

DRAFT CONDITIONS DA 64-2021

Rev E – 20/2/2022

Proposed Development: Demolition of existing structures and construction of a two-storey/part three-storey sports and recreational facility and associated works and lot consolidation.

Properties: No. 180 River Road, Lane Cove

DA No: 64-21021

SNPP Reference No: PPSSNH-235

GENERAL CONDITIONS

1. The development is to be undertaken in accordance with the following architectural drawings prepared by AJ+C Project No. 19040 submitted with the application except as modified by further conditions of this consent:

DRAWING. No.	DRAWING TITLE.	DATE	REVISION No.
DA0001	Cover Sheet	5/5/21	Rev A
DA0002	3D Views	5/5/21	Rev A
DA1001	Site Plan	5/5/21	Rev A
DA1002	Site Analysis	5/5/21	Rev A
DA1101	Demolition Plan	5/5/21	Rev A
DA2101	Level 1 Floor Plan	5/5/21	Rev A
DA2102	Level 2 Floor Plan	5/5/21	Rev A
DA2103	Level 3 Floor Plan	5/5/21	Rev A
DA2104	Roof Plan	5/5/21	Rev A
DA2901	Shadow Diagrams – 9am	5/5/21	Rev A
DA2902	Shadow Diagrams – 12pm	5/5/21	Rev A
DA2903	Shadow Diagrams – 3pm	5/5/21	Rev A
DA3101	Elevations - Sheet 1	5/5/21	Rev A
DA3102	Elevations - Sheet 2	5/5/21	Rev A
DA3201	Cross Section - Sheet 1	5/5/21	Rev A
DA3202	Cross Section - Sheet	5/5/21	Rev A

2. The development being undertaken generally in accordance with the civil engineering drawings prepared by TTW Project No. 191309 dated May 2021 submitted with the application except as modified by further conditions of this consent.
3. The development be undertaken in accordance with the Landscape Drawings submitted with the application prepared by Environmental Partnership (Issue 1 all dated April 2021) and the addendum letter prepared by Environmental Partnership dated 7/8/21 except as modified by further conditions of this consent.
4. That the development be undertaken in accordance with the recommendations and/or mitigation measures identified in the following reports/documentation submitted with the application (and any addendums submitted following lodgement on the application where necessary) except as modified by further conditions of this consent:

REPORT TITLE	PREPARED BY	DATE	REVISION/REF. No.
Lane Cove Golf Course Sports and Recreation Facility Biodiversity Development Assessment Report	Eco Logical Australia	13/10/21	Version No. 7 Project No. 20SYD - 15899
Ecological Addendum Letter	Eco Logical Australia	25/8/21	20SYD-15988
Construction & Demolition Waste Management Plan	Elephants Foot	5/5/21	Revision B Report No. SO977
Operational Waste Management Plan	Elephants Foot	5/5/21	Revision B Report No. SO977
Bushfire Assessment	Australian Bushfire Assessment Consultants	May 2021	Project 20091 Final Issue 1
Hydraulic & Wet Fire Services Concept Design Report	Intrax Projects	7/5/21	Rev E 20190060
Electrical Services Concept Design Report	Intrax Projects	7/5/21	Rev D 20190060
Stormwater Management Report	TTW	5/5/21	191309
Arboricultural Impact Assessment Report	Seasoned Tree Consulting	5/5/21	
Geotechnical Investigation	Douglas Partners	6/5/21	Rev 1 Project 99535
Stage 1 Detailed Site Investigation (Contamination)	Douglas Partners	10/2/22	Rev 0 Project 99535.02
Remediation Action Plan	Douglas Partners	11/2/22	Rev 0 Project 99535.02
Noise Impact Assessment (& Addendum letter)	Acoustic Logic	19/8/21	Rev 2
BCA Assessment Report	Blackett Maguire + Goldsmith	7/5/21	Rev 2 Ref: 200091
Fire Safety Engineering Advice	PGA Pty Ltd	5/5/21	17329-L1-V1
Access Review	funktion	May 2021	Rev 1 (final)
Crime Prevention Through Environmental Design (CPTED) Assessment	Ethos Urban	10/5/21	2190327
Spill Light Study	Steensen Varming	6/5/21	Rev 03 207037-R-L01
Addendum Letter to Spill Light Study	Steensen Varming	9/8/21	Rev 02 Ref. No. 207037
Ecologically Sustainable Development (ESD) Report	Steensen Varming	5/5/21	Rev 01 Ref. No. 207016

5. All advertising signs/structures being the subject of a separate approval except where defined as, or comprising, "Exempt Development" under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
6. The initial fit out and use of the multipurpose tenancies is to be the subject of a separate approval except where defined as, or comprising, "Exempt Development" under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

DEMOLITION

7. A Demolition Traffic Management Plan (DTMP) and report shall be prepared by a Transport for NSW (TfNSW) accredited person and submitted to and approved by Council prior to commencing any demolition work.

The DTMP must:

- a. Make provision for all construction materials to be stored on site, at all times.
- b. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- c. Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site is not permitted unless a Works Zone is approved by Council.
- d. Include a Traffic Control Plan prepared by an RMS accredited ticket holder for any activities involving the management of vehicle and pedestrian traffic.
- e. Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.

Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.

- i. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- ii. The DTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’s Manual – “Traffic Control at Work Sites”.

Note: *This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.*

8. Hazardous Building Material Survey

A hazardous building material survey is to be undertaken prior to the demolition of any structures on site, followed by the removal of hazardous building materials in accordance with current regulations and clearances by a qualified occupational hygienist.

9. Demolition Works and Asbestos Removal/Disposal

The demolition of any existing structure is to be carried out in accordance with *Australian Standards AS 2601-2001: The Demolition of Structures*. All vehicles leaving the site carrying demolition materials are to have the loads covered and are not to track any soil or waste materials into the road. Pursuant to Section 27A of the Occupational Health and Safety Act 1983 “notification to Commence Demolition Work” form is to be submitted to Workcover at least seven days prior to work commencing. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with the Workcover Authority and EPA guidelines and requirements. The asbestos must be removed by a bonded asbestos licensed operator. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

10. Dust Control

The following measures must be taken to control the emission of dust:

- a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- b) Any existing accumulations of dust (e.g. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter.
- c) All dusty surfaces must be wet down, and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
- d) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- e) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

11. Erosion and Sedimentation Controls – Major Works

Erosion and sediment control devices are to be provided. All devices are to be established prior to the commencement of engineering works and maintained for a minimum period of six months after the completion of all works. Periodic maintenance of the erosion and sedimentation control devices is to be undertaken to ensure their effectiveness.

12. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (blue Book)

13. Site Water Management Plan

A site water management plan is to be submitted to Council for approval. The plan is required to be site specific and be in accordance with “Managing Urban Stormwater – Soils and Construction” (the blue book) produced by the NSW Department of Housing.

14. Stockpiles

Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

15. Storage of Potentially Contaminated Soils

All stockpiles of potentially contaminated soil must be stored in an environmentally acceptable manner in a secure area on the site.

16. Assessment of Potentially Contaminated Soils

All stockpiles of potentially contaminated soil must be assessed in accordance with relevant NSW Environment Protection Authority guidelines, such as the publication titled *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non – Liquid Wastes* (EPA, 1999).

17. Offsite Disposal of Contaminated Soil

All contaminated soil removed from the site must be disposed at a waste facility that can lawfully receive that waste. Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.

Hazardous or intractable wastes arising from the demolition, excavation and remediation process being removed and disposed of in accordance with the requirements of WorkCover NSW and the Environment Protection Authority, and with the provisions of:

- New South Wales Occupational Health and Safety Act, 2000;
- The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
- The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
- Protection of the Environment Operations Act 1997 (NSW) and
- Environment Protection Authority's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).

CONTAMINATION

18. Following the demolition of all structures not being retained on the site and prior to the lodgement of an application for a Construction Certificate, the recommendations of the Detailed Site Investigation (Contamination) prepared by Douglas Partners dated 10/2/22 (Stage 1 DSI) are to be implemented as follows:

- Scoping the Stage 2 DSI (post demolition) via preparation of a Stage 2 Sampling and Analysis Quality Plan (SAQP) for review and endorsement by the Site Auditor.
- Further assessment of the ground conditions from a geotechnical perspective in regard to the consideration of low groundwater pH values measured at BH207, BH7 and BH4 and ramifications for concrete / piling foundation for the proposed development.
- Further assessment of the dewatering requirements for the site with respect to measured groundwater levels and final excavation depth, and assessment of whether management measures (e.g., CEMP or GMP) are required.
- Implementation and reporting on the Stage 2 DSI, which will include a holistic assessment of the data obtained through the Stage 1 and Stage 2 DSI.
- Development and implementation of a Remediation Action Plan (RAP) in accordance with the RAP prepared by Douglas Partners dated 11/2/22, endorsed by the Site Auditor, outlining the remediation strategy for identified contamination risks at the site. Should there be any proposed changes to the remediation approach outlined in the RAP due to the results of the Stage 2 DSI or other reasons (e.g. changes in development, construction process, site observations, etc.), this RAP must be updated in consultation with the relevant parties."
- Preparation of a Validation Report, endorsed by the Site Auditor, confirming completion of works in accordance with the RAP.

LOT AMALGAMATION

19. Prior to the issue of the final occupation certificate, evidence is to be provided to the Principal Certifying Authority that the allotments the subject of this application have been consolidated into three (3) allotments generally in accordance with the Lot Consolidation Plan prepared by Craig and Rhodes Sheet No. 257-11G LO1[02] dated 4/5/21.

ENVIRONMENTAL HEALTH CONDITIONS

20. Construction and Fit out of Food Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of the Food Safety Standards Code (Australia) and *Australian Standards AS4674 – Design, Construction and Fitout of Food Premises*.

21. Food Shop Registration Requirements

Occupation of the premises shall not occur until:

- a) a registration application to be submitted to Council's Environment Health Unit for the food shop
- b) notification of the NSW Food Authority under Standard 3.2.2 Division 2 Section 4 Notification. This requirement is to be met by notifying through the following website: <http://www.foodnotify.gov.au>

22. Final Inspection (Food premises)

A final site inspection relating to the works carried out on the premises shall be arranged by the applicant and shall be undertaken by Council before trading commences.

23. Grease Trap (Food Premises)

Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water the proprietor owner shall contact the Trade Waste Office of Sydney Water so as to ensure that the sewerage pre – treatment system installed is appropriate for the proposed use of the premises.

24. Serving and/or Liquor Bar Construction

- The serving and/or liquor bar being of solid construction and finished with an approved impervious material.
- The timber framing in the serving bar and/or counters being eliminated and being replaced with material of solid construction
- All exposed surfaces of the bar top or counter shall be finished with a smooth impervious material

25. Maintenance and cleanliness of food preparation areas

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas all building work in connection with the occupation or the use of the premises intended for the preparation and storage of food shall be designed and implemented in accordance with the requirements of:

- a) Food Act 2003 & Food Regulations 2004
- b) Food Safety Standards 3.1.1, 3.2.2, 3.2.3
- c) Sydney Water Corporation – Trade Waste Section
- d) The Protection of the Environment Operations Act 1997
- e) Australian Standard AS 1668 Part 1 & 2
- f) The Building Code of Australia.

26. Service Pipes

Where possible all service pipes must be concealed in the floors, plinths, walls or ceilings. Alternatively, service pipes must be fixed on brackets so as to provide at least 25mm clearance between the pipe and any adjacent vertical surface and at least 100mm between the pipe and any adjacent horizontal surface.

27. Surface Pipe Openings

All service pipe openings in walls, floors and ceilings must be made proof against the access of pests.

28. Cavities and Voids

Inaccessible cavities and voids must not be formed in the construction of the premises or the installation of fittings and equipment unless completely sealed to prevent the harbourage of pests

29. Safety glass

All glass used in the construction of equipment in which food is displayed must be safety glass with any exposed edges bevelled where necessary to prevent chipping.

30. Garbage storage area – Commercial/Industrial

All garbage shall be stored in a designated garbage area, which includes provision for the storage of all putrescible waste and recyclable material emanating from the premises. The area is to be constructed with a smooth impervious floor graded to a floor waste and connected to the sewer. The garbage area/room is to be well ventilated and fitted with fire sprinklers and meet fire safety standards in accordance with the Building Code of Australia. Detailed plans and specifications for the construction of the designated garbage area are to be submitted with the Construction Certificate.

