

DATE OF DETERMINATION	10 October 2023
DATE OF PANEL DECISION	9 October 2023
PANEL MEMBERS	Annelise Tuor (Chair), Penelope Holloway, Scott Barwick and Karl Saleh
APOLOGIES	Glennis James and Charlie Ishac
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 28 September 2023.

MATTER DETERMINED

PPSSSH-130 – Canterbury Bankstown – DA-1231/2022 at 1586- 1606 Canterbury Road, Punchbowl – industrial development (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings, briefings and observed at the site inspection listed at item 8 in Schedule 1.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Canterbury Local Environmental Plan 2012 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 (Height of buildings) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard.

the Panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 (Height of buildings) of the LEP and the objectives for development in the B5 Business Development zone; and
- c) the concurrence of the Secretary has been assumed.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to uphold the clause 4.6 variation to building height; and approve the application for the reasons below:

- The council officer's assessment report has considered the relevant matters under section 4.15 of the *Environmental Planning and Assessment Act 1979*.
- The proposed development is a permissible development with consent within the B5 Business Development Zone and is consistent with the relevant zone objectives. It complies with the applicable State Environmental Planning Policies and satisfies the relevant provisions of the

Canterbury Local Environmental Plan 2012, Canterbury Bankstown Local Environmental Plan 2023, Canterbury Development Control Plan 2012 and the Canterbury Development Control Plan 2023.

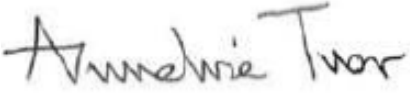
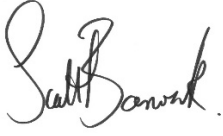
- The proposed development appropriately responds to the site, is compatible with the development within the surrounding area and does not result in unreasonable impacts on residential amenity.
- No community concerns were raised to the proposed development.

CONDITIONS

The Development Application was approved subject to the conditions in Schedule 2 of the Determination and Statement of Reasons.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition. The Panel notes that the submission was in support of the development application.

PANEL MEMBERS	
 Annelise Tuor (Chair)	 Penelope Holloway
 Scott Barwick	 Karl Saleh

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-130 – Canterbury Bankstown – DA-1231/2022
2	PROPOSED DEVELOPMENT	Consolidation of five (5) allotments amalgamated into one (1) allotment and demolition of the existing buildings and construction of a two (2) storey industrial development with associated basement parking, mezzanine offices, landscaping and signage.
3	STREET ADDRESS	1586- 1606 Canterbury Road, Punchbowl – Lot 1 DP 586116, Lots 1 & 2 DP 124895, Lots 1 & 2 DP 124894
4	APPLICANT OWNER	Cala Property Group Pty Ltd Haloum Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Industry and Employment) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - Canterbury Bankstown Local Environmental Plan 2023 - Canterbury Local Environmental Plan 2012 - Draft environmental planning instruments: Nil - Development control plans: - Canterbury Bankstown Development Control Plan 2023 - Canterbury Development Control Plan 2015 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council Assessment Report: 9 October 2023 - Clause 4.6 variation request - Written submissions during public exhibition: one (1)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Site inspection: 21 March 2023 <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway & Glennis James <u>Council assessment staff</u>: Stephen Arnold, Ian Woodward, Bob Steedman & Juliette Kavanagh <u>Department staff</u>: Timothy Cook and Amanda Moylan <u>Property Manager</u>: Brett Calautti - Briefing: 27 March 2023 <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James & Bilal El-Hayek

		- o <u>Applicant representatives</u>: Giancarlo Papaiani, Adriano Calautti & Mark Beaman - o <u>Council assessment staff</u>: George Gouvatsos, Stephen Arnold, Ian Woodward, Juliette Kavanagh (assessing officer) & Bob Steedman - o <u>Department staff</u>: Amanda Moylan and Timothy Cook • Briefing: 3 May 2023 - o <u>Panel members</u>: Annelise Tuor, Glennis James, Penelope Holloway, & Charlie Ishac - o <u>Council assessment staff</u>: Stephen Arnold, George Gouvatsos, Ian Woodward, Juliette Kavanagh & Bob Steedman (assessing officer) - o <u>Department staff</u>: Amanda Moylan and Timothy Cook • Final briefing to discuss council's recommendation: 9 October 2023 - o <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Charlie Ishac and Karl Saleh - o <u>Council assessment staff</u>: Stephen Arnold, George Gouvatsos, Ian Woodward, Juliette Kavanagh - o <u>Department staff</u>: Lillian Charlesworth and Lisa Foley • Applicant Briefing: 9 October 2023 - o <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Scott Barwick, and Karl Saleh. (Glennis James and Charlie Ishac – apologies) - o <u>Council assessment staff</u>: Stephen Arnold, Juliette Kavanagh, Ian Woodward and Bob Steedman - o <u>Department staff</u>: Lillian Charlesworth and Lisa Foley - o <u>Applicant representatives</u>: Giancarlo Papaiani, Adriano Calautti, Mark Beaman and Benjamin Black
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached as Schedule 2 to the Determination and Statement of Reasons

SCHEDULE 2

GENERAL CONDITIONS

1.	Approved Plans and supporting documentation																																																																																
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	Remediation Action Plan	E25173.E06_Rev2	El Australia	13 July 2023
	Environmental Noise Assessment	7813-1.2R Rev A	Day Design Pty Ltd	13 July 2023
	Detailed Site Investigation	2.07.02	Trace Environmental	25 March 2015
	Geotechnical Investigation	E25173.G03_Rev2	El Australia	11 July 2023
	Arboricultural Impact Assessment	CPG 07/23 Rev A	NSW Trees Arboricultural Consultants	4 July 2023
	Stormwater Management Report	Issue C	S & G Consultants Pty Limited	2 December 2022
	Flood Study Report	Issue A	S & G Consultants Pty Limited	2 December 2022
In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. 1.101.S				
Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.				
2.	Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents: a. The development must be designed to comply with Part B7.4.2 Crime Prevention through Environmental Design of the Canterbury Development Control Plan 2012.			
3.	No Use Granted			
	No approval is granted or implied for the use of the building. Separate Development Consent for the use of the commercial/industrial floor space is required before occupation. 1.103			
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.			
4.	Additional Signage Requires a Separate Application			
	A separate application shall be submitted to Council before the erection of any additional signage A separate application shall be submitted to Council before the erection of any additional signage unless the proposed signage is "exempt development" in accordance with the relevant legislation.			

	1.201
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
5.	Excavation
	All excavations must be kept free from the accumulation of water. Prior approval must be sought from Council to discharge any water into the Council's stormwater drainage system. Other options for the disposal of water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.
	Condition reason: to protect the natural environment of the development site and adjoining lands.
6.	Noise
	Should a noise issue (relating to the development) not previously identified arise (through complaint or otherwise), the owner/ occupier must, upon request by Council, employ the services of a qualified acoustic consultant who has not previously been involved with the development to undertake a post-occupation assessment of the development and complete an acoustic report with recommendations to rectify the noise issue. A copy of this acoustic assessment report must be submitted to Council for approval and from there noise attenuation works must be implemented. Submission of the acoustic report must be within 30 days from the date requested by Council.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
7.	Pedestrian and Road User Safety
	All AS2890.1 and AS2890.2 requirements are satisfied with regards to pedestrian and road user safety.
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
8.	Impact on Bus Stop
	The Applicant must seek approval from the bus operator of route 487 (Transit Systems Region 6), which currently utilises the existing bus stop, in regards to, the impact on the bus stop. The Applicant would need to consider the impact on the bus stop as part of their revised vehicular access plan.
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
9.	Allocation of car parking
	In the event that the development is strata subdivided car parking spaces shall be allocated to each of the units consistent with the parking requirements as contained in the Canterbury Development Control Plan 2012. Further the nominated or identified visitor car parking spaces shall be allocated as common property.
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
10.	Truck Access
	No truck access is permitted along the carriageway fronting Canterbury Road on the upper level and appropriate signage shall be installed to inform drivers as such.
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.

