

## CONDITIONS OF DEVELOPMENT CONSENT

**DA No:** DA-196/2019  
**Property:** Lot 7028 DP1028253, 188 Woodville Road & 2 Montrose Avenue Merrylands.  
**Description:** Construction of a multi-use sports pavilion building including a 760 seat grandstand with solar panels across the roof space, change rooms, first aid room, multipurpose room, office, amenities, community function room, bar, canteen, kitchen, covered concourse, at-grade car parking spaces, removal of trees, landscaping and signage.

### 1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

Plan Number	Prepared By	Revision No.	Dated
Drawing Number AA0000 Cover Sheet	Design Worldwide Partnership	A	Not dated
Drawing Number AA0001 Site Analysis	Design Worldwide Partnership	A	23/4/2019
Drawing Number AA1000 Overall Site Plan	Design Worldwide Partnership	A	26/6/2019
Drawing Number AA1001 Site Plan Demolition	Design Worldwide Partnership	G	26/6/2019
Drawing Number AA1101 Site Plan New Works	Design Worldwide Partnership	G	26/6/2019
Drawing Number AA1201 General Arrangement Plan Ground Floor	Design Worldwide Partnership	D	26/6/2019
Drawing Number AA1202 General Arrangement Plan Level 1	Design Worldwide Partnership	E	26/6/2019
Drawing Number AA1203 General Arrangement Plan - Roof	Design Worldwide Partnership	C	26/6/2019
Drawing Number AA2000 Streetscape Elevations	Design Worldwide Partnership	C	26/6/2019
Drawing Number AA2001 Building Elevations	Design Worldwide Partnership	C	26/6/2019

Drawing Number AA3001 Building Sections	Design Worldwide Partnership	C	26/6/2019
Materials and Finishes	Design Worldwide Partnership		Undated
Landscape Design Cover Page S18-0062	Clouston Associates	D	27/8/2019
Table of Contents	Clouston Associates	D	27/8/2019
Design Intent Statement S18-0062 Concept	Clouston Associates	D	27/8/2019
Local Context Plan S18-0062 Concept	Clouston Associates	D	27/8/2019
Site Analysis Constraints Plan S18-0062 Concept	Clouston Associates	D	27/8/2019
Constraints Plan Site Review S18-0062 Concept	Clouston Associates	D	27/8/2019
Site Analysis Opportunities Plan S18-0062 Concept	Clouston Associates	D	27/8/2019
Opportunities Plan Site Review S18-0062 Concept	Clouston Associates	D	27/8/2019
Character and Planting Images S18-0062 Concept	Clouston Associates	D	27/8/2019
Concept Design S18-0062 Concept	Clouston Associates	D	27/8/2019
Landscape Planting S18-0062 Concept	Clouston Associates	D	27/8/2019
Planting Schedule S18-0062 Concept	Clouston Associates	D	27/8/2019
Typical Sections S18-0062 Concept	Clouston Associates	D	27/8/2019
Landscape Typical Sections S18-0062 Concept	Clouston Associates	D	27/8/2019
Indicative Landscape Maintenance S18-0062 Concept	Clouston Associates	D	27/8/2019
Cover Sheet, Drawings Schedule and Locality Plan Drawing Number DAC01.01	Northrop Sydney	4	24/6/2019
Specification Notes Drawing Number DAC01.11	Northrop Sydney	4	24/6/2019
General Arrangement Plan Drawing Number DAC01.21	Northrop Sydney	1	24/6/2019

Preliminary Site Contamination Investigation  Report number 86543.01.R.001	Douglas Partners	Rev 0	7 November 2018
Arboricultural Impact Assessment Report	New Leaf Arboriculture		22 August 2019
Waste Management Plan	DWP		15/4/2019
Waste Management Plan Attachment letter)	DWP		21/8/2019
NCC Section J JV3 Report Ref SY182239-SER01	Northrop	A	29/3/2019
Acoustic Report for Development Application  Ref SY182239-AUR01	Northrop	E	21/8/2019

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the Environmental Planning and Assessment Act (as amended)).

**Reason:-** to confirm and clarify the terms of Council's approval.

## 2. **Time period of consent**

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent would otherwise lapse.

**Reason:-** to satisfy the requirements of Section 4.53 of the Environmental Planning and Assessment Act (as amended).

## 3. **Section 7.12 Contribution**

A monetary contribution comprising **\$81,010.49** is payable to **Cumberland Council** in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 (as amended) and the Parramatta Section 7.12 Development Contributions Plan (Amendment No. 5).

***The contribution is to be paid to Council prior to the issue of a Construction Certificate.***

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta Section 7.12 Development Contributions Plan (Amendment No. 5) can be viewed on Cumberland Council's website at: [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)

**Reason:-** to comply with legislative requirements.

4. **Submission of Construction Certificate**

Construction works are not to commence until such time that a construction certificate for the proposed works has been issued by Council or an Accredited Certifier.

Where an Accredited Certifier issues a construction certificate, a copy of the following documents must be forwarded to Council within 2 days of issue, together with payment of the Council's adopted registration fee: determination; application to which it relates; construction certificate issued; plans and specifications; any fire safety schedule; and any other documents lodged with the certificate.

Any modification involving building works to the approved development made under Section 4.55 of the Environmental Planning and Assessment Act 1979 (as amended) requires the submission of an amended construction certificate.

**Reason:-** to comply with the requirements of Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Environmental Planning and Assessment Act (as amended) and clause 142 of the Environmental Planning and Assessment Regulation 2000.

5. **No alteration without prior Council approval**

The completed building is not to be altered externally in character or colour without the prior consent of Council.

**Reason:-** to ensure the external appearance of the development is not obtrusive or offensive and does not degrade the visual quality of the surrounding area.

6. **Appointment of Principal Certifying Authority/Notice of Commencement of Work**

Site works are not to commence until:-

- a) a construction certificate for the building work has been issued by the consent authority, and
- b) the person having the benefit of the development consent has:-
  - i) appointed a principal certifying authority for the building work, and
  - ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- b1) the principal certifying authority has, no later than 2 days before the building work commences:-
  - i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- b2) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:-

- i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
  - ii) notified the principal certifying authority of any such appointment, and
  - iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- c) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the erection of the building.

**Reason:-** to comply with the requirements of Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Environmental Planning and Assessment Act (as amended).

## 7. **Principal Certifying Authority**

- 1) The person having the benefit of a development consent or complying development certificate for development involving building work or subdivision work may appoint the consent authority, the council or an accredited certifier as the principal certifying authority for the development.
- 1A) Despite subsection (1), such an appointment may not be made by any contractor or other person who will carry out the building work or subdivision work unless the contractor or other person is the owner of the land on which the work is to be carried out.
- 2) Despite subsection (1), an accredited certifier must not be appointed as the principal certifying authority for development involving subdivision work unless the subdivision to which the work relates is of a kind identified by an environmental planning instrument as one in respect of which an accredited certifier may be a certifying authority.
- 3) A principal certifying authority for building work or subdivision work to be carried out on a site is required to be satisfied:-
  - a) that a construction certificate or complying development certificate has been issued for such of the building work or subdivision work as requires development consent and over which the principal certifying authority has control, before the work commences on the site, and
  - b) that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the *Home Building Act 1989*, before any residential building work over which the principal certifying authority has control commences on the site, unless the work is to be carried out by an owner-builder, and
  - c) that the owner-builder is the holder of any owner-builder permit required under the *Home Building Act 1989*, before an owner-builder commences on the site any residential building work over which the principal certifying authority has control, and
  - d) that building work or subdivision work on the site has been inspected by the principal certifying authority or another certifying authority on such occasions (if any) as are prescribed by the regulations and on such other occasions as may be required by the principal certifying authority, before the principal certifying authority issues an occupation certificate or subdivision certificate for the building or work, and
  - e) that any preconditions required by a development consent or complying development certificate to be met for the work before the issue of an occupation certificate or subdivision certificate have been met, before the principal certifying authority issues the occupation certificate or subdivision certificate.

