into total compliance with the fire safety provisions of the Building Code of Australia

Reason: To ensure the safety of occupants in the event of fire.

31. The owner of the building must cause Council to be given an annual fire safety statement in relation to each fire safety measure implemented in the building. The annual fire safety statements are to be given within 12 months after which the last fire safety certificate statement was given. A copy of each statement is to be given to the Commissioner of New South Wales Fire Brigades and a further copy is to be prominently displayed in the building.

Reason: Required by Clause 177 of the Regulation.

32. Access for people with disabilities must be provided to and within the building as set out in Table D3.2 of the Building Code of Australia by means of a continuous path of travel in accordance with AS1428.1:-
- i) from the allotment boundary at the main point of entry from a road to the doorway at the entrance floor; and
 - ii) from any accessible car-parking space on the allotment (whether within or outside the building) provided in accordance with D3.5; and
 - iii) from any other building on the allotment to which access for people with disabilities is required; and
 - iv) through the principal public entrance.

Reason: Required by Part D3.2 of the Building Code of Australia.

33. Access is to be provided to the building and to those areas within the building to which the public would normally be expected to gain access in accordance with AS1428.1 - Design for Access Mobility.

Reason: Required by Part D3.3 of the Building Code of Australia

34. The occupation or use of the building must not commence until an Occupation Certificate has been issued by the Principal Certifying Authority. Where Council is not the Principal Certifying Authority then all documentation must be forwarded to Council within seven (7) days of issue.

(N.B. All Critical Stage Inspections must have been completed prior to the issue of the Occupation Certificate).

Reason: To monitor compliance with the Development Consent and Construction Certificate.

35. Where Council is not the Principal Certifying Authority the following inspections will be required with 48 hours notice
- a) the external sewer drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the house drains certified by the plumber must be submitted to Council.

Reason: To ensure compliance with Local Government Act 1993.

36. At completion/occupation, the following certification must be submitted to Council, if Council is not the Principal Certifying Authority:
- a) 'Works as executed' diagram of external and internal drainage. A licensed plumber's certification that 'works as executed' complies with AS 3500 must accompany the diagram.

Reason: *To monitor compliance with the Development Consent and Construction Certificate.*

37. Where Council is not the Principal Certifying Authority, all Compliance Certificates must be submitted to Council **within seven (7) days**.

Reason: *To comply with the Environmental Planning and Assessment Act.*

ENGINEERING

38. Any damage caused to public infrastructure (roads, footpaths, kerb and gutter, stormwater, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Executive Manager Infrastructure and Environment (and delegated staff). The repairs shall be carried out **prior to the issue of the Occupation Certificate**.

Council shall be notified in writing, **prior to commencement of works**, of any existing damage to roads, stormwater drainage, kerb and gutter or footpaths.

Absence of notification signifies that no damage exists, and the applicant is therefore liable for the cost of reinstatement of any damage found at the completion of the works.

Reason: *To protect the existing and future amenity of the locality and to formally record any pre-existing damage to existing assets.*

39. Application (under Section 138 of the Roads Act) for approval to carry out any work or activity within the road reserve shall be made to Council by any contractor proposing to carry out any such works prior to any such works commencing. This includes any work or activity that will impact the current vehicle traffic or pedestrian movement, notably anticipated construction traffic for the development and construction of car parking on Richmond Street.

All contractors working on such areas are to have Public Liability Cover to a minimum value of \$20,000,000 indemnifying Council. A certificate of currency is to be submitted to Council with the Section 138 application for approval.

The applicant shall not undertake any activity within the public road reserve **prior to the issue of the relevant Section 138 Roads Act approval**. The applicant must give Council's Infrastructure and Environment Department **five (5) working days' notice prior to undertaking the approved activity in the road reserve**.

Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.

Reason: *To comply with Section 138 of the Roads Act 1993.*

40. All construction traffic associated with the development (including all deliveries) shall gain access to the site from Richmond Street. A Traffic Management Plan (TMP) shall be supplied detailing all traffic management, movements and controls required for the construction traffic. A Vehicle Movement Plan (VMP) and Traffic Guidance Scheme(s) (TGS) shall be supplied within the TMP. The TMP shall be submitted to and accepted by Richmond Valley Council **prior to the issue of any Construction Certificate.**

Reason: To ensure construction traffic for the development is undertaken in a safe manner.