GENERAL TERMS OF APPROVAL – WATER NSW

Dewatering	GT0115-00001
	Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
	GT0116-00001
	Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.
	GT0117-00001
	A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph17A, Schedule 4 of the Water Management (General) Regulation 2018
	GT0118-00001
	If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.
	GT0119-00001
	All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.
	GT0120-00001
	The design and construction of the building must prevent: (a) any take of groundwater, following the grant of an occupation certificate (and completion of

construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b)obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c)any elevated water table from rising to within 1.0 m below the natural ground surface.

GT0121-00001

Construction phase monitoring bore requirements GTA: a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application. c) The monitoring bores must be installed and maintained as required by the water supply work approval. d) The monitoring bores must be protected from construction damage.

GT0122-00001

Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)

GT0123-00001

(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as

	updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/waterlicensing/dewatering
	GT0150-00001
	The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual
	GT0151-00001
	Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
	GT0152-00001
	This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
	GT0155-00001
	The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report.

CONDITIONS – TRANSPORT FOR NSW

11.	Any improvements integral to the future use of the site, are erected clear of the land required for road (unlimited in height or depth) and are wholly within the freehold property unlimited in height or depth along the Canterbury Road boundary.
12.	The redundant driveway on the Canterbury Road boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter and new vehicular crossing on Canterbury Road shall be in

	accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au . Detailed design plans of the proposed kerb and gutter and vehicular crossing are to be submitted to TfNSW for approval prior to the issue of a construction certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au . A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.
13.	Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable, and a performance bond may be required before TfNSW approval is issued
14.	The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.
15.	A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on the subject section of Canterbury Road during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf .

CONDITIONS – AUSGRID

16.	Ausgrid Overhead Powerlines are in the vicinity of the development
	The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead

	Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost. Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries For new connections or to alter the existing electrical connection to the property from the Ausgrid network, the proponent should engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details: https://www.ausgrid.com.au/Connections/Get-connecte
17.	Ausgrid Underground Cables are in the vicinity of the development Care should be taken to ensure that construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD). The following points should be taken into consideration. • Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. • Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. • In addition to DBYD the proponent should refer to the following documents to support safety in design and construction: - SafeWork Australia – Excavation Code of Practice. - Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. This document can be found by visiting the Ausgrid website via www.ausgrid.com.au - The Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can also be found by visiting the Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

DEMOLITION WORK

18.	Demolition conditions The demolition of all structures on the property must be undertaken in accordance with all the following: a. Written notice must be issued to adjoining residents a minimum of seven (7) days before the commencement of demolition advising of the commencement date, b. Written notice must be issued to Council for inspection a minimum of (7) days before the commencement of demolition. Written notice must include the date when demolition work will commence and details of the name, address, contact telephone number and licence number of the demolition contractor, c. Inspections being undertaken by Council including: i. A pre-commencement demolition inspection when all site works required as part of this Determination Notice are installed on the site and before demolition work commencing, and ii. A final demolition inspection when the demolition work has been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this Determination Notice, d. Payment of an inspection fee at Council's current rate must be paid before inspection. Council requires 48 hours' notice to carry out an inspection, e. A sign must be erected at the front of the property showing the name of the licenced demolition contractor, the licence number and a telephone number on which that person can be contact outside of working hours, f. All demolition work must be carried out in accordance with Australian Standard 2601 – 'The Demolition of Structures', g. Where asbestos containing materials are to be removed, demolition must be carried out by contractors who have a current SafeWork NSW licence in asbestos removal, h. An asbestos clearance certificate issued under the Work Health and Safety Act 2011 must be submitted to Council after the completion of demolition work, i. Hazardous and intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of SafeWork NSW and the NSW Environment Protection Authority, j. Demolition procedures must maximise the reuse and recycling of demolished materials to reduce the environmental impacts of waste disposal, k. Adhere to the requirements stipulated in the approved Waste Management Plan, and l. Demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no building work/s is to be carried out at any time on a Sunday or a public holiday. A copy of the final demolition inspection report must be submitted to the principal certifier before the commencement of any building work.

	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
19.	Prior to demolition, the entire site (includes any structures) is to be assessed for hazardous materials, especially asbestos. A Hazardous Materials (HAZMAT) Report is to be prepared by a Type "A" inspection body accredited by NATA. All recommendations in the above-mentioned report are to be implemented and a clearance certificate issued by an appropriately qualified occupational hygienist is to be submitted to Council prior to the issue of a construction certificate.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

20.	Development Contributions, Section 7.12 <u>Development Contributions of \$398,475.77 must be paid for this development before the issue of any construction certificate.</u> The contributions are levied and applied under the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 and Section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i>. The contributions will be used to provide, extend or augment public amenities or public services. <u>Indexing of the contribution amount to be paid:</u> The development contribution payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have occurred since the "Consent to operate from date" which appears on the front page of this Determination Notice. <u>No construction certificate is to be issued and no construction is to commence until payment of development contributions.</u> The contribution must be paid to Council before the issue of any construction certificate. Construction of the development may NOT commence until the development contributions are paid. A copy of the development contributions plan is available for inspection on Council's website and at Council's Administration offices in Bankstown and Campsie. NOTE: <u>Development contribution amounts are non-refundable if you don't proceed with your development.</u> 2.102 Condition reason: To ensure compliance with the relevant New South Wales legislation.
21.	Payment of Fees Before Issuing a construction certificate, all the following must be paid to the relevant authority/entity and written evidence of these payments must be provided to the certifier.

	a. Levies b. Bonds c. Contributions d. inspection fees 2.103.S
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
22.	Long Service Levy Before the issue of the relevant construction certificate, payment of the long service levy is required, under the <i>Building and Construction industry Long Service Payments Act 1986</i>, section 34. Evidence of the payment is to be provided to the Certifier. Payment can be calculated using the Levy Portal Calculator at https://longservice.force.com/bci/s/levy-calculator. Payment must be made via the Long Service Levy Portal at https://www.longservice.nsw.gov.au. 2.104.S
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
23.	Car Parking Details Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with the relevant parts of AS 2890 – '<i>Parking Facilities - Off-Street Carparking</i>' and Council's development control plan. 2.110.S
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
24.	Bicycle Parking Spaces A minimum of thirty- three (33) bicycle parking spaces is to be provided for the development. Note: The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – '<i>Parking Facilities</i>' Part 3: Bicycle Parking Facilities and '<i>Austroads Bicycle Parking Facilities: Guidelines for Design and Installation.</i>' 2.112
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
25.	Submit Plans to Sydney Water The Council approved plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) will affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

	Refer to www.sydneywater.com.au/tapin for Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN™. Sydney Water must issue either a Building Plan Assessment letter which states that the application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator. 2.202.S
	Condition Reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
26.	BCA The Construction Certificate plans must demonstrate fully compliance with the requirements of the BCA 2022 & the Access compliance statement by Peter Dix- Building Compliance Assistance dated 16 June 2023, and the Access report No. 22-227 by ACCESS Link Consulting Revision- B dated 22/11/2022, and the noise assessment statement by Stephen Gault- Day Design Pty Ltd Refer: 7813-1.1L dated 21/6/23, and the Fire Engineering statement by Jason Powell - Innova Services Australia Ref. 23255-L01 dated 16/06/2023. Details of any Fire Engineered Solutions and deemed-to-satisfy provisions must be provided in full for approval prior to the issue of a construction certificate. Condition Reason: To ensure compliance with the relevant New South Wales legislation and to ensure compliance with the relevant Australian Standard and National Construction Code.
27.	Section J - Energy efficiency The development is to be carried out in accordance with the Deemed-To-Satisfy (DTS) requirements of Section J of the BCA 2022, Energy efficiency. A report covering compliance of the development with the relevant provisions contained in Section J must be provided in full for approval with the Construction Certificate, and to be reflected in the construction certificate plans and specifications. Condition Reason: To ensure compliance with the relevant New South Wales legislation and to ensure compliance with the relevant Australian Standard and National Construction Code.
28.	Fire Safety Provisions The building must comply with the Category 1 fire safety provisions as are applicable to the building's proposed use. Note: The obligation to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required in relation to this Determination Notice. 2.204 Condition reason: To ensure compliance with the relevant New South Wales legislation.