31. Garbage collection – Commercial/Industrial

Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations Act 1997. Records shall be kept of all waste disposal from the site. Waste and recycling material, generated by the premises, must not be collected between the hours of 10pm and 7am on any day.

32. Litter Control

A sufficient number of garbage bins must be provided on the premises for garbage disposal. Such bins shall be made of impervious material and shall have close – fitting, vermin – proof, fly – proof lids. All waste bins are to be stored in designated garbage/trade refuse areas which must be maintained in a satisfactory condition at all times and must not be stored in designated garbage/trade refuse areas which must be maintained in a satisfactory condition at all times and must not be stored or permitted to overflow into car parking or gardens areas.

33. Drainage

Garbage room floors shall be graded to a floor waste, which shall be connected to the sewer. No drainage from garbage rooms shall be connected directly or indirectly to the stormwater drainage system, Council's street gutter or Council's drainage system.

34. Odour Control

To ensure that adequate provision is made for the treatment of odours, the mechanical exhaust system shall be fitted with sufficient control equipment to prevent the emission of all offensive odours from the premises, as defined by the Protection of the Environment Operations Act, 1997.

35. Ventilation – Garbage Rooms

Garbage rooms shall be ventilated by:

- a) an approved system of mechanical exhaust ventilation in accordance with the requirements of the Building Code of Australia and *Australian Standard AS 1668*
- b) permanent unobstructed natural ventilation openings with contact direct to the external air, having an aggregate area of not less than 1/20th of the floor area. One half of the openings shall be situated at or near the floor level and one half at or near the ceiling level
- c) Where permanent natural ventilation openings are provided the openings shall be designed to prevent the entry of rainwater.

36. Landscaping not to Impede Ventilation of Car Park

The proposed landscaping must not impede the free flow of air through any natural ventilation openings for the car park.

37. Bunding – Liquids

All liquids onsite are to be stored within a bunded area. The size of the area is to be bunded and shall be calculated as follows as a minimum:

- a) In the case of tanks, 110% of the volume of the largest size tank
- b) In the case of small containers and drums, 25% of the total volume of liquid to be stored, with a minimum of 400L capacity.

The bund is to be constructed of a material, which is impervious to the liquid being stored. All bunded areas shall be graded to a pit/sump so as to facilitate emptying and cleaning. All pipework from the enclosed tanks and or/pumps shall be directed over the bund wall and not through it. Hose couplings for the tanks enclosed within the bund. Where possible the bunded areas should be roofed. After completion, the bund shall be maintained in such a condition, that all spillages or leaks will be retained within the bund, until disposed of by means that do not pollute waters.

38. Storage of Hazardous or Toxic Material

To ensure hazardous and toxic materials are not to become a threat to the environment they must be stored in a bunded area constructed and maintained in accordance with AS 1940 – 1993 The storage and handling of flammable and combustible liquids and with Workcover NSW requirements.

39. Hours of Operation

The hours of operation of each component of the facility are to be as proposed under the application as follows:

- Tennis use/outdoor multi-courts:
 - Monday to Friday: 6am to 10pm
 - Saturday and Sunday: 6am to 5pm
- Restaurant and café
 - Liquor License 7 days a week: 10am and 12am
 - Café offering within Restaurant:
 - Thursday to Friday: 12pm to 3pm
 - Saturday and Sunday: 10am to 4pm
- Multipurpose sports hall
 - General operating 7 days a week: 6am to 10pm
 - Function rooms 7 days a week: 6am to 12am

BUILDING CONDITIONS

GENERAL CONDITIONS

40. The submission of a Construction Certificate and its issue by Council or Private Certifier PRIOR TO CONSTRUCTION WORK commencing.
41. BCA Requirements: All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
42. A check survey certificate is to be undertaken and submitted to the principal certifier at the following stages of construction:
 - a) The reinforcement of the Ground floor slab and or floor (prior to pouring of concrete and or laying of timber or floor boards);
 - b) The establishment of the first-floor level;
 - c) The roof framing; and

- d) The completion of works.

Note: All levels are to relate to the reduced levels as noted on the approved architectural plans and should be cross-referenced to Australian Height Datum.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

43. A "Fire Safety Schedule" specifying the fire safety measures that are currently implemented in the building premises and the fire safety measures proposed or required to be implemented in the building premises as required by Clause 168 – Environmental Planning & Assessment Regulation 2000 are to be submitted to the Certifier prior to the issue of the CONSTRUCTION CERTIFICATE.

Long Service Levy

44. Compliance with Section 6.8(b) of the Environmental Planning and Assessment Act 1979; payment of the Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) – All building works in excess of \$25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%.

COMPLIANCE WITH THE REQUIREMENTS OF THIS CONDITION MUST BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE.

PRIOR TO THE COMMENCEMENT OF BUILDING WORKS

45. Prior to the commencement of any construction work associated with the development, the Applicant shall erect a sign(s) at the construction site and in a prominent position at the site boundary where the sign can be viewed from the nearest public place. The sign(s) shall indicate:

- (a) the name, address and telephone number of the Principal Certifying Authority;
- (b) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and
- (c) a statement that unauthorised entry to the construction 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.

46. The Pedestrians' portion of the footpath is always to be kept clear and trafficable.
47. An approved type of hoarding or temporary construction site fence must be erected between the work site and the adjoining lands before the works begin and must be kept in place until after the completion of the works along the street frontage.

Dust During Construction

48. Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding residences

Erosion and Sediment Controls

49. An Erosion and Sediment Control Plan (ESCP) shall be prepared by a suitably qualified consultant'. The proposed devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*:

- Location and design criteria of erosion and sediment control structures,
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details and procedures for dust control.
- The location of all earthworks, including roads, areas of cut and fill
- Location of stockpiles

Erosion and sediment controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated.

Site toilet

50. Temporary connection to be made to the sewers of Sydney Water (where available) with an approved toilet structure and toilet fixtures being provided on the site BEFORE WORK IS COMMENCED. Where the Sydney Water sewer is not available a "Chemical Closet" type toilet shall be permitted.

Truck Shaker.

51. A truck shaker ramp must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

WHILE BUILDING WORK IS BEING CARRIED OUT

FOR MAJOR DEVELOPMENT SITES

52. All demolition, building construction work, including earthworks, deliveries of building materials to and from the site to be restricted as follows:

Monday to Friday (inclusive)	7am to 5.30
Saturday	7am to 4:00pm
Sunday	No work Sunday or any Public Holiday.

53. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.
54. Depositing or storage of builder's materials on the footpath or roadways within the Lane Cove Local Government Area without first obtaining approval of Council is PROHIBITED.
55. Separate approval must be obtained from Council's Works and Urban Services Department PRIOR TO THE PLACEMENT of any building waste container ("Skip") in a public place.
56. The cleaning out of ready-mix concrete trucks, wheelbarrows and the like into Council's gutter is PROHIBITED.
57. All loading and unloading being carried out from within the site and no loading or unloading of goods, materials, equipment or the like associated with the development to take place on Council's road or footpaths without the prior approval of Council.

Procedure for critical stage Inspection

58. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal Certifier is satisfied the work may proceed in accordance with this consent and the relevant construction Certificate.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

59. An Occupation Certificate being obtained from the Principal Certifier before the occupation of the building.
60. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation for major works and a copy provided to the Principal Certifier and Council prior to the issue of the Occupation Certificate and occupation of the development.
61. A final Fire safety Certificate must be provided to the Principal Certifier and a copy submitted to council outlining all the fire safety measures including any alternative solutions installed within the development.

OCCUPATION AND ONGOING USE

Annual fire Safety Statement

62. During occupation and ongoing use of the building, the applicant must provide an annual fire Safety Statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 177 of the EP&A Regulation.
63. When Council receives an Occupation Certificate from the Principal certifier, the applicant may lodge an application to release the securities/bonds held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

TRAFFIC, PARKING AND SERVICING CONDITIONS

64. External Intersection and Lead-In Roadworks

The roundabout at the intersection of River Road, Northwood Road and Stevenson Street, and associated road works connecting to the boundary of the development is to be constructed, and operational to the satisfaction of Transport for NSW and/or Council as the case may be prior to the issue of the occupation certificate (OC) for the sports and recreation facility.

Vehicle Access

65. The existing access into the site off River Road is to be reconfigured into a left in/left out only arrangement as per the requirements of TfNSW identified elsewhere in this consent. The use of this access is to be restricted to commercial vehicle entry and exit and private vehicle exit only. Appropriate signage is to be provided reflecting these requirements. The required sight lines as per AUSTROADS should not be compromised at this driveway. The access should cater for the swept path of the longest vehicle entering and exiting the subject site. Design plans of the proposed works to modify this intersection are to be submitted to and approved by Council and and/or TfNSW prior to the issue of the construction certificate, with all works to be completed to the satisfaction of Council and/or TfNSW prior to the issue of the Occupation Certificate for the proposed development.

66. Parking and Servicing

- a) The proposed car park design shall comply with AS 2890.1-2004. This includes all parking spaces, ramps, aisles and accessible parking. All other aspects of the Car Parking areas are required to comply with AS 2890.2-2002 for Loading Facilities and Services Vehicles.
- b) The access to the car park shall comply with Australian Standards. AS 2890.1-2004.
- c) Visibility requirements of the proposed access must comply with AS 2890.1-2004.
- d) Garbage collection to occur on-site. The waste collection and loading area is to be clearly signposted.
- e) Install wheel stops on all car parking spaces to prevent any collision with structures or objects.
- f) All vehicles must enter and leave the development in a forward direction.
- g) The accessible parking spaces are required to be located as close to the lift as possible;
- h) All parking spaces are to be line marked according to their relevant component including accessible parking and bus parking.

Certification that the design of the proposed carpark and associated works have addressed and meet the above requirements is to be provided by a qualified traffic engineer and submitted to Council prior to issue of the construction certificate.

Pedestrian/Cycling Access

- 67. All cycling racks and secure bike parking provided on-site must meet the minimum standards as outlined in Section 4.3 in Part R of the DCP and designed in accordance with AS 2890.3: 2015. Alternative designs that exceed the Australian Standards will also be considered appropriate.
- 68. The bicycle facilities are to be clearly labelled, and advisory/directional signage is to be provided at appropriate locations.

Construction Traffic Management Plan

- 69. A Construction Management Plan must be lodged with Council prior to the issuing of a Construction Certificate. As per Part R of Lane Cove DCP 2010 (the DCP), the Construction Management Plan should address (but not necessarily be limited too) issues related to the movement of construction vehicles to and from the site, safe access of construction vehicles, and any conflict with other road users in the street including public transport. Heavy vehicles will not be permitted to travel on local roads unless prior Council permission is obtained from Council's Traffic section. Consultation with NSW Police, RMS and Transport for NSW / Sydney Buses as required as part of preparation of the Construction Traffic Management Plan.

The Construction Management Plan should specify proposed Work/Construction Zones and the impact of the construction traffic activities to all road users including pedestrians and cyclists. The Construction Management Plan may contain issues requiring the attention and approval of the Lane Cove Traffic Committee (LTC). The Construction Management Plan should also assess and address the impact of construction vehicles travelling through the surrounding road network.

Works Zones

- 70. Due to requirements for safe traffic and pedestrian movement, loading or unloading of any vehicle or trailer carrying material associated with the development must not take place on the public road unless within an approved Works Zone.

If the Works Zone is required, the developer must give the Council written notice of at least six (6) weeks prior to the date upon which use of the Works Zone will commence and the duration of the Works Zone approval shall be taken to commence from that date. All vehicle

unloading/loading activities on a public roadway/footway are to be undertaken within an approved Works Zone.

