

Conditions of consent (draft)

Proposed development	Alterations and additions to the existing indoor recreation facility to provide an additional 2 indoor basketball courts, amenities, lobby connection to existing stadium, car parking and associated landscaping and civil works.
Property description	1 Mount Street/Ralph Place, Mount Druitt (Kevin Betts Stadium)

1 **Advisory**

1.1 **Terminology**

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Sections 6.4 of the Environmental Planning and Assessment Act 1979.

1.2 **Scope of Consent**

- 1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

1.3 **Other Approvals**

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:
 - (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
 - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development.
 - (c) the installation of vehicular footway crossings servicing the development, and
 - (d) the erection of any permanent / structural play equipment not indicated on the approved plans, and
 - (e) the installation of any signage not indicated on the approved plans, not being "Exempt Development" within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and
 - (f) the erection of any outdoor storage structures or shade structures not indicated on the approved plans, not being "Exempt Development" within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- 1.3.3 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) the installation of a caravan, temporary structure, stormwater drainage in a public place, amusement device or other activity not being an exempt activity under Council's Local Approvals Policy adopted under the provisions of the Local Government Act 1993.

- 1.3.4 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.4 Services

- 1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Recognised energy provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or call 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 1.4.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.4.3 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.4 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or

impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

- 1.4.5 The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

1.5 Identification Survey

- 1.5.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.6 Heritage

- 1.6.1 While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:
- a) the work in the area of the discovery must cease immediately;
 - b) the following must be notified
 - i) for a relic - the Heritage Council; or
 - ii) for an Aboriginal object - the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.
- 1.6.2 Site work may recommence at a time confirmed in writing by:
- a) for a relic - the Heritage Council; or
 - b) for an Aboriginal object - the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

1.7 Payment of Engineering Fees

- 1.7.1 If the applicant wishes for Council to issue the Construction Certificate as nominated in the 'Prior to Construction Certificate please:
- (i) Complete application form
 - (ii) Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

1.8 Demolition

- 1.8.1 Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working methods may be obtained from the following organisations and publications (including those which may supersede such publications):
- (a) Safework NSW (Ph: 13 10 50) – "Short Guide to Working with Asbestos",
 - (b) NSW Office of Environment & Heritage (Ph: 9995-5000) – "A Guide to Keep Your Family Safe from Lead", "A Renovators Guide to the Dangers of Lead",
 - (c) "Code of Practice for the Safe Removal of Asbestos" 2nd Edition– National Occupational Health and Safety Commission:2002 (2005),
 - (d) Australian Standard 4361.1-1995 – Guide to Lead Paint Management (Industrial Applications),
 - (e) Australian Standard 4361.2-2017 – Guide to hazardous paint management Lead paint in residential, public and commercial buildings, and

- (f) Australian Standard 2601-2001 – The demolition of structures.

2 GENERAL

2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Prepared By	Dated
Location Plan DA10 Rev A	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
Proposed Site Plan DA20 Rev J	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
Ground Floor Plan D40 Rev F	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
Roof Plan DA50 Rev F	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
External Elevations North and South Plan DA60 Rev E	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
External Elevations East and West Plan DA61 Rev E	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
Sections Plan DA70 Rev E	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
External Material Selection Plan DA80 Rev D	Warren and Mahoney Architects Australia Pty Ltd	25/10/2022
General Arrangement Landscape Plan Rev 03 (2 sheets)	Tract Landscape Architects	2/11/2022
Material and Planning Palette Plan Revision 03	Tract Landscape Architects	2/11/2022
Details Plan Revision 03	Tract Landscape Architects	2/11/2022

* unless modified by a condition of this consent.

2.2 Services

- 2.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

2.3 Suburb Name

- 2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: Mount Druitt

2.4 Other Necessary Approvals

- 2.4.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.
- i. Vehicular crossing
 - ii. Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

2.5 Engineering Matters

2.5.1 Design and Works Specification

- 2.5.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

- 2.5.1.2 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc.)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

2.6 Other Matters

- 2.6.1 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

- 2.6.2 The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets of Part J of DCP 2015 for the entire site in perpetuity:

Required percentage reductions in post development average annual load of pollutants

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Suspended Solids	85

Total Phosphorous	65
Total Nitrogen	45
Total Hydrocarbons	90

- 2.6.3 The registered proprietor/lessee is to provide to Council's WSUD Compliance Officer a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer WSUD@blactown.nsw.gov.au.
- 2.6.4 Each year the registered proprietor/lessee is to provide to Council's WSUD Compliance Office at WSUD@blactown.nsw.gov.au a report outlining all non-potable water used annually and the percentage of non-potable reuse

2.7 **Building**

- 2.7.1 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

3. **PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)**

- 3.1 The Remediation Action Plan (RAP), prepared by GeoEnviro Consultancy Pty Ltd, must be implemented, particularly on the validation plan and site management plan as outlined in the RAP.
- 3.2 The recommendations provided in Section 6 of the Acoustic Report, prepared by Marshall Day Acoustics and dated 23 August 2022 must be implemented.
- 3.3 All areas potentially/contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;
- i. NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites (1997)
 - ii. NSW Environment Protection Authority's Contaminated Sites Sampling Design Guidelines (1995).
 - iii. Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council's Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (1992).