29.	Mobility Access The building must be designed and constructed to provide access and facilities for people with a physical disability in accordance with the Building Code of Australia. If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council through a modification application before a construction certificate being issued. 2.208 Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
30.	Site Remediation Prior to the issue of a Construction Certificate, the site is to be remediated in accordance with: i. The Remedial Action Plan, prepared by EI Australia, dated 13 July 2023, reference: E25173.E06_Rev2; ii. <i>State Environmental Planning Policy No. 55 - Remediation of Land</i>; iii. The guidelines in force under the <i>Contamination Land Management Act 1997</i>; and The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation. Any variations to the approved remedial action plan must be submitted to and approved in writing by an NSW EPA Accredited Site Auditor and Council prior to the continuing of such work. Condition reason: To protect the natural environment of the development site and adjoining lands.
31.	Validation Report Required Prior to issue of the construction certificate the proponent must submit a detailed validation report to Council. The validation report must be prepared in accordance with: I. 'Managing Land Contamination: Planning Guidelines (Department of Urban Affairs and Planning and NSW EPA, 1998); II. Relevant EPA Guidelines, noting the guidelines for 'Consultants Reporting of Contaminated Land 2020 and III. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). The validation report must be prepared or reviewed and approved by an appropriately qualified environmental consultant. The validation report must verify that the land is suitable for the proposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the Remedial Action Plan prepared by EI Australia, dated 13 July 2023, reference: E25173.E06_Rev2; Condition reason: To protect the natural environment of the development site and adjoining lands.

32.	Hazardous finds In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Council. Council may also request that an NSW EPA Accredited Site Auditor is involved to assist with the assessment of any unexpected finds, review any contamination information and prepare a site audit report and site audit statement. The applicant must adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor. Condition reason: To ensure compliance with the relevant New South Wales legislation.						
33.	Tree Removal: Nature Strip / Council Reserve Approval is granted for the removal of the following trees: <table border="1" data-bbox="304 763 1385 1025"> <tr> <th>Tree Species</th><th>Location</th></tr> <tr> <td>Tree 1: <i>Callistemon viminalis</i> (weeping bottlebrush)</td><td>As per arborist report</td></tr> <tr> <td>Tree 3: <i>Callistemon viminalis</i> (weeping bottlebrush)</td><td>As per arborist report</td></tr> </table> The tree removal works are subject to the following conditions: • All tree removal works must be carried out by a qualified arborist - minimum qualification Australian Qualification Framework (AQF) Level 3 or equivalent; • The tree removal contractor must hold a Public Liability Insurance Certificate of Currency with a minimum indemnity of \$20 million, together with a NSW Workers Compensation Insurance Certificate of Currency; • The tree removal work shall comply with the <u>Amenity Tree Industry – Code of Practice</u>, 1998 (Workcover, NSW) and the <u>Guide to Managing Risks of Tree Trimming and Removal Work</u> (Safe Work Australia 2016); • The tree stump is to be ground to 300mm below ground level. Investigation to locate underground services shall be the responsibility of the consent holder. • All tree material shall be removed from site, and the nature strip shall be backfilled, compacted and restored to the original level. • The site must be maintained in a safe condition at all times; • Appropriate hazard signage to be in place at all times during the tree works. All other street vegetation not specifically identified above is to be retained and protected from construction damage and pruning. Condition reason: To protect the natural environment of the development site and adjoining lands.	Tree Species	Location	Tree 1: <i>Callistemon viminalis</i> (weeping bottlebrush)	As per arborist report	Tree 3: <i>Callistemon viminalis</i> (weeping bottlebrush)	As per arborist report
Tree Species	Location						
Tree 1: <i>Callistemon viminalis</i> (weeping bottlebrush)	As per arborist report						
Tree 3: <i>Callistemon viminalis</i> (weeping bottlebrush)	As per arborist report						
34.	Street Tree Protection Measures The following street tree shall be retained and protected from removal and damage for the duration of the development:						

Tree Species	Location	Protection Zones*
T2: <i>Callistemon viminalis</i> (weeping bottlebrush)	As per arborist report	3m

Tree protection measures shall comply with Australian Standard AS4970-2009 Protection of trees on development sites, together with the following conditions:

- The area of Council's nature strip excluding a 1200 mm wide pedestrian access corridor along the front boundary of the property - shall be fenced off for a distance of 3 metres radius measured from the trunk of the *Callistemon viminalis* (weeping bottlebrush) prior to the commencement of demolition. The tree protection fencing is to be constructed of chain wire mesh 1.80 metres high, supported by steel posts and shall remain in place throughout the duration of site works.
- The consent holder will display in a prominent location on the fencing of each tree protection zone a durable, weather resistant sign of a similar design, layout and type size as per Appendix C, Australian Standard AS4970-2009 Protection of trees on development sites clearly showing:
 - o The Development Consent number;
 - o The name and contact phone number of the consultant arborist.
 - o The purpose of the protection zone;
- No vehicular access, excavations for construction or installation of services shall be carried out within the fenced off Tree Protection Zone.
- All utility services, pipes, stormwater lines and pits shall be located outside the fenced off Tree Protection Zone.
- Building materials, chemical storage, site sheds, wash out areas, waste material and similar shall not be located within the fenced off Tree Protection Zone.
- Trees marked for retention must not be damaged or used to display signage, or as fence or cable supports for any reason.

Condition reason: To protect the natural environment of the development site and adjoining lands.

35.

