

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA-1196/2023

Development: Staged demolition, construction and operation of a pub, hotel, mixed-use building, and residential flat buildings

Site: 167-183 Hume Highway, Greenacre

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 12 September 2024

Date from which consent takes effect: Date of determination.

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as Lot 402 in DP 631754, otherwise known as 167-183 Hume Highway, Greenacre.

The conditions of consent are as follows:

GENERAL CONDITIONS

	Condition																																																																																															
1.	<div>Approved Plans and supporting documentation</div> <div>Approved plans and supporting documentation Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</div> <table><tr><th colspan="5">Approved plans</th></tr><tr><th>Plan number</th><th>Revision number</th><th>Plan title</th><th>Drawn by</th><th>Date of plan</th></tr><tr><td colspan="5">Architectural Plans</td></tr><tr><td>DA_A000</td><td>D</td><td>Cover Sheet</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A001</td><td>D</td><td>Location Plan</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A002</td><td>D</td><td>Aerial Views Existing</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A003</td><td>D</td><td>Aerial Plan View Exiting</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A004</td><td>D</td><td>Site Analysis Plan</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A005</td><td>D</td><td>Existing Survey Site Plan</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A006</td><td>E</td><td>Site Plan</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A007</td><td>E</td><td>Development Summary</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A101</td><td>D</td><td>Access Plan Lower Ground Level</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A102</td><td>D</td><td>Access Plan Ground Level</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A103</td><td>D</td><td>Access Plan Level 1</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A201</td><td>D</td><td>Building Separation Plan Lower Ground</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A202</td><td>D</td><td>Building Separation Plan Ground</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A203</td><td>D</td><td>Building Separation Plan C+D Level 1/A Mezz</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A204</td><td>D</td><td>Building Separation Plan Level 1</td><td>EJE Architecture</td><td>10.07.24</td></tr><tr><td>DA_A205</td><td>D</td><td>Building Separation Plan Level 2</td><td>EJE Architecture</td><td>10.07.24</td></tr></table>	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	Architectural Plans					DA_A000	D	Cover Sheet	EJE Architecture	10.07.24	DA_A001	D	Location Plan	EJE Architecture	10.07.24	DA_A002	D	Aerial Views Existing	EJE Architecture	10.07.24	DA_A003	D	Aerial Plan View Exiting	EJE Architecture	10.07.24	DA_A004	D	Site Analysis Plan	EJE Architecture	10.07.24	DA_A005	D	Existing Survey Site Plan	EJE Architecture	10.07.24	DA_A006	E	Site Plan	EJE Architecture	10.07.24	DA_A007	E	Development Summary	EJE Architecture	10.07.24	DA_A101	D	Access Plan Lower Ground Level	EJE Architecture	10.07.24	DA_A102	D	Access Plan Ground Level	EJE Architecture	10.07.24	DA_A103	D	Access Plan Level 1	EJE Architecture	10.07.24	DA_A201	D	Building Separation Plan Lower Ground	EJE Architecture	10.07.24	DA_A202	D	Building Separation Plan Ground	EJE Architecture	10.07.24	DA_A203	D	Building Separation Plan C+D Level 1/A Mezz	EJE Architecture	10.07.24	DA_A204	D	Building Separation Plan Level 1	EJE Architecture	10.07.24	DA_A205	D	Building Separation Plan Level 2	EJE Architecture	10.07.24
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	DA_A206	D	Building Separation Plan Level 3	EJE Architecture	10.07.24
	DA_A207	D	Building Separation Plan Level 4	EJE Architecture	10.07.24
	DA_A208	C	Building Separation Sections 1	EJE Architecture	10.07.24
	DA_A209	C	Building Separation Sections 2	EJE Architecture	10.07.24
	DA_A301	D	Overall Basement Level 2	EJE Architecture	10.07.24
	DA_A302	D	Overall Basement Level 1	EJE Architecture	10.07.24
	DA_A303	D	Overall Lower Ground Level	EJE Architecture	10.07.24
	DA_A304	D	Overall Ground Level	EJE Architecture	10.07.24
	DA_A305	D	Overall Tavern Mezz	EJE Architecture	10.07.24
	DA_A306	D	Overall Level 1	EJE Architecture	10.07.24
	DA_A307	D	Overall Level 2	EJE Architecture	10.07.24
	DA_A308	D	Overall Level 3	EJE Architecture	10.07.24
	DA_A309	D	Overall Level 4	EJE Architecture	10.07.24
	DA_A310	D	Overall Roof Level	EJE Architecture	10.07.24
	DA_A401	D	Building A – Ground Level	EJE Architecture	10.07.24
	DA_A402	D	Building A – Mezz	EJE Architecture	10.07.24
	DA_A403	D	Building A – Level 1	EJE Architecture	10.07.24
	DA_A404	D	Building A – Level 2	EJE Architecture	10.07.24
	DA_A405	D	Building A – Level 3	EJE Architecture	10.07.24
	DA_A406	D	Building A – Roof	EJE Architecture	10.07.24
	DA_A407	D	Building B1 – Ground Level	EJE Architecture	10.07.24
	DA_A408	D	Building B1 – Level 1	EJE Architecture	10.07.24
	DA_A409	D	Building B1 – Level 2	EJE Architecture	10.07.24
	DA_A410	D	Building B1 – Level 3	EJE Architecture	10.07.24

	DA_A411	D	Building B1 – Level 4	EJE Architecture	10.07.24
	DA_A412	D	Building B1 – Roof	EJE Architecture	10.07.24
	DA_A413	D	Building B2 – Ground Level	EJE Architecture	10.07.24
	DA_A414	D	Building B2 – Level 1	EJE Architecture	10.07.24
	DA_A415	D	Building B2 – Level 2	EJE Architecture	10.07.24
	DA_A416	D	Building B2 – Level 3	EJE Architecture	10.07.24
	DA_A417	D	Building B2 – Level 4	EJE Architecture	10.07.24
	DA_A418	B	Building B2 – Roof	EJE Architecture	10.07.24
	DA_A419	D	Building C – Lower Ground Level	EJE Architecture	10.07.24
	DA_A420	D	Building C – Ground Level	EJE Architecture	10.07.24
	DA_A421	D	Building C – Level 1	EJE Architecture	10.07.24
	DA_A422	D	Building C – Roof	EJE Architecture	10.07.24
	DA_A423	D	Building D – Ground Level	EJE Architecture	10.07.24
	DA_A424	D	Building D – Level 1	EJE Architecture	10.07.24
	DA_A425	D	Building D – Level 2	EJE Architecture	10.07.24
	DA_A426	D	Building D – Roof	EJE Architecture	10.07.24
	DA_A501	C	Accessible Units	EJE Architecture	10.07.24
	DA_A502	C	Livable Housing – Gold Level	EJE Architecture	10.07.24
	DA_A503	C	Livable Housing – Silver Level	EJE Architecture	10.07.24
	DA_A601	C	Overall Elevations – Page 1	EJE Architecture	10.07.24
	DA_A602	C	Overall Elevations – Page 2	EJE Architecture	10.07.24
	DA_A603	C	Building A Elevations – Page 1	EJE Architecture	10.07.24
	DA_A604	C	Building A Elevations – Page 2	EJE Architecture	10.07.24
	DA_A605	C	Building B Elevations – Page 1	EJE Architecture	10.07.24

DA_A606	C	Building Elevations Page 2	B –	EJE Architecture	10.07.24
DA_A607	C	Building Elevations Page 1	C –	EJE Architecture	10.07.24
DA_A608	C	Building Elevations Page 2	C –	EJE Architecture	10.07.24
DA_A609	C	Building Elevations Page 1	D –	EJE Architecture	10.07.24
DA_A610	C	Building Elevations Page 2	D –	EJE Architecture	10.07.24
DA_A611	C	Building Elevations Page 3	D –	EJE Architecture	10.07.24
DA_A612	C	Building Elevations Page 4	D –	EJE Architecture	10.07.24
DA_A701	C	Sections		EJE Architecture	10.07.24
DA_A702	C	Sections		EJE Architecture	10.07.24
DA_A801	D	Driveway Details		EJE Architecture	10.07.24
DA_A802	D	Driveway Details		EJE Architecture	10.07.24
DA_A803	D	Driveway Details		EJE Architecture	10.07.24
DA_A1001	C	Schedule of Materials Page 1	of –	EJE Architecture	10.07.24
DA_1002	C	Schedule of Materials Page 2	of –	EJE Architecture	10.07.24
DA_1003	C	Schedule of Materials Page 3	of –	EJE Architecture	10.07.24
DA_A1201	D	Building Heights Allowable Diagram		EJE Architecture	10.07.24
DA_A1202	D	Building Heights Envelope Perspectives (1)		EJE Architecture	10.07.24
DA_A1203	D	Building Heights Envelope Perspectives (2)		EJE Architecture	10.07.24
DA_A1204	D	Building Heights		EJE Architecture	10.07.24

		Envelope Elevations		
DA_A1205	D	Buildings Heights Exceedance Diagram	EJE Architecture	10.07.24
DA_A1401	E	Communal Open Space Plan	EJE Architecture	10.07.24
DA_A1801	C	Staging Plans -Stage 1	EJE Architecture	10.07.24
DA_A1802	C	Staging Plans -Stage 2	EJE Architecture	10.07.24
DA_A1803	C	Staging Plans -Stage 3	EJE Architecture	10.07.24
DA_A1901	A	Lower Ground Units Study	EJE Architecture	10.07.24
DA_A1905	A	Wall Section (Indicative)	EJE Architecture	10.07.24
Civil Plans				
C100	C	Cover Sheet	Entec	08.08.23
C200	C	Existing Services Plan	Entec	08.08.23
C300	C	Soil Erosion and Sediment Control Plan	Entec	08.08.23
C350	C	Soil Erosion and Sediment Control Details	Entec	08.08.23
C400	E	Council Stormwater Diversion Plan	Entec	21.05.24
C500	C	Stormwater Management Plan	Entec	08.08.23
C510	B	Stormwater Catchment Plan	Entec	08.08.23
C550	C	Stormwater Details	Entec	08.08.23
Landscape Plans				
L000	J	Cover page	Terras Landscapae Architecture	10.07.24
L001	J	Local Context	Terras Landscapae Architecture	10.07.24
L002	J	History and Heritage	Terras Landscapae Architecture	10.07.24

