

## **RECOMMENDED CONDITIONS**

### **1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

| <b>Plan Reference/<br/>Drawing No.</b> | <b>Name of Plan</b>                                | <b>Prepared By</b> | <b>Date</b>  |
|--|--|--------------------|--------------|
| A03.001 Rev A                          | Proposed Site Plan                                 | Warren and Mahoney | 25 June 2021 |
| A10.011 Rev A                          | Lower Ground Floor Plan                            | Warren and Mahoney | 25 June 2021 |
| A10.002 Rev A                          | Ground Floor Plan                                  | Warren and Mahoney | 25 June 2021 |
| A11.001 Rev A                          | Roof Plan  | Warren and Mahoney | 25 June 2021 |
| A20.001 Rev A                          | External Elevations                                | Warren and Mahoney | 25 June 2021 |
| A30.001 Rev A                          | Short Building Sections                            | Warren and Mahoney | 25 June 2021 |
| A30.002 Rev A                          | Long Building Sections                             | Warren and Mahoney | 25 June 2021 |
| L05 Issue No. A                        | Landscape Plan – Ground Floor                      | Warren and Mahoney | 25 May 2021  |
| L06 Issue No. A                        | Landscape Plan – Lower Ground                      | Warren and Mahoney | 25 May 2021  |
| L07 Issue No. A                        | Sectional Elevations                               | Warren and Mahoney | 25 May 2021  |
| L08 Issue No. A                        | Sectional Elevations                               | Warren and Mahoney | 25 May 2021  |
| L09 Issue No. A                        | Materials & Finishes Palette                       | Warren and Mahoney | 25 May 2021  |
| L10 Issue No. A                        | Indicative Plan Schedule                           | Warren and Mahoney | 25 May 2021  |
| Page 13 Issue 6                        | Oran Park Leisure Centre Wayfinding Concept Design | Diadem             | 15 June 2021 |
| Page 14 Issue 6                        | Oran Park Leisure Centre Wayfinding Concept Design | Diadem             | 15 June 2021 |

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|-----------------|--|------------------------|---------------|
| Page 15 Issue 6 | Oran Park Leisure Centre Wayfinding Concept Design | Diadem                 | 15 June 2021  |
| C31 Rev. P4     | Siteworks Plan – Lower Ground                      | Taylor Thomas Whitting | 6 August 2021 |
| C32 Rev. P4     | Siteworks Plan – Ground Floor                      | Taylor Thomas Whitting | 6 August 2021 |
| C41 Rev. P1     | Sections Sheet                                     | Taylor Thomas Whitting | 11 June 2021  |
| C51 Rev. P1     | Details Sheet                                      | Taylor Thomas Whitting | 11 June 2021  |
| C52 Rev. P2     | Details Sheet 2                                    | Taylor Thomas Whitting | 6 August 2021 |
| C53 Rev P2      | OSD Tank Detail                                    | Taylor Thomas Whitting | 6 August 2021 |

| Document Title                            | Prepared by                        | Date           |
|---|------------------------------------|----------------|
| Environmentally Sustainable Design Report | Sustain Erbas                      | 27 August 2021 |
| Acoustic Report                           | Marshall Day Acoustics             | 25 June 2021   |
| Construction Waste Management Plan        | Elephants Foot Recycling Solutions | 25 June 2021   |
| Operational Waste Management Plan         | Elephants Foot Recycling Solutions | 25 June 2021   |
| Traffic Impact Assessment                 | Traffix                            | 25 June 2021   |
| Civil and Stormwater Report               | Taylor Thomas Whitting             | 6 August 2021  |

- (2) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (3) **Swimming Pools and Spas** - The swimming pool shall comply with:
- the *Swimming Pools Act 1992*;
  - the *Swimming Pools Regulation 2008*;
  - AS 1926.1-2012 'Swimming Pool Safety' Part 1: Safety barriers for swimming pools;
  - AS 3500.2-2003 'Plumbing and drainage – Sanitary plumbing and drainage';
  - AS1926.3 'Water recirculation systems'; and
  - the BCA.
- (4) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (5) **Outdoor Lighting** - All lighting shall comply with AS 1158 and AS 4282.
- (6) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.