Erosion and Sediment Control Plan

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

- a. Council's development control plan,
- b. the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
- c. 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 consent holder must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

2.211.S

	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
36.	Mechanical Ventilation The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1 and 2 – ‘The Use of Ventilation and Air- Conditioning in Buildings – Mechanical Ventilation in Buildings’. Details of any mechanical ventilation and/or air-conditioning system complying with AS1668.1 and 2 – ‘The Use of Ventilation and Air- Conditioning in Buildings – Mechanical Ventilation in Buildings’, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, to the satisfaction of the certifier before the issue of a construction certificate. 2.214 Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
37.	Retaining Walls Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council. a. The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020. Plans and details prepared and signed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 are to be submitted to the certifier before the issue of the construction certificate. b. All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries. 2.301 Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
38.	Apply for Work Permit for Engineering Works The consent holder shall apply for a Work Permit and obtain approval from Council, for any of the following applicable engineering works in front of the site, at their own expense: a. A heavy Duty VFC of maximum width of 7.0 metres at the property boundary in Canterbury Road and another heavy duty VFC of maximum width of 13.5 metres at the property boundary in Moxon Road . b. Drainage connection through an under ground OSD tank overflows discharged through a 375mm diameter pipe and discharging to Sydney Water’s open channel with the written approval from Sydney Water and complying to all Sydney water’s standards for connection and setback requirements. c. Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs,

	d. Repair of any damage to the public road including the footway occurring during building works, and e. Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority. Note: Council is required to prepare a site survey and design in order to determine the necessary information. The consent holder should make application and payment for the Work Permit at least twenty-one (21) days before the information being required and before the issue of the construction certificate. The Work Permit must be approved before any works commencing within the Council road reserve or on Council's assets. 2.302
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
39.	Basement Anchoring The basement of the development is located adjacent to a Council public road reserve. Separate approval and Work Permit is to be obtained from Council for any temporary or permanent anchoring works under Council's public road. 2.303 Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
40.	Works Requiring a Work Permit As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the <i>Roads Act 1993</i> and/or Section 68 of the <i>Local Government Act 1993</i>, Council requires the consent holder to obtain a Works Permit and or a Roadway / Footpath Building Occupation Permit before the issue of any construction certificate for this development being issued where one or more of the following will occur, within, on or over the public footway or public road: A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS WORKS REQUIRING A 'WORKS PERMIT' - Dig up, disturb, or clear the surface of a public footway or public road, - Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road, - Connect a road (whether public or private) to a classified road, - Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road, - Install utilities in, under or over a public road, - Pump water into a public footway or public road from any land adjoining the public road, - Erect a structure or carry out a work in, on or over a public road, - Require a work zone on the public road for the unloading and or loading of vehicles, - Pump concrete from within a public road,

	j. Stand a mobile crane within a public road, k. Store waste and recycling containers, skips, bins and/or building materials on any part of the public road, l. The work is greater than \$25,000, and m. Demolition is proposed. The consent holder shall construct all works approved within the public road and footway under the supervision and to the satisfaction of Council and shall arrange for necessary inspections by Council whilst the work is in progress. The consent holder shall ensure that the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars and shall provide proof of the policy to Council, before commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works. 2.304								
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.								
41.	Finished surface levels Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on relevant construction certificate plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council. 2.305 Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.								
42.	Stormwater Drainage Stormwater drainage from the development shall be designed so as to comply with Council's Canterbury Development Control Plan 2012 Part B5 and the requirements of the BASIX Certificate. A final detailed stormwater drainage design shall be prepared by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 in accordance with the above requirements and shall generally be in accordance with the approved concept stormwater plan as shown in the table below. The final plan shall be certified by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 that it complies with Council's Canterbury Development Control Plan 2012 Part B5, the BASIX Certificate and the relevant Australian Standards. <table><tr><th>Plan Name</th><th>Number</th><th>Date</th><th>Prepared By</th></tr><tr><td>Drg no: 20200377, sheet nos: SW100,SW200, SW201, SW 202, SW 300, SW 301,</td><td>Revision – C</td><td>22/06/2023</td><td>SGC Engineering Ltd</td></tr></table>	Plan Name	Number	Date	Prepared By	Drg no: 20200377, sheet nos: SW100,SW200, SW201, SW 202, SW 300, SW 301,	Revision – C	22/06/2023	SGC Engineering Ltd
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	SW 302, SW 400, SW 401 & SW 500										
2.306											
Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.											
43.	Pump Out System										
	The pump out drainage system for the driveway/access ramp and car parking area/open space area shall be provided in accordance with Council's Canterbury Development Control Plan 2012 Part B5. The engineer must design the Pump out drainage system to be in accordance with the Australian Standards AS 3500. Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the certifier for approval before issue of any construction certificate. The engineer must certify that the hydraulic design complies with the above relevant standards.										
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.										
44.	Pump Plans and Details										
	Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the certifier for approval before the issue of any construction certificate.										
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.										
45.	On-site Stormwater Detention System										
	For this development, Council requires that the stormwater runoff from within the development site shall be collected and controlled by means of an on-site stormwater detention system, in accordance with Council's Canterbury Development Control Plan 2012 Part B5. The developer shall engage a suitably qualified engineer to prepare a final stormwater drainage and on-site detention system plan to be generally in accordance with the concept plan in the table below, and in accordance with the requirements contained in Council's Canterbury Development Control Plan 2012 Part B5. The Engineer shall certify that the design and plans comply with Council's Bankstown Development Engineering Standards and the relevant Australian Standards.										
	<table><tr><th>Plan Name</th><th>Number</th><th>Date</th><th>Prepared by</th></tr><tr><td>Drg no: 20200377, sheet nos: SW 100,SW 200,SW 201, SW 202, SW 300, SW 301, SW 302, SW 400, Sw 401 & SW 500</td><td>Revision C</td><td>22/06/2023</td><td>SGC Engineering Pty Ltd</td></tr></table>				Plan Name	Number	Date	Prepared by	Drg no: 20200377, sheet nos: SW 100,SW 200,SW 201, SW 202, SW 300, SW 301, SW 302, SW 400, Sw 401 & SW 500	Revision C	22/06/2023
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Drg no: 20200377, sheet nos: SW 100,SW 200,SW 201, SW 202, SW 300, SW 301, SW 302, SW 400, Sw 401 & SW 500	Revision C	22/06/2023	SGC Engineering Pty Ltd								
2.310											

	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
46.	Adjacent to Easement
	Sites located adjacent to Council's drainage easement and/or sites affected by flooding shall comply with the following:
	a. The proposed building(s) including eaves and gutters shall be located clear of existing and proposed Council easements within the site. Plans demonstrating this requirement are to be submitted to the certifier before the issue of the construction certificate. All approved construction details shall be consistent with this requirement. Proposed buildings shall be located clear of floodways through the site. b. Concrete pier and beam type footings shall be provided for all structures adjacent to Council's stormwater pipe/easement in accordance with the requirements contained in Canterbury Development Control Plan 2012 Part B5. Plans and details prepared by a qualified practising structural engineer, with details suitable for construction in accordance with the above Policy shall be incorporated into the details for approval of the construction certificate. A copy of the approved details together with a report prepared by a registered surveyor showing location, size and depth of the stormwater system, shall be sent to Council for recordkeeping. c. Habitable floor levels shall be constructed to a minimum of RL 5.10metres AHD as determined by the Storm water system Report and the Flood Study Report , Revision – A , Final Issue dated 02/12/2022 prepared by S & G Consultants Pty Ltd. flood study including freeboard. All approved construction details shall be consistent with this requirement. d. Landscaping within Council's drainage easement shall be limited to grassed or paved surfaces only. Boundary fencing across Council's drainage easement /floodway shall incorporate provision for the passage of overland stormwater runoff to cater for the 1:100-year A.R.I. storm. All approved construction details shall be consistent with this requirement. A copy of the approved landscaping details shall be submitted to Council for recordkeeping. e. An unobstructed overland flowpath (floodway) for excess stormwater runoff from Council's drainage system and upstream catchment shall be constructed and maintained by the owner. The flowpath and piped drainage system shall be designed to carry stormwater runoff from the 1:100-year A.R.I. design storms for the catchment concerned. Final details suitable for construction prepared by a qualified professional civil engineer shall be submitted to the certifier before the issue of the construction certificate. The final detailed plan shall be in accordance with the Flood Study Report , Revision – A , Final Issue dated 02/12/2022 prepared by S & G Consultants Pty Ltd.. All approved construction details shall be consistent with this requirement. A copy of the approved details shall be submitted to Council for recordkeeping. f. For concrete pavements built over drainage easements full depth construction joints shall be provided along the easement boundary, in accordance with the requirements contained in Council's Bankstown Development Engineering Standards / Canterbury Development Control Plan 2012 Part B5. Details suitable for construction prepared by a qualified professional civil engineer shall be submitted to the principal before the issue of the construction certificate. A copy of the approved details shall be submitted to Council for recordkeeping.
	Note: Council's standard floodway sign shall be erected on the site adjoining the floodway.
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.