- 4) A principal certifying authority must also comply with such other requirements of a like or different nature as may be imposed on principal certifying authorities by the regulations.

**Reason:-** to comply with the requirements of Section 6.5 of the Environmental Planning and Assessment Act (as amended).

8. **Compliance with the Building Code of Australia**

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

**Reason:-** to ensure compliance with the requirements of the Building Code of Australia and to comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

9. **Commonwealth Disability Discrimination Act**

The Commonwealth Disability Discrimination Act 1992 commenced the 'Disability (Access for Premises - Buildings) Standards 2010' on 1 May 2011 and now applies to all new buildings and affected parts of existing buildings. Submission and/or approval of this application does not imply or confer compliance with either the Act or the new Access Standard. Applicants should satisfy themselves and make their own inquiries to the Human Rights and Equal Opportunity Commission.

**Reason:-** to provide advice on the requirements of the Commonwealth Disability Discrimination Act 1992.

10. **Replacement of Principal Certifying Authorities**

Unless the relevant authority so approves in writing, a person may not be appointed to replace another person as the principal certifying authority for development.

A principal certifying authority appointed to replace another principal certifying authority must ensure that notice of the appointment and of the approval of that appointment is given to the consent authority (and, if the consent authority is not the council, to the council) within 2 days of the appointment.

**Reason:-** to comply with the requirements of Section 6.5 of the Environmental Planning and Assessment Act (as amended) and clause 162 of the Environmental Planning and Assessment Regulation.

11. **Notice to Allow Inspections**

To allow a principal certifying authority or another certifying authority time to carry out critical stage inspections or any other inspections required by the principal certifying authority, the principal contractor for a building site, or the owner-builder, must notify the principal certifying authority at least 48 hours before building work is commenced at the site if a critical stage inspection is required before the commencement of the work.

**Reason:-** to comply with the requirements of Clause 163 of the Environmental Planning and Assessment Regulation.

12. **Erection of Signs**

A rigid and durable sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:-

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**Note:** Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100.

**Reason:-** to comply with the requirements of Clause 98A and 136B of the Environmental Planning and Assessment Regulations.

### 13. **No Advertising Approved**

No additional advertising structures or signs shall be erected, affixed, painted or displayed without prior Council consent.

**Reason:-** to prevent the proliferation of signs which will result in a degradation of the visual quality of the area.

### 14. **Business and building identification signage**

Business and building identification signage shall comply with the following:-

- a) The approved signage shall be appropriately maintained at all times.
- b) The signage shall be utilised as building and business identification signage only and shall not be adapted or altered to be third party advertising signage without the further consent of Council.
- c) The signage shall not:-
  - i) flash, move, be animated, scintillate or be decorated with rotating flashing lights;
  - ii) include any apparatus to provide any sound;
  - iii) carry a message(s) which is offensive;
  - iv) give instructions to traffic by the use of the words 'Halt', 'Stop', or any other direction, nor imitate traffic signs in respect to shape, layout or colour;
  - v) contain interchangeable or movable parts;
  - vi) impair or distract the vision of a driver through the intensity of the illumination of the sign;
  - vii) must not impede the ability of the occupants to exit the building under emergency conditions.
- d) The wording to the signage shall be primarily displayed in English but may include a translation in another language.

**Reason:-** to ensure the appearance and operation of the signage is in an orderly fashion.

### 15. **Construction/Demolition Hours**

Site works, building works and demolition works, including the delivery of materials or equipment to and from the property are to be carried out between the hours of 7.00 am and

6.00 p.m. only from Mondays to Fridays and between 8.00 am and 4.00 p.m. only on Saturdays. No construction works or deliveries for the construction are to take place on Sundays or public holidays.

Prior to commencement of any demolition or construction work the applicant is to erect signs on the site, which are clearly visible from the footpaths adjoining the site boundaries, which state the permitted construction/demolition hours. These signs must also state "Any instances of site works, building works, demolition works or deliveries outside the permitted hours can be reported to Cumberland Council on 8757 9000 during office hours or 0417-287-1113 outside office hours".

**Reason:-** to reduce nuisance to the surrounding properties during the construction period.

**16. Information required prior to the issue of Construction Certificate**

The following documentation (where applicable) is to be submitted to Council or the accredited certifier, **prior to the granting of the construction certificate**:

- a) Detailed building plans and specifications containing sufficient information to verify that the completed building will comply with the Building Code of Australia.
- b) A list of any proposed fire safety measures provided in relation to the land or any existing building on the land (*not applicable to dwellings or outbuildings*).

**Reason:-** to ensure that adequate information is submitted to enable assessment or that the development can proceed with the concurrence of others.

**17. Maintain plans on-site**

A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.

**Reason:-** to ensure a record of the approved plans are readily available.

**18. PCA - Inspection of works - general & site management**

The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant if permitted by the PCA) to monitor compliance with Council's approval and the relevant standards of construction.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be maintained by the principal certifying authority.

Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (*as applicable*), to ensure compliance with the terms of Council's approval:

- Sediment control measures
- Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
- Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.

**ADVISORY NOTE**



If Council is appointed as the PCA, the following critical inspections (as applicable to the development), must be arranged:

- a) *Prior to the commencement of Building Works, ensure erosion controls PCA and the Builders signs are displayed and a temporary toilet is located on site.*
- b) *The pier holes before they are filled with concrete.*
- c) *The foundation material prior to covering.*
- d) *The steelwork when in position and before concrete is poured (footings, lintels, beams, columns, floors, walls, retaining walls or the like).*
- e) *The dampcourse level, ant capping and floor timbers before the floor materials are laid.*
- f) *The framework including roof members when completed and prior to the fixing of any internal sheets.*
- g) *Prior to covering waterproofing in any wet area.*
- h) *Fire resisting construction before concealment.*
- i) *Upper floor beams and joists before the fixing of any flooring material.*
- j) *The rainwater drainage lines within the property boundaries when completed and before covering.*
- k) *Final inspection.*

A minimum of 48 hours notice must be provided to Council to enable the following inspections to be carried out during the course of construction.

**Reason:-** to ensure the development is adequately monitored during the construction phase.

**19. Items not to be placed on roadway**

The following items must not be placed on the footpath, roadway or nature strip at any time:-

- a) Building materials, sand, waste materials or construction equipment;
- b) Bulk bins/waste skips/containers; or
- c) Other items that may cause a hazard to pedestrians.