TREE CONDITIONS

71. Approval is granted for the removal of trees located on and adjoining the site in accordance with the Arborist report prepared by Seasoned Tree Consulting dated May 2021 section 8 and Appendix 1A. All other trees are to be retained and protected. Trees may only be removed upon issue of the Construction Certificate.
72. Replacement trees are to be installed at ratio of 2:1 and /or in accordance with the Landscape proposal prepared by Environmental Partnership, specifically plan 3610-EP-LD-PL01, Dated 7/4/2021.
73. A site-specific Tree Protection Plan produced by an AQF5 Consulting Arborist showing protective measures for all trees proposed for retention in the Arborist report prepared by Seasoned Tree Consulting dated May 2021 and be approved by Councils Tree Assessment Officer prior to the issue of the Construction Certificate. All tree protective measures must be in place prior to any works commencing on the site and must be maintained for the duration of works on the site. The plan must include a work method statement specific to working within the tree protection zones. The plan must meet Australian Standard AS4970-2009 Protection of Trees on Development sites and AS4373-2007 Pruning of Amenity Trees. Sediment control must be included in the tree protection plan. All the above is required prior to the issue of the Construction Certificate.
74. A Project Arborist of minimal AQF Level 5 qualification is to be appointed prior to the issue of the Construction Certificate to oversee/monitor trees condition during construction and sign off on tree protection measures. Trees are to be monitored throughout construction and a certificate produced upon completion demonstrating the trees have been maintained in good condition. All certificates are to be available to the Principal Certifier within five days of site attendance and must be available to council immediately upon request; failure to produce the latest certificate will be considered a breach of conditions. Final certification is to be submitted to the Principal Certifier prior to the issue of Occupation Certificate.
75. The project Arborist is to attend site to inspect trees and at the following intervals. Each attendance is to be followed with written certification submitted to the Principal Certifier within five days of attendance.
 - a) Prior to the commencement of any works to mark approved trees for removal.
 - b) During works to approve tree protective measures have been installed.
 - c) During the demolition of any structures within the TPZ area of retained trees.
 - d) During the installation of structures approved within the TPZ area of any retained tree.
 - e) Prior to and during the installation of services where required within the TPZ area of retained trees.
 - f) Upon the completion of the development prior to the Occupation Certificate.
76. No services or structures are to be located within the Structural Root Zones of any retained trees.
77. No level changes greater than 150 millimetres are to occur within the Tree protection Zones of any retained trees unless approved in writing by the project Arborist.
78. Footing, trench or excavation that is within the Tree protection Zone of any retained trees must be carried out under the guidance of the Project Arborist and using non-destructive techniques.

No tree roots greater than 40mm diameter to be pruned unless approved by the Project Arborist. All roots are to be pruned and documented by the Project Arborist then submitted with the final certificate of compliance upon completion of the project and prior to the issue of Occupation Certificate. Once Complete and roots have been pruned clear of the area, civil machinery may resume excavation from outside of the tree protection zone.

79. The Project Arborist is to submit a statement upon completion of the development that all retained trees have been maintained in a healthy, viable condition. The statement is also to recommend remedial advice for trees post construction to mitigate construction impacts long term. The statement is to be submitted to and approved by the Principal Certifier Prior to the issue of the Occupation Certificate.
80. All proposed footpaths are to be installed under the guidance of the project Arborist where located within the Tree Protection Zones of retained trees. No tree roots equal to or greater than 40 millimetres in diameter are to be damaged or severed unless approved by the Arborist it will be of no detriment to the tree.

LANDSCAPING CONDITIONS

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

81. Construction site management plan

Prior to the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by Council.

The plan must include the following matters:

- location and materials for protective fencing and hoardings to the perimeter on the site
- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The Principal Contractor must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

82. Erosion and sediment control plan

Before the issue of a construction certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents and approved by the certifier:

- Council's development control plan,
- the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The Principal Contractor must ensure the erosion and sediment control plan is kept on- site at all times during site works and construction.

83. Pre-Construction Dilapidation report: Trees to be Retained

Before the issue of a construction certificate, a suitably qualified Arborist with a minimum of an AQF level 5 Degree must prepare a pre-construction dilapidation report on the health of the trees to be retained and protected following a site visit with Council's Senior Tree Preservation Officer. The report shall be agreed upon by both parties and shall include photographs of each tree and any existing damage, defects or areas of concern well represented.

- (a) after comparing the pre-construction dilapidation report to the post- construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- (b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Prior to the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).

84. Works within structural root zones of existing trees

Where works must take place within the Structural Root Zone of any tree to be retained, root mapping through hand digging shall take place and a report showing the findings shall be prepared by the Project Arborist with an AQF5 qualification and then shall be submitted to Council's Senior Tree Assessment Officer for approval.

85. Plant supply

All trees planted on site shall conform to Australian Standard AS 2303-2015 Tree Stock for Landscape Use. All other plants shall conform to NATSPEC specifications and be free from disease or defects and be in a healthy condition.

86. Planting of garden beds

All garden beds shall be planted out with enough plant quantities and spacing to ensure that no areas of bare mulch remain visible following the typical 12-month landscape establishment period

87. Tree planting and canopy replenishment

At least 36 trees in total will need to be advanced or super-advanced species selected from Lane Cove Council DCP Part J Landscaping Appendix 1 and part of the Coastal Enriched Sandstone Moist Forest as follows:

10 x 45 litre trees

10 x 100 litre trees

16 x 200 litre trees

These are in addition to the 6 x 150 litre *Fraxinus* 'Urbanite' already specified

88. Species substitutions

The following species substitutions shall be made:

Glochidion ferdinandii to be replaced with *Syncarpia glomulifera*

The following shall be replaced with plants from Appendix 1 in Part J – Landscaping

Erimophila glabra prostrate
Leptosperma laterale
Anigozanthus Hybrid 'Everlasting Mega Gold'
Anigozanthus Hybrid 'Amber Velvet'
Poa labillardierei

89. Automatic irrigation system

An automatic drip irrigation system is to be designed and installed to all garden bed areas that will ensure the ongoing health of the planting scheme for the life of the development

90. Raised planter boxes

All raised planter boxes shall be waterproofed by a licenced professional in accordance with AS4654.1-2012 *Waterproofing membranes for external above-ground use*

91. Embankment planting

The proposed embankment on *Drawing #3760-EP-LD-SE02* will need to be undertaken in accordance with best horticultural practices with proper jute matting and other measures to ensure on soil erosion while plants are establishing their root matting. Flat areas with the soil retained on the uphill side by coir logs or other method shall be created for any plants of pot size from 200mm and larger to ensure they have a sufficient level area to establish.

Where mass planting is proposed, a typical planting matrix / set out shall be provided.

PRIOR TO THE COMMENCEMENT OF BUILDING WORKS

92. Erosion and sediment controls in place

Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

93. Tree protection measures

Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.

DURING CONSTRUCTION WORKS

94. Erosion and sediment controls in place

Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

95. Tree protection

While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of *AS 4970-2009 Protection of trees on development sites* and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

96. Compliance Certificate for waterproofing planting on structures

A certificate must be submitted by a qualified practising Landscape Architect certifying that the proposed subsoil drainage and any associated waterproofing membrane have been installed in accordance with the details shown on the approved landscape working drawings and specification to all raised and formed garden bed areas

97. Cut and fill

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.