41. Payment to Richmond Valley Council of contributions levied under Section 64 of the Local Government Act, Richmond Valley Council's Revenue Policy and Development Servicing Plans, and Rous Water's Development Servicing Plan is required generally in accordance with the attached current schedule, and shall be payable at the rates applicable at the date of payment. (Where the total contribution payable exceeds \$10,000, payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. #Payments may be made to Richmond Valley Council as an agent for Rous Water.)

All contributions shall be paid **prior to the issue of any Construction Certificate.**

Section 64 for indoor pool in Casino area	TechOne Code	No. of ET's	Cost per ET (\$)	Amount Payable
RVC Water Headworks	WatS64Hwks	1.22	\$ 9,350.00	\$ 11,407.00
RVC Sewerage Headworks	SewS64Hwks	2.00	\$ 8,000.00	\$ 16,000.00
Rous Water #Water Headworks	Rous64Hwks	N/A	N/A	\$ NIL
Total Section 64 contributions (current @ 22/6/2021 but generally applicable for payment 1/7/2021 to 30/6/2022) After 30/6/2021 payments will be in accordance with Council's Revenue Policy at the time of payment				\$ 27,407.00

Reason: To provide funds for the provision of services and facilities identified in Richmond Valley Council's Water and Sewer Development Servicing Plans, and Rous Water's Development Servicing Plan.

42. Existing services/infrastructure which requires reconstruction or adjusting to suit a development (electricity, telecommunications, water, sewerage, stormwater, road works, kerb and gutter, footpaths, crossings and driveways, etc.) are to be carried out at the developer's expense. Construction is to be in accordance with Council's standards, or the affected asset owners standards, and shall be completed **prior to the issue of the Occupation Certificate.**

Reason: To protect existing services.

43. Measures shall be put in place to control stormwater runoff during the construction stages. These control measures shall be in place **prior to the commencement of construction works** and shall prevent soil erosion and transport of sediments from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, and
- waterways

The methods to be used shall be designed in accordance with the book '**Managing Urban Stormwater: Soils & Construction**' also known as '**the Blue Book**' published by NSW Landcom.

All control measures are to be maintained in an operational condition at all times during construction and until vegetation or permanent structures can satisfactorily control stormwater runoff. Control measures shall be regularly cleared of sediment and debris build-up, to ensure continued operation.

During construction works all motor fuels, oils and other chemicals are to be stored and used on site in a manner which ensures no contamination of stormwater. No incidents of visible pollution leaving the construction site. No litter placed in a position where it may be blown or washed off site.

Reason: *To minimise erosion and sediment and associated impacts in accordance with the Protection of the Environment Operations Act, and to protect the capacity of downstream drainage networks (both constructed and natural)*

44. The current informal car parking on Richmond Street adjacent to the property shall be sealed and line marked in accordance with "AS2890.5: On-street parking". The car parking design plans shall maximise car parking along the entire Richmond Street frontage of the property. The design plans shall be submitted to and approved by Richmond Valley Council **prior to the issue of the relevant Section 138 Roads Act approval.**

The car parking shall be constructed **prior to the issue of the Occupation Certificate.**

Reason: *To ensure adequate parking arrangements in accordance with the Australian Standard.*

ENVIRONMENTAL

45. Any excavated soil to be removed off-site not previously identified in the contaminated land assessment displaying any contamination must be tested by a suitably accredited laboratory to determine if any contamination is present. The testing shall be in accordance with the NSW EPA Contaminated Land Guidelines and Council's Contaminated Land Policy. If contamination is present the soil must be disposed of to a landfill site approved to accept the waste

Reason: *To protect the environment.*

46. All fill imported onto the site must be clean fill and free from contamination within the meaning of the *Managing Land Contamination - Planning Guidelines - SEPP55 - Remediation of Land* document published in 1998 by the NSW Government. All fill must be Excavated Natural Material as defined in the *Protection of the Environment Operations Act, 1997* and/or materials covered by a resource recovery exemption under the *Protection of the Environment Operations (Waste) Regulation 2014*.