**Reason:-** to ensure the public is not inconvenienced, placed in danger and to prevent harm to the environment occurring.

**20. Sign to be erected concerning unauthorised entry to the site**

A sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. Where Council is not the Principal Certifying Authority, the sign shall also display the name and contact details of the nominated Principal Certifying Authority. The sign is to be removed when the building works have been completed.

**Reason:-** to restrict public access to the site and to provide suitable contact details in a clear and conspicuous position.

**21. Toilet accommodation for people working at the site**

Suitable toilet accommodation is to be provided at the work site at all times. If temporary toilet accommodation is proposed, it must:-

- Have a hinged door capable of being fastened from both inside and outside,
- Be constructed of weatherproof material,
- Have a rigid and impervious floor; and

- Have a receptacle for, and supply of, deodorising fluid.

**Reason:-** to ensure suitable toilet accommodation is provided for workers.

## 22. **Excavated and Filled Areas**

All excavated and filled areas shall be battered to a slope not steeper than two (2) horizontal to one (1) vertical and the fill area shall continue a minimum of one metre past the edge of the house, or similarly be retained in accordance with a retaining wall detail approved by Council. In the event that the retaining wall exceeds 600 mm when measured vertically from the base of the cut, the wall shall be designed by a practicing Structural Engineer, the details submitted to Council, and approved prior to work commencing.

**Reason:-** to adequately retain excavated and filled areas and prevent soil movement, which may be detrimental to the subject or adjoining premises.

## 23. **Fencing of Construction Sites - Rental details to be provided to the PCA**

Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

**NOTE: Should ANY part of the fence or hoarding encroach beyond the boundaries of the site, it will be necessary to:-**

- **Make payment to Council for the rental of the road reserve area in accordance with Council's adopted charges (per metre per month - minimum 3 months) BEFORE the fence/hoarding is erected.**
- **Supply evidence that the road reserve rental fee has been paid to the PCA and to any authorised Council officer.**
- **Comply with Council's specifications for the erection of Class A Hoardings.**

**Reason:-** to provide protection to public places and to prevent unauthorised access to the site.

## 24. **Sedimentation Control**

Prior to the commencement of site works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:-

- a) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could

- lead to the discharge of materials into the stormwater drainage system.
- b) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
  - c) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.

Such measures are to be maintained at all times to the satisfaction of Council and the Principal Certifying Authority. **Failure to do so may result in the issue of penalty infringement notices.**

**Reason:-** to minimise soil erosion and control sediment leaving the site during construction and to prevent water pollution from occurring.

25. **Display of a warning sign for soil and water management**

Throughout the construction/remediation/demolition period, a warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works.

**Reason:-** to ensure all building workers are aware of the need to maintain the sediment and erosion control devices.

26. **Fencing of construction sites - Rental details to be provided to the PCA (A & B Type Hoardings)**

A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect any hoarding or scaffolding in a public place and such application is to include:

- A payment to Council for the following fees in accordance with Council's adopted charges:
  - Hoarding/Structure Application Fee
  - Rental of Footpath Area (per metre per month - minimum 3 months rental)
  - Footpath Bond
- Submit the following documents to Council with your application:
  - Certificate of Currency for Public Liability Insurance
  - Certificate of Currency for Worker's Compensation Insurance
  - Letter indemnifying Council against claims and expenses made in relation to the existence of the structure and/or traffic provisions
  - Traffic/Pedestrian Control Plan
  - In respect to any required Type B Hoarding, structural certification prepared and sign by an appropriately qualified practising Structural Engineer
- Comply with Council's specifications for the erection of Class A Hoardings.
- Supply evidence to the PCA and to any authorised Council officer that the road reserve rental fee has been paid.

**Note:** Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide

dust control.

Note: A "B Class" overhead type hoarding is required to be provided to protect the public, located adjacent to the development, prior to the commencement of any works on the site which comprise:

- Any works or hoisting of materials over a public footway or adjoining premises, or
- Any building or demolition works on buildings which are over 7.5 metres in height and located within 3.6 metres of the street alignment.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. Details of the proposed hoardings or fences located upon the site are to be submitted to the PCA and the public safety provision and temporary fences must be in place prior to the commencement of any site works, demolition, excavation or building works and maintained throughout construction.

**Reason:-** to provide protection to public places, prevent unauthorised access to the site and a safe working environment.

#### 27. **Noise from construction activities**

Noise from construction activities associated with the development shall comply with the NSW Interim Construction Noise Guidelines (DECCW) 2009.

**Reason:-** to ensure noise arising from construction activities is in accordance with relevant legislation and Environment Protection Authority requirements.

#### 28. **Dial before you dig (advisory)**

Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday - electricity, gas, communications and water.

Before you dig call "Dial before you dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and the distance to the nearest cross street) or register on line at [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a back yard renovator, an individual tradesman or a professional excavator the potential for injury, personal liability and even death exists every day. Obtaining accurate information about your work site significantly minimises these risks.

**Reason:-** to ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction.

#### 29. **Discovery of additional information during remediation, demolition or construction**

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

to the Council and the PCA immediately.

**Reason:-** to ensure Council is informed of any new information relevant to site conditions and site contamination associated with the development.

30. **Off-site soil disposal**

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999).

**Reason:-** to ensure soil disposed off-site is classified in accordance with relevant EPA requirements.

31. **Compliance with preliminary site assessment report**

Any requirements and recommendations of the approved development application preliminary site investigation report prepared by Douglas Partners and dated November 2018 reference Project 86543.01 must be implemented.

**Reason:-** to ensure potential contamination issues are addressed.

32. **Number of Car Parking Spaces**

A total of 127 off-street car parking spaces are to be provided to the development. The spaces are to have minimum dimensions of 5.5 m x 2.4 m and be suitably sealed, marked, drained and freely accessible at all times. Visitor car parking spaces shall be a minimum width of 2.6 m.

As per the approved plans, there shall also be:-

- 1 x loading zone.
- 1 x Ambulance loading bay.

Car parking spaces are not to be enclosed by any device, such as a wire or mesh cage, walls or other similar fixtures unless there is a minimum clear internal width of 3 metres. Car parking spaces shall not be enclosed without the prior consent of council.

**Reason:-** to ensure there is sufficient car parking for the development and to comply with Parramatta Development Control Plan 2011.

33. **Adequate Signs and Pavement Markings Required to Assist Traffic Flow on Site.**

Adequate signs and pavement markings are to be provided to direct the flow of traffic within the site. Details are to be provided prior to the issue of the construction certificate.

**Reason:-** to assist with traffic flow within the development.

34. **Vehicles Driven in Forward Direction**

All vehicles must be driven in a forward direction at all times when entering or leaving the premises.

**Reason:-** to preserve and enhance the safe operation of the car parking area.

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**35. Loading and Unloading of Vehicles**

All deliveries to and from the site are to be conducted from vehicles standing within designated loading areas and not on access driveways, car parking spaces or landscaped areas.

**Reason**:- to ensure delivery vehicles do not obstruct these designated areas of the site.

**36. Amenity**

The operation of the premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.