	L003	J	Vegetation Community	Terras Landscapae Architecture	10.07.24
	L004	J	Material Palette	Terras Landscapae Architecture	10.07.24
	L101	J	General Arrangement	Terras Landscapae Architecture	10.07.24
	L102	J	Hume Highway Frontage	Terras Landscapae Architecture	10.07.24
	L103	J	Hume Highway Frontage	Terras Landscapae Architecture	10.07.24
	L104	J	Hume Highway Elevation	Terras Landscapae Architecture	10.07.24
	L105	J	Central Link	Terras Landscapae Architecture	10.07.24
	L106	J	Community Space 01	Terras Landscapae Architecture	10.07.24
	L107	J	Community Space 02	Terras Landscapae Architecture	10.07.24
	L108	J	Community Space 2 Section	Terras Landscapae Architecture	10.07.24
	L109	J	Pedestrian Street	Terras Landscapae Architecture	10.07.24
	L110	J	Pedestrian Street – Section 3	Terras Landscapae Architecture	10.07.24
	L111	J	Site Section	Terras Landscapae Architecture	10.07.24
	L112	J	Mezz 1 Communal Space	Terras Landscapae Architecture	10.07.24
	L113	J	Building A and B Level 1	Terras Landscapae Architecture	10.07.24
	L114	J	Building B Roof Top	Terras Landscapae Architecture	10.07.24
	L115	J	Way Finding and Paving	Terras Landscapae Architecture	10.07.24
	L116	J	Connection to Country	Terras Landscapae Architecture	10.07.24

	L117	J	Existing Tree Plan	Terras Landscapae Architecture	10.07.24
	L118	J	Deep Soil and Tree Canopy Coverage	Terras Landscapae Architecture	10.07.24
	L119	J	Soil Volumes – Planters	Terras Landscapae Architecture	10.07.24
	L120	J	Irrigation Plan	Terras Landscapae Architecture	10.07.24
	L121	J	Tree Species Diagram	Terras Landscapae Architecture	10.07.24
	L122	J	Plant Palette	Terras Landscapae Architecture	10.07.24
	L123	J	Plant Palette	Terras Landscapae Architecture	10.07.24
	L124	J	Plant Palette	Terras Landscapae Architecture	10.07.24
	L125	J	Plant Palette	Terras Landscapae Architecture	10.07.24
	L126	J	Ground Level Detailed Planting Plan A	Terras Landscapae Architecture	10.07.24
	L127	J	Ground Level Detailed Planting Plan B	Terras Landscapae Architecture	10.07.24
	L128	J	Ground Level Detailed Planting Plan C	Terras Landscapae Architecture	10.07.24
	L129	J	Ground Level Detailed Planting Plan D	Terras Landscapae Architecture	10.07.24
	L130	J	Ground Level Detailed Planting Plan E	Terras Landscapae Architecture	10.07.24
	L131	J	Ground Level Detailed Planting Plan F&G	Terras Landscapae Architecture	10.07.24
	L132	J	Mezzanine & Building B1 Detailed Planting Plan	Terras Landscapae Architecture	10.07.24

	L133	J	Level 1 Building A Detailed Planting Plan	Terras Landscapae Architecture	10.07.24
	L134	J	Level 1 Building B2 Detailed Planting Plan	Terras Landscapae Architecture	10.07.24
	L135	J	Roof Top Building B Detailed Planting Plan	Terras Landscapae Architecture	10.07.24
	L701	J	Details	Terras Landscapae Architecture	10.07.24
	L901	J	Schedules	Terras Landscapae Architecture	10.07.24
	L902	J	Schedules	Terras Landscapae Architecture	10.07.24
	L903	J	Schedules	Terras Landscapae Architecture	10.07.24
	L904	J	Schedules	Terras Landscapae Architecture	10.07.24
	L201	J	Landscape Section 1	Terras Landscapae Architecture	10.07.24
	L202	J	Landscape Section 2	Terras Landscapae Architecture	10.07.24
	L203	J	Landscape Section 4	Terras Landscapae Architecture	10.07.24
	L204	J	Landscape Section 5	Terras Landscapae Architecture	10.07.24
	L205	J	Landscape Section 6	Terras Landscapae Architecture	10.07.24
	L206	J	Landscape Section 7	Terras Landscapae Architecture	10.07.24
	L207	J	Cardigan Road Elevation part 1	Terras Landscapae Architecture	10.07.24
	L208	J	Cardigan Road Elevation part 2	Terras Landscapae Architecture	10.07.24
	Approved documents				

	Document title/ Version number	Prepared by	Date of document
	Design Verification Statement Part 1 and 2	EJE Architecture	August 2024
	Statement of Design Compliance	EJE Architecture	11 August 2024
	Ausgrid Substation Design letter	Power Solutions	21 February 2024
	Amended Waste Management Plan	MRA Consulting	10 July 2024
	Survey Plan	LTS Lockley Surveyors	15 June 2023
	Amended Natural Ventilation Statement	Windtech	10 July 2024
	BASIX Certificate	Credwell Energy Pty Limited	Certificate 1420602M_2 19 August 2024X
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.	Design of food premises		
All parts of the premises used for the storage, preparation and handling of food must be designed, constructed and operated in accordance with the requirements of:			
(a) <i>The Food Act 2003</i> and <i>Food Regulation 2015</i> ;			
(b) Australia New Zealand Food Standards Code;			
(c) AS 4674-2004, 'Design, construction and fit-out of food premises';			
(d) AS 1668.2 – 'The Use of Ventilation and Air-Conditioning in Buildings – Mechanical Ventilation in Buildings'			
Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.			
3.	No approved granted for retail tenancies fitout or operations		
No approval is granted or implied for the fitout or operations of any retail and commercial tenancies in building B1 and B2, excluding the existing tavern/pub and hotel accommodation in building A.			
This consent does not change the approved tavern/pub and hotel accommodation uses on the Site. This consent approves the continuation of tavern/pub and hotel accommodation uses on site in the locations shown in the plans referenced in condition 1 and is to operate in accordance with conditions 191 to 206.			
Separate development consent is to be obtained for the use of these premises, unless the use qualifies as 'exempt development'.			
Condition reason: To ensure compliance with the relevant New South Wales legislation.			

4.	Substation
	No approval is granted for the siting of any substation. Any change to this condition requires an application to be submitted and determined by Council. The application must demonstrate how the structure/ facility will be integrated into the design of the building.
	1.901
	Condition reason: To improve the presentation of the development within the streetscape.
5.	Acoustic Report
	The acoustic report submitted in support of this application prepared by Renzo Tonin & Associates, titled <i>Acoustic Assessment for DA 167 Hume Highway, Greenacre</i> , reference number TN375-01D01 dated 20 September 2023 and all the recommendations stated within the report, form part of the development consent.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
6.	Detailed Site Investigation
	The detailed site investigation prepared by Aargus Pty Ltd, titled DSI, 167 Hume Highway, Greenacre NSW, dated 9 September 2021, reference ES8338 and all the recommendations stated within the report forms part of the development consent.
	Condition reason: To protect the natural environment of the development site and adjoining lands.
6A.	Planning Agreement
	The parties are to satisfy the terms of the planning agreement that applies to the subject development site.
	Condition reason: to ensure the requirements of the planning agreement are met, as they pertain to the subject site/development

AUSGRID CONDITIONS

	Condition
7.	Ausgrid Underground Cables are in the vicinity of the development
	The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets:
	<ul style="list-style-type: none"> a. Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. b. 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). c. In addition to DBYD the proponent should refer to the following documents to support safety in design and construction: <ul style="list-style-type: none"> i. SafeWork Australia – Excavation Code of Practice. ii. Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

	<p>d. The following points should also be taken into consideration:</p> <ul style="list-style-type: none"> i. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. ii. 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.
	Condition reason: To ensure compliance with Ausgrid requirements
8.	<p>Ausgrid Overhead Powerlines are in the vicinity of the development</p> <p>The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets:</p> <ul style="list-style-type: none"> a. 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. b. 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. c. 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. d. 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. e. 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
	Condition reason: To ensure compliance with Ausgrid requirements

TRANSPORT FOR NSW CONDITIONS

	Condition
9.	<p>No structure shall encroach into the Hume Hwy</p> <p>All buildings and structures, together with any improvements integral to the future use of the site, are to be wholly within the freehold property unlimited in height or depth along the Hume Highway boundary.</p>
	Condition reason: To ensure compliance with TfNSW requirements
	Vehicular entry and exit

10.	<p>All vehicles are to enter the site in a forward direction via the southern-most driveway and leave the site in a forward direction via the northern-most driveway.</p> <p>All vehicles are to be wholly contained on site before being required to stop.</p> <p>Condition reason: To ensure compliance with TfNSW requirements</p>
11.	<p>Carpark layout</p> <p>The layout of the proposed car parking areas associated with the subject development (including, driveways, ramp grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.</p> <p>Condition reason: To ensure compliance with TfNSW requirements</p>
12.	<p>Maintain existing parking signage</p> <p>All existing regulatory parking signage and line marking along the frontage of the site is to be maintained at all times at no cost to TfNSW. If regulatory parking signage or line marking is removed during the construction process, it is to be reinstated at no cost to TfNSW.</p> <p>Condition reason: To ensure compliance with TfNSW requirements</p>
13.	<p>Hume Hwy kerb and gutter works</p> <p>The redundant driveways on the Hume Highway boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb, gutter, new vehicular crossing on Hume Highway and associated works shall be in accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au.</p> <p>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.</p> <p>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.</p> <p>Condition reason: To ensure compliance with TfNSW requirements</p>
14.	<p>Hume Hwy Deceleration lane</p> <p>The proposed deceleration lane to the entry and exit driveway and associated works along Hume Highway shall be designed to meet TfNSW requirements and be endorsed by a suitably qualified practitioner. The design requirements shall be in accordance with Austroads and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of the construction certificate by the Principal Certifying Authority and commencement of road works. Please send all documentation to development.sydney@transport.nsw.gov.au.</p> <p>The developer is required to enter a Works Authorisation Deed (WAD) for the abovementioned works.</p>

	TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.
	Condition reason: To ensure compliance with TfNSW requirements
15.	<p>Stormwater Drainage changes</p> <p>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.</p> <p>A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.</p>
	Condition reason: To ensure compliance with TfNSW requirements
16.	<p>Technical Direction GTD2020/001</p> <p>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.</p> <p>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</p> <p>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.</p>
	Condition reason: To ensure compliance with TfNSW requirements
17.	<p>Public Utilities</p> <p>Any public utility adjustment/relocation works on Hume Highway will require detailed civil design plans for road opening /underboring to be submitted to TfNSW for review and acceptance prior to the commencement of any works. The developer must also obtains necessary approvals from the various public utility authorities and/or their agents. 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.</p>
	Condition reason: To ensure compliance with TfNSW requirements
18.	<p>Road Traffic Noise</p> <p>The proposed development should be designed such that road traffic noise from Hume Highway is mitigated by durable materials in order to satisfy the requirements for habitable rooms under Clause 2.120 (3) of State Environmental Planning Policy (Transport and Infrastructure) 2021.</p>
	Condition reason: To ensure compliance with TfNSW requirements
	Bus Stop Impacts