4. **PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

- 4.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.
- 4.1.2 Construction Certificate plans are to incorporate full details of waste storage and collection facilities including any necessary changes to approved plans to ensure waste facility and collection satisfies the following:
- i. The bin storage area is to have a minimum floor area of 10m² and be capable of accommodating a minimum of 8 x 240L bins or 3 x 660L bins for general waste (collected weekly) and 1 x 1,100L bin (collected fortnightly) or 1 x 660L bin (collected weekly) for paper and cardboard recycling;
 - ii. A doorway width of 1.5m is to be provided to facilitate the movement of bins;

- iii. A bulky waste room measuring 4m² is to be provided adjacent to the bin storage area but separated from it. A caged front is preferred to ensure hazards can be identified before entry;
 - iv. The garbage truck loading area is to have a minimum length of 12 metres and width of 3.5 metres;
 - v. A minimum overhead clearance of 4.5 metres is to be provided for the entire travel path within the site of the garbage truck;
 - vi. Path grades for the transfer of bins must not exceed 1:24 for 660L and 1100L bulk bins, and 1:14 for 240L bins.
- 4.1.3 Construction Certificate plans are to demonstrate the provision of a minimum of 101 car parking spaces, being 59 new spaces (38 adjacent to the western end of the access driveway and 21 accessed off the circular turning area adjacent to the entry to the building) and 42 located at the western end of the playing field adjacent to the Ralph Place entry to the site. Of the 21 parking spaces located adjacent to the entry to the building a minimum of 10 spaces are to be provided as accessible spaces.
- 4.1.4 All internal driveways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 4.1.5 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.
- 4.1.6 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
- 4.1.7 A minimum 8 bicycle parking spaces are to be provided on site and are to be designed in accordance with Australian Standard 2890.1.
- 4.1.8 Speed humps or other traffic calming devices are to be provided for the length of the driveway from Ralph Place to the circular parking area with a maximum separation between each calming device of 50 metres.

5. PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

5.1 Building Code of Australia Compliance

- 5.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) Complying with the deemed to satisfy provisions, or
- (b) Formulating an alternative solution which:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

- 5.1.2 Documentation is to be incorporated into Construction Certificate drawings to address the following:

- 1) The doorway associated with the Unisex Accessible Sanitary Compartment annotated as 'ACC Toilet' requires increased door circulation space to

accommodate a minimum 300mm latch-side clearance to the basin. This can be readily refined in design (e.g. shifting doorway further hinge-side or power-operating the doorway on push button activation) to comply with AS1428.1-2009;

- 2) A pedestrian path of travel from the Ralph Place frontage of the site and from all accessible parking spaces to the building entry complying with AS1428.1-2009 as per the requirements of Part D3.2(a)(i) of the BCA and Clause 3.2 of the Disability Access to Premises Standards;
- 3) Satisfaction with all elements of D3.3 of the BCA and AS1428.1-2009;
- 4) That all accessible car parking spaces satisfy the provisions of Part D3.5(a) of the BCA;
- 5) Compliance with Clause 15 & 16 requirements of AS1428.1-2009 in respect to sanitary facilities. It should be noted that the WC's shown on the design plans with a wheelchair symbol within the male and female sanitary facilities are not to be nominated as an ambulant or accessible WC by signage complying with Clause D3.6 of the BCA given each WC's inability to comply as an ambulant or accessible WC. The adjacent WC's with an outward opening door are capable of modification to be the nominated ambulant WC's. Further design documentation is required to indicate the compliant width of 900 to 920mm is provided in the designated ambulant WC within the female sanitary facility as per Clause 16 of AS1428.1-2009. It is currently scaled at 849.9mm wide. The male sanitary facility is capable of complying however further documentation is required to ensure full compliance.

6. PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

6.1 General

- 6.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
- 6.1.2 The engineering drawings referred to below are not for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application.