**Reason**:- to protect the amenity of the locality.

**37. Odour**

No offensive odour from any trade, industry or process shall be detected outside the premises by an authorised Council Officer as defined in the *Protection of the Environment Operations Act 1997*.

**Reason**:- to protect the surrounding locality from offensive odours.

**38. Light Overspill**

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with *AS4282-1997 Control of the obtrusive effects of outdoor lighting*.

**Reason**:- to ensure light overspill arising from the development does not interfere with the amenity of the locality and complies with relevant Australian Standards.

**39. North to south pedestrian pathways**

The existing north to south pedestrian pathway connections through the car parking area shall be retained or reinstated following the conclusion of site works. All works shall be undertaken by the applicant at no cost to the Council.

**Reason**:- to ensure all the pathways are retained or reinstated following the conclusion of site works.

**40. Existing fences**

The existing steel railed fence situated between the car parking area and the grand stand shall be retained or reinstated upon the conclusion of site works. All works shall be undertaken by the applicant at no cost to the Council.

**Reason**:- to maintain a satisfactory level of security for the venue.

**41. Endeavour Energy Conditions**

a) No removal of electricity assets

The owner or occupier of the land must not take any action by reason of the presence or operation of the electricity works in, on or over the land and cannot remove electricity infrastructure from the land. The assets are to be retained and managed at all times on the same basis as if an easement was in existence.

b) Width of easements

The minimum easement widths for the low voltage overhead power lines is 9 metres (4.5 metres to both sides of the centre line of the poles conductors).

There shall be no encroachments or activities within the easement areas unless specifically approved by Endeavour Energy.

c) Buildings structures near powerlines

All buildings, structures including fencing, signage and flag poles whether temporary or permanent must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132 kv) as specified in:-

- AS / NZ 7000-2016 "Overhead line design".
- Service and Installation Rules of NSW.

d) Pad mount substation easement

The easement to the pad mount electricity substation shall have a minimum size of 2.75 metres x 5.5 metres and shall have the additional restrictions for fire rating which extends 3 metres horizontally from the base of the substation footing and 6 metres vertically from the same point.

e) Arrangements for the substation

Documentary evidence from Endeavour Energy shall be submitted to the Council for its records confirming that satisfactory arrangements have been made for the design requirements and connection of electricity for the substation. The details shall be submitted prior to the release of the construction certificate.

f) Application for connection of load

An application for connection of load via Endeavour Energy's Network Connections Branch shall be made prior to the issue of the Occupation Certificate. The application will enable Endeavour Energy to carry out a load assessment and determine the final electricity supply that is required to support the development. Details are available by contacting Endeavour Energy's Network Connections Branch via Head Office on 133 718 or (02) 9853 666.

g) Compliance with AS / NZ standards 3000:2018 Electrical Installations

The construction of any building or structure including fencing, signage, flag poles or hoardings whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with the AS /NZ Standard 3000:2018 Electrical Installations.

h) Tree planting and vegetation near electricity infrastructure

There shall be no large trees planted close to electricity infrastructure. Low growing shrubs not exceeding 3 metres in height, ground covers and smaller shrubs with non invasive root systems may be planted. Larger trees should be planted well away from electricity

infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant.

**Reason:-** to ensure the development is compliant with Endeavour Energy's requirements.

#### 42. **Food Premises - Detailed plans**

Detailed and scaled plans of all kitchen, bar, food preparation, waste and storage areas, food handler toilets and all areas associated with the food business must be prepared in accordance with the *Australia New Zealand Food Standards Code - 3.2.3 - Food Premises and Equipment* under the *Food Act 2003* and *AS 4674 - Design, Construction and Fit-out of Food Premises*.

A copy of the plans must be submitted to and approved by the Certifying Authority as compliant with the required standards prior to the issue of the Construction Certificate.

**Note:** Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service by visiting the website [www.standards.com.au](http://www.standards.com.au). Copies of the Food Standards Code (Australia) may be obtained by visiting the website [www.foodstandards.gov.au](http://www.foodstandards.gov.au).

**Reason:-** to ensure the food premises fit out complies with relevant food safety legislation and standards.

#### 43. **Design and Construction of Food Premises**

The design and construction of food premises must comply with the following requirements, as applicable:-

- a) No alterations to the shop or any fittings therein (including the installation of new items of equipment) are to be made without the prior approval of the Principal Certifying Authority.
- b) Areas intended to be used for storing & preparing food or for storing food packaging & equipment shall be physically separated from chemical storage areas, living & sleeping areas, toilets & change rooms, garbage & recycling facilities and all other activities likely to pose a risk of food contamination.
- c) Adequate space shall be provided on the premises for the storage of dry goods, fresh fruit & vegetables, returned food, recalled food, packaging material and utensils & equipment.
- d) All windows, doors, entrances/exits and serving latches shall be protected against the entry of pests.
- e) Where doors and windows need to be pest proofed against flying insects only, they may be protected by:-
  - i) Air curtains that effectively prevent insects entering the premises; or
  - ii) Being fitted with plastic strip curtains that effectively exclude flying insects; or
  - iii) Opening into vestibules with self-closing doors; or
  - iv) Fitting the bottom edge of doors or bottom sash of windows (where practicable) with a seal; or
  - v) Provide a fly zapper that is to remain on during business operating hours.
- f) Insect control devices shall be installed so that the devices are **not** located directly over



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food preparation working areas, exposed food, clean equipment and/or unwrapped packaging material.

- g) All service pipes, drains, cables and duct penetrations shall be effectively sealed to prevent entry of pests.
- h) All service pipes conducts and electrical wiring shall either be concealed in the floor, plinths, walls & ceiling or fixed on brackets to provide a clearance at least 25mm and 100mm from the adjacent vertical and horizontal surface respectively.
- i) Spaces between adjoining structures, such a between coolroom / freezer walls and premises walls and the external roof, shall be accessible for inspection and cleaning or sealed with a suitable compound to prevent the entry of pests.
- j) The applicant shall refer to Sydney Water for trade waste requirements **prior** to the business use commencing.
- k) Grease arrestors shall not be located in areas where food, equipment or packaging materials are handled or stored.
- l) In areas where open food is handled or stored, light fittings shall be provided with fitted light diffusers to prevent contamination of food should the globe or tube shatter and allow easy access for cleaning.
- m) Floors in the food premises shall be finished with a surface that complies with Table 3.1 of AS 4674.2004.
- n) Floors in the food preparation areas shall be graded and drained to a floor waste connected to the sewerage system.
- o) The intersection of floors with walls shall be coved in accordance with diagrams 3.1 and 3.2 of AS 4674.2004.
- p) The plinths shall be of solid construction and not less than 75mm high with an impervious finish and consistent with the floor surface in table 3.1 of AS 4674 including coving.
- q) Walls in the food premises shall be of solid construction and finished with a material in accordance with Table 3.2 of AS 4674-2004.
- r) Wall surfaces shall provide a smooth even finish, free of buckles, ledges, fixing screws, picture rails, open joints, cracks & crevices.
- s) Ceilings in the food premises shall consist of a non perforated material and finished free of open joints, cracks & crevices.
- t) The intersections of walls and ceilings shall be tight jointed, sealed and dust proof.
- u) Ceilings in other areas shall be installed in accordance with the requirements of Table 3.3 of AS 4674-2004.
- v) Drop-in removable ceiling panels shall **not** be used in food preparation areas or where open food is being displayed or stored.
- w) The food premises shall be provided with a single bowl sink with supply of hot water at a temperature of not less than 45°C for washing operations only where pre-packed food,

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drink and uncut fruit & vegetables are being sold.