19.	If construction works will impact access to the bus stop adjacent to the site on Hume Highway, the bus stop shall be temporarily relocated to a suitable location to be determined in consultation with the operator and TfNSW. After the construction is complete, the bus stop shall be returned to its current location. These works shall be at no cost to TfNSW.
	Condition reason: To ensure compliance with TfNSW requirements
20.	Road Occupancy Licence (ROL) 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 Hume Highway during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf .
	Condition reason: To ensure compliance with TfNSW requirements

DEMOLITION WORK

	Condition
21.	HAZMAT Report Prior to demolition within the relevant stages, the relevant part of the 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.
	Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
22.	Demolition Conditions The demolition of those structures so proposed to be removed from the property within the relevant stages must be undertaken in accordance with all the following: <ol style="list-style-type: none"> All recommendations in the above-mentioned Hazardous Materials (HAZMAT) 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 the relevant construction certificate. Written notice must be issued to adjoining residents a minimum of seven (7) days before the commencement of demolition advising of the commencement date, 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, Inspections being undertaken by Council including:

	<ul style="list-style-type: none"> 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, e. 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, f. 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, g. All demolition work must be carried out in accordance with Australian Standard 2601 – 'The Demolition of Structures', h. 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, i. An asbestos clearance certificate issued under the Work Health and Safety Act 2011 must be submitted to Council after the completion of demolition work, j. 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, k. Demolition procedures must maximise the reuse and recycling of demolished materials to reduce the environmental impacts of waste disposal, l. Adhere to the requirements stipulated in the approved Waste Management Plan, and m. 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. <p>A copy of the final demolition inspection report must be submitted to the principal certifier before the commencement of any building work.</p> <p style="text-align: right;">3.201</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>

BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
23.	<p>Development Contributions, Section 7.11</p> <p><u>Development Contributions of \$1,575,712.59 must be paid for this development before the issue of any construction certificate.</u> The contributions are levied under Canterbury Bankstown Local Infrastructure Contributions Plan 2022 and Section 7.11 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 required due to additional demand for these facilities created by</p>

	<p>the new development. The development contribution will be allocated to the following purposes under the contributions plan:</p> <table border="1" data-bbox="427 293 1289 501"> <tr> <td>Open Space and Recreation facilities</td><td>\$998,075.67</td></tr> <tr> <td>Access and Public Domain Facilities</td><td>\$281,131.47</td></tr> <tr> <td>Community and Cultural Facilities</td><td>\$273,239.12</td></tr> <tr> <td>Plan Management & Administration</td><td>\$23,266.33</td></tr> <tr> <td>Total</td><td>\$1,575,712.59</td></tr> </table> <p><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.</p> <p><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.</p> <p>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.</p> <p><u>NOTE: Development contribution amounts are non-refundable if you do not proceed with your development.</u></p> <p style="text-align: right;">2.101</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>	Open Space and Recreation facilities	\$998,075.67	Access and Public Domain Facilities	\$281,131.47	Community and Cultural Facilities	\$273,239.12	Plan Management & Administration	\$23,266.33	Total	\$1,575,712.59
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Total	\$1,575,712.59										
<p>24.</p>	<p>Housing and Productivity Contribution</p> <p>The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with (a) below, is required to be made:</p> <table border="1" data-bbox="395 1330 1385 1585"> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> <tr> <td>Total housing and productivity contribution (including indexation) without 25% discount if paid after 25 July 2025</td><td>\$982,868.11</td></tr> <tr> <td>Total housing and productivity contribution (including indexation), with 25% discount if paid on or before to 25 July 2025</td><td>\$737,151.08</td></tr> </table> <p>a. The amount payable at the time of payment is the amount shown above as the total housing and productivity contribution adjusted by multiplying it by:</p> <p style="text-align: center;"><u>highest PPI number</u> <u>consent PPI number</u></p> <p>where:</p> <p><i>highest PPI number</i> is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made, and</p> <p><i>consent PPI number</i> is the PPI number last used to adjust HPC rates when consent was granted, and</p>	Housing and productivity contribution	Amount	Total housing and productivity contribution (including indexation) without 25% discount if paid after 25 July 2025	\$982,868.11	Total housing and productivity contribution (including indexation), with 25% discount if paid on or before to 25 July 2025	\$737,151.08				
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	<p>June quarter 2023 and PPI have the meanings given in clause 22 (4) of the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i>.</p> <p>If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid.</p> <p>b. The HPC must be paid before the issue of the first construction certificate in relation to the development.</p> <p>c. The HPC must be paid using the NSW planning portal (https://pp.planningportal.nsw.gov.au/).</p> <p>d. The Minister administering the <i>Environmental Planning and Assessment Act 1979</i> may permit, the HPC (apart from any transport project component) may be made, instead of monetary contribution, in the following ways:</p> <ol style="list-style-type: none"> the dedication or provision of land for the purpose of regional infrastructure in the region in which the development will be carried out, the carrying out of the works for the purpose of regional infrastructure in the region in which the HPC development will be carried out. <p>If the HPC is made partly as a monetary contribution, the amount of the part payable is the amount of the part adjusted in accordance with above note at the time of payment</p> <p>e. A housing and productivity contribution is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the <i>Environmental Planning and Assessment Act 1979</i> to the development, of the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i> exempts the development from the contribution. The amount of the contribution may also be reduced under the order, including if payment is made before 1 July 2025.</p> <p>f. Questions in relation to this contribution can be directed to the contacts noted on: www.planningportal.nsw.gov.au/development-and-assessment/contributions/housing-and-productivity-contribution</p>
	<p>Condition Reason: To ensure compliance with the Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Act 2023.</p>
25.	<p>Payment of Fees</p> <p>Before issuing the relevant 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.</p> <ol style="list-style-type: none"> Levies Bonds Contributions Inspection fees <p style="text-align: right;">2.103.S</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
26.	<p>Long Service Levy</p>

	<p>Before the issue of the relevant construction certificate, payment of the applicable 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.</p> <p style="text-align: right;">2.104.S</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
27.	<p>Construction Cranes May Require Separate Approval</p> <p>Separate approval must be sought (where required) under the relevant Regulations for any equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height above the proposed development and consequently, may require separate approval under the Regulations. It is advisable that approval to operate equipment (i.e. cranes) be obtained before the issue of any construction certificate.</p> <p style="text-align: right;">2.105</p>
	<p>Condition reason: To ensure adequate approval of crane use.</p>
28.	<p>Car Parking Details</p> <p>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 – 'Parking Facilities - Off-Street Carparking'</p> <p style="text-align: right;">2.110.S</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
29.	<p>Access Intercom</p> <p>Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry, installed at least 4 metres recessed into the site, when measured from the property boundary with the street. The intercom is to be wired to all units.</p> <p>The intercom must comply with Australian Standard AS 1428.2: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23.</p> <p style="text-align: right;">2.111</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
30.	<p>Submit Plans to Sydney Water</p>

	<p>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™.</p> <p>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™.</p> <p>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.</p> <p style="text-align: right;">2.202.S</p> <p>Condition Reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
<p>31.</p>	<p>BASIX Certificate</p> <p>The development must be carried out in accordance with the commitments shown on the submitted BASIX Certificate. The BASIX commitments must be reflected in the construction certificate plans and specifications. Any proposed changes to the BASIX commitments after the construction certificate has been issued will require an updated BASIX Certificate.</p> <p style="text-align: right;">2.206</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
<p>32.</p>	<p>Utilities and Services</p> <p>Before the issue of the relevant construction certificate, the consent holder must submit the following written evidence of service provider requirements to the certifier:</p> <ul style="list-style-type: none"> a. a letter of consent from the relevant electricity provider demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; and b. a response from the relevant water authority as to whether the plans proposed to accompany the application for the relevant construction certificate would affect any of the relevant water authority infrastructure, and whether further requirements need to be met; and a letter of consent from the relevant telephone and broadband authority demonstrating that satisfactory arrangements can be made for the installation and supply of telephone and internet; and c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them. <p style="text-align: right;">2.207</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
<p>33.</p>	<p>Mobility Access</p> <p>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.</p>

	<p>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 the relevant construction certificate being issued.</p> <p style="text-align: right;">2.208</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
34.	<p>Adaptable Units</p> <p>Before the issue of the relevant construction certificate, the consent holder must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of AS 4299 – 'Adaptable Housing Standards'.</p> <p style="text-align: right;">2.210.S</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
35.	<p>Erosion and Sediment Control Plan</p> <p>Before the issue of the relevant 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:</p> <ol style="list-style-type: none"> Council's development control plan, the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust). <p>The consent holder must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.</p> <p style="text-align: right;">2.211.S</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
36.	<p>Dilapidation report</p> <p>Before the issue of the relevant 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:</p> <ul style="list-style-type: none"> Properties directly adjoining the development site in Hume Hwy, Peter Cres, Tennyson Rd and Cardigan Rd as follows: 165 Hume Hwy 185 Hume Hwy 81 Cardigan Rd 83 Cardigan Rd 83A Cardigan Rd 85 Cardigan Rd 85A Cardigan Rd 87 Cardigan Rd

	<ul style="list-style-type: none"> • 74 Tennyson Rd • 27 Peter Cres • 28 Peter Cres <p>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.</p> <p>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.</p> <p style="text-align: right;">2.212.P</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
37.	<p>Mechanical Ventilation</p> <p>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’.</p> <p>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 the relevant construction certificate.</p> <p style="text-align: right;">2.214</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
38.	<p>Food Premises Ventilation</p> <p>Before the issue of the relevant construction certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for the new pub. Systems must be designed in accordance with AS1668.2 – ‘The Use of Ventilation and Air- conditioning in Buildings – Mechanical Ventilation in Buildings’, and AS1668.1 – ‘The Use of Mechanical Ventilation and Air-Conditioning in Buildings – Fire and Smoke Control in Multi-compartment Buildings’.</p> <p style="text-align: right;">2.215</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
39.	<p>Combustible Cladding</p> <p>The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Before the issue of the relevant construction certificate and the relevant occupation certificate the certifier must:</p> <ol style="list-style-type: none"> a. Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of

	<p>external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and</p> <p>b. Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.</p> <p style="text-align: right;">2.216</p>
	<p>Condition reason: To ensure compliance with the BCA.</p>
<p>40.</p>	<p>Retaining Walls</p> <p>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.</p> <p>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.</p> <p>b. All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.</p> <p style="text-align: right;">2.301</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
<p>41.</p>	<p>Apply for Work Permit for Engineering Works</p> <p>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:</p> <p>a) 2x Extra Heavy Duty vehicular footway crossings (VFCs) in accordance with Council Standard Drawing S-010 and S-010A. Minimum 2.0m offset required from side property boundaries for sight distance requirements. Minimum 0.5m clearance required from VFC to lintel pits in accordance with Council Standard Drawing S-004.</p> <p>b) New Street Boundary level adjustment along entire Hume Highway site frontage.</p> <p>c) Construction of new 1.2m width footpath along entire Hume Highway site frontage.</p> <p>d) Construction of new slip lane road works along Hume Highway site frontage generally in accordance with civil plans set revision A dated 31-08-2023 prepared by AT&L. Approval and concurrence from TfNSW is required prior to commencement of works.</p> <p>e) Existing Council pipe re-alignment and associated drainage connections into the newly re-aligned council pipeline through the site as detailed in</p>