47.	Driveway Design The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the certifier before a construction certificate being issued. Furthermore, for internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for approval by the certifier before the issue of the construction certificate. The maximum grade of the driveway/ramp shall not exceed 25% and shall comply with AS 2890 parking series. The profile shall be drawn at a reduction ratio of 1 to 25 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile. 2.313 Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
48.	Pavement Design An all-weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by a qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the certifier for approval before the issue of a construction certificate. 2.314 Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
49.	Gated Vehicle Access Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the property boundary with the street. 2.316 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
50.	Traffic Management Plan Before the issue of any construction certificate for this development, the consent holder must obtain approval from Council's Traffic Section for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below. A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a. Proposed ingress and egress points for vehicles to and from the construction site;
- b. Proposed protection of pedestrians, adjacent to the construction site;
- c. Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d. Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- e. Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
- f. Proposed route for transportation of bulk and excavation materials to and from the development site.

The route for transportation to and from the development site of bulk construction and excavation materials shall be by the shortest practical route to the nearest "State Road", with every effort to avoid school zones on public roads. Alternate longer routes will only be considered in order to bypass school zones during school zone hours. If school zones cannot be avoided **no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days.** The consent holder shall nominate the routes for approval by Council before commencement of any work on the site. All vehicles are to enter the on-street Works Zone adjacent to the site in a forward direction. U-turn and right-turn movements into the site, are generally not permitted.

An Agreement to Council's satisfaction, signed by the consent holder/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site and for local roads along the transportation routes shall be lodged with Council before release of any Construction Certificate. All damage must be rectified upon completion of work.

Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented before the commencement of any works on the construction site.

In addition, a TfNSW (formerly RMS) Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

Note: Approval by Council of a SPTMP may take up to six (6) months. Accordingly, it is recommended the application to Council be submitted well in advance of the need for a construction certificate.

	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
51.	Construction Site Management Plan
	Before the issue of a construction certificate, a Construction Site Management Plan (CSMP) must be prepared and approved by the certifier. The plan must include the following matters: a. The location and materials for protective fencing and hoardings on the perimeter of the site; b. Provisions for public safety; c. Pedestrian and vehicular site access points and construction activity zones; d. Details of construction traffic management including: i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e. Details of bulk earthworks to be carried out; f. The location of site storage areas and sheds; g. The equipment used to carry out works; h. The location of a garbage container with a tight-fitting lid; i. Dust, noise and vibration control measures; j. The location of temporary toilets; k. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent A copy of the construction site management plan must be kept on-site at all times while work is being carried out. A copy of the construction site management plan must be kept on-site at all times while work is being carried out. 2.401
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
52.	Work Vehicle Route
	The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The consent holder shall nominate the route for approval by Council before commencement of any work on the site. An "Agreement" to Council's satisfaction, signed by consent holder specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site shall be lodged with Council before release of any construction certificate. All damage must be rectified before the issue of any occupation certificate. 2.402
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.

53.	Traffic Signals on Site The consent holder is required to submit to Council the manufacturer's specifications, design and operation of the 'traffic signal' facility to be installed along the driveway access ramp to the basement level. These details shall be illustrated on the plans to be submitted with the construction certificate application. The consent holder shall be responsible for the installation, operation and maintenance of the 'traffic signal' facility at no cost to Council. 2.403 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
54.	Sight Triangles on Plans Sight triangles are to be marked on relevant plans, being provided at the intersection of the driveway and the property boundary in accordance with AS 2890.1: 'Figure 3.3 – Minimum Sight Lines for Pedestrian Safety'. A splay extending 2 metres from the driveway edge along the front boundary and 2.5 metres from the boundary along the driveway shall be provided to give clear sight lines of pedestrians from vehicles exiting the site and is to be kept clear of any obstacles. Any structures, plantings or fencing within these triangles is to be a maximum height of 600mm to ensure sight lines are kept clear of any obstacles. This shall be illustrated on plans submitted with the construction certificate. 2.406 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
55.	Waste Management Plan Before the issue of a construction certificate, a Waste Management Plan (WMP) must be prepared and provided to the certifier. The plan must include the following matters: The plan must be prepared a. in accordance with: i. the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and ii. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and b. include the following information— i. the contact details of the person removing waste, ii. an estimate of the type and quantity of waste, iii. whether waste is expected to be reused, recycled or sent to landfill, iv. the address of the disposal location for waste. A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out. 2.502

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
56.	Plans to Include Bin Storage Area
	The construction certificate plans shall include details of the waste bin storage area. The bin storage area shall not be visible from the street. The bin storage area shall be located within the building or screened from the street by dense landscaping. 2.503
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
57.	Bin storage room for each warehouse
	The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments”:

	Café												
	<table><tr><th>Number</th><th>Bin Size</th><th>Bin Type</th></tr><tr><td>1</td><td>660L</td><td>Garbage (Red)</td></tr><tr><td>1</td><td>660L</td><td>Recycling (Yellow)</td></tr><tr><td>1</td><td>140</td><td>FO</td></tr></table>	Number	Bin Size	Bin Type	1	660L	Garbage (Red)	1	660L	Recycling (Yellow)	1	140	FO
Number	Bin Size	Bin Type											
1	660L	Garbage (Red)											
1	660L	Recycling (Yellow)											
1	140	FO											
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.												
58.	On-Site Waste Collection a. Detailed plans showing that the waste storage areas identified on stamped plans will be capable of being accessed from the designed access roadway by a Heavy Rigid Vehicle (HRV) in accordance with AS2890.2, and that a loading area is available for the vehicle when collecting waste that meets the following requirements: i. Within 5 metres of the all waste storage areas or temporary holding area; ii. A separate parking area for the collection vehicle; and iii. Include an extra 2 metres at the rear of the vehicle loading area. b. Certification from a suitably qualified engineer that the route of travel, loading area and entry and exit points will be constructed so as to support the following loading requirements: i. Heavy Rigid Vehicle can enter and exit the site in a forward position; ii. 30 tonne waste collection vehicles; iii. Turning circle of 25 metres; iv. Length of 12 metres; v. Clearance height of 4.5 metres Condition reason: To ensure the orderly collection of waste from the site.												
59.	Protection of Environment The use and operation of the premises must be designed so as to not cause the emission of any odours that, by reason of its level, nature, character or quality is likely to be harmful to or interfere unreasonably with the comfort or repose of person who is outside the premises. There are to be no emissions or discharges from the premises which will give rise to an offence under the <i>Protection of the Environment Operations Act 1997</i> and Regulations. Emission control equipment must be provided in the mechanical exhaust system serving the appliances, to effectively minimise the emission of odours, vapours and oils. Details of the proposed emission control equipment must be provided in the relevant plans and specifications for the construction certificate for the subject works. Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the certifier before the issue of any construction certificate. 2.608 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.												
60.	Carpark Exhaust												