- x) The food premises shall be provided with a double bowl sink with a supply of hot and cold water through a common mixing spout. Hot water shall be provided at a temperature of at least 45°C for washing operations.
- y) All fixtures, fittings and equipment in the food premises shall be designed in accordance the requirements of Table 4.3 of AS 4674.
- z) Fixtures, fittings and equipment shall comply with one of the following options:-
  - a) movable for cleaning;
  - a) built into walls with the enclosure completely vermin proofed;
  - b) butted against walls or other equipment and the joints sealed;
  - c) installed with clearance distances compliant with Figure 4.4 of AS 4674.2004; or
  - d) if installed on a plinth, installed such that it overhangs the plinths.
- aa) All equipment used for display or storage of hot foods must be capable of maintaining such food at a temperature of not less than 60°C, and being fitted with an approved thermometer able to read easily from the outside of the appliance for the purpose of measuring this temperature.
- bb) All equipment used for display or storage of cold foods must be capable of maintaining such food at a temperature below 5°C. Frozen foods must remain in a frozen state. The coolroom and freezer must be fitted with an approved thermometer able to be read easily from the outside of the appliance for the purpose of measuring this temperature.
- cc) Hand wash basins shall be provided adjacent to each toilet, with taps that operate hands free. The hand wash basin shall be provided with a permanent supply of warm water delivered through a single outlet.
- dd) Hand wash basins shall be provided at a distance of no greater than five metres from a food preparation area where open food is handled. Hand wash basins shall be provided with taps that operate hands free and be provided with a permanent supply of warm water delivered through a single outlet.
- ee) A sufficient supply of liquid soap and disposable hand towels shall be provided at the hand wash basin.
- ff) A separate area shall be provided for the storage of employees clothing, cleaning material and equipment.
- gg) Toilet facilities shall be in accordance with the BCA and shall be separated from areas where open food is handled, displayed & stored or provided with self-closing doors and a mechanical exhaust system that operates when the sanitary compartment is in use.
- hh) Access to toilet areas shall not be provided through areas (other than the dining area) where open food is handled, displayed or stored.
- ii) All waste material shall be stored in containers with tight fitting lids at all times.
- jj) No food whether covered or uncovered shall be stored outside of the external building facade.

**Reason:-** to ensure the fitout complies with the food premises standards.

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**44. Mechanical Ventilation**

The premises must be suitably ventilated in accordance with the *National Construction Code 2019* and *AS1668.1 and 2 - 2012 - The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings*. Details of any mechanical ventilation and/or air handling system must be prepared by a suitably qualified person to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

**Reason:-** to ensure adequate mechanical ventilation is provided.

**45. Trade Waste**

The food premises must comply with the following requirements:-

- a) Liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be submitted to the certifying authority prior to the commencement of works.
- b) The disposal of waste materials in the domestic garbage service is not permitted. All waste materials must be collected by a waste contractor authorised by the Waste Service of New South Wales and details of the proposed service to serve the development are to be submitted to Council prior to occupation of the building.
- c) If a grease trap is required to be installed, then it must be installed in accordance with Sydney Water trade waste requirements by a suitably qualified and licensed plumber in accordance with the Plumbing Code of Australia. The grease trap must be suitably constructed, suitably located for cleaning and pump out, must not be located in any kitchen, food preparation or food storage area or accessed through these areas for cleaning and pump out purposes and must not impact on storm water systems.

**Reason:-** to ensure that trade waste is properly disposed of.

**46. Mechanical Ventilation - Certificate of Completion**

Prior to the issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with the *National Construction Code 2019*, must be submitted to the Principal Certifier.

**Reason:-** to ensure mechanical ventilation systems are installed correctly.

**47. Foodshop notification and inspection**

- a) Foodshop notification shall be obtained from the NSW Food Authority, **prior** to commencement of business operations and a copy of the notification shall be submitted to Council. Notification can be completed on NSW Health Department's web site at [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au)
- b) The applicant shall notify Council not less than forty-eight (48) hours **prior** to the proposed occupation of the premise to arrange for a final compliance inspection.
- c) The applicant shall not operate the food premises until an occupation certificate has been issued.

**Reason:-** to enable registration of the food premises and to ensure appropriate inspections are made of the food premises.

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**48. Final Fire Safety Certificate**

Prior to the occupation of the building, the owner of the building shall submit to the Principal Certifying Authority (Council or Accredited Certifier), a **final fire safety certificate** in relation to each essential fire safety measure specified in the **fire safety schedule**, attached to the development consent or construction certificate.

Such certificate shall state that each essential fire safety measure specified:-

- a) Has been assessed by a properly qualified person, and
- b) Was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule for the building for which the certificate is issued.

**NOTES:**

1. As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:-
  - i) Must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
  - ii) Must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is , or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

**Reason:-** to ensure compliance with Regulations 149 & 171 of the Environmental Planning and Assessment Regulation 2000.

**49. Annual Fire Safety Statement**

The owner of any building in which fire safety measures are installed, must cause the Council to be given an **annual fire safety statement**, within 12 months after the last such statement or final fire safety certificate was issued.

The certificate shall certify:-

- a) That each essential fire safety measure has been assessed by a properly qualified person and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule.
- b) That a properly qualified person has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division C.

**NOTES:**

1. As soon as practicable after an annual fire safety statement is issued, the owner of the building to which it relates:-
  - i) must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
  - ii) must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.

2. A “fire safety measure” is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

**Reason:-** to ensure compliance with Regulation 171 of the Environmental Planning and Assessment Regulation 2000.

50. **Hours of operation and Public address system**

The hours of operation of the development are limited to 7 am to 10 pm daily. Furthermore, the use of the grandstand public address system / microphones should be limited wherever possible and only used during the following hours:-

- 7:00am to 9:30pm Monday to Saturday; and
- 8:00am to 6pm on Sundays.

**Reason:-** to ensure the development does not cause a noise nuisance to adjoining development.

51. **Noise and Vibration**

The use of the premises shall not give rise to any of the following when measured or assessed at “sensitive” positions within any other property. These “sensitive” positions should be selected to reflect the typical use of a property (ie any outdoor areas for day and evening but closer to the façade at night time), unless other positions can be shown to be more relevant.

- a) 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- b) transmission of vibration to any place of different occupancy above the requirements of AS2670.
- c) a sound pressure LA eq period at any noise sensitive position of any other premises or occupancy greater than the recommended amenity noise criteria detailed in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy.
- d) a sound pressure LAeq,15min at any noise sensitive position greater than the intrusiveness criteria determined in accordance with the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy and does not contain any tones, low frequency or impulsive factors as defined in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy table 4.1.

For assessment purposes, the above LAeq sound levels shall be assessed over a period of 10-15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content where necessary.