	<p>drawing numbers C400 revision E dated 21/05/24 and C500 revision C dated 08/08/23 prepared by ENTEC Consultants.</p> <p>f) Reconstruction of kerb and gutter, footpath along entire site frontage on Hume Highway.</p> <p>g) Repair of any damage to the public road including the footway occurring during building works and,</p> <p>h) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs,</p> <p>i) 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.</p> <p>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.</p> <p style="text-align: right;">2.302</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
42.	<p>Works in Hume Hwy</p> <p>The applicant shall obtain separate approval from TfNSW for the proposed slip lane road works along Hume Highway prior to the issue of the Construction Certificate. All conditions imposed by TfNSW must be strictly adhered to.</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
43.	<p>Street Lighting</p> <p>The street lighting along Hume Highway frontage shall be designed in accordance with AS1158 requirements. The location of the street lighting infrastructure shall be indicated on a detail plan. The design shall be submitted to Council for approval prior to the issue of the relevant construction certificate to determine that footpath access is not compromised by lighting infrastructure.</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
44.	<p>Basement Anchoring</p> <p>The basement levels of the proposed development are located adjacent to a state road. The applicant is required to obtain separate approval from TfNSW in addition to a Work Permit from Council for any temporary or permanent anchoring works under the subject state road during the construction phase.</p> <p style="text-align: right;">2.303</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
45.	<p>Works Requiring a Work Permit</p> <p>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</i></p>

	<p>1993 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:</p> <p>A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS</p> <p>WORKS REQUIRING A 'WORKS PERMIT'</p> <ol style="list-style-type: none"> 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, Stand a mobile crane within a public road, Store waste and recycling containers, skips, bins and/or building materials on any part of the public road, The work is greater than \$25,000, and Demolition is proposed. <p>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.</p> <p>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.</p> <p style="text-align: right;">2.304</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
46.	<p>Finished surface levels</p> <p>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.</p> <p style="text-align: right;">2.305</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
47.	<p>Stormwater Drainage – On-site Stormwater Detention system</p>

	<p>The developer shall engage a suitably qualified Engineer to prepare a final stormwater drainage] plan to be generally in accordance with the concept plans shown in the table below, and the Engineer shall certify that the design and plans comply with the above stated Council DCP, Council’s Engineering guide and the relevant Australian Standards.</p> <table><tr><th>Plan Name</th><th>Number</th><th>Date</th><th>Prepared By</th></tr><tr><td>COVER SHEET</td><td>220069 – C100 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr><tr><td>EXISTING SERVICES PLAN</td><td>220069 – C200 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr><tr><td>SOIL EROSION AND SEDIMENT CONTROL PLAN</td><td>220069 – C300 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr><tr><td>SOIL EROSION AND SEDIMENT CONTROL DETAILS</td><td>220069 – C350 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr><tr><td>COUNCIL STORMWATER DIVERSION PLAN</td><td>220069 – C400 REV E</td><td>21.05.2024</td><td>ENTEC Consultants</td></tr><tr><td>STORMWATER MANAGEMENT PLAN</td><td>220069 – C500 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr><tr><td>STORMWATER CATCHMENT PLAN</td><td>220069 – C510 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr><tr><td>STORMWATER DETAILS</td><td>220069 – C550 REV C</td><td>08.08.2023</td><td>ENTEC Consultants</td></tr></table> <p>The final stormwater drainage design shall ensure the following:</p> <ul style="list-style-type: none">- The proposed Council pipe re-alignment will not have adverse impacts to the functionality of the existing Council stormwater drainage system. Hydraulic Grade Line analysis and appropriate hydraulic modelling software such as DRAINS shall be used to ensure that the existing hydraulic capacity of the pipe network is maintained.- The ground level drainage system is upgraded in size and capacity to manage the surface runoff along the entry and exit internal driveway ramps appropriately. The surface runoff is to be reticulated appropriately throughout the site into the proposed discharged point.- Appropriate stormwater quality and pollution controls as outlined in Section 6.6 of Council’s Development Engineering Standards Guide 2023 have been provided. <p>2.306</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>	Plan Name	Number	Date	Prepared By	COVER SHEET	220069 – C100 REV C	08.08.2023	ENTEC Consultants	EXISTING SERVICES PLAN	220069 – C200 REV C	08.08.2023	ENTEC Consultants	SOIL EROSION AND SEDIMENT CONTROL PLAN	220069 – C300 REV C	08.08.2023	ENTEC Consultants	SOIL EROSION AND SEDIMENT CONTROL DETAILS	220069 – C350 REV C	08.08.2023	ENTEC Consultants	COUNCIL STORMWATER DIVERSION PLAN	220069 – C400 REV E	21.05.2024	ENTEC Consultants	STORMWATER MANAGEMENT PLAN	220069 – C500 REV C	08.08.2023	ENTEC Consultants	STORMWATER CATCHMENT PLAN	220069 – C510 REV C	08.08.2023	ENTEC Consultants	STORMWATER DETAILS	220069 – C550 REV C	08.08.2023	ENTEC Consultants
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48.	<p>Pump Out System</p> <p>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-Bankstown Development Engineering Standards. The Engineer must design the</p>																																				

	<p>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 the issue of any construction certificate. The engineer must certify that the hydraulic design complies with the above relevant standards.</p> <p style="text-align: right;">2.308</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
49.	<p>Not used</p>
50.	<p>Adjacent to Easement</p> <p>Sites located adjacent to Council's drainage easement shall comply with the following:</p> <ol style="list-style-type: none"> 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. 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 Council's Canterbury-Bankstown Development Control Plan 2023, and Development Engineering Standards Guide. 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. Landscaping within Council's drainage easement shall be limited to grassed or paved surfaces only. All approved construction details shall be consistent with this requirement. A copy of the approved landscaping details shall be submitted to Council for recordkeeping. 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 Canterbury-Bankstown Development Control Plan 2023 and Development Engineering Standards Guide. 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. <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
51.	<p>Driveway Design</p> <p>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,</p>

	<p>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 the relevant construction certificate being issued.</p> <p>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.</p> <p style="text-align: right;">2.313</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
52.	<p>Pavement Design</p> <p>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 the relevant construction certificate.</p> <p style="text-align: right;">2.314</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
53.	<p>Gated Vehicle Access</p> <p>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 or comply with AS2890.1:2004 whatever is the greater distance</p> <p style="text-align: right;">2.316</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
54.	<p>Site, Pedestrian and Traffic Management Plan</p> <p>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.</p> <p>A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN</p> <p>This plan shall include details of the following:</p> <ol style="list-style-type: none"> Proposed ingress and egress points for vehicles to and from the construction site; Proposed protection of pedestrians, adjacent to the constructions site; Proposed pedestrian management whilst vehicles are entering/exiting the construction site;

	<p>d. Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;</p> <p>e. Proposed traffic control measures (Traffic Guidance Scheme) 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.</p> <p>f. Proposed route for transportation of bulk and excavation materials to and from the development site.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>g. Anticipated number of trucks per day</p> <p>h. Anticipated number of staff per day</p> <p>i. Duration of construction</p> <p>j. Details of how the site (retail) will continue to operate during the construction period, including maintaining access to loading areas and compliance with retail parking provision.</p> <p>k. Details of where construction heavy vehicle loading / unloading will be undertaken</p> <p>l. Hours of construction</p> <p>m. Works Zone - The installation of a "Works Zone" for the site will require the approval from the Traffic Advisory Committee and/or TfNSW. As a result, the applicant will provide a formal request to Council's Traffic Section with the duration and exact location of the required "Works Zone" at least 6 weeks prior to its required installation date. All costs associated with the installation of a "Works Zone" will be at the applicant's expense.</p> <p>n. Site Safety Fencing - Site fencing will be erected in accordance with SafeWork Guidelines, to exclude public access to the site during</p>
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	<p>construction. The fencing will be erected before the commencement of any work and maintained throughout any building work.</p> <p>The approved Site, Pedestrian and Traffic Management Plan is to be implemented before the commencement of any works on the construction site.</p> <p>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.</p> <p>Note: Approval by Council of a SPTMP may take time. Accordingly, it is recommended the application to Council be submitted well in advance of the need for a construction certificate.</p> <p style="text-align: right;">2.318</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
55.	<p>Construction Site Management Plan</p> <p>Before the issue of the relevant construction certificate, a Construction Site Management Plan (CSMP) must be prepared and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p style="text-align: right;">2.401.</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
56.	<p>Sight Triangles on Plans</p>

	<p>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.</p> <p style="text-align: right;">2.406</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
57.	<p>Waste Management Plan</p> <p>Before the issue of a construction certificate, an updated Waste Management Plan (WMP) and Loading Bay Management Plan which reflect any changes to the approved Plans must be submitted to Council and approved by Council's Waste Planner. A copy of the approved plan must be provided to the certifier. The plan must include the following matters:</p> <p>The plan must be prepared</p> <ul style="list-style-type: none"> a. in accordance with: <ul style="list-style-type: none"> 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— <ul style="list-style-type: none"> iii. the contact details of the person removing waste, iv. an estimate of the type and quantity of waste, v. whether waste is expected to be reused, recycled or sent to landfill, vi. the address of the disposal location for waste. <p>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.</p> <p style="text-align: right;">2.502</p>
58.	<p>Not used</p>
59.	<p>For All Residential Garbage Chute Rooms (BB, C, D, E)</p> <p>The certifier must not issue the relevant 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":</p> <ul style="list-style-type: none"> a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;

	<ul style="list-style-type: none"> b. Floors must be finished so as to be non-slip with a smooth and even surface; c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height. A minimum 2.7m unobstructed room height is required if bin lifting equipment is required; d. Must be compatible with the overall design of the development; e. Walls must be constructed of solid impervious material; f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned; g. Walls, ceiling and floors must be finished in a light colour; h. A self-closing door openable from within the room; i. Must be constructed to prevent the entry of birds and vermin; j. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room; k. Any doorways must be 2 metres wide l. The chute is to terminate in the bin storage area and discharge directly into a 1100L bin; m. Must be designed and constructed so it can function effectively (gravity fed) and aligns as it passes through each level of the development; n. Designed in accordance with the requirements of the Building Code of Australia including fire rating, noise reduction and ventilation
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
<p>60.</p>	<p>Residential Garbage Holding Room</p> <p>The certifier must not issue the relevant 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":</p> <ul style="list-style-type: none"> a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting; b. Floors must be finished so as to be non-slip with a smooth and even surface; c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height. A minimum 2.7m unobstructed room height is required if bin lifting equipment is required; d. Must be compatible with the overall design of the development; e. Walls must be constructed of solid impervious material; f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned; g. Walls, ceiling and floors must be finished in a light colour; h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room; i. A self-closing door openable from within the room; j. Must be constructed to prevent the entry of birds and vermin; k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;