- (7) **Waste Bin Collection Point** – A waste bin collection point that is clear from the positioning of driveways, tree plantings (or tree canopies), street lighting and other fixtures must be provided for the approved development. This area is to be located as shown in the stamped approved plans and is to provide a 3.9m clear vertical space to allow for the truck-lifting arm.
- (8) **Graffiti Resistant Materials and Finishes** – Graffiti resistant materials and finishes must be used where possible.
- (9) **Timber Components, No Ground Contact** – The design of all outdoor embellishments must ensure that no timber components have direct contact with the ground.
- (10) **Accessible Drink Water Fountains/Bubblers** – Any approved drinking fountains/water bubblers must be designed to be accessible for disabled persons.
- (11) **Voluntary Planning Agreement** – All requirements of the Oran Park Urban Release Planning Agreement – 3<sup>rd</sup> Deed of Variation executed 22 September 2020 shall be complied with.

## 2.0 - Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.
- (2) **Driveway Gradients and Design**– The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
  - a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
  - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the certifier prior to issue of a Construction Certificate.

- (3) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:

- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (4) **Pedestrian Rail** – An amended plan is to be submitted to the certifier illustrating a hand-rail will be provided within the property boundary to protect pedestrians from vertical drops created by the retaining walls more than 1 metre in height along the boundary with the public road.
- (5) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.
- Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.
- (6) **Stormwater Detention and Water Quality** – An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.
- A detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the certifier with the Construction Certificate application.
- (7) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (8) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from the roads authority in accordance with Section 138 of the *Roads Act 1993*.
- (9) **Garbage Room** – Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the certifier for approval. Garbage room(s) are to be constructed of solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.
- (10) **Mechanical Exhaust System** – All mechanical exhaust system(s) shall comply with the BCA and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge

location points). Details demonstrating compliance shall be provided to the accredited certifier.

- (11) **Acoustic Review of Final Construction Design Plans** - Before the issue of a construction certificate a qualified acoustic consultant must confirm in writing that the development will achieve all relevant project noise trigger levels contained in the "Acoustic DA Oran park Leisure Centre, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021", when assessed at the adjoining property boundaries.
- (12) **Construction Waste Management Plan** - Construction waste must be managed in accordance with "Construction Waste Management Plan, Prepared by Elephants Foot Recycling Solutions, dated 25/6/2021 (revision B)", or similar plan that is submitted to the certifier prior to the issue of a construction certificate.
- (13) **Landscape Plan** – An amended landscape plan is to be submitted to the certifier demonstrating the following:
  - a) Amend the plant schedule to indicate plant grid spacing or plant densities for all landscaped areas in accordance with the following grid spacing standard: Ground cover plants 1 per 0.2m<sup>2</sup> , Shrubs (up to 1.5m height) 1 per 1.5m<sup>2</sup>, tall shrubs/small trees (2 to 4 m height) 1 per 2.5m<sup>2</sup> and trees (greater than 5m height) 1 per 10m<sup>2</sup>
  - b) Include dimensions of the deep soil zone
  - c) Detail on structured soil for feature Chinese Elm tree located near the front entry and demonstration that there will be no future conflicts with proposed OSD and stormwater pipes that appear to run close to the tree feature tree pit.
  - d) Detail on proposed irrigation of landscape areas or use of redirected stormwater to aid landscape irrigation requirements.
- (14) **Sydney Water Trade Waste** – The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the certifier and Council.
- (15) **Café** – The design, construction, fit-out, use and ongoing operation of the food premises shall comply with all applicable Acts, Regulation, codes and standards including:
  - a) the *Food Act 2003*;
  - b) the Food Regulation 2015;
  - c) Food Standards Australia and New Zealand – Food Standards Code 2003;
  - d) AS 1668.1-2015 and 1668.2-2012;
  - e) the BCA; and.
  - f) AS 4674-2004. Design, construction and fitout of food premises.

Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application. The details must demonstrate there is adequate space for the proposed café activity, use of remote/ancillary storerooms, appropriate provision of sinks, café cleaning facilities, storage of staff personal effects and administration facilities.

- (16) **Creche Facilities** – A statement of the proposed scope of the creche activity together with detailed plans and specifications demonstrating appropriate fit-out shall be prepared by a suitably qualified person and provided to the certifier.

- (17) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (18) **Facilities for Storage and Handling of Dangerous Goods (Pool Chemicals/Gases)** - Facilities for the storage and handling of dangerous goods including swimming and spa pool chemical and gases shall comply with the requirements of *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011* and SafeWork NSW. Details demonstrating compliance are to be submitted to the certifier.
- (19) **Public Swimming Pools and Spa** – The design, construction, fit-out and use of the public swimming pool(s), spa pool and associated facilities shall comply with all applicable Acts, Regulations, codes and Standards including:
- a) Public Health Act 2010,
  - b) Public Health Regulation 2012, and
  - c) Public Swimming Pool and Spa Pool Advisory Document – NSW Health 2013.

Details demonstrating compliance shall be provided to the certifier prior to the issue of any Construction Certificate.

- (20) **Waste Bins** – Outdoor waste bins are to be fixed and provided in convenient locations. Details of bin locations and materials are to be provided on a plan and submitted to the certifier with the Construction Certificate application
- (21) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:
- a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
  - b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

- (22) **Special Infrastructure Contribution** - A special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Evidence of payment of the SIC shall be provided to Council and the certifier.

Alternatively, the applicant must obtain written confirmation from DPIE that the SIC is not required to be paid for the approved development.

### More information

A request for assessment by the Department of Planning, Industry and Environment of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to [SIContributions@planning.nsw.gov.au](mailto:SIContributions@planning.nsw.gov.au).

- (23) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (24) **Sustainability Assessment** - The environmentally sustainable development report must be amended demonstrating how the proposed development will meet the requirements of the Oran Park Sustainability Development Control Plan DCP (Attachment B). In particular, the report is to demonstrate that the operating carbon intensity, embodied carbon intensity, urban landscape elements and operating water achieve the targets specified in the DCP.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
  - a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
  - e) if the principal certifier is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as principal certifier; and
  - f) a telephone number on which the principal certifier may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:

- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a principal certifier has been appointed by the person having benefit of the development consent;
  - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the principal certifier.
- The sign shall be maintained while the work is being carried out and removed upon the completion of works.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or



easements will be affected by any part of the development. Go to [www.sydneywater.com/tapin](http://www.sydneywater.com/tapin) to apply.

A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.

- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)' and any Sediment and Erosion plans approved with this development consent.
- (9) **Construction Management Plan** – A construction management plan that includes, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.
- (10) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all construction works.
- (11) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (12) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact “Dial Before You Dig” prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

(4) **Site Management** - The following practices are to be implemented during construction:

- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
- b) builder’s operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
- c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
- d) a waste storage area shall be located on the site;
- e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
- f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
  - i) be a standard flushing toilet connected to a public sewer; or
  - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
  - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.

(5) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.

(6) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and

maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

- (7) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:  
*"WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."*

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (8) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
  - the wheels of vehicles leaving the site:
    - do not track soil and other waste material onto any public road adjoining the site; and
    - fully traverse the site's stabilised access point.
- (9) **Fill Compaction** - All fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (10) **Noise During Work** - Noise levels emitted during works shall be managed to comply with the current NSW EPA Interim Construction Noise Guidelines.
- (11) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (12) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (13) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."
- d) confirm that the fill material;
  - i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - iv) is suitable for its intended purpose and land use; and
  - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations; and
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

| Classification of Fill Material   | No of Samples Per Volume | Volume of Fill (m <sup>3</sup> ) |
|-----------------------------------|--------------------------|----------------------------------|
| Virgin Excavated Natural Material | 1<br>(see Note)          | 1000<br>or part thereof          |