**Reason:-** to ensure adequate acoustic amenity in the locality.

52. **Compliance with acoustic report**

Prior to the issue of an Occupation Certificate, a suitably qualified acoustic consultant must ensure that any requirements and recommendations of the approved development application acoustic report prepared by Northrop Consulting Engineers Ref: SY182239-AUR01 Rev: E dated 21.08.2019 are complied with.

**Reason:-** to ensure appropriate noise attenuation measures are used within the development.

**53. Noise Limiter - amplified music**

Sound amplification equipment must comply with the following:-

- (a) All sound amplification equipment shall only be used during the approved hours of 7am to 10pm. Where required, noise limiters shall be installed and approved by a suitably qualified acoustic consultant to ensure that resultant amplified sound complies with the criteria identified in the DA approved acoustic report. **Note:** The limiter and all post-limiter equipment including power amplifiers must be tamper proof and only used by the approved operators of the site.

**Reason:-** to protect residential amenity.

**54. Intruder Alarms**

Any intruder alarm at the premises shall be suitably constructed, such as with a timing device, so that the alarm complies with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 - Division 1, Sections 40-43 - Building Intruder Alarms.

**Reason:-** to prevent ongoing noise arising from intruder alarms and ensure compliance with relevant legislation.

**55. Storm water disposal**

Storm water runoff generated from the development shall be discharged through the Sydney Water pipe through the existing connection subject to Sydney Water approval.

**Reason:-** to ensure satisfactory storm water disposal.

**56. Bio-retention Design**

Prior to the issue of any Construction Certificate, an amended drainage plan addressing the following shall be submitted to and approved by Cumberland Council's Manager Engineering and Traffic. In this regard, the following matters shall also be addressed:-

- Detailed design of the bio-retention shall be submitted.
- Over flow from the bi-retention shall be designed to facilitate the effective storm water disposal.
- Trip hazard caused by the bio-retention structure shall be addressed.
- Appropriate changes shall be made in the design to direct design flow to the bio-retention system.

**Reason:-** to ensure satisfactory storm water disposal.

**57. Submission of full stormwater disposal details**

Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.

The details shall be prepared by a suitably qualified person and must be in accordance "Auburn Development Control Plans 2010 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987". In this regard:-

- I. The proposed stormwater system shall generally be in accordance with Condition 49.
- II. Stormwater runoff from access ways will have to undergo some form of industrial standard primary treatment / separation prior to disposal into the existing stormwater system. In this regard, a stormwater treatment device capable of removing litter, oil, grease and sediment shall be provided prior to discharge to the stormwater system.

Note: "Auburn Development Control Plans 2010 - Stormwater Drainage" is available to purchase at Council or the document can be found at Cumberland Council's web page [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)

**Reason:-** to ensure the stormwater is suitably discharged.

**58. Connection to Sydney Water system**

Prior to the issue of any Construction Certificate, detailed design of the proposed modification to the Sydney Water connection shall be submitted to and approved by Cumberland Council's Manager Engineering & Traffic and Sydney Water. In this regard:-

- Written approval shall be obtained from Sydney Water for the proposed works that are affecting the Sydney Water assets/easement.
- The approval shall be submitted to and approved by Cumberland Council's Manager Engineering and Traffic.

**Reason:-** to ensure connection complies with Sydney water and Council requirements.

**59. Footpath adjacent to the circulation aisle**

Prior to the issue of any Construction Certificate, an amended plan detailing the design of the proposed footpath continuation within the circulation aisle to improve the safety of the pedestrians shall be submitted to and approved by Council or the Principal Certifying Authority:-

**Reason:-** to improve the pedestrian safety.

**60. Reinstatement of footpath and footpath crossing**

The footpath and footpath crossings adjacent to the property shall be reinstated by Council at the completion of works with all costs being borne by the developer. Alternatives to the pre-payment for this work will be considered if written request is made to Council.

**Reason:-** to ensure the footpath and the footpath crossings are repaired from any damage caused during the construction phase.

**61. Vehicle Driveway Crossings and Gutter Laybacks**

Arrangements shall be made with Council for the prepaid construction of vehicular crossings and gutter laybacks at all property entrances and exits, and for the removal of all disused driveway crossings and gutter laybacks. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of any occupation certificate.

Removal of obstructions, such as power poles, trees, drainage pits and the like shall be carried out at the applicant's expense.

**Reason**:- to ensure that works are carried out in accordance with Council's standard.

62. **Carrying capacity of driveways - Heavy duty**

Suitable heavy-duty driveway crossings are to be installed at all ingress/egress points to the property at the applicant's cost by Council. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of any occupation certificate.

**Reason**:- to ensure the driveways can support the expected weight of heavy vehicles likely to frequent the site.

63. **Street boundary levels**

Street boundary levels for vehicle access and drainage purposes are to be obtained at the applicant's cost from Council's Service Planning Department prior to commencement of any works. These levels are to be incorporated in all drainage submissions required under this determination.

**Reason**:- to ensure the correct levels are obtained and used for the development.

64. **Road opening permit**

Prior to commencement of any work on Council roads and footpaths, a road-opening permit shall be obtained from Council's Service Planning Department.

**Reason**:- to safeguard Council property against damage.

65. **Restoration works**

Prior to commencement of any excavation work on Council roads or footpaths, the applicant shall pay for all restoration costs. The area of restoration shall be determined on site between the applicant or its contractor and Council's Contracts & Maintenance Engineer.

**Reason**:- to ensure that Council's infrastructure is maintained in a safe and trafficable manner.

66. **Stamping of development application plans by Sydney Water**

The approved development application plans must be submitted to a Sydney Water Customer Centre to determine whether the development complies with Sydney Water requirements.

In this regard and prior to the issue any construction certificate, the Principal Certifying Authority shall ensure that Sydney Water requirements have been complied with and Sydney Water has appropriately stamped the plans.

**Reason**:- to ensure the development does not damage or interfere with Sydney Water's infrastructure. A copy of these plans must be submitted to and approved by the Certifying Authority as compliant with the required standards prior to the issue of the Construction Certificate.



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**67. Arrangements for Water and Sewer Services**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

**Application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 132 092.**

Following application a “Notice of Requirements” will detail water and sewer extensions to be built or charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscaping design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority (Council or accredited certifier) **prior to release of the final plan of subdivision or occupation of the development.**

**Reason**:- to ensure that adequate water and sewer services can be provided to the site.

**68. Water Reuse**

The stormwater generated from the roof area shall be reused for the irrigation of the landscape area within the subject development site.

Full details of the Water reuse facilities shall be submitted to Council or the Accredited Certifier with the Construction Certificate.

On completion, a certificate from a registered plumber shall be submitted for the pipe network. The certification shall indicate the water reuse system has been installed in accordance with the approved water reuse design plans.

**Reason**:- to ensure the water reuse facilities within the development are constructed and maintained in good working order.

**69. Work-as-Executed Plan**

Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Principal Certifying Authority. Copy of the documents shall be submitted to Council if Council is not the Principal Certifying Authority. Works-As-Executed storm water plans are to address the following:-

- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.

**Reason**:- to ensure works comply with approved plans.

**70. Redundant driveway**

Prior to the issue of any Occupation Certificate, redundant driveway shall be removed and replaced with footpath and kerb & gutter at no cost to Council. Nature strip area also be restored at applicants cost.