	<ul style="list-style-type: none"> l. Any doorways must be 2 metres wide m. Must be designed as shown on the plans and to fit; bin lifter, bin tug, and to fit 22x1100L bins n. 10x240L FOGO bins
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
61.	<p>Bulky Waste Storage Room</p> <p>The certifier must not issue the relevant construction certificate unless provided with detailed plans that form part of the construction certificate for the bulky waste storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting; b. Floors must be finished so as to be non-slip with a smooth and even surface; c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height; d. Must be compatible with the overall design of the development; e. Walls must be constructed of solid impervious material; f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned; g. Walls, ceiling and floors must be finished in a light colour; h. A self-closing door openable from within the room; i. Must be constructed to prevent the entry of birds and vermin; j. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room; k. Any doorways must be 2 metres wide and open outwards or roller door; and l. In total bulky waste and recycling area 20m². <p style="text-align: right;">2.507</p>
	Condition reason: To ensure the orderly collection of waste from the site.
62.	<p>Waste and Recycling Cupboards</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the recycling cupboards that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Maximum distance of 30 metres from all dwellings; b. Access is to be in accordance with AS 1428 (Set): 'Design for access and mobility'; c. Located directly adjacent or within chute hopper; d. Designed to fit 1x240L recycling bins and 1x20L FOGO bucket; e. Designed so the doors are of sufficient width to allow the transfer/rotation bins; and f. The floor is to be constructed of a durable and impervious material with a smooth finish. <p style="text-align: right;">2.509</p>

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
63.	Waste Chute
	<p>The certifier must not issue the relevant construction certificate unless provided with detailed plans that form part of the construction certificate for the waste chutes that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Chutes, service openings and charging devices are constructed of metal or a smooth faced surface which is fire resistant and of impervious material b. Chute is cylindrical in section, vertical and without bends as it passes through the floors c. Chutes must terminate in the waste storage room and discharge into a waste bin d. Comply with manufactures technical specifications and operational limitations. <p style="text-align: right;">2.510</p>
	Condition reason: To ensure the orderly collection of waste within the site.
64.	Residential On-Site Waste Collection
	<p>Before the issue of any construction certificate, the certifier must receive written confirmation from Council, that Council has been provided to its satisfaction with the following:</p> <ul style="list-style-type: none"> a. Detailed plans showing that the waste storage rooms 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: <ul style="list-style-type: none"> i. Within 5 metres of the all waste storage rooms 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: <ul style="list-style-type: none"> 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.
65.	Commercial On-Site Waste Collection
	<p>Before the issue of any construction certificate:</p> <ul style="list-style-type: none"> a. Detailed plans showing that the waste storage rooms 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

	<p>loading area is available for the vehicle when collecting waste that meets the following requirements:</p> <ul style="list-style-type: none">i. Within 5 metres of the all waste storage rooms or temporary holding area;ii. A separate parking area for the collection vehicle; andiii. Include an extra 2 metres at the rear of the vehicle loading area. <p>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:</p> <ul style="list-style-type: none">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.									
66.	<p>Waste Storage for Commercial/Retail</p> <p>The certifier must not issue the relevant 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”:</p> <ul style="list-style-type: none">a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;b. Floors must be finished so as to be non-slip with a smooth and even surface;c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height.d. Must be compatible with the overall design of the development;e. Walls must be constructed of solid impervious material;f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;g. Walls, ceiling and floors must be finished in a light colour;h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;i. A self-closing door openable from within the room;j. Must be constructed to prevent the entry of birds and vermin;k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;l. Any doorways must be 2 metres widem. Commercial Waste Room to be a minimum of 15m²n. Designed to fit the following bin allocations: <table><tr><th>Number</th><th>Bin Size</th><th>Bin Type</th></tr><tr><td>3</td><td>1100L</td><td>Garbage (Red)</td></tr><tr><td>3</td><td>1100L</td><td>Recycling (Yellow)</td></tr></table>	Number	Bin Size	Bin Type	3	1100L	Garbage (Red)	3	1100L	Recycling (Yellow)
Number	Bin Size	Bin Type								
3	1100L	Garbage (Red)								
3	1100L	Recycling (Yellow)								

	9	240L	FOGO									
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.											
67.	Commercial Tavern and Hotel The certifier must not issue the relevant 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”: <div><div>a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;</div><div>b. Floors must be finished so as to be non-slip with a smooth and even surface;</div><div>c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height.</div><div>d. Must be compatible with the overall design of the development;</div><div>e. Walls must be constructed of solid impervious material;</div><div>f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;</div><div>g. Walls, ceiling and floors must be finished in a light colour;</div><div>h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;</div><div>i. A self-closing door openable from within the room;</div><div>j. Must be constructed to prevent the entry of birds and vermin;</div><div>k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;</div><div>l. Any doorways must be 2 metres roller door</div><div>m. Commercial Waste Room to be a minimum of 40m²</div><div>n. Designed to fit the following bin allocations:</div></div> <table><tr><th>Number</th><th>Bin Size</th><th>Bin Type</th></tr><tr><td>4</td><td>1100L</td><td>Garbage (Red)</td></tr><tr><td>3</td><td>1100L</td><td>Recycling (Yellow)</td></tr></table>			Number	Bin Size	Bin Type	4	1100L	Garbage (Red)	3	1100L	Recycling (Yellow)
Number	Bin Size	Bin Type										
4	1100L	Garbage (Red)										
3	1100L	Recycling (Yellow)										
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.											
68.	Carpark Exhaust Before the issue of the relevant construction certificate, the certifier is to ensure that all carpark exhaust does not directly vent into private or communal open space. <div>2.611</div>											
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.											
69.	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 the relevant construction certificate. The final landscape plan must be in accordance with the requirements of Conditions 70, 71 and 72 below and Conditions 70-72 prevail to the extent of any inconsistency with this Condition (69). Additionally, the final landscape plan must be prepared in accordance with											

	<p>Canterbury Bankstown DCP 2023 and must include the following features, notations and specifications:</p> <ul style="list-style-type: none"> 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), and d. One 75ltr (minimum) major canopy tree shall be planted within the front setback to the development, and e. 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), and f. 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, prior to issue of any Construction Certificate. The order confirmation shall include name, address and contact details of supplier; and expected supply date, and g. Existing Trees to be retained must be protected in accordance with Submitted Arborist report by Naturally Trees and all aspects and requirements for the protection of existing trees as per Australian Standard 2009, AS 4970-2009 Protection of Trees on Development Sites to allow for the healthy ongoing life of these trees, and h. A tree protection barrier is to be erected around the perimeter of the Tree Protection Zone as defined in the Australian Standard 2009, AS 4970-2009 Protection of Trees on Development Sites prior to the commencement of any site works. The barrier is to be well maintained during construction. No building material storage or construction activity shall be allowed to encroach within the Tree Protection Zones, and i. Details of drainage and watering systems (if any). j. Trees required to be removed to support the development must be replaced at a minimum 3:1 ratio in accordance with Council's Tree Management Manual. <p style="text-align: right;">2.701</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
<p>70.</p>	<p>Landscaping of the Site</p> <p>This condition applies to all landscape located at grade, within deep soil zones and the interfaces with site boundaries</p> <ul style="list-style-type: none"> a) A detailed landscape design including plans and details drawn to scale, and technical specification, by a registered landscape architect, must be submitted to and approved by Council prior to the issue of a Construction Certificate. These documents must include:

	<ul style="list-style-type: none"> (i) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure. (ii) Location and details of existing and proposed structures on the site including, but not limited to, paving, walls, services, furniture, shade structures, lighting and other features (iii) Details of the interfaces between the residential flat building and all site boundary frontages (iv) Details of earthworks and soil depths including finished levels and any mounding. (v) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity. (vi) Details of drainage, waterproofing and watering systems. (vii) Landscape maintenance plan. This plan is to be complied with during occupation of the property. <p>b) All landscaping in the approved plan, relevant to that stage of the development, is to be complete prior to an occupation certificate being issued.</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
<p>71.</p>	<p>Green Roofs</p> <p>This condition applies to all landscape located on structure within communal and private open spaces.</p> <ul style="list-style-type: none"> a) A detailed green roof design including plans and details drawn to scale, and technical specification, by a registered landscape architect, must be submitted to and approved by Council prior to the issue of a Construction Certificate. These documents must include: <ul style="list-style-type: none"> (i) A statement that includes details of proposed use of the green roofs, accessibility, and any noise and privacy treatments. (ii) Location and details of existing and proposed services, walls, balustrades, hard surfaces, stairs, planter types, pots, furniture, screens, water features, storage areas, vegetable gardens, and shade structures, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components. (iii) Engineers report confirming structural capacity of building for proposed roof terrace loads. (iv) Details of soil types and depth including any mounding. (v) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity. Vegetable produce garden at installation to be woody species for longevity. (vi) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

	<p>(vii) Green roof maintenance plan. This plan is to be complied with during occupation of the property and must include any relevant maintenance methodology for safe working at height such as access requirements, location of any anchor points, gates, and transport of materials and green waste.</p> <p>c) All landscaping in the approved plan, relevant to that stage of the development, is to be complete prior to an occupation certificate being issued.</p> <p>b) Inaccessible green roofs must remain inaccessible for the lifetime of the property.</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
72.	<p>Façade Planters</p> <p>This condition applies to façade planters designed to form green walls on the facades of the residential flat building.</p> <p>a) The design of the façade planters must demonstrate the response to site conditions, including in particular light availability, sun and wind impacts, and resolution of ongoing landscape maintenance working at heights.</p> <p>b) A detailed green wall design including plans and details drawn to scale, and technical specification, by a qualified landscape architect. The following information must be submitted to and approved by Council prior to the issue of a Construction Certificate:</p> <ol style="list-style-type: none"> Analysis of the detailed site conditions, including access, light availability, sun and wind impacts. Details of the green wall construction, including proposed materials, planter dimensions, steel mesh system, fixings and structures; Details of the proposed growing medium, including soil depth and type; Location, numbers, type and size of plant species selected on the basis of the site conditions, and species that contribute to habitat and biodiversity; Details of drainage, irrigation and waterproofing; Details of any additional lighting (where applicable); Details of ongoing maintenance, including methodology for safe working at height, access requirements, location of any anchor points, gates, and transport of materials such as green waste removal, and a detailed planting maintenance schedule; and A plan outlining the intended strategy for decommissioning and rectification if planting works fail. This is to ensure façade greening is maintained is throughout its life. <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
73.	<p>Landscape Management</p> <p>A landscape management plan is to be submitted to and approved by the certifier before the issue of the relevant construction certificate. The plan is to</p>