All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the NSW EPA.

98. Uncovering relics or Aboriginal objects

While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that:
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Note: *Where the project is being supervised by a private certifier, for the purposes of public record, a copy of the certification must be forwarded to the attention of via e-mail at service@lanecove.nsw.gov.au within five (5) working days of the date of issue*

99. Works-as-executed plans and any other documentary evidence

Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:

- (a) All stormwater drainage systems and storage systems

The principal certifier must provide a copy of the plans to Council with the occupation certificate.

100. Post Construction Dilapidation report: Trees to be Retained

Before the issue of a construction certificate, a suitably qualified Arborist with a minimum of an AQF Level 5 Degree must prepare a post-construction dilapidation report on the health of the trees to be retained and protected following a site visit with Council's Senior Tree Preservation Officer. The report shall be agreed upon by both parties and shall include photographs of each tree and any existing damage, defects or areas of concern well represented.

- (a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- (b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Before the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).

101. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any tree to be retained or surrounding public open space or landscape areas damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the Council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

102. Practical Completion Report - Landscape works

A landscape practical completion report must be prepared by the consultant landscape architect and submitted to Council or the accredited certifier within 7 working days of the date of practical completion of all landscape works. This report must certify that all landscape works have been completed in accordance with the landscape working drawing. A copy of the report must be submitted to Council

103. Practical Completion Report - Landscape maintenance and establishment

At the completion of the landscape maintenance period, the consultant landscape architect/designer must submit a final report to Council or the accredited certifier, certifying that all plant material has been successfully established, that all of the outstanding maintenance works or defects have been rectified prior to preparation of the report and that a copy of the 12-month landscape maintenance strategy has been provided to the Owner/ Occupier. A copy of the report must be submitted to Council.

BUSHLAND CONDITIONS

104. Rubbish must be stored in a locked container/cage. Any building rubbish that is not contained must be cleaned up immediately, including the immediate worksite, surrounding area and/or public open space.

105. There shall be no access through the adjacent park/reserve to carry out any building works, storage of materials, storage of soil or storage of rubbish during construction.

106. During construction/landscaping the designated environmental/bushland area within the property and adjacent public bushland area must be kept clean of all building materials and rubbish. Any rubbish that is blown into these areas must be immediately cleaned up.
107. In the event that there occurs any accidental or intentional dumping of building material in the bushland area, Council's Coordinator of Bushland must be notified immediately. Any clean-up operation which involves disturbing the vegetation, leaf litter, soil crust, or natural bedrock, must be coordinated through Council's Coordinator Bushland.
108. The Asset Protection Zone (APZ) must be contained entirely within the development site boundary. The APZ is not to extend onto public open space.
109. All outside lighting must be appropriately baffled to minimise light pollution into the bushland area and neighbouring properties.
110. A Bushland Rehabilitation and Maintenance Plan (BRMP) to address the requirements of Part H of the DCP is to be submitted to and approved by Council's Bushland officer prior to the issue of the Construction Certificate. All recommendations of the approved BRMP are to be implemented at the appropriate time listed under the BRMP.

GENERAL ENGINEERING CONDITIONS

111. **Design and Construction Standards:** All engineering plans and work shall be carried out in accordance with Council's standards and relevant development control plans except as amended by other conditions.
112. **Materials on Roads and Footpaths:** Where the applicant requires the use of Council land for placement of building waste, skips or storing materials a "Building waste containers or materials in a public place" application form is to be lodged. Council land is not to be occupied or used for storage until such application is approved.
113. **Works on Council Property:** Separate application shall be made to Council's Urban Services Division for approval to complete, any associated works on Council property. This shall include hoarding applications, vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be submitted prior to the start of any works on Council property.
114. **Permit to Stand Plant:** Where the applicant requires the use of construction plant on the public road reservation, an "Application for Standing Plant Permit" shall be made to Council. Applications shall be submitted and approved prior to the start of any related works. Note: allow 4 working days for approval.
115. **Restoration:** Public areas must be maintained in a safe condition always. Restoration of disturbed Council land and assets is the responsibility of the applicant. All costs associated with restoration of public land will be borne by the applicant.
116. **Public Utility Relocation:** If any public services are to be adjusted, because of the development, the applicant is to arrange with the relevant public utility authority the alteration or removal of those affected services. All costs associated with the relocation or removal of services shall be borne by the applicant.
117. **Pedestrian Access Maintained:** Pedestrian access, including disabled and pram access, is to be maintained throughout the course of the construction as per AS-1742.3, 'Part 3 - Traffic control devices for works on roads'.

118. **Council Drainage Infrastructure:** The proposed construction shall not encroach onto any existing Council stormwater line or drainage easement unless approved by Council. If a Council stormwater line is located on the property during construction, Council is to be immediately notified. Where necessary the stormwater line is to be reconstructed or relocated to be clear of the proposed building works. Developer must lodge Stormwater Inspection Application form to Council. All costs associated with the reconstruction or relocation of the stormwater line are to be borne by the applicant. Applicant is not permitted to carry out any works on existing Council and private stormwater pipe lines without Council's approval.
119. **Services:** Prior to any excavation works commencing, the location and depth of all services must be ascertained. All costs associated with adjustment of the public utility will be borne by the applicant.
120. Only where applicable, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance. Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

ENGINEERING CONDITIONS TO BE COMPLIED WITH PRIOR TO CONSTRUCTION CERTIFICATE

121. **Excavation Greater Than 1m depth:** Where there are structures on adjoining properties including all Council infrastructures, located within 5 metres of the proposed excavation. The applicant shall:
- seek independent advice from a suitably qualified engineer on the impact of the proposed excavations on the adjoining properties
 - detail what measures are to be taken to protect those properties from undermining during construction
 - provide Council with a certificate from the engineer on the necessity and adequacy of support for the adjoining properties

The above matters are to be completed **prior to the issue of the Construction Certificate.**

Provide a dilapidation report of the adjoining properties (where possible) and Council infrastructure. The dilapidation survey must be conducted prior to the issue of the Construction Certificate. The extent of the survey must cover the likely "zone of influence" that may arise due to excavation works, including dewatering and/or construction induced vibration. The dilapidation report must be prepared by a suitably qualified engineer.