Arrangements shall be made with Council's Service Planning Department for the prepaid for the removal of all disused driveway crossings and gutter laybacks. Alternatives to the pre-payment for this work will be considered if written request is made to Council.

**Reason:-** to ensure Council's assets are restored in accordance with Council's standard.

71. **Works within Council controlled lands**

(1) For drainage works:

- a) Within Council controlled lands.
- b) Connecting to Council's storm water drainage system.

Inspections will be required:-

- After the excavation of pipeline trenches.
  - After the laying of all pipes prior to backfilling.
  - After the completion of all pits and connection points.
- (2) A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Works and Services Section during office hours.
- (3) Work is not to proceed until the works are inspected and approved by Council.

**Reason:-** to ensure works on public/Council controlled lands are carried out as per Council's requirements.

72. **Footpath /Nature strip maintenance during and after construction**

The footpath and nature strip within the street frontages shall be maintained during the period of construction to Council's satisfaction.

**Reason:-** to ensure pedestrian safety during the construction period.

73. **Surface runoff**

Allowances shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other property.

**Reason:-** to prevent adverse impact on adjoining properties.

74. **Sediment control**

Temporary measures shall be provided in accordance with the NSW Department of Housing, Managing Urban Storm water, Soils and Construction Manual dated March 2004 and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from the site.

**Reason:-** to ensure sediment and erosion controls are maintained during the construction process to prevent water pollution from occurring.

**75. Service relocation / Adjustment**

The applicant shall locate any utility services affected by the proposal and shall be responsible for any damage to, or relocation of services required by the proposal including adjustment to the levels of pit lids etc. All works shall be carried out to the satisfaction of the relevant Authority or Council.

All the costs shall be borne by the applicant.

**Reason**:- to protect utility services.

**76. Traffic Management**

A traffic management plan shall be submitted to and approved by Council for all demolition, excavation and construction activities associated with the development prior to commencement of work.

**Reason**:- to minimise the impact on street traffic.

**77. Compliance with Arborist Report**

With the exception of the approved removal of existing trees as per the table:-

Tree No.	Tree Species	Remove/Retain
1	<i>Araucaria cunninghamii</i>	Remove
2	<i>Eucalyptus moluccana</i>	Retain & Protect
3	<i>Largestroemia indica</i>	Retain & Protect
4	<i>Araucaria cunninghamii</i>	Retain & Protect
5	<i>Lophostemon confertus</i>	Retain & Protect
6	<i>Eucalyptus microcorys</i>	Retain & Protect
7	<i>Araucaria cunninghamii</i>	Retain & Protect
8	<i>Eucalyptus tereticornis</i>	Retain & Protect - Habitat Hollow
9	<i>Eucalyptus microcorys</i>	Retain & Protect
10	<i>Melaleuca bracteata</i>	Remove
11	<i>Lophostemon confertus</i>	Remove
12	<i>Lophostemon confertus</i>	Remove
13	<i>Lophostemon confertus</i>	Remove
14	<i>Corymbia citriodora</i>	Retain & Protect
15	<i>Lagunaria patersonia</i>	Remove (exempt species)
16	<i>Erythrina x sykesii</i>	Remove (exempt species)
17	<i>Lophostemon confertus</i>	Remove
18	<i>Lopped Eucalyptus spp.</i>	Remove
19	<i>Lophostemon confertus</i>	Remove

20	<b><i>Corymbia citriodora</i></b>	<b>Remove</b>
21	<b><i>Eucalyptus microcorys</i></b>	<b>Remove</b>
22	<b><i>Eucalyptus microcorys</i></b>	<b>Remove</b>
23	<b><i>Erythrina x sykesii</i></b>	<b>Remove (exempt species)</b>
24	<b><i>Erythrina x sykesii</i></b>	<b>Remove (exempt species)</b>
25	<b><i>Erythrina x sykesii</i></b>	<b>Remove (exempt species)</b>
26	<i>Eucalyptus microcorys</i>	Retain & Protect
27	<i>Eucalyptus sideroxylon</i>	Retain & Protect
28	<i>Eucalyptus sideroxylon</i>	Retain & Protect
29	<i>Eucalyptus sideroxylon</i>	Retain & Protect
30	<b><i>Eucalyptus moluccana</i></b>	<b>Remove</b>
31	<b><i>Eucalyptus tereticornis</i></b>	<b>Remove</b>
32	<b><i>Eucalyptus microcorys</i></b>	<b>Remove</b>
33	<i>Eucalyptus moluccana</i>	Retain & Protect
34	<i>Eucalyptus tereticornis</i>	Retain & Protect
35	<i>Eucalyptus moluccana</i>	Retain & Protect
36	<i>Eucalyptus microcorys</i>	Retain & Protect
37	<b><i>Grevillea robusta</i></b>	<b>Remove</b>
38	<b><i>Callistemon spp.</i></b>	<b>Remove</b>
39	<i>Eucalyptus microcorys</i>	Retain & Protect

the recommendations of the Arboricultural Impact Assessment prepared by New Leaf Arboriculture, dated 16/4/2019 - revised 22/08/2019 shall be complied with at all times throughout the duration of the development. Details demonstrating compliance shall be submitted to the Principal Certifying Authority of approval prior to the commencement of any site works and issue of the construction certificate as relevant to the particular recommendation.

**Reason:-** to ensure the protection of existing trees within the site.

#### 78. **Tree Protection during construction**

The areas to be protected by fencing in accordance with the endorsed Arborist Report / Tree Protection Plan, shall be enclosed with a protective fencing consisting of 1.8m high fully supported chainmesh. Tree Protection Zone signage is to be attached to protective fencing; this must include the name and contact details of the site arborist. Signs shall be attached to all fencing stating that the area is a 'No Go Zone' and show the site arborist's name and contact details.

All activities not related to tree maintenance are not to be conducted within the TPZ. The area is not to be used for the storage of materials, stockpiling, siting of work sheds, preparation of mixes, cleaning of tools or equipment, pedestrian or vehicular activity, including parking.

Original soil levels within the TPZ shall not be changed, except where Council approval has been granted for cut or fill within a TPZ, and in this case the work shall be supervised by the appointed Consulting Arborist.

Refueling and/ or the maintenance of machinery and equipment is not permitted within 10 metres of any TPZ. The washing down of machinery, chemical, concrete or cement handling equipment or the storage of chemicals is not permitted within 10 metres of any TPZ.

Where works have been approved with the TPZ of trees to be retained, no roots over 50 mm in diameter are to be e without prior consultation with one of Council's Tree Management Officers or the Consulting Arborist.

**Reason:-** to ensure the protection of existing trees within the site.

79. **Tree Protection**

The Arborist engaged to the proper protection and management of trees to be retained is to provide a brief report to Council concerning the health and condition of the trees, and if necessary any remedial works that are required. The report should also provide documentary evidence that the tree protection conditions were complied with throughout the demolition/construction phases, in the form of site notes and photographs.

**Reason:-** to ensure the protection of existing trees within the site.

80. **Use of building not to commence until conditions of consent satisfied**

The use of the premises is not to commence until all terms of this consent have been satisfied.