	<p>demonstrate who is responsible for and how the landscape features will be installed and detail the responsibility of ongoing maintenance of the landscaping.</p> <p style="text-align: right;">2.705</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
74.	<p>Council's Tree Management Order</p> <p>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.</p> <p style="text-align: right;">2.703</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
75.	<p>Design Verification SEPP (Housing) 2021</p> <p>The relevant construction certificate shall not be issued until design verification from a qualified designer has been received. The design verification is a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development of which development consent was granted, having regard to the design quality principles set out in Schedule 9 of SEPP (Housing) 2021.</p> <p style="text-align: right;">2.901</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
76.	<p>No Air conditioning units visible</p> <p>No air-conditioning equipment is to be directly visible from the public domain. Equipment and associated wiring shall:</p> <ol style="list-style-type: none"> Not be located on awnings or attached to the face of the building, Not be located on roofs in such a way that it is visible from any street, footpath or park, Be visually screened if located 1.8 metres above ground level, and Wiring shall be fully concealed. <p>All construction certificate documentation is to demonstrate compliance with these requirements.</p> <p style="text-align: right;">2.902</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
77.	<p>Air conditioning units – BASIX requirements</p> <p>The location of any air-conditioning and hot water units and associated infrastructure must be located to ensure that they are not visible from the street, and that they do not result in a non-compliance with the relevant built form controls and private open space controls contained within the Apartment Design Guide. Confirmation from a suitably qualified architect that the BASIX commitments do not compromise the design guidance as contained within the Apartment Design Guide must be provided to the certifier before the issue of the relevant construction certificate.</p> <p style="text-align: right;">2.903</p>

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
78.	Hydrant boosters on plans
	All hydrant boosters and associated services and shield walls are to be contained within cabinets and / or designed to match the appearance of the main structure of the development.
	2.904
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
79.	Rooftop equipment
	All roof-top plant and associated equipment must be located within the approved building envelope and must not be visible from the public domain.
	2.905
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
	Condition reason: To protect the natural environment of the development site and adjoining lands.
80.	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> .
	A copy of the Permission to Discharge Commercial Trade Wastewater must be obtained from Sydney Water and a copy provided to the certifier with the application for the construction certificate.
	A Commercial Trade Waste Agreement must be obtained from Sydney Water before the discharge of trade wastewater to the sewer system and a copy provided to the principal certifier with the application for the relevant occupation certificate
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development
81.	Design Certificate
	<p>Prior to the issue of the relevant construction Certificate, the certifier must ensure all relevant plans show the details of a grease trap, (where required by Sydney Water) to be installed in accordance with Sydney Water requirements and that the grease trap:</p> <ul style="list-style-type: none"> a. Must be installed by a suitably qualified and licensed plumber in accordance with the Plumbing Code of Australia; and b. Must be not be in any kitchen, food preparation or food storage area; and c. Must be suitably constructed and installed in a location which allows it to be easily and effectively cleaned and emptied; and d. Must be suitably constructed and located as not to encourage the harbourage of pests and be effectively pest proofed.

	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development

BEFORE BUILDING WORK COMMENCES

	Condition
82.	<p>Certifier details</p> <p>A construction certificate is required for the erection of a building in accordance with this Determination Notice.</p> <p>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.</p> <p>The following requirements apply before the commencement of building work in accordance with this Determination Notice:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. <p style="text-align: right;">3.202</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
83.	<p>Section 73 Compliance Certificate</p> <p>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</p>

	<p>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.</p> <p>3.203</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
84.	<p>Temporary fence or hoarding</p> <p>A fence must be erected around the area of the development site for each relevant stage, 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.</p> <p>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.</p> <p>3.204</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
85.	<p>Dilapidation report</p> <p>No less than 14 days before the commencement of any site or building work, the adjoining owner(s) must be provided with a copy of the dilapidation report for their property(ies).</p> <p>3.205.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
86.	<p>WC temporary toilet facilities on site</p> <p>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.</p> <p>3.206</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
87.	<p>Install Erosion control</p> <p>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).</p> <p>3.207</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
88.	<p>Soil and water management warning sign</p> <p>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.</p> <p>3.208</p>

	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
89.	Sign with principal certifier details
	<p>A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>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.</p> <p style="text-align: right;">3.209.P</p>
	Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
90.	Not used
91.	Residential building work
	<p>Residential building work within the meaning of the <i>Home Building Act 1989</i> must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information —</p> <ul style="list-style-type: none"> a. In the case of work for which a principal contractor is required to be appointed— <ul style="list-style-type: none"> i. the name and licence number of the principal contractor, and ii. the name of the insurer by which the work is insured under Part 6 of that Act, b. In the case of work to be done by an owner-builder— <ul style="list-style-type: none"> i. the name of the owner-builder, and ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit. <p>If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.</p> <p style="text-align: right;">3.211.P</p>
	Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.
92.	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.

DURING BUILDING WORK

	Condition
93.	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.
94.	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).
95.	Affixing of signage
	The construction and fixing of any 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.
96.	BASIX commitments
	While building work is being carried out, the consent holder must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.
	4.203.P
	Condition reason: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.
97.	Hours of Work
	Site work must only be carried out between the following times –
	<ul style="list-style-type: none"> a. 7.00 am and 5.00 pm on Monday to Saturday. b. No construction is to be carried out at any time on a Sunday or a public holiday.
	Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	4.204.S
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

98.	Noise and Vibration
	<p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved documentation.</p> <p>Where no noise and vibration management plan is required 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.</p> <p style="text-align: right;">4.205.S</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
99.	Surveys by a registered surveyor
	<p>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:</p> <ul style="list-style-type: none"> 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. <p style="text-align: right;">4.206.S</p>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
100.	Civil and Hydraulic engineering works
	<p>All civil and hydraulic engineering works on site must be carried out in accordance with Council's Canterbury-Bankstown Development Engineering Standards. 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.</p> <p style="text-align: right;">4.301</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
101.	Stormwater drainage system
	<p>The stormwater drainage system shall be constructed in accordance with Council's Canterbury-Bankstown Development Engineering Standards 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.</p> <p style="text-align: right;">4.302</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
102.	Adjacent to Council pipe
	<p>Development located adjacent to Council's drainage pipe and/or easements shall comply with the following:</p> <ul style="list-style-type: none"> a. Concrete Pier and beam type footings/foundations adjacent to Council's drainage easements shall be constructed in accordance with the approved

	<p>details and Council's Canterbury-Bankstown Development Control Plan 2023, and Development Engineering Standards Guide. 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.</p> <p>b. 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.</p> <p style="text-align: right;">4.304</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
103.	<p>Site adjoining Council land</p> <p>Access to the site across the adjoining Council Reserve/Property is not permitted. There shall be no stock piling of materials, storage of equipment or work carried out on the adjoining Council Reserve/Property.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
104.	<p>Works to downstream</p> <p>Works on downstream properties is to be carried out in accordance with the following:</p> <p>a. The owners of downstream properties shall be given at least seven (7) days' notice in writing of intention to commence work within their property, together with particulars of the proposed work.</p> <p>b. Where drainage excavation works extend below the level of the base of the footings of buildings the consent holder shall, at his own expense: -</p> <p>i. Preserve and protect such building from damage; and</p> <p>ii. If necessary, underpin and support such buildings.</p> <p>c. Restoration of drainage works in downstream properties shall be to the satisfaction of the owners of the property/these properties.</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
105.	<p>Driveway adequacy</p> <p>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.</p> <p style="text-align: right;">4.306</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
106.	<p>Responsibility for Changes to Public Infrastructure</p> <p>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</p>

	<p>trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.</p> <p>4.307.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
107.	<p>Excavated safety</p> <p>All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.</p> <p>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.</p> <p>4.308</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
108.	<p>Shoring and adequacy of adjoining properties</p> <p>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 —</p> <ol style="list-style-type: none"> Protect and support the building, structure or work from possible damage from the excavation, and Where necessary, underpin the building, structure or work to prevent any such damage. <p>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.</p> <p>4.309.P</p> <p>Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.</p>
109.	<p>Retaining walls</p> <p>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.</p> <p>4.310</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
110.	<p>Inspection by resource recovery</p> <p>No work may be carried out to construct the ground floor slab unless the principal certifier is satisfied and provides evidence to Council of that satisfaction that the waste facilities within the basement comply with the specifications of the stamped plans. Council can be contacted on 9707 9000.</p> <p>4.501</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
111.	<p>Waste management</p> <p>While site work is being carried out:</p>

	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. <p>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.</p> <p style="text-align: right;">4.502.S</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
<p>112.</p>	<p>Comply with Waste management plan</p> <p>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:</p> <ul style="list-style-type: none"> 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 <i>Protection of Environment Operations Act 1997</i> must be complied with when placing/stock piling loose material, disposal of

	<p>concrete waste or activities which have potential to pollute drains and water courses; and</p> <p>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.</p> <p>4.503</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
113.	<p>Hazardous finds</p> <p>Any new information revealed during building work/s that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the principal certifier. Works are to cease until the new information is evaluated by an appropriately qualified and experienced environmental consultant and an appropriate response determined by the consent holder and/or owner which is agreed to by Council. Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the new contamination information.</p> <p>4.601</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
114.	<p>Site audit statement</p> <p>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 consent holder, which is agreed to by Council.</p> <p>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 consent holder must adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor</p> <p>4.603</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
115.	<p>No Stockpiling</p> <p>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.</p> <p>4.605</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
116.	<p>Soil assessment</p> <p>All soils and material, 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 Protection of the Environment</p>

	<p>Operations (Waste) Regulation 2014 and related guidelines, the 'Waste Classification Guidelines' (NSW EPA, 2014), before off-site disposal.</p> <p>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 Certifier before off-site disposal. A copy of the waste classification report must be submitted to Council before issuing of the relevant occupation certificate.</p> <p>All waste material 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 before issuing of the relevant occupation certificate.</p> <p>All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered before vehicles leaving the site.</p> <p style="text-align: right;">4.607</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
117.	<p>Waste Disposal</p> <p>All waste material generated during demolition and construction must be disposed of at an appropriately licensed waste facility for the specific waste. All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
118.	<p>Keep free of water</p> <p>All excavations must be kept free from the accumulation of water. Before 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 before approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.</p> <p style="text-align: right;">4.609</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
119.	<p>Importing of fill</p> <p>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).</p> <p>Certificates verifying that imported fill is virgin excavated natural material or excavated natural material must be provided to Council prior to the issue of the relevant occupation certificate. All imported fill must be compatible with the existing soil characteristics of the site.</p>

	Condition reason: To protect the natural environment of the development site and adjoining lands.
120.	<p>Duty to report</p> <p>If the Duty to Report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, Council must be notified within seven (7) days of the notification to the NSW EPA.</p> <p>4.602</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
121.	<p>Car wash bunding</p> <p>The carwash bay is to be bunded and connected to the sewer system to dispose of wastewater in accordance with the requirements contained in Council's Development Engineering Standards.</p> <p>4.612</p>
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
122.	<p>Implementation of the site management plans</p> <p>While site work is being carried out:</p> <ul style="list-style-type: none"> 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. <p>4.701.S</p>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
123.	<p>Boundary fencing</p> <p>Where replacement boundary fencing is required to be installed, it must be 1.8 metres high unless otherwise shown on the approved plans or as stipulated within this Determination Notice. The materials and colours of the fence must be selected in consultation with the adjoining property owners unless the design of the fence and the type of material is specified to allow for overland flow. All costs related to fencing must be borne by the consent holder.</p> <p>4.702</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
124.	<p>Tree protection during work</p> <p>While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:</p> <ul style="list-style-type: none"> 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.