Construction Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
TTW Consulting	211424	C01	1	P4	24/02/23
		C02	2	P4	
		C03	3	P4	
		C05	4	P5	
		C06	5	P5	
		C09	6	P4	
		C15	7	P4	
		C16	8	P4	

		C20	9	P4	
		C21	10	P4	

6.1.3 The following items are required to be addressed on the Construction Certificate plans:

- i. The applicant must provide a certification of stormwater design detailing the provision of the on site stormwater detention, rainwater tank, water quality treatment device, drainage infrastructure and stormwater disposal system in accordance with the part J of Blacktown City Council's DCP 2015 and WSUD Developer Handbook and generally in accordance with the concept stormwater plans prepared by TTW, Job No. 211424, C01-P4, C02-P4, C03-P4, C05-P5, C06-P5, C09-P4, C10-P3, C11-P1, C15-P4, C16-P4, C20-P4, C21-P4, revision P4 and dated 24/02/23.
- ii. Detailed stormwater plan is to be prepared by a qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) and registered.
- iii. The stormwater plans must address the following:
 - a. A minimum 120 KL rainwater tank must be installed. At least 95% of the roof area must be collected into the proposed tank.
 - b. At least 170 KL OSD storage tanks must be provided.
 - c. All internal pipe systems must provide the minimum capacity of the 5% AEP design storm.
 - d. All access grates to the below ground detention tank must be a minimum 900 mm by 900 mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 5 m.
 - e. All pits containing OceanGuards are to be clearly detailed.
 - f. Detailed sections of the proposed Jellyfish must be provided.
 - g. Swale details must be provided
 - h. Any pump and re-use devices of the rainwater tank must be provided
 - i. Detailed Confined Space Entry Warning sign must be provided on the plan

Detailed plans, engineering certification are to be submitted to the Certifying Authority for approval prior to issue of the Construction Certification

6.1.4 Designed plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

- i. 4 star dual-flush toilets
- ii. 3 star showerheads
- iii. 5 star taps (for all taps other than bath outlets and garden taps)
- iv. 3 star urinals

- 6.1.5 For the rainwater tank, an experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply for non-potable water uses on the site including all toilet/urinal flushing and landscape watering. Ensure that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
- i.a first flush or pre-treatment system (typically 0.2 litres / m² of roof area going to the tank),
 - ii.a pump with isolation valves,
 - iii.control panel and a warning light to indicate pump failure;
 - iv.a solenoid-controlled mains water bypass;
 - v.flow meters on the solenoid-controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage and % reuse;
 - vi.a minimum of 2 external taps at the front and 2 at the rear for garden watering for landscape garden watering). Each tap accessible by children is to be either lockable or use a removable handle.
 - vii.designed to automatically achieve a minimum average usage rate of 240 kL/yr at (0.4 kL/yr/m²) including increasing the frequency of watering by a minimum 50% above average for the hotter months and reducing for the cooler months
 - viii.ensuring all the rainwater reuse pipes and taps are coloured purple;
 - ix.fitting rainwater warning signs to all external taps using rainwater.

6.2 Construction Certificate Requirements

- 6.2.1 Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate is required. These works include but are not limited to the following:
- a. Road and Drainage construction
 - b. On-site stormwater detention
 - c. Water quality treatment
 - d. Earthworks
 - e. Inter-allotment drainage (created within the subject lot)

The above requirements are further outlined in this section of the consent.

6.3 Local Government Act Requirements

- 6.3.1 Under *Section 68 of the Local Government Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
- a) Any works within a Council reserve
 - b) Any works on adjoining land (outside the subject site boundaries)
 - c) Inter-allotment drainage on adjoining land

The above requirements are further outlined in this section of the consent.

6.4 Roads Act Requirements

- 6.4.1 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
- a) Any works within Council's road reserve
 - b) Kerb inlet pit connections or construction
 - c) Vehicular crossings
 - d) Path paving

The above requirements are further outlined in this section of the consent.

6.5 Other Engineering Requirements

- 6.5.1 As the estimated cost of works is greater than \$25,000, proof of long service levy payment is required.
- 6.5.2 Any ancillary works undertaken shall be at no cost to Council.
- 6.5.3 Submit written permission from the affected property owner for any works proposed on adjoining land.

6.6 Roads

- 6.6.1 Submit a pavement report prepared and designed by a professional civil engineer with soil tests carried out by a registered NATA soils laboratory. The pavement design shall withstand the traffic loadings of minimum 5×10^4 N(ESA) listed in this consent.
- Note: The design CBR is to be confirmed on site prior to placement of any pavement. If actual CBR is less than design CBR, revised pavement design will be required.
- 6.6.2 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a person who holds a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation and photo card.
- 6.6.3 Road shoulder for the full road frontage of the development is required. These construction works include drainage, kerb and gutter, footway turfing, service adjustments and any other ancillary work necessary to make this construction effective.
- 6.6.4 Indicate the replacement of the redundant layback and footway crossing with Council's standard kerb and gutter. The footway area shall be restored with turf in accordance with Council's specifications.
- 6.6.5 Design the roundabout in accordance with Austroads "Guide to Traffic Engineering Practice - Roundabouts Part 6" and to Council's standard.
- 6.6.6 Staging of road construction will be permitted where suitable traffic circulation or temporary turning areas in dead end roads are evident in accordance with Council's Engineering Guide for Development.