Written verification from the fill supplier certifying the volume of fill provided and that all the fill materials are free from contamination must be documented. Details demonstrating compliance with this condition must be submitted to and be and approved by Richmond Valley Council and must accompany any Occupation Certificate submitted to Richmond Valley Council

Reason: *To prevent land contamination and to protect human health and the environment*

47. The filter backwash water shall be collected in a holding tank and then be discharged into the sewerage system at a controlled rate.

Reason: *State Government and Council requirement to prevent overflows and overloading of the sewerage system.*

48. An application to discharge liquid trade waste, including plans and specifications of any pre-treatment devices and proposed trade waste installations shall be submitted to Council and approved **prior to release of Construction Certificate**. The application must be in accordance with Councils' Liquid Trade Waste Policy and must address discharges from all liquid trade waste sources including garbage store rooms and kitchens and food preparation areas

Reason: *To ensure adequate protection of utility services and to ensure compliance with Councils Liquid Trade Waste Policy.*

49. Any floor waste from the food premise discharging to the sewerage system is to have a dry basket arrestor installed.

Reason: *To comply with NSW Department of Planning, Industry and Environment Liquid Trade Waste Management Guidelines 2021.*

50. The installation and fit-out of the kitchen must be strictly in accordance with the requirements of Australian Standard 4674-2004, NSW Food Act and Food Standards Code.

Reason: *To comply with applicable standards and protect food safety.*

51. The fit-out of the kitchen must be inspected and approved by Council's Environmental Health Section prior to issue of Final Occupation Certificate.

Reason: *To ensure compliance with AS4674 and relevant food safety legislation.*

52. The mechanical ventilation system must comply with the requirements of Australian Standard 1668.2. In this respect a compliance certificate including air flow testing for the exhaust ventilation system must be submitted to Council from a suitably qualified mechanical ventilation engineer prior to release of Occupation Certificate.

Reason: *To ensure compliance with the Australian Standard and provision of suitable ventilation for cooking equipment.*

53. The wall and ceiling finish of the kitchen must meet the requirements of AS 4674 - 2004. The finish shall be smooth, impervious and free of gaps, cracks and crevices and be capable of being easily cleaned.

Reason: *To meet the requirements of AS 4674 - 2004 Design, construction and fit-out of food premises.*

54. The floor finish of the kitchen must meet the requirements of AS 4674 - 2004. The floor shall be smooth, impervious and free of gaps, cracks and crevices and be capable of being easily cleaned. If floor tiles are used, they must be epoxy grouted

Reason: *To meet the requirements of AS 4674 - 2004 Design, construction and fit-out of food premises.*

55. Coving shall be installed throughout the food premise to a minimum height of 75mm at the intersections of floors with walls/plinths and shall be integral to the surface finish of both the floor and wall in such a manner as to form a continuous uninterrupted surface. A solid preformed coving fillet shall be used to support sheeting or similar material.

Reason: *To comply with AS 4674-2004 Design, Construction and Fitout of Food Premises, the Food Act 2003 and associated legislation.*

56. **Prior to release of the Construction Certificate**, food premise plans are to be submitted and approved showing details (including proposed elevations, location and installation) of all fittings and equipment; materials and finishes to walls, floors, ceilings, benches etc; location of washing facilities including a hand wash facility; floor drainage position; waste water disposal facility by way of a cleaners sink, floor waste or other facility connected to sewer drainage that is not intended for use to prepare food, lighting and ventilation details.

Reason: *To ensure compliance with AS 4674 -2004 Design, construction and fit-out of food premises, the Food Act 2003 and associated legislation.*

57. Prior to operation, the food business must be registered with Council as a commercial premise.

Reason: *To comply with Councils statutory requirements.*

58. The Food Storage area shall be designed and constructed to prevent access of vermin. The floors, walls, ceilings and shelving of the Food Storage area must be smooth, impervious and easily cleaned, and the floor/wall intersections shall be coved.

Reason: *To ensure compliance with AS 4674 -2004 Design, construction and fit-out of food premises, the Food Act 2003 and associated legislation.*

59. All soil removed during the excavation process is to be placed in a bunded area, have stormwater diverted around the stockpile and be covered with an impermeable material.

Reason: *To ensure that environmental protection measures are being adhered to.*

60. The facility must be operated and maintained at all times to comply with *Control of public swimming pools and spa pools* requirements as specified in the *Public Health Act 2010* and *Public Health Regulation 2012*.