A second dilapidation report, recording structural conditions of all structures originally assessed shall be submitted to the principle certifying authority prior to the issue of the Occupation Certificate.

All recommendations of the suitably qualified engineer are to be carried out during excavation. The applicant must give at least seven (7) days' notice to the owner and occupiers of the adjoining allotments before the excavation works commence.

- 122. Drainage Plans Amendments:** The stormwater drainage plan prepared by TTW reference No: 191309, revision P4 and dated on 05/05/21 is to be amended as detailed below by a qualified practising hydraulic engineer. This amended plan shall show full details of new pipe network amended as follows and satisfying Part O of the DCP;
- a. A 200,000 litre rainwater tank is to be provided.
 - b. Proposed drainage system should show pipe sizes and invert levels up to connection point; confirming pipe system satisfies Part O of the DCP.
 - c. Clean out pits are required at all low points of charged drainage line if charged pipe system is proposed.
 - d. Sediment control fence shall be placed around the construction site and shown in plan
 - e. Subsoil agg-line drainage is required around proposed retaining wall, building outside wall, or it is necessary and connected to proposed drainage system
 - f. Stormwater runoff from driveway shall be collected by grated driveway pit and connected to stormwater system
 - g. The roof area is to be connected to a rainwater harvesting system and storage tank.
 - h. A gross pollutant trap suitable for this site needs to be designed and added to the amended plans within the property boundary. The details of this GPT shall be shown in stormwater plan. Access to the GPT for future maintenance is required.
 - i. As per Council mapping, there is a pit at proposed stormwater connection point. This pit could be used for future connection. If this pit is not a standard pit or not in good condition, the applicant shall reconstruct this pit (900x900mm).
 - j. There is a pipe system near the site in Gore Creek reserve. The applicant shall investigate this pipe system and carry out a CCTV survey. These CCTV reports are to be submitted to Council prior to the construction commencing and after completion of construction work.
 - k. A plan with longitudinal section of the proposed pipe system from the site to the existing Council pit with relevant calculations are required for further assessment and/or approval. This plan should show pipe sizes, invert levels and existing surface levels to confirm that the pipe system satisfies Council's DCP.

The amended design is to be certified by a suitably qualified engineer that it fully complies with AS-3500 and Part O of Lane Cove DCP (Stormwater Management). The amended plan and certification shall be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.

The Principal Certifying Authority is to be satisfied that the amendments have been made in accordance with the conditional requirements and the amended plans are adequate for the purposes of construction. They are to determine what details, if any, are to be added to the construction certificate plans, for the issue of the Construction Certificate.

- 123. Drainage Construction:** The stormwater drainage on the site is to be constructed generally in accordance with the approved stormwater plans. Certification by a suitably qualified engineer of the above plans is to be submitted to the Principal Certifying Authority stating that the design fully complies with, AS-3500 and Part O of the DCP – Stormwater Management. The plans and certification shall be submitted prior to the issue of the Construction Certificate.

The Principal Certifying Authority is to satisfy themselves of the adequacy of the certified plans for the purposes of construction. They are to determine what details, if any, are to be added to the Construction Certificate plans, for the issue of the Construction Certificate.

- 124. Dilapidation Report:** The applicant is to provide a dilapidation report on the existing Council stormwater pipeline affecting this property.

The dilapidation report must be conducted by a suitably qualified person and a CCTV survey of the pipeline needs to be conducted. The Initial dilapidation report and CCTV footage must be submitted to Principal Certifying Authority prior to issue of a Construction Certificate.

A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Principle Certifying Authority prior to issue of an Occupation Certificate.

- 125. Council Construction Requirements:** The applicant shall construct / reconstruct the following to Council's satisfaction;

1. Reinstate all damage not identified in the original dilapidation report.
2. Reinstate all damages not identified in the original CCTV report.
3. Reinstate all disturbed surface in Gore Creek reserve resulting from construction activities.

- 126. Council Inspection Requirements:** The following items are to be inspected:

- Proposed stormwater connection to existing pipe in reserve.
- Proposed stormwater works through reserve.

Each item is to be inspected prior to the pouring of any concrete (formwork) and on completion of the construction. An initial site meeting is to be conducted with council and the contractor prior to the commencement of any of the above works to allow for discussion of Council construction / set out requirements.

ENGINEERING CONDITIONS TO BE COMPLIED WITH PRIOR TO COMMENCEMENT OF CONSTRUCTION

- 127. Erosion and Sediment Control:** The applicant shall install appropriate sediment control devices prior to the start of any works on the site. The devices shall be maintained during the construction period and replaced when necessary.

- 128. Safety fence along the boundary of the property:** Before commencement of any works, barrier or temporary fencing is to be provided along the full frontage of the property. This fence is for the safety of pedestrians on the public footpath.

ENGINEERING CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

- 129. Heavy Vehicle Duty Employee and Truck Cleanliness: The applicant shall**

- Inform in writing all contractors of Council's requirements relating to truck cleanliness leaving the site.
- Keep a register of all contractors that have been notified, the register is to be signed by each contractor. The register must be available for access by Council officers at all times.
- Place an employee within close proximity of the site exit during site operation hours to ensure that all outgoing heavy vehicles comply with Council's requirements. This employee shall liaise with heavy vehicle drivers and provide regular written updates to drivers on the conditions of entry to the subject site.

Those drivers who have been determined to continually not comply with Council's requirements, either by the developer or authorised Council officers, shall not be permitted re-entry into the site for the duration of the project.

- 130. Covering Heavy Vehicle Loads:** All vehicles transporting soil material to or from the subject site shall ensure that the entire load is covered by means of a tarpaulin or similar material. The vehicle driver shall be responsible for ensuring that dust or dirt particles are not deposited onto the roadway during transit. It is a requirement under the Protection of the Environment Operations (Waste) Regulation, 1996 to ensure that all loads are adequately covered, and this shall be strictly enforced by Council's ordinance inspectors. Any breach of this legislation is subject to a "*Penalty Infringement Notice*" being issued to the drivers of those vehicles not in compliance with the regulations.

ENGINEERING CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION CERTIFICATE

- 131. Certification of Retaining Structures and Excavations:** A suitably qualified engineer shall provide certification to the principal certifying authority that all retaining structures and excavations have been carried out in accordance with the relevant Australian Standards and Codes of Practise.

The certification and a complete record of inspections, testing and monitoring (with certifications) must be submitted to the principal certifying authority prior to the issue of the Occupation Certificate.