	<p>This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones</p> <p style="text-align: right;">4.807.S</p> <p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>
125.	<p>Tree protection</p> <p>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.</p> <p style="text-align: right;">4.806</p> <p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>
126.	<p>Threatening of trees</p> <p>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.</p> <p style="text-align: right;">4.810</p> <p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>
127.	<p>Historic Archaeology - Unexpected Findings</p> <p>If unexpected archaeological deposits are found during the works covered by this approval, work must cease in the affected area(s) and Heritage NSW must be notified. Additional assessment and approvals pursuant to the Heritage Act 1977 may be required prior to works continuing in the affected area(s) based on the nature of the discovery.</p> <p>Condition reason: To ensure the protection of objects of potential significance during works</p>
128.	<p>Discovery of relics and Aboriginal objects</p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ol style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ol style="list-style-type: none"> 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. <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> 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. <p>In this condition: “relic” means any deposit, artefact, object or material evidence that:</p>

	<ul style="list-style-type: none"> 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 <p>“Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.</p> <p style="text-align: right;">4.901.S</p>
	Condition reason: To ensure the protection of objects of potential significance during works

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
129.	<p>Occupation certificate</p> <p>The occupation or use of the buildings must not commence unless an occupation certificate has been issued. Multiple occupation certificates can be issued for the buildings.</p> <p style="text-align: right;">5.201</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
130.	<p>Number of car parking spaces</p> <p>309 off-street car parking spaces shall be provided and maintained for the use of residential, residential visitors, retail and hotel/tavern patrons of 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.</p> <p style="text-align: right;">5.105</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
131.	<p>Allocation of car parking spaces</p> <p>309 off-street car spaces being provided in accordance with the submitted plans. This shall comprise:</p> <ol style="list-style-type: none"> 116 residential spaces 19 residential visitor spaces 36 retail spaces 138 hotel/tavern/pub parking spaces <p>Note: Car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.</p> <p style="text-align: right;">5.106</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
132.	<p>Accessible car allocations</p> <p>For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable</p>

	<p>units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the unit in any future strata subdivision of the building.</p> <p>5.107</p> <p>Condition reason: To ensure orderly development of land.</p>
133.	<p>Encroachment on Council land</p> <p>Before the issue of any occupation certificate, the principal certifier must ensure that no portion of the approved structure, including gates and doors during opening and closing operations, provides for encroachment upon Council's footpath area.</p> <p>5.202</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
134.	<p>Slab certification</p> <p>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.</p> <p>5.203</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
135.	<p>Preservation of survey marks</p> <p>Before the issue of any occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:</p> <ol style="list-style-type: none"> no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or 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. <p>5.204.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
136.	<p>Post-construction dilapidation report</p> <p>Before the issue of any occupation certificate, a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing whether:</p> <ol style="list-style-type: none"> after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s). <p>5.205.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>

137.	Mechanical ventilation
	Before the issue of the relevant occupation certificate, the principal certifier must ensure that the car park is ventilated in accordance with the Building Code of Australia and, where necessary, Australian Standard AS 1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements. 5.206
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
138.	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.
139.	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 the relevant occupation certificate. 5.208
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
140.	Mechanical ventilation
	Before issue of the relevant occupation certificate and following the completion, installation, and testing of any 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.
141.	Work Permit Compliance required
	The relevant 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.
142.	Repair of infrastructure
	Before the issue of any 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

	<p>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.</p> <p style="text-align: right;">5.302.S</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
143.	<p>Works-as-executed plans and any other documentary evidence</p> <p>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:</p> <ol style="list-style-type: none"> 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 relevant occupation certificate. <p style="text-align: right;">5.303.S</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
144.	<p>Not used</p> <p style="text-align: right;">5.304</p>
145.	<p>Adjacent to Easement</p> <p>Sites located adjacent to Council's drainage easement shall comply with the following:</p> <ol style="list-style-type: none"> a. A Work As Executed Plan prepared by a registered surveyor, together with certification from a qualified professional Civil Engineer of the capacity and adequacy of the constructed floodway / flow path shall be obtained before issue of the certificate of occupation or occupation of the site. b. The Work As Executed information shall be shown on a copy of the approved plans and shall include construction information relating to the following: <ol style="list-style-type: none"> i. All relevant natural ground and finish ground levels within the flow path / floodway and relevant surrounding levels. <p>The above information together with the Engineer's certification shall be submitted to Council for information before issue of the relevant occupation certificate or occupation of the site.</p> <ol style="list-style-type: none"> a. An easement to drain water of minimum 2.5m width shall be created in favour of Council centrally located over the proposed re-aligned Council trunk drainage line within the site.

	<p>b. A Restriction as to User under the provision of Section 88E of the <i>Conveyancing Act 1919</i> shall be registered on the title of the subject property, requiring that:</p> <ul style="list-style-type: none"> i. "A flow path for overland stormwater runoff / floodway from upstream properties and Council's Public Road shall be maintained within Council's drainage easement." ii. "No trees or shrubs shall be planted within Council's drainage easement." iii. "Changes to approved levels and / or the construction of walls and landscaping within Council's drainage easement is not permitted unless approved by Council". iv. "Any fencing constructed across the floodway or overland flow path shall be maintained to allow for the free passage of surface flow of stormwater to the satisfaction of Council". <p>Note: The location of the "Flowpath/floodway" shall be shown on the film plan of subdivision where subdivision is proposed. Where subdivision is not proposed the location of the flow path/floodway shall be included on a site plan attached to the Section 88E instrument.</p> <p>c. Canterbury-Bankstown City Council shall be empowered to release, vary or modify such Restriction.</p> <p>The Restriction and Positive Covenant shall be registered on title following satisfactory construction and certification of the overland flow path / floodway and before issue of the relevant occupation certificate or occupation of the site. Evidence of such registration shall be submitted to Council.</p>
146.	<p>Driveways certified</p> <p>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 relevant occupation certificate or occupation of the site.</p> <p style="text-align: right;">5.307</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
147.	<p>Give way signs</p> <p>The following signs must be provided and maintained within the site at the point(s) of vehicle egress:</p> <ul style="list-style-type: none"> a. Compelling drivers to stop before proceeding onto the public way b. Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route. <p style="text-align: right;">5.308</p>

	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
148.	Confirmation of waste facilities
	No occupation certificate may be issued until such time as written confirmation has been received from Council that all waste management facilities and associated access have been constructed in accordance with the requirements of this consent. The waste management facilities include the path of travel for all waste, from unit to point of waste collection, waste storage room sizing, access to water and sewer connections, finished materials, access and doorway dimensions, truck turntables, bin tugs and bin lifting equipment. 5.501
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
149.	Agreement with Council
	Before the issue of the relevant occupation certificate, an agreement must be entered into with Council on terms satisfactory to Council for the collection of residential waste. 5.502
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
150.	Removal of Waste Upon Completion
	Before the issue of the relevant occupation certificate: <ul style="list-style-type: none"> 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.
151.	Site-wide Landscaping Management
	A site wide management plan for greening of buildings located on private land is to be submitted to and approved by Council prior to the issue of any occupation certificate. This includes but is not limited to landscaping to deep soil zones, communal and private open spaces, communal rooftops, facade planters, and inaccessible green roofs. The plan is to demonstrate who is responsible for and how the landscape features will be installed, costs and responsibility of ongoing maintenance of landscaping.
	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.
152.	Completion of Landscape and Tree Works
	Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works relevant to that stage of the development 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.
153.	Key card access
	Before the issue of the relevant occupation certificate, the principal certifier must ensure that access to the residential lobby is secured through a key card, swipe card, intercom or other method to restrict access to the lobby to only residents or visitors.
	5.901
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
154.	Master locks
	Before the issue of the relevant occupation certificate, the principal certifier must ensure that the letterboxes installed have non-master key locks, to prevent theft and fraud.
	5.902
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
155.	CCTV surveillance cameras
	Before the issue of the relevant occupation certificate, the principal certifier is to ensure that on-site CCTV surveillance cameras have been strategically installed and that they will operate and be maintained throughout the development with particular coverage to: <ul style="list-style-type: none"> a. principal entrance/s and exits; b. all areas within the premise occupied by the public (excluding toilets); c. staircases in multilevel premises; and d. the area within a 10m radius external to the public entrance(s) to the premise. e. Hotel/Tavern <p>The venue must maintain a CCTV system that meets the minimum requirements that will be in a digital format recorded at a minimum of 10 frames a second. CCTV cameras to be placed on all entry and exit points on the premise and all public accessible areas (other than in the toilets).</p> <p>Installation of the surveillance system is to ensure suitable and clearly visible signage is displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises".</p> <p>All CCTV recording equipment and cameras shall be of high-grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras.</p> <p>CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD, USB or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request</p>

	<p>being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required.</p> <p>All CCTV recording devices and cameras shall be regularly checked to ensure the equipment is operating correctly. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police.</p> <p>All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour before opening and closing times of the premises.</p> <p>The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage.</p> <p>Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.</p> <p style="text-align: right;">5.903</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
156.	<p>Property numbering</p> <p>The buildings / dwellings must be readily identified from the street with the allocated house numbers. An official "property numbering" letter will be issued to the consent holder indicating the proposed numbering of the new development. Within 14 days of receiving a request from the relevant consent holder to obtain that letter, the Council is to seek relevant advice from the NSW Land Registry Services on the proposed "property numbering". Within 7 days of receiving advice from the NSW Land Registry Services, the Council is to provide the relevant consent holder with the official "property numbering" letter, House numbering without Council's written approval is not permitted.</p> <p style="text-align: right;">5.904</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
157.	<p>Lighting must be provided to entries</p> <p>Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. All lighting must be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.</p> <p style="text-align: right;">5.906</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
158.	<p>Design of lighting</p> <p>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'.</p>