Reason: *To protect public health.*

61. **Prior to any work commencing** the applicant shall undertake a preliminary site investigation. The technical report must be carried out by a suitably qualified professional in accordance with the requirements of the NSW EPA Consultants Reporting on Contaminated Land - Contaminated Land Guidelines 2020 and *Richmond Valley Council Regional Policy for the Management of Contaminated Land*, and be submitted to and be approved by Richmond Valley Council.

If contamination is identified, a site Remedial Action Plan must be prepared and be approved by Richmond Valley Council.

The requirements of the approved Remedial Action Plan must be complied with prior to the release of a Construction Certificate.

Reason: *To assess potential land contamination and to ensure effective management of any contaminated land.*

62. The land use shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b)).*

63. All chemicals, fuels and paints are to be stored in an environmentally sensitive manner. All reasonable precautions to protect the environment from spills and leaks are to be taken. The storage of dangerous goods must comply with the requirements of the *Work Health and Safety Act 2011*.

Reason: *To preserve and protect the environment (EPA Act Sec 4.15).*

64. Only clean and unpolluted water is permitted to discharge to Councils stormwater system. In this respect suitable provision must be put in place to prevent any spills and contaminants entering stormwater pits / inlets around the site including any stormwater pits located within runoff areas to loading / unloading bays.

Reason: *To protect the environment.*

65. All outdoor lighting shall be appropriately located or shielded so no additional light is cast on adjoining land or distract traffic as specified in Australian Standard 4282 - *The Obtrusive Effects of Outdoor Lighting*.

Reason: *To preserve the amenity of the area.*

66. The selection, siting, installation and operation of any air conditioners, hot water service systems, heat pumps and any noise generating equipment or appliances must ensure that no nuisance is caused to neighbouring premises.

Reason: *to protect the amenity of the neighbourhood.*

67. **Prior to the issue of a Construction Certificate** an acoustic report prepared by a suitably qualified acoustic consultant shall be submitted to and be approved by Council. The report must detail noise sources for all operational aspects of the development and provide acoustic attenuation measures (to a design detail standard)

Note: Where necessary plant and equipment must be acoustically treated and have soft start capability to prevent noise emissions from adversely impacting on receivers.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 4.15)*

68. The noise generated by the post construction operation of the development must not exceed 5dB(A) above background noise levels

The noise is to be assessed at the nearest affected sensitive location in accordance with the 2017 Noise Policy for Industry and is to be measured as an $L_{Aeq,90,db(A)}$ level, in the absence of any extraneous noise.

Reason: *To assist in the mitigation of noise impacts and to preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 4.15)*

69. **Within 90 days of the issue of an Occupation Certificate**, a document prepared by a suitably qualified acoustic consultant or noise assessment professional, must be provided to Council certifying that the post construction operation of the development satisfies the Condition No.68 of this consent notice.

Note: Where the assessment identifies non-compliance appropriate ameliorative measures shall undertaken and further reporting completed to demonstrate compliance with this condition.

Reason: *To confirm that noise generated by the development complies with this consent.*

70. The recommendations contained in the Hazmat Survey Report (ENV20581 - HAZMAT Report -Casino Aquatic Centre prepared by ENV Solutions dated September 2020, are to be implemented in undertaking the works on the subject site

Reason: *To ensure that the safety of the site is not adversely affected.*

71. All waste storage areas are to be adequately screened from public areas. The storage area is to have a hard stand base, impermeable bunds and roof and be designed not to cause pollution.

Reason: *To preserve and protect the environment (EPA Act Sec 4.15).*

72. Waste water from the waste storage area shall not be conveyed to any stormwater drainage system.

Reason: *To protect the environment (EPA Act Sec 4.15).*

73. Waste water from any bin washing shall be dealt with as trade waste, will be subject to trade waste approval and discharged to sewer via an approved pre-treatment device.

Reason: *To protect the environment (EPA Act Sec 4.15).*

Heritage Advisory Note

Interpretation of the heritage significance of the Memorial Pool should be given consideration in the fit out and design of interior and external spaces. There is potential to portray the history of the pool and its part in social history and development in Casino. This could be in various formats including interpretation panels, silhouette cut outs, and digital applications such as a screen or audios. Several historic photographs could be used as large wall images on interior or covered areas such as the gym or change rooms to provide a link to the origins of the complex.