**Reason:-** to ensure compliance with the terms of the development consent.

81. **Digital CCTV Camera System**

The Management / Licensee shall install digital CCTV surveillance cameras in and around the premises, placed in strategic places such as the external entrance and exit doors, the function room bar area, and underneath the roof of the grand stand area focusing on the seating area.

Cameras should monitor the main areas, both inside and outside the premises and especially areas with poor natural supervision.

The footage captured by the cameras shall be kept for a period of 14 to 30 days for viewing by the police upon request.

Television monitors should enable staff to monitor activities on camera and recording equipment should be installed away from any counter area to avoid tampering.

Details shall be shown in the construction certificate plans for approval by Council or the accredited certifier.

**Reason:-** to ensure that the use provides adequate visual surveillance and adequate records for the NSW Police to peruse if required.

82. **Security measures for the grand stand building**

The following features shall be installed within the development to improve the degree of security with details being shown within the construction certificate plans for approval by Council or the accredited certifier:-

- Windows be fitted with key operated locksets to restrict unauthorised access to the development.
- Counters be designed to reduce the opportunity for assault of staff and unauthorized access to behind the counter areas.
- Windows be reinforced with a shatter resistant film.
- Use of laminated glass for windows.
- Any use of safes on site be designed and installed to provide additional security to money and other valuables.
- A monitored intruder alarm system be installed.
- A duress facility be incorporated into the building to enable staff to activate the system manually in the event of an emergency such as a robbery.
- Use of Graffiti resistant building materials for the ground floor and areas that are accessible by other structures to reduce graffiti attacks or assist in the quick removal of graffiti.
- The security fencing that surrounds the football oval being retained. In the event that any of the security fencing is damaged or removed as a result of the works, the affected sections shall be replaced / repaired.

**Reason:-** to improve the degree of security and safety for the grandstand building.

83. **Lighting for the grand stand building**

Security lighting shall be installed in and around the grandstand particularly over entry / exit points to create an even distribution of light with no glare. Such lighting could include sensor lighting and or flood lighting.

Details shall be shown in the construction certificate plans for approval by Council or the accredited certifier.

**Reason:-** to reduce the risk of crime across the grandstand development.

84. **Graffiti and Vandalism Rectification**

Should the external fabric of the grand stand building, walls to landscaped areas and like constructions be subject to graffiti or like vandalism, then within seven (7) days of this occurrence, the graffiti must be removed and the affected surfaces returned to a condition it was in before defilement.

**Reason:-** to ensure graffiti and vandalism is removed from premises in a timely manner and to protect the visual appearance of the area.

85. **Warning signage**

Warning signage shall be provided at entry / exit points and throughout the development to assist users and warn intruders that they will be prosecuted.

Furthermore:-

- Signage shall be placed on the fire exit doors warning users that the doors are to be used for emergency purposes only

Details of such signage shall be provided within the construction certificate for approval by Council or the accredited certifier.

**Reason:-** to improve the level of security for the grand stand building.

86. **Trade waste containers to be stored within the building**

An adequate area is to be set aside within the:-

- First aid room.
- Change rooms.
- Multi purpose room.
- Canteen.
- Administration room.
- Kitchen supporting the Function room.
- Toilets.

for the storage of bins to allow for the disposal of waste generated from the use of the premise prior to removal to the waste storage room situated on the ground floor of the premise.

Waste bins shall also be provided to service the grand stand to allow patrons to dispose of rubbish / refuse in an appropriate manner. Details of the location of the bins shall be shown on the construction certificate plans for approval by Council or the Accredited Certifier.

**Reason:-** to allow for the appropriate disposal of waste and to prevent vandalism, arson and possible pollution to the external environment.

87. **Ongoing Waste Management**

Ongoing waste management within the development shall be carried out in accordance with the approved Waste Management Plan and the following requirements:-

- a) Appropriate waste management practices are to be adopted within the development at all times.
- b) The waste storage room situated on the ground floor shall be kept in a clean, tidy and hygienic condition at all times.
- c) The waste and recyclable storage area shall be fully enclosed, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls covering the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hot and cold hose cock shall be provided within the room. Details shall be provided with the Construction Certificate and endorsed on the construction drawings, and works completed prior to the issue of an Occupation Certificate.
- d) A person shall be nominated to manage the collection of waste material including but not limited to bin placement ready for collection and retrieval of bins soon after collection of contents, cleansing of bins, storage of bins within the compound and the like.

**Reason:-** to ensure appropriate ongoing waste management practices within the development in accordance with Council's Development Control Plan requirements.

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**88. Occupation Certificate**

A person must not commence occupation or use of the whole or part of a new building unless an occupation certificate has been issued in relation to the building or part.

The application for an Occupation Certificate must be made to the Principal Certifying Authority (Council or an accredited certifier) using the approved form.

**Reason:-** to comply with the requirements of Section 6.9 of the Environmental Planning and Assessment Act (as amended).

**89. Sanitary Compartment doors - All Buildings**

The door to a fully enclosed sanitary compartment must open outwards OR slide OR be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2m between the closet pan within the sanitary compartment and the nearest part of the doorway.

**Reason:-** to comply with BCA F2.5 and Part 3.8.3.3.

**90. Exit Doors Installed in the Path of Travel**

A door in a required exit, forming part of a required exit or in the path of travel to a required exit, must be readily openable without a key from the side facing a person seeking egress, by a single handed downward action or pushing action on a single device.

**Reason:-** to ensure people can exit the building at all times and to comply with the requirements of D2.21 of the BCA.

**91. Termite Protection**

Where a primary building element in a building may be subject to attack by termites, those members will need to be protected in accordance with Clause 3.1.3.0 of the Building Code of Australia. Satisfactory compliance with this requirement is achieved by applying a preventative treatment in accordance with AS 3660.1-2000.

Where a patented method of physical protection or chemical treatment is carried out, a certificate shall be submitted to The Principal Certifying Authority from the installer/pest control firm indicating that the protection used complies with AS 3660.1-2000 and the Building Code of Australia. This certificate shall be forwarded to The Principal Certifying Authority **prior to the pouring** of any slab on ground or **prior** to a bearers and joist inspection.

Where an alternative method of treatment is proposed, it is to be provided in accordance with the requirements of Clause 3.1.3 and Clause P2.1 in Section 2 of the Building Code of Australia. Details of any proposed performance based compliance system must be submitted to The Principal Certifying Authority for approval.

A durable notice must be permanently fixed to the building in a prominent location regarding the installation of termite barriers, such as in a meter box or the like indicating:-

- i) The method of protection; and
- ii) The date of installation of the system; and
- iii) Where a chemical barrier is used, its life expectancy as listed on the National



- Registration Authority label; and
- iv) The installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

**Reason**:- to comply with Clause 3.1.3.0 of the Building Code of Australia and AS 3660.1-2000.

92. **Emergency Lighting and Illuminated Exit Signs**

A complete system of emergency lighting and illuminated exit signs is to be installed throughout the building.

**Reason**:- to assist people exiting the building in the event of power failure.

93. **Portable fire extinguishers**

Portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS2444.

**Reason**:- to allow occupants to undertake initial attack on fire.