	Before the issue of a construction certificate, the certifier is to ensure that all carpark exhaust does not directly vent into private or communal open space. 2.611
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
61.	Trade Waste Agreement A Trade Waste Agreement shall be obtained from Sydney Water before the discharge of trade wastewater to the sewer system. Wastewater treatment equipment is to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund. All wastewater treatment devices shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the <i>Protection of the Environment Operations Act 1997</i>. 2.612 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
62.	Landscaping Plan A detailed landscape plan prepared by a qualified landscape architect or qualified landscape designer must be approved by the certifier before the issue of a construction certificate. The landscape plan must be prepared in accordance with Canterbury DCP 2012 and must include the following features, notations and specifications: a. The location of existing and proposed structures on the subject property/properties, including existing and proposed trees, impermeable areas, landscaped areas, deep soil zones, fixed furniture, shade structures, lighting, and other features, b. Details of earthworks and soil depths, including mounding and retaining walls and planted boxes, c. The location, number, pot size and type of chosen plant species. Details of planting procedures and long-term maintenance (if any), d. Details of drainage and watering systems (if any), e. A Landscape maintenance schedule period of 12 months is to be applied to this development. During this maintenance period, the landscaping must be maintained in accordance with the details specified on the submitted landscape plan, f. All the tree supply stocks shall comply with the guidance given in the publication <i>Specifying Trees: a guide to assessment of tree quality</i> by Ross Clark (NATSPEC, 2003), g. All scheduled plant stock shall be pre-ordered, before issue of construction certificate or 3 months before the commencement of landscape works, whichever occurs sooner, for the supply to the site on time for installation. Written confirmation of the order shall be provided to Council before issue of any construction certificate. The order confirmation shall include name, address and contact details of supplier; and expected supply date, and h. One 75ltr (minimum) major canopy tree shall be planted within the front and rear setback to each dwelling. 2.701 Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

63.	Council's Tree Management Order
	Approval in accordance with Council's Tree Management Order (TMO) is granted to lop or remove only those trees identified to be lopped or removed on the approved plans. If not indicated on the approved plans, separate approval must be obtained to prune or remove trees on adjoining properties or other trees located on the site. A person(s) who contravenes or causes or permits the TMO to be breached shall be guilty of an offence and liable for prosecution. 2.801
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
64.	Landscaping Works
	All scheduled plant stock shall be pre-ordered , prior to issue of Construction Certificate or 3 months prior to the commence of landscape construction works, whichever occurs sooner, for the supply to the site on time for installation. Written confirmation of the order shall be provided to Council's Landscape Architect to issue of any Construction Certificate. The order confirmation shall include the supplier's name, address and contact details; and expected supply date.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation
65.	Landscaping Works
	All the tree supply stocks shall comply with the guidance given in the publication <i>Specifying Trees: a guide to the assessment of tree quality</i> by Ross Clark (NATSPEC, 2003).
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation
66.	Landscaping Works
	All neighbouring and street trees impacted by the demolition, construction and development of the site must be retained and protected in accordance with all aspects and requirements for the protection of these Trees as stated in the Australian Standard 2009, AS 4970-2009 Protection of Trees on Development Sites to allow for the healthy ongoing life of these trees. Please ensure that all neighbouring trees are not adversely impacted by the development and provide redesign or amendments to the development as required.
	Condition reason: To protect the natural environment of the development site and adjoining lands.

BEFORE BUILDING WORK COMMENCES

67.	Certifier details

	A construction certificate is required for the erection of a building in accordance with this Determination Notice. This Determination Notice does not authorise building work until a principal certifier has been appointed as the principal certifier for the work by (or with the approval of) the consent holder. The following requirements apply before the commencement of building work in accordance with this Determination Notice: - the principal certifier has, no later than two (2) days before the building work commences, notified the Consent Authority and the Council (if the council is not the Consent Authority) of their appointment as the principal certifier, - the principal certifier has, no later than two (2) days before the building work commences, notified the consent holder of any inspections that are required to be carried out in respect of the building work, - the person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, - the consent holder, if not carrying out the work as an owner-builder, has: - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and - notified the principal certifier of the appointment, and - unless that person is the principal contractor, notified the principal contractor of any inspections that are required to be carried out in respect of the building work, - the consent holder has given at least a 2-day notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building. 3.202 Condition reason: To ensure compliance with the relevant New South Wales legislation.
68.	Section 73 Compliance Certificate A Section 73 Compliance Certificate under the <i>Sydney Water Act 1994</i> must be obtained from Sydney Water. It is recommended that the consent holder apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application can be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Section 73 Compliance Certificates, or telephone 13 20 92. 3.203 Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
69.	Temporary fence or hoarding A fence must be erected around the area of the development site, except where an existing 1.8 metres high boundary fence is in good condition and can secure the area.

	Any new fencing must be temporary and at least 1.8 metres high. All fencing must be maintained throughout the construction period to ensure that the work area is secured. Where the work is located within 3.6m of a public place, then a Type A or Type B hoarding must be constructed appropriate to the work proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval before the commencement of building work/s. 3.204 Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
	Dilapidation report Before the issue of a construction certificate, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the certifier for the following properties: • Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the certifier, that all reasonable steps were taken to obtain access to the adjoining properties. No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be made available to Council upon request. 3.205.S Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
70.	WC temporary toilet facilities on site Before the commencement of work, the consent holder must provide a temporary on-site toilet if access to existing toilets on site is not adequate/available. Temporary on-site toilet facilities must be installed and be adequately maintained throughout the construction period. 3.206 Condition reason: To ensure compliance with the relevant New South Wales legislation.
71.	Install Erosion control 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). 3.207
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
72.	Soil and water management warning sign Council's warning sign for Soil and Water Management must be displayed throughout the construction period at the most prominent point of the site, visible to both the street and site. 3.208
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
73.	Sign with principal certifier details A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out: a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. Any such sign is to be maintained while the building work or demolition work is being carried out and must be removed when the work has been completed. Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building. 3.209.P
	Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
74.	Assess for Hazardous Materials Before demolition, the entire site (including any structures) is to be assessed for hazardous materials, especially asbestos. A Hazardous Materials (HAZMAT) Report is to be prepared by a Type "A" inspection body accredited by NATA. All recommendations in the above-mentioned report are to be implemented and a clearance certificate issued by an appropriately qualified occupational hygienist is to be submitted to Council before the commencement of demolition works. 3.601

	Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
75.	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. 3.801.S
	Condition reason: To protect the natural environment of the development site and adjoining lands.
76.	Waste Room Design
	The waste storage room/area must be provided with smooth and impervious walls and floors and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning. Open waste storage areas must be appropriately covered and bunded. The ground must be paved with impervious material and must be graded and drained to a wastewater disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided.
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy

DURING BUILDING WORK

	Condition
77.	Procedure for Critical Stage Inspections
	While building work is being carried out, the 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. 4.101.S
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
78.	Works in accordance with Building Code of Australia (BCA)
	Building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA). 4.201.P
	Condition reason: Prescribed condition - EP&A Regulation clause 98(1)(a).
79.	Affixing of signage