- 132. Stormwater System Engineering Certification:** On completion of the drainage system a suitably qualified engineer shall certify that the drainage system has been constructed in accordance with the approved plans, part O Council's DCP-Stormwater Management and AS-3500. The certification is to include a work as executed plan. The work as executed plan shall:

- (a) Be signed by a registered surveyor, &
- (b) Clearly show the surveyor's name and the date of signature.

All documentation is to be submitted to the Principle Certifying Authority prior to the issue of the Occupation Certificate.

Engineering Certification: A suitably qualified engineer shall certify that following has been constructed in accordance with the approved plans and is within acceptable construction tolerances.

- Pipe system through reserve
- Rainwater tank
- All repair works identified in Dilapidation report

Certification is to be submitted to the Principle Certifying Authority prior to the issue of the Occupation Certificate.

ACCESS AND DISABILITY CONDITIONS

- 133.** The provision is to be made for a Changing in Place room/toilet. Details are to be provided to Council's Community Development Officer for approval prior to issue of the Construction Certificate.

134. Provision is to be made for wheelchairs in the staged seating area. Details are to be provided to Council's Community Development Officer for approval prior to issue of the Construction Certificate.

EXTERNAL AUTHORITY CONDITIONS

ABORIGINAL HERITAGE OFFICE

1. All Aboriginal sites and relics in NSW are protected under the National Parks and Wildlife Act 1974. If during the course of construction an Aboriginal site or relic is uncovered, works must cease and the Aboriginal Heritage Office and the NSW National Parks and Wildlife Service notified immediately.

NSW RURAL FIRE SERVICE

1. Asset Protection Zones

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, all areas within Lot 1 where not built upon, as well as all areas to the north of the sports and multipurpose halls for a distance of 60 metres must be maintained as an inner protection area (IPA), in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2m to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire
 - towards buildings;
 - shrubs should not be located under trees;
 - shrubs should not form more than 10% ground cover;
 - clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
 - grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
 - leaves and vegetation debris should be removed.

2. Construction Standards

Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.

New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019*.

3. Water and Utility Services

Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

The provision of water, electricity and gas must comply the following in accordance with Table 6.8c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are and not located within any road carriageway;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer - sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

4. Landscaping

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30%(OPA) at maturity and trees do no touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;

- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

5. Emergency Management

Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants.

Note: A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.

TRANSPORT FOR NSW (TFNSW)

1. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.
2. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the River Road boundary.
3. The redundant driveway(s) on River Road should be removed to Council's satisfaction.

NSW POLICE FORCE

1. The site will need to be clearly identified through a business name and street number and be visible from the street. This will enable all emergency services to locate the premises.
2. Appropriate signage should be erected inside and around the perimeter of the entire property to warn of security treatments in place e.g. "This site is under 24-hour video surveillance".
3. The windows of the buildings should remain free of clutter and promotional material so as not to restrict sightlines into and out of the premises.
4. All 'Staff only' areas should be clearly marked as such and physical barriers such as doors and gates should be erected to prevent unauthorised entry.
5. Staff should be provided with a secure area in which to store their personal effects whilst working.
6. Lighting in and around the proposed development should comply with Australian Standard AS: 1158 and should provide for adequate, uniform illumination. External lighting should be of a 'white light' source. Note that high- or low-pressure sodium 'orange' lighting is not compatible with quality surveillance systems. Internal lighting should be controlled from 'Staff only' areas, away from public access. If this is not possible, use tamper-resistant switches. Luminaries (light covers) should be designed to reduce opportunities for malicious damage. Internal after-hours security lighting should provide adequate illumination to allow inspection by security patrols.

7. Lighting within the site will need to be positioned in a way to reduce opportunities for offenders to commit crime i.e vandalism and graffiti. The lighting will need to be sufficient to enable people to identify signs of intoxication and anti-social behaviour. The lighting will also need to be sufficient to support images obtained from any CCTV footage. Please note that some low- or high-pressure lighting is not compatible with surveillance systems.
8. Doors should be of solid construction, and should be fitted with quality deadlock sets that comply with the Building Code of Australia and Australian Standards – Lock Sets AS:4145.
9. Windows within the businesses should also be of solid construction. These windows should be fitted with quality window lock sets that comply with the Australian Standards – Lock Sets AS:4145. Glass within doors and windows should be reinforced to restrict unauthorised access. The glass can be either fitted with a shatter-resistant film or laminated to withstand physical attacks.
10. Tills should be positioned out of reach and should front customers to enable staff to maintain vision of the servicing area and beyond.
11. An efficient and secure Cash Collection and Storage system should be implemented to minimise the risk of robbery offences and should include a safe designed and installed to the Australian Standards.
12. An electronic surveillance system should be included to provide maximum surveillance of all areas of the site including entry/exits, service areas, corridors and areas where cash is either kept or handled. Cameras should also cover public footpath areas around the premises. The system should be capable of recording high-quality images of events. The recording equipment should be locked away to reduce the likelihood of tampering. Monitors should be placed in the store/office areas to allow staff to view all areas under camera surveillance.
13. An intruder alarm system should be designed and installed to the Australian Standard – Domestic & Commercial Alarm Systems to enhance the physical security of the premises.
14. An emergency control and evacuation plan should be implemented within the site. Management and staff should be trained in the execution of the plan in emergency situations.
15. All recording made by the CCTV system must be stored for at least 30 days and ensure that the system is accessible by at least one member of staff at all times it is in operation, and provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector. The CCTV cameras will need to be placed in suitable locations to enhance the physical security and assist in positively identifying an individual, who may be involved in criminal behaviour.
16. The CCTV footage should also cover the car parking facilities. “Park Smarter” signage should be displayed within this area to warn/educate motorist to secure their vehicles and not leave valuable items visible in their cars. The car park will also need to have adequate lighting.
17. Wheelchair access should at no time be blocked nor impede access to anyone with a disability.
18. The site is surrounded by residential properties and therefore noise emissions need to be considered in outdoor areas.
19. The landscaping design around the site needs to be free from potential hiding places and provide sightlines throughout the site and into any surrounding areas such as car parks. Trees and shrubs should be maintained regularly to reduce concealment opportunities and increase

visibility. Avoid the use of landscaping materials which could, when mature, serve as screens or barriers to impede views.