6.7 Drainage

- 6.7.1 Drainage from the site must be connected into Council's existing drainage system.
- 6.7.2 Provide inter-allotment drainage lines for lots that do not drain directly to a public road. The design shall include pipeline long-sections and identify location and levels of services.

6.7.3 Footings adjacent to easements shall not place a load on the pipe within the easement. Footings shall be:

- (a) at the depth of the invert of the existing pipeline,
- (b) at the depth of the invert of any proposed pipeline
- (c) designed and certified by a practising NER structural engineer to ensure the above is satisfied

All development shall be kept clear of drainage easements. The surface levels within the easement are not to be changed.

6.7.4 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.

6.8 Erosion and Sediment Control

6.8.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

6.9 On-Site Detention

6.9.1 On-site detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)175M On-site detention requirements - Sheet 20, or an S3QM Certificate

6.9.2 A registered engineer (NER) must certify that:

- a) The structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
- b) The on-site stormwater detention system will perform to meet the on-site stormwater detention requirements and function hydraulically in general accordance with Council's Engineering Guide for Development, DCP [Part J - Water Sensitive Urban Design and Integrated Water Cycle Management](#), S3QM Deemed to comply tool and Council's Standard Drawing A(BS)175M.

6.9.3 The following documents shall be submitted to accompany the on-site detention design in accordance with the design:

- a) Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- b) On-site detention detailed design submission and calculation summary sheet
- c) A maintenance schedule that complies with Council's Water Sensitive Urban Design maintenance guidelines, signed and dated by the designer
- d) S3QM Deemed to Comply On-site detention summary details

6.10 Geotechnical matters

6.10.1 The recommendations of the Geotechnical Assessment Report of the site prepared by JK Geotechnics dated 29 August 2022 are to be implemented during site preparation and construction as detailed in Section 4, 5 and 6 of this report.

7. PRIOR TO CONSTRUCTION CERTIFICATE (BIODIVERSITY)

- 7.1 A revised landscape plan is to be submitted and approved by Council's Natural Open Space Team prior to issue of the Construction Certificate incorporating the following:
- i. identify all trees to be retained within the vicinity of works and all trees to be removed
 - ii. replace *Eucalyptus macrocarpa* with a suitable species substitute
 - iii. replace *Hedera helix* with a suitable species substitute
 - iv. a wider palette of local grasses and shrubs
 - v. indicate pot size for all new plantings and consider large sizes (min.100L) for trees to assist establishment success
 - vi. species selection representative of the Cumberland Plain Woodland CEEC
 - vii. All trees to be removed replaced at a ratio of 2:1

- 7.2 Prior to the issue of a Construction Certificate and as outlined in the BDAR, a Biodiversity Management Plan (BMP) is to be prepared and submitted to Council for approval. The BMP is to comprise of a detailed site plan and an accompanying report in a legible format prepared by a person who has qualifications and experience in respect of ecology and is to be submitted to Council's Natural Areas team for consideration.

The BMP is to relate to the land within Lot 10 DP775622 Ralph Place Mt Druitt and must contain full details including costings of the actions proposed to be taken with respect to the management of fauna during the course of carrying out the development.

The BMP is to be consistent with the NSW Department of Planning, Industry and Environment "Code of Practice for injured, sick and orphaned protected fauna" 2011 (the Code). Where habitat trees are to be removed, use a slow-drop method and employ the following staged habitat removal process:

Non-habitat trees, shrubs and groundcover are removed first, followed by habitat trees at least 24 hours later, thereby allowing fauna within habitat trees to leave of their own accord due to the initial disturbance.

Importantly, 24 hours prior to, and during clearing, animals present are to be captured and relocated (or sent to rehabilitator if injured) by a qualified Ecologist or Wildlife Spotter Catcher.

- 7.3 The BMP must include the following:
- a. Biodiversity management strategies for pre-construction, construction and post construction activities including environmental control measures for the pre-clearing process.
 - b. A fauna rescue and release procedure. Given tree removal is required, a licensed wildlife carer or ecologist will be required on site as a fauna handler ('Rescuer' under the Code) during tree removal works.
 - c. A release site within 100m of the site is to be nominated by the Project Ecologist prior to clearing
 - d. Proposed strategies for re-use of top soil, tree hollows, logs, coarse woody debris and bush rock:

- i. All identified tree hollows proposed to be removed, are to be salvaged and placed in onsite retained or nearby bushland areas under the direction of an ecologist to Council's satisfaction.
- ii. For all tree hollows, not able to be salvaged, they are to be replaced with nest boxes or artificial hollows elsewhere on the subject property with three nest boxes / artificial hollows for every one hollow removed.
- iii. Replacement tree hollows and/or nest boxes at a ratio of 3:1 are to be provided prior to hollow tree felling
- e. Timing of a microbat survey of roof cavities of man-made structures on site, prior to demolition.
- f. A procedure for dealing with unexpected threatened species finds. The procedure must include, as a minimum, the following:
 - i. stop work arrangements in the immediate area of the threatened species;
 - ii. notification and communication protocol;
 - iii. consultation with the specialists to assess the significance of the find; and
 - iv. a list of approvals, licences or permits likely required prior to recommencing works.