	The construction and fixing of the signage is to be carried out in accordance with details prepared by a suitably qualified practising structural engineer, in accordance with the structural provisions of the Building Code of Australia (BCA). 4.202
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
80.	Hours of Work
	Building work, subdivision work or demolition work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
81.	Noise and Vibration
	While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved documentation. Where no noise and vibration management plan is approved under this consent, the certifier is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the site work is being carried out. 4.205.S
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
82.	Surveys by a registered surveyor
	While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier: a. All footings / foundations in relation to the site boundaries and any registered and proposed easements b. At other stages of construction – any marks that are required by the principal certifier. 4.206.S
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
83.	Civil and Hydraulic engineering works
	All civil and hydraulic engineering works on site must be carried out in accordance with Council's Canterbury Development Control Plan 2012 Part B5. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must

	be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction. 4.301
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
84.	Stormwater drainage system The stormwater drainage system shall be constructed in accordance with Council's Canterbury Development Control Plan 2012 Part B5 and the engineering plans and details approved by the principal certifier. Should the consent holder encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, then they must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at their own expense. 4.302
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
85.	Adjacent to Council pipe Development located adjacent to Council's drainage pipe and/or easements shall comply with the following: - Concrete Pier and beam type footings/foundations adjacent to Council's drainage easements shall be constructed in accordance with the approved details and Canterbury Development Control Plan 2012 Part B5. The consent holder/developer shall arrange for an inspection to be carried out by Council to verify depth and location of piers in relation to the pipe and easement before pouring of concrete. - Any disturbance or damage caused to Council's drainage pipes within the site shall be repaired by Council at the consent holder's expense. The consent holder shall notify Council of such damage immediately after it occurs, and of any pre-existing damage before commencement of work within the site. Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
86.	Driveway adequacy A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion. 4.306
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
87.	Responsibility for Changes to Public Infrastructure While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths,

	kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority. 4.307.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
88.	Excavated safety All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the consent holder must, at their own expense: a. Protect and support the building, structure or work from possible damage from the excavation, and b. Where necessary, underpin the building, structure or work to prevent any such damage. This consent condition does not apply if the consent holder owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. The owner of any affected buildings is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land. 4.308 Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
89.	Shoring and adequacy of adjoining properties If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the consent holder must, at their own expense — a. Protect and support the building, structure or work from possible damage from the excavation, and b. Where necessary, underpin the building, structure or work to prevent any such damage. This condition does not apply if the consent holder owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

	4.309.P
	Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.
90.	Retaining walls If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Should it be required, separate approval must be obtained for retaining walls. 4.310 Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
91.	Waste management While site work is being carried out: a. all waste management must be undertaken in accordance with the waste management plan, and b. upon disposal of waste, records of the disposal must be compiled and provided to , detailing the following: i. The contact details of the person(s) who removed the waste ii. The waste carrier vehicle registration iii. The date and time of waste collection iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill v. The address of the disposal location(s) where the waste was taken vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council. 4.502.S Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
92.	Comply with Waste management plan The requirements of the submitted Waste Management Plan shall be complied with at all times that work is being carried out. Without limiting the foregoing, compliance shall include the following: a. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the <i>Protection of Environment Operations Act 1997</i>; and b. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the <i>Protection of Environment Operations Act 1997</i>; and

	c. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW; and d. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it; and e. Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material), description of waste and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/ details are also to be kept of person removing the waste; and f. All materials and resources that are to be stored on site during construction works are contained on the site; and g. The provisions of the Protection of Environment Operations Act 1997 must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses; and h. The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works. 4.503
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
93.	No Stockpiling There must not be any stockpiling of building spoil, materials, or storage of equipment on the public road during the construction period. The footway and the road reserve must always be maintained in a safe condition. No work can be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained. 4.605
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
94.	Implementation of the site management plans While site work is being carried out: a. the measures required by the construction site management plan (where approved) and the erosion and sediment control plan must be implemented at all times, and b. a copy of these plans must be kept on site at all times and made available to council officers upon request. 4.701.S
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
95.	Tree protection during work

	While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: a. the construction site management plan (where approved) under this consent, b. the relevant requirements of AS 4970 Protection of trees on development sites, c. Council's relevant development control plan (in force as at the date of determination of this consent) and d) 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 4.807.S
	Condition reason: To protect the natural environment of the development site and adjoining lands.
96.	Tree protection All work carried out on or around protected trees during demolition, clearing and construction shall comply with Australian Standard AS 4373 – 'Pruning of amenity trees' and Australian Standard AS 4970 – 'Protection of trees on development sites'. Site specific conditions relating to tree protection shall take precedence over this requirement. 4.806
	Condition reason: To protect the natural environment of the development site and adjoining lands.
97.	Threatening of trees If any trees to be retained and protected are threatened by demolition, building or other site works through accidental omission or unforeseen circumstances, the approving authority is to be notified immediately in writing before such work is continued so that this issue can be resolved. 4.810
	Condition reason: To protect the natural environment of the development site and adjoining lands.
98.	Discovery of relics and Aboriginal objects While site work is being carried out, if a person reasonably suspects a relic of 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. 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. In this condition: “relic” means any deposit, artefact, object or material evidence that: - relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and - is of State or local heritage significance; and 4.901.S
	Condition reason: To ensure the protection of objects of potential significance during works.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
99.	Occupation certificate
	The occupation or use of the building must not commence unless an occupation certificate has been issued.
	5.201
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
100.	Consolidation of lots
	Consolidation of the existing allotments must be registered by NSW Land Registry Services before the issue of an occupation certificate.
	Condition reason: To ensure the orderly subdivision of land.
101.	No approval for use
	No approval is granted or implied for the use of any of the approved industrial units.
	Separate development consent is to be obtained for the use of these premises.
	5.101
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
102.	Loading bay management

	A Loading Management Plan must be submitted to and approved by the principal certifier before the issue of an occupation certificate. The plan should identify how the loading area will be managed and used by all building tenants including retail and residential use such as for removal vehicles, bulky good deliveries and similar. The plan must include, but is not limited to, management of deliveries to ensure there is no requirement for any service vehicles to wait on public streets to enter the site. The plan shall be managed either by a schedule showing all tenants when they can use the area, or by a register managed on site to allow tenants to reserve a time period for their deliveries. Once approved, this management plan will need to be provided to all tenants and external users of the loading area. 5.104
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
103.	Number of car parking spaces One hundred and eighty-one (181) off-street car parking spaces shall be provided and maintained for the use of visitor and employees to the premises in accordance with the submitted plans. Such spaces are to be sealed and line marked and maintained for the lifetime of the development. 5.105
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
104.	Slab certification A report as prepared by a registered surveyor must be submitted to the principal certifier verifying that the reduced level (RL) of the finished floor level at each level, the height of external walls, the maximum reduced level (RL) of roof structures / roof eaves overhangs and the external wall setbacks to the property boundaries all conform with the approved plans. 5.203
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
105.	Preservation of survey marks Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that: a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or

	b. any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure. 5.204.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
106.	Completion of Public Utility Services Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier. 5.207.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
107.	Section 73 certificate The Section 73 compliance certificate under the <i>Sydney Water Act 1994</i> must be submitted to the principal certifier before the issue of an occupation certificate. 5.208
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
108.	Mechanical ventilation Before issue of an occupation certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, must be submitted to the principal certifier. 5.209
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
109.	Work Permit Compliance required An occupation certificate must not be issued until all conditions relating to demolition, building and subdivision works have been satisfied and Council has issued a Work Permit Compliance Certificate (where applicable). 5.301
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
110.	Repair of infrastructure Before the issue of an occupation certificate: a. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to,

	delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or b. if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent. 5.302.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
111.	Works-As-Executed plans and any other Documentary Evidence
	Before the issue of the relevant occupation certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier: a. All stormwater drainage systems and storage systems, and b. The following matters that council requires to be documented in accordance with the Councils relevant Development Control Plan. c. A copy of the plans must be provided to council with the occupation certificate.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
112.	Restriction of use / covenant
	The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Canterbury Development Control Plan 2012 Part B5 and in accordance with the appropriate provisions of the <i>Conveyancing Act 1919</i>. Where subdivision is not proposed, the surveyor shall show the location of the "On-Site Stormwater Detention System" on an A4 size site plan attached to the Section 88E Instrument to be registered, on the title of the subject property, before the issue of the Final occupation certificate. Alternatively, where subdivision is proposed, the developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Canterbury Development Control Plan 2012 Part B5 and in accordance with the appropriate provisions of the Conveyancing Act. The surveyor shall show the location of the "On-Site Stormwater Detention System" on the plan of subdivision. The developer shall submit evidence of the final registration of the Restriction and Positive Covenant on the title of the property, to Council.
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
113.	Driveways certified
	A suitably qualified professional civil engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans

	and specifications. Such Certification shall be submitted before the issue of the occupation certificate or occupation of the site.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
114.	Give way signs The following signs must be provided and maintained within the site at the point(s) of vehicle egress: a. Compelling drivers to stop before proceeding onto the public way b. Compelling drivers to "<i>Give Way to Pedestrians</i>" before crossing the footway; or compelling drivers to "<i>Give Way to Pedestrians and Bicycles</i>" before crossing a footway on an existing or identified shared path route. 5.308
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
115.	Agreement with Council Before the issue of any occupation certificate, an agreement must be entered into with Council on terms satisfactory to Council for the collection of waste. 5.502
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
116.	Removal of Waste Upon Completion Before the issue of an occupation certificate: a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the waste management plan, and b. written evidence of the waste removal must be provided to the satisfaction of the principal certifier 5.503.S
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
117.	Completion of Landscape and Tree Works Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent. 5.701.S
	Condition reason: To protect the natural environment of the development site and adjoining lands and to ensure the development is built and remains consistent with approved plans and documentation.
118.	Property numbering

	The buildings must be readily identified from the street with the allocated numbers. 5.904
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
119.	Design of lighting
	Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby public roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS 4282 – ‘The Control of the Obtrusive Effects of Outdoor Lighting’. 5.907
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant Australian Standard and National Construction Code.
120.	Emergency Response Management Plan
	An Emergency Response Management Plan shall be prepared and submitted to Council's satisfaction. The Plan shall include the following: a. List of chemicals and maximum quantities to be stored at the site; b. Identification of potentially hazardous situations; c. Procedure for incident reporting; d. Details of spill stations and signage; e. Containment and clean-up facilities and procedures; and f. The roles of all staff in the plan and details of staff training.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
121.	Fill
	Any fill imported onto the site must be virgin excavated natural material or excavated natural material, classified as such in accordance the ‘Waste Classification Guidelines’ (NSW EPA, 2014) or excavated natural material meeting the requirements of the Excavated Natural Material Exemption (NSW EPA, 2014).
	Certificates verifying that imported fill is virgin excavated natural material or excavated natural material must be provided to Council prior to the issue of an Occupation Certificate.
	All imported fill must be compatible with the existing soil characteristics of the site.
	Condition reason: To protect the natural environment of the development site and adjoining lands.
122.	Removal of Soil and Materials
	All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and related guidelines, in particular the ‘Waste Classification Guidelines’ (NSW EPA, 2014), prior to off-site disposal.

	The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to and approved by the Principal Certifying Authority before off-site disposal. A copy of the waste classification report must be submitted to Council prior to issuing of an Occupation Certificate. All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to Council prior to issuing of an Occupation Certificate.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.

OCCUPATION AND ONGOING USE

123.	Hours of operation The hours of operation of the use shall be limited to between: • Weekdays: 7.00am – 10.00pm • Weekends / Public Holidays: Nil 7.102 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
124.	Site loading / Unloading All loading and unloading operations associated with servicing the site must be carried out within the confines of the loading docks within each unit, at all times and must not obstruct other properties/units or the public way. At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage. 7.115 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
125.	Car parking not for storage The approved car parking spaces, driveways and manoeuvring areas are to be used for employees and visitors' vehicles only and not for the storage of new or used materials, finished goods or commercial vehicles. 7.301 Condition reason: To ensure the development is built and remains consistent with approved plans and documentation and to provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.

126.	Stormwater Detention
	The on-site stormwater detention storage system within the site as constructed shall not be altered and shall be maintained in good working order to the satisfaction of Council. 7.302
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
127.	Maintenance of wastewater and stormwater treatment device
	During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable). 7.303.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
128.	Traffic signal maintenance
	Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway. This is to ensure that vehicles entering the site do not have to wait at the top of the ramp, and vehicles wishing to exit the site must wait for entering vehicle in the basement at the waiting bay. 7.401
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
129.	Enter / Exit in forward direction
	All vehicles associated with the development are to enter and exit the site in a forward direction. 7.402
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
130.	Waste Management Plan
	The requirements of the submitted Waste Management Plan shall be complied with at all times that the approved development is being carried out. 7.501
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
131.	Commercial waste contract

	The consent holder shall enter into a commercial contract for the collection of wastes and recycling. A copy of the commercial waste and recycling contract shall be lodged with Council and invoices should be available for inspection at any time. 7.502
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
132.	Commercial waste All commercial uses must engage and utilise the services of a private waste collection service and must have written evidence on site of a valid and current contract with a licenced waste collector for waste and recycling collection disposal. 7.503
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
133.	Waste generated on site All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined under the <i>Protection of the Environment Operations Act 1997</i>. All waste generated shall be removed and disposed of by an authorised waste removal contractor. A copy of the waste removal agreement and receipts shall be made available to Council on request. 7.504
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
134.	Waste containers No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes. 7.507
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
135.	Commercial waste All commercial uses must engage and utilise the services of a private waste collection service and must have written evidence on site of a valid and current contract with a licenced waste collector for waste and recycling collection disposal. Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
136.	Commercial / Industrial activities The consent holder shall ensure that all activities within the premises comply with the relevant sections of the <i>Protection of the Environment Operations Act 1997</i> and Regulations and the NSW Environment Protection Authority Industrial Noise Policy (2000).

	7.623
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant New South Wales legislation.
137.	Maintenance of landscaping
	The approved landscaping and external work must be maintained post occupation and must not be altered or changed without Council approval or unless the altered work is carried out in accordance with the relevant provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
	7.701
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
138.	Emergency response
	Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information at all times.
	7.632
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
139.	Retailing in Industrial
	Any retailing undertaken on the premises must be ancillary to the main industrial use of the premises. The retailing sales area shall be restricted to a maximum of 15% of the total floor area as indicated on the approved plan.
	7.117
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
140.	Activities contained inside
	All industrial activities are to be confined within the building and no such activity shall occur externally to the building and this shall include loading and unloading, also storage of new and used materials.
	7.116
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
141.	Protection of the Environment
	The operation of the premises must comply with the relevant sections of the <i>Protection of the Environment Operations Act 1997</i> and the Noise Policy for Industry (2017) and shall not give rise to “offensive noise” as defined under the provisions of the <i>Protection of the Environment Operations Act 1997</i> .

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant New South Wales legislation.
142.	Maintenance of lighting
	Any lighting of the premises must be installed in accordance with AS 4282-1997, 'Control of the obtrusive effects of outdoor lighting', so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The intensity, colour or hours of illumination of the lights must be varied at Council's discretion if Council considers there to be adverse effects on the amenity of the area.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant Australian Standard and National Construction Code.
143.	Protection of the Environment
	The operation of the development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, ash, dust, waste water, waste products, grit, oil or other harmful products.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant New South Wales legislation.
144.	Signs and Display of Goods
	No signs or goods are to be displayed or trading of any description is to be carried out on the public road, public footway, utility service land, customer and/or employee parking area or the driveways or pedestrian walkways outside or in the immediate vicinity of the premises.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant New South Wales legislation.
145.	Sign Display
	Signs shall display advertising relating only to the usage of the site and shall be maintained in good order at all times.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant New South Wales legislation.
146.	Sign Illumination
	Signs shall not flash or contain flashing lights or devices that enable the signs to change colour or create movement.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant New South Wales legislation.