	<p>No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external sign associated with the development</p> <p>The use of floodlighting or the like, to advertise or attract attention or for the convenience of patrons must be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists. The use of flashing lights is strictly prohibited.</p> <p>The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises.</p> <p style="text-align: right;">5.907</p>
	<p>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.</p>
159.	<p>Design principles SEPP (Housing) 2021</p> <p>Before the issue of the relevant occupation certificate, a design verification from a qualified designer shall be submitted to the principal certifier. The design verification is a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Schedule 9 of SEPP (Housing) 2021.</p> <p style="text-align: right;">5.908</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
160.	<p>Acoustic validation</p> <p>Prior to the issue of the relevant occupation certificate, the principal certifier shall obtain a report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that the recommendations outlined in the acoustic report prepared by Renzo Tonin & Associates, titled Acoustic Assessment for DA 167 Hume Highway, Greenacre, reference number TN375-01D01 dated 20 September 2023 have been implemented and that the relevant noise criteria have been satisfied. A copy of the report is to be submitted to Council prior to the issue of the relevant occupation certificate.</p> <p style="text-align: right;">5.605</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation</p>
161.	<p>Plan of Management</p> <p>A final Operational Plan of Management for the Hotel/Tavern, including any recommendations contained within the submitted acoustic report, prepared by Renzo Tonin & Associates, is to be formulated and submitted to Council for approval prior to the issue of the relevant occupation certificate.</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation</p>
162.	<p>Inspection Prior to operation of Hotel/Tavern</p> <p>Prior to the issue of the relevant occupation certificate, a pre-occupation premises inspection report is to be undertaken by Council's Environmental Health Officer.</p>

	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation
163.	Food Business Registration Prior to the issue of the relevant occupation certificate, a food business registration form must be completed and submitted to Council for the Hotel/Tavern. This form is available online at www.cbcity.nsw.gov.au . In the instance details on the original registration form change, Council is to be notified of the change within seven (7) days of the change occurring. Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
164.	Redundant easements All redundant easements shall be extinguished before the issue of the relevant occupation certificate or occupation of the site. All costs are to be borne by the developer. Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.

OCCUPATION AND ONGOING USE

	Condition
165.	Communal facilities Any communal facilities must be available for the use all residents of the building, and must be operated as common property on any future strata subdivision of the site, with no exclusive use rights given. 7.104 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
166.	Parking spaces No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats. 7.106 Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
167.	Use of roof No approval is granted or implied for the use of any roof element for any purpose other than for gaining access to carry out maintenance or repairs or to use any approved communal areas. 7.114 Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
168.	Car parking not for storage The approved car parking spaces, driveways and manoeuvring areas are to be used for residents, 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.
169.	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.
170.	Not used
171.	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.
172.	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.
173.	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.
174.	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.
175.	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.
176.	Bin room signage Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin. 7.505 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
177.	Waste and recycling policy The development must be carried out in compliance with Council's "Domestic Waste and Recycling Service Policy and Guideline". 7.506 Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
178.	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.
179.	Maintenance of waste room Any waste facilities approved under this consent must be maintained in a proper and workmanlike state at all times and must be kept clear and accessible to Council to undertake waste collection services. The facilities must not be altered without prior Council approval. 7.508 Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
180.	On-Site Collection Point The nominated on-site collection point is to be utilised to facilitate the collection of waste and recycling bins for the development. The on-site collection point is always to be kept clear of obstructions so not to restrict the collection of waste and recycling bins. 7.511 Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
181.	Excessive vibrations The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the 'Assessing Vibration: A Technical Guideline' (NSW Department of Environment and Conservation, 2006). 7.605 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
182.	Independent acoustic report Following occupation of the building/premises, should it be found that the measures recommended in the acoustic assessment are not sufficient, or have

	<p>been incorrectly installed or a noise issue (relating to the development) not previously identified arises (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 situation. 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.</p> <p>Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.</p> <p style="text-align: right;">7.620</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
183.	<p>Internal Activities</p> <p>The applicant must 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 Noise Policy for Industry (NSW EPA, 2017).</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
184.	<p>Use of site</p> <p>Any activity carried out in accordance with this approval must not give rise to offensive odour, offensive noise or pollution of air, land or water as defined in the <i>Protection of the Environment Operations Act 1997</i> and Regulations.</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
185.	<p>Car parking not for other uses</p> <p>The car parking spaces, driveways and manoeuvring areas must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.</p> <p>The car parking spaces, driveways and manoeuvring areas must not be used for the manufacture, storage or display of goods, materials or any other equipment (includes mobile food vending vehicles).</p>
	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.
186.	<p>Amenity Impacts</p> <p>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, wastewater, waste products, grit, oil or other harmful products.</p>

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
187.	Maintenance of landscaping The approved landscaping and external work must be maintained post occupation, including by the owners of any future strata subdivision of the site, 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.
188.	No queuing No vehicular queuing is to occur out of the site onto the Hume Highway. Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
189.	Maintenance of lighting Any lighting of the premises must be installed and maintained in accordance with AS/NZS 4282-2019, 'Control of the obtrusive effects of outdoor lighting', 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. 7.902 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.

OPERATION OF EXISTING TAVERN DURING CONSTRUCTION

	Condition
190.	Operation of Tavern During Stage 2 Works The existing tavern may operate, in accordance with the terms and conditions of the existing development consent issued for its use and operation - unless otherwise modified by this condition, during Stage 2 development works provided the works required to be undertaken as part of the proposed Stage 1 of the development have been completed, and subject to the relevant construction and occupation certificates for Stage 1 works having been issued. Car parking for a minimum of 96 vehicles must be available at all times Note: Car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements. Condition reason: To ensure compliance with the relevant New South Wales legislation.

CONDITIONS TO BE SATISFIED FOR OPERATION OF THE NEW HOTEL/TAVERN/PUB

	Condition																	
191.	Operation of Hotel/Tavern/Pub During Stage 3 Works																	
	The New Hotel/Tavern/Pub is permitted to operate while the works associated with Stage 3 of the development are being undertaken, provided the following conditions are complied with																	
	Condition reason: To ensure compliance with the relevant New South Wales legislation.																	
192.	Occupation certificate																	
	The occupation or use of the hotel/tavern/pub must not commence unless an occupation certificate has been issued.																	
	5.201 Condition reason: To ensure compliance with the relevant New South Wales legislation.																	
193.	Allocation of car parking spaces																	
	174 off-street car spaces being provided in accordance with the submitted plans. This shall comprise at least: a. 53 hotel spaces b. 75 tavern/pub parking spaces c. 2 staff spaces Note: Car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.																	
	5.106 Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.																	
194.	CCTV Surveillance																	
	The venue must maintain a CCTV system that meets the minimum requirements of Condition 158 of this determination notice and that will be in a digital format recorded at a minimum of 10 frames a second. CCTV cameras to be placed on all entry and exit points on the hotel/tavern/pub premise and all public accessible areas (other than in the toilets).																	
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.																	
195.	Hours of operation																	
	During ongoing use of the hotel/tavern/pub premises, the hours of operation of the Palms Pub are restricted to:																	
	<table><tr><td></td><td>From</td><td>To (following day)</td></tr><tr><td>Monday</td><td>10am</td><td>4am</td></tr><tr><td>Tuesday</td><td>10am</td><td>4am</td></tr><tr><td>Wednesday</td><td>10am</td><td>4am</td></tr><tr><td>Thursday</td><td>10am</td><td>4am</td></tr><tr><td>Friday</td><td>9am</td><td>6am</td></tr></table>		From	To (following day)	Monday	10am	4am	Tuesday	10am	4am	Wednesday	10am	4am	Thursday	10am	4am	Friday	9am
	From	To (following day)																
Monday	10am	4am																
Tuesday	10am	4am																
Wednesday	10am	4am																
Thursday	10am	4am																
Friday	9am	6am																

	Saturday	9am	6am
	Sunday	9am	12am
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.		
196.	Security		
	The venue is to be patrolled by licensed and uniformed security guard from 7pm until 30 minutes after close		
	Condition reason: Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.		
197.	Prevent removal of items		
	Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area) or approved outdoor dining area included in the boundaries of the licensed premises.		
	Condition reason: To ensure compliance with the relevant New South Wales legislation.		
198.	Smoke-free environment		
	The premises must comply with the requirements of the <i>Smoke-free Environment Act 2000</i> and <i>Smoke-free Environment Regulation 2016</i> .		
	Condition reason: To ensure compliance with the relevant New South Wales legislation.		
199.	Operation of licensed premises – Acoustics		
	<p>The licenced premises shall comply with the following noise criteria:</p> <ul style="list-style-type: none"> i. The LA10, 15-minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. ii. The LA10, 15-minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. iii. Notwithstanding compliance with (i) and (ii) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15 minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7.00am and 12.00 midnight. Where the LA10, 15-minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. iv. Notwithstanding compliance with the above, the noise from the licensed premises must not be audible within any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am. 		

	<p>v. The LA10, 15-minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises.</p> <p>Note: The LA10, 15-minute noise level emitted from the use is as per the definition in the AS 1055-2018, 'Acoustics - Description and measurement of environmental noise'. The background noise level LA90, 15 minutes is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment LA90 / rating LA90 methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS 1055.2018.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
<p>200.</p>	<p>Operation of licensed premises - Acoustics</p> <p>Music and other amplified sound played on the premises must not give rise to offensive noise as defined under the provisions of the <i>Protection of the Environment Operations Act 1997</i>. The sound level output must not exceed five (5) dB(A) above the ambient background level at the boundary of the premises.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
<p>201.</p>	<p>Independent acoustic report</p> <p>Following occupation of the hotel/tavern/pub premises, should it be found that the measures recommended in the acoustic assessment are not sufficient, or have been incorrectly installed or a noise issue (relating to the development) not previously identified arises (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 situation. 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.</p> <p>Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.</p> <p style="text-align: right;">7.620</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
<p>202.</p>	<p>Number of Patrons</p> <p>The Palm Bar outdoor dining patron numbers is limited to 50 in the dining area at the front of the bar and 15 patrons in the dining area on the northern side of the bar area.</p> <p>The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above.</p>

	Condition reason: To ensure compliance with the relevant New South Wales legislation.
203.	Patrons Leaving A clearly visible sign must be permanently erected immediately adjacent to the entry/exit doors indicating that patrons are to leave in an orderly fashion and must leave the vicinity of the premises in a manner that does not disturb the quiet and good order of the neighbourhood. Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
204.	Operation in accordance with Plan of Management The venue is to act in accordance with the Plan of Management referred to at Condition 161 of this determination notice. Condition reason: To ensure the development is built and remains consistent with approved plans and documentation
205.	Signs in good order 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 ensure compliance with the relevant New South Wales legislation and to ensure compliance with the relevant Canterbury Bankstown policy
206.	Illumination of signs The signs shall only be illuminated during the trading hours associated with the use of the premises. The intensity of the lights illuminating the sign shall be limited to not cause nuisance to surrounding roadways or land uses. Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

SUBDIVISION

	Condition
207.	Future subdivision needs Development consent Any proposal for subdivision will require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a subdivision certificate under Section 6.15 of the <i>Environmental Planning and Assessment Act 1979</i> . 6.008 Condition reason: To ensure compliance with the relevant New South Wales legislation.