7.4 Prior to the issue of a Construction Certificate the applicant shall retire:

- i. 7 ecosystem credits of PCT 849 Cumberland Plain Woodland in accordance with the offset strategy in the ecological assessment prepared by Narla Environmental dated Nov 2022 to offset the loss of 0.3 ha of PCT 849 on the subject site (Table 1), and
- ii. 2 species credits of Lathamus discolor (Swift Parrot) in accordance with the offset strategy in the ecological assessment prepared by Narla Environmental dated Nov 2022 to offset the loss of important areas foraging habitat on the subject site (Table 2).
- iii. Table 1: Ecosystem credits required to be retired - like for like

	Impacted plant community type (PCT)	Number of ecosystem credits	Containing HBT	IBRA sub-region	Plant community type(s) that can be used to offset the impacts from development	
	Cumberland Plain Woodland in the Sydney Basin Bioregion PCT 849	2	0	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi or Yengo OR Any IBRA subregion that is within 100 km of the outer	849, 850	

			edge of the impacted site.	
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Table 2: Species credits required to be retired - like for like

	Impacted species credit species	Number of species credits	IBRA sub-region	
	Lathamus discolor	2	Anywhere in NSW	

Directions on payment for biodiversity credit offsets can be found at this link:

<https://www.bct.nsw.gov.au/cards/pay-fund-offset-development>

Evidence of the retirement of credits or payment to the NSW Biodiversity Conservation Trust in satisfaction of these conditions must be provided to Council prior to issue of construction certificate.

7.5 A Construction Environment Management Plan (CEMP) for the construction phase of the project is to be prepared and submitted to Council prior to issue of the Construction Certificate. The CEMP is to include, as a minimum:

- a) a project overview,
- b) hours for construction activity,
- c) site establishment and public safety,
- d) temporary worker amenities,
- e) traffic and parking,
- f) complaints management procedures,
- g) existing buildings, structures and vegetation protection,
- h) controls to prevent the introduction and spreading of weeds and pathogens,
- i) air quality and dust control,
- j) noise and vibration,
- k) stormwater and sediment control,
- l) industry standard measures for the management of soil, surface water, weeds and pollutants,
- m) site-specific measures, including the procedures outlined in Section 6 of the Streamlined Biodiversity Development Assessment Report prepared by Narla Environmental Pty Ltd dated November 2022.

The proposed mitigation measures are to include environmental safeguards for protection of neighbouring properties and nearby waterways in accordance with relevant policy documentation and Government guidelines.

In order to address the potential impacts of the proposal on biodiversity, the mitigation and management measures outlined within Table 16 of the report are to be implemented as part of the CEMP for the site.

8 PRIOR TO DEVELOPMENT WORKS

8.1 Safety/Health/Amenity

- 8.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

- 8.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with the Environmental Planning and Assessment Regulation 2021 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the 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.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

- 8.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 8.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

- 8.1.5 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.

- 8.1.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40 mm or larger aggregate placed 150 mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

- 8.1.7 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

8.2 Notification to Council

- 8.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

8.3 Sydney Water Authorisation

- 8.3.1 Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

8.4 Other Matters

- 8.4.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:
- a. date/s, hours and duration of the works.
 - b. contact name and phone number of the applicant
 - c. contact name and phone number of the licensed demolisher
 - d. SafeWork NSW contact number 131050, and email address contact@safework.nsw.gov.au

8.5 Open Space and Biodiversity Requirements

- 8.5.1 Trees 1-11, 14-19, 25, 28-40, 46, 48-50, 53-55, 62-85, 97-100 and 117 as indicated in the Arboricultural Impact Assessment (AIA) and Tree Protection Plan Report by Birds Tree Consultancy on 20th October 2022 can be removed as part of this development.
- 8.5.2 Trees 12-13, 20-24, 26-27, 41-45, 47, 51-52, 56-61, 86-96, are to be retained in situ and protected as detailed in Section 7 of the Arboricultural Impact Assessment (AIA) and Tree Protection Plan Report by Birds Tree Consultancy. Tree protection measures

are to be implemented as per Australian Standard AS4970 2009 Protection of trees on development sites and the tree protection plan contained within the AIA. The tree protection measures are to be installed prior to construction commencing.

- 8.5.3 Two inspection fees as per Council's Goods and Services Pricing Schedule are to be paid to Council prior to commencement of works for the authorised officer to inspect the tree protection measures implemented prior to construction commencing and upon completion of construction and the removal of the Tree protection fencing.
- 8.5.4 A qualified and experienced Ecologist Consultant (minimum 3 years' experience) with a minimum tertiary degree in Science, Conservation, Biology, Ecology, Natural Resource Management, Environmental Science or Environmental Management is to be engaged prior to commencement of works. The Ecologist must be licensed with a current Department of Primary Industries Animal Research Authority permit and New South Wales Scientific License issued under the BC Act. The Ecologist will be commissioned to:
- a) Conduct microbat survey of roof cavities of man-made structures, prior to demolition
 - b) Undertake an extensive pre-clearing survey, delineating habitat-bearing trees and shrubs to be retained/removed; and
 - c) Supervise the clearance of trees and shrubs (native and exotic) in order to capture, treat and/or relocate any displaced fauna. In addition, details on capture method and release location identified for microbats or other fauna found.
- 8.5.5 A Site Arborist is to be appointed with the responsibility of implementing all Tree Protection Measures as detailed in the arborist report by Birds Tree Consultancy Revision A (dated 20 Oct 2022) and conditions of this consent as well as ensuring compliance with AS4970-2009 Protection of Trees on Development Sites. The Site Arborist is to hold qualifications equivalent of AQF Level 5.
- 8.5.6 Tree protection works shall be inspected and approved by a Consulting Arborist meeting AQF Level 5 prior to construction works commencing.
- 8.5.7 Bushland protection fencing is to be erected along the perimeter of works prior to works commencing. Fence to comprise 1800mm high chain wire mesh fixed to 50mm diameter. Galvanised steel posts. Panels should be securely fixed top and bottom to avoid separation.
- 8.5.8 Mulch is to be installed to the extent of all tree protection fencing prior to construction works commencing. Use a leaf mulch conforming to AS 4454 which is free of deleterious and extraneous matter such as soil, weeds, sticks and stones and consisting of a minimum of 90% recycled content compliant with AS 4454 (1999) and AS 4419 (1998). All trees approved for removal are to be chipped and reused for this purpose. Place mulch evenly and to a depth of 100mm.
- 8.5.9 Tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:
- I. No Access within Tree Protection Zone,
 - II. The name, address, and telephone number of the developer,

III. The name and telephone number of the Site Arborist.

- 8.5.10 No storage of building materials, tools, paint, fuel or contaminants and the like shall occur within the fenced area. There is to be no storage of materials, mixing of materials, vehicle parking, disposal of liquids, machinery repairs and refueling, site office and sheds, and the lighting of fires, stockpiling of soil, rubble or any debris within the TPZ of existing trees.

9 DURING DEMOLITION WORKS

9.1 Safety/Health/Amenity

- 9.1.1 Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition works. Notices lettered in accordance with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.
- 9.1.2 A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 9.1.3 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 9.1.4 Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.1.5 All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable SafeWork NSW requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2005 (if applicable)
- 9.1.6 All plant and equipment used on the land shall be operated by a competent person. Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.
- 9.1.7 A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- 9.1.8 Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.
- 9.1.9 All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- 9.1.10 The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.

9.2 Nuisance Control

- 9.2.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 9.2.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7

am and 6 pm, Monday to Friday, and 8 am to 1 pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.

- 9.2.3 The waste material sorting, storing and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of the demolition works.

9.3 **Tree matters**

- 9.3.1 Upon the completion of the development works, a final assessment of the trees shall be undertaken by the Project Arborist and future recommended management strategies implemented as required. The final assessment report is to be presented to Council to provide advice on the retained trees (as per the AIA) health to make determination of any Bond return to the applicant.

10 **DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**

- 10.1 The recommendations provided in Section 6 of the Acoustic Report, prepared by Marshall Day Acoustics and dated 23 August 2022 must be implemented.
- 10.2 On completion of the installation of any new ventilation system, a Compliance Certificate is to be submitted to Council certifying that the system has been installed and commissioned in accordance with the approved details.
- 10.3 Any asbestos material is to be handled and treated in accordance with the WorkCover document "*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.
- 10.4 Any materials requiring off-site disposal will need to be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines (2014).

11 **DURING CONSTRUCTION (ENGINEERING)**

11.1 **Notification of Works**

- 11.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.

11.2 **Insurances**

- 11.2.1 Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000 Indemnity and Workers Compensation.

11.3 **Service Authority Approvals**

- 11.3.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

11.4 Soil Erosion and Sediment Control Measures

- 11.4.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 11.4.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- 11.4.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

11.5 Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.

- 11.5.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Where Council is appointed as the Principal Certifying Authority for the development, compliance certificates issued by accredited certifiers in lieu of council inspections will only be accepted by prior agreement or by Council request. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

11.6 Public Safety

- 11.6.1 The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

11.7 Site Security

- 11.7.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

11.8 Other Matters - Drainage

- 11.8.1 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the toilets are capable of being supplied

by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.

12 DURING CONSTRUCTION (BUILDING)

12.1 Safety/Health/Amenity

12.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

12.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with the Environmental Planning and Assessment Regulation 2021 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the 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.

12.1.3 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

12.1.4 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

12.1.5 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40 mm or larger aggregate placed 150 mm deep, and extending from the street kerb/road shoulder to the land shall be provided.

12.1.6 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.

12.1.7 Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

12.2 Building Code of Australia Compliance

12.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

12.3 Surveys

12.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifier to verify the approved position of each structure in relation to the property boundaries.

12.3.2 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifier prior to work proceeding above floor level.

12.4 Nuisance Control

- 12.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 12.4.2 The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

12.5 Stormwater Drainage

- 12.5.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:
- (a) the floor level being a minimum 225 mm above the adjoining finished ground level, and/or
 - (b) being drained to an effective drainage system.
 - (c) if draining to kerb use an approved kerb outlet and sewer grade PVC or RH

12.6 Waste Control

- 12.6.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

12.7 Construction Inspections

- 12.7.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):
- (a) After excavation for, and prior to placement of, any footings; and
 - (b) Prior to pouring any in-situ reinforced concrete building element; and
 - (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
 - (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2, 3 or 4 building); and
 - (e) Prior to covering any stormwater drainage connections; and
 - (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection “(f)” must be carried out by the Principal Certifier.

Any inspection conducted by an accredited certifier other than the nominated PC for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue

of an Occupation Certificate.

13 PRIOR TO OCCUPATION CERTIFICATE

13.1 NSW Police

- 13.1.1 Speed humps or other traffic calming devices are to be provided for the length of the driveway from Ralph Place to the circular parking area west of the playing field with a maximum separation between each calming device of 50 metres.
- 13.1.2 A monitored intruder alarm system designed to the Australian Standard, Domestic & Commercial Alarm System is to be installed to enhance the physical security of premises. Consideration should also be given to incorporating duress facility into the system to enable staff to activate the system manually in the event of an emergency, such as a robbery. The system should be tested on a regular basis to ensure that it is operating effectively, and staff should all be trained in the correct use of the system.
- 13.1.3 All external lighting is to provide low glare/high uniformity lighting levels in line with Australian Standard AS: 1158 with use of a 'white light' source preferred. Anti-vandalism light covers are to be used for all external lighting to reduce opportunities for malicious damage (vandalism).
- 13.1.4 Pedestrian lighting is to be provided to all new pathways within the site.
- 13.1.5 CCTV is to be installed to provide active surveillance around the site and in particular to areas where passive surveillance is limited. Clearly visible signage is to be provided to promote the presence of CCTV in order to deter criminal activity. All CCTV surveillance cameras to have anti-vandalism covers to reduce opportunities for malicious damage (vandalism) and ensure they remain operational.

13.2 Environmental Health Matters

- 13.2.1 Documentation shall be submitted to Council certifying that any new ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control.
- 13.2.2 A NSW Environment Protection Authority accredited Site Auditor shall review the validation report as required in consent condition 3.3, and submit to Council a Site Audit Statement. The Site Audit Statement shall verify that the investigation, remediation and validation was carried out in accordance with the relevant guidelines and that the site is suitable for the proposed use.

13.3 Engineering matters

13.3.1 Road Damage

- 13.3.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

13.3.2 Compliance with Conditions

- 13.3.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

13.3.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of the Environmental Planning & Assessment Act 1979.

13.3.3 Fee Payment

13.3.3.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

13.3.4 Surveys/Certificates/Works As Executed plans

13.3.4.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A colour soft copy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering WAE plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.

13.3.4.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines.

13.3.4.3 A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished floor levels (FFL) required by this consent have been achieved. The certificate must acknowledge that works and the construction of the floors have been complete. All levels must be to Australian Height Datum (AHD).

13.3.4.4 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.

13.3.4.5 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the on-site detention system(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.

13.3.4.6 A Certificate from a Registered Engineer (NER) must be lodged with Council verifying that pier and beam style construction was used adjacent to the easement to the depth of the invert of the pipeline.

13.3.4.7 A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.

13.3.4.8 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

Where Council has been nominated or defaulted as the nominee for engineering compliance, final inspections can be arranged through Council's Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

13.3.5 Easements/Restrictions/Positive Covenant

13.3.5.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

(a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).

(b) The standard format for easements and restrictions as accepted by the Land Registry Services.

13.3.5.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services (LRS) over the on-site detention storage areas and outlet works.

13.3.5.3 Restrictions and/ or positive covenant must be endorsed by Council and lodged with NSW Land Registry Services (LRS) over the overland flow-path.

13.3.6 Inspections

13.3.6.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

13.3.7 Other Matters - Drainage

13.3.7.1 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

- i. 4 star dual-flush toilets;
- ii. 3 star showerheads;
- iii. 5 star taps (for all taps other than bath outlets and garden taps);
- iv. 3 star urinals; and
- v. 3 star Water efficient washing machines and dishwashers have been used.

13.3.7.2 A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:

- i. all the non-potable water uses (including toilet use) are being supplied by rainwater;
- ii. all the requirements of the detailed Non-Potable Water Supply Plan have been installed to the required locations.
- iii. the flow meters have been installed on the solenoid controlled mains water bypass line and the pump outflow line;
- iv. The initial flow meter readings are detailed in the certificate;
- v. the pumps, alarms and all other systems are working correctly;
- vi. A minimum of 4 external taps connected to rainwater have been provided;
- vii. All external reuse taps accessible by children are lockable or have removable handles;
- viii. For the rainwater tank the water from at least one external tap and two toilets have been tested to show no chlorine residual.
- ix. Rainwater warning signs are fitted to all external taps using rainwater.

- x. A signed, works-as-executed Non-Potable Water Supply is to be provided to Council's WSUD Compliance Officer WSUD@blacktown.nsw.gov.au
- xi. documentation that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system installed on the property. The documentation is to include the final version of the Stormwater management report and certified and signed stormwater Works-as-executed plans

13.3.7.3 Prior to the issue of the Occupation certificate, the Applicant shall provide a Maintenance schedule for the WSUD system installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council for approval.

13.3.7.4 Prior to the issue of the Occupation certificate, the applicant shall provide a Positive covenant and Restriction on the use of land over the WSUD system installed on the property. The Positive covenant and Restriction on the use of land is to be accordance with Appendix F of Council's Engineering Guide for Development. The Positive covenant and Restriction on the use of land is to be endorsed by Council and lodged with New South Wales Land Registry Services. The applicant shall submit documentary evidence of the lodgement and execution of the Positive covenant and Restriction on the use of land to Council prior to the issue of the final Occupation certificate.

13.3.7.5 A Chartered Civil Engineer registered with NER, is to certify that:

- I. all the requirements of the approved drainage plans have been undertaken;
- II. the water quality devices have been correctly installed;
- III. all signage and warning notices have been installed;
- IV. the orifice size matches the approved construction certificate plans;

A copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council.

13.3.8 Car Parking

13.3.8.1 A minimum of 101 car parking spaces are to be provided, being 59 new spaces (38 adjacent to the western end of the access driveway and 21 accessed of the circular turning area adjacent to the entry to the building) and 42 located at the western end of the playing field adjacent to the Ralph Place entry to the site. Of the 21 parking spaces located adjacent to the entry to the building a minimum of 10 spaces are to be provided as accessible spaces.

14 OPERATIONAL

14.1 General

14.1.1 The use of the premises is to comply with the provisions of the Operational Plan of Management prepared by Blacktown City Council. All hirers of the facility are to receive a copy of the plan of management for their reference prior to use.

The plan of management is to be reviewed every 2 years, to assess its ongoing effectiveness.

14.1.2 The hours for use of the facility are limited to:

- i. Monday to Friday: 9 am – 11pm
 - ii. Saturday: 6am – 11pm
 - iii. Sunday: 6am – 10pm
- 14.1.3 The ongoing management of site waste is to occur in accordance with the Waste Management Plan prepared by MRA Consulting Group and dated 7 November 2022.
- 14.1.4 An onsite caretaker/building manager must be engaged to manage the waste system for the site including:
- a) placement of bins out for servicing in the loading bay area
 - b) cleaning of bins and the waste room
 - c) management of bulky waste generated onsite
 - d) management of illegal dumping onsite
- 14.1.5 A 'Rapid Removal' policy for graffiti is to be implemented for the site.
- 14.1.6 Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection.

14.2 Environmental Health

- 14.2.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW Environment Protection Authority's Noise Policy for Industry (2017) and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.
- 14.2.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 14.2.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 14.2.4 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

14.3 Landscaping/Fencing

- 14.3.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 14.3.2 Regular maintenance and up-keep of the site must therefore be undertaken to the site to ensure that sightlines are kept free from obstructions.

14.4 Use of Premises

- 14.4.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.