**Note** – Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (14) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the noise receiver property boundary.
- (15) **Air Quality** - Vehicles and equipment used on site must be maintained in good working order and be switched off when not operating. The burning of any waste material is prohibited.
- (16) **Acoustic Treatment** - The acoustic treatment/s for the building must be consistent with those specified in the Acoustic DA Oran park Leisure Centre Report, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021 and must meet the following specific requirements:

- a. Building Facade Acoustic Treatments are to comply with “Table 7: Performance requirements for building elements Rw” as referenced in “Acoustic DA Oran park Leisure Centre, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021.”
- b. Selection and Attenuation of Heat Exchange Unit - All units to be located on roof top over gym must be selected and attenuated to comply with “Table 6 – Total allowable sound power level radiated from each heat exchange units dB” as referenced in “Acoustic DA Oran park Leisure Centre, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021.”
- c. Selection and Attenuation - The selection of supply / exhaust fans must be undertaken with the approval of a qualified acoustic consultant and be attenuated to comply with the project noise trigger levels (Table 5 of the approved acoustic report) when measures at the nearest adjoining lot boundary
- d. Whirlybird Noise Levels - The selection and operation of motorised whirlybirds should not exceed Lwa 70 dB.
- e. External Acoustic Rated Louvres - Acoustic rated louvres fitted to the sports courts must have a minimum insertion loss consistent with “Table 8: Octave Band Insertion Loss for Sports Hall Acoustic Louvres” as referenced in “Acoustic DA Oran park Leisure Centre, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021.”
- f. Acoustic Screen For Roof Top Plant - An acoustic screen of 3.5 metres in height with sound transmission loss of Rw25 is required to be located on the roof top consistent with “Figure 3 Rooftop Plant Barrier Extent” in the “Acoustic DA Oran park Leisure Centre, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021.”
- g. Pool Plant Room Attenuation - The selection of plant within the plant room shall be undertaken with the advice of a qualified acoustic consultant and be suitably attenuated by construction materials to meet the project noise trigger levels (Table 5 of the Acoustic DA Oran park Leisure Centre, Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021) when measured at the nearest adjoining lot boundary.

- (17) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (18) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan Report, *Project 34272.91 dated March 2014 prepared by Douglas Partners*.

## 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the principal certifier. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions
- (2) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the EP&A Regulation 2000.
- (3) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the principal certifier.
- (4) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved Acoustic Report Prepared by Marshall Day, Rp 002 r01 20200299, dated 25 June 2021.
- (5) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (6) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
  - a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
  - b) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to [www.sydneywater.com.au/section73](http://www.sydneywater.com.au/section73) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (7) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate the Principal Certifying Authority must:

- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
- b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (8) **Stormwater Plan of Management (PoM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.
- (9) **Completion of Road Works** - All approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with the *Roads Act* Approval.
- (10) **Reinstate Verge** The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (11) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (12) **Completion of Landscape Works** - Prior to the issue of a final occupation certificate, all landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this Development Consent.
- (13) **Compliance with Acoustic Requirements** - A report shall be prepared by an independent acoustic consultant and be submitted to the principal certifier certifying that noise levels from all mechanical plant and motors and internal amplified music will comply with the following criteria when measured at the closest adjoining property boundaries on all adjoining lots:
- 50 dB(A) 7am-6pm; (Residential)
  - 45 dB(A) 6pm-10pm; (Residential)
  - 41 dB(A) 10pm-7am (Residential) and
  - 63 dB(A) At all times. (Commercial)

All noise attenuation materials and structures used for the mitigation and control of noise must be compliant with the conditions of this development consent.

For any non-compliance, the report must make recommendations for compliance or further attenuation of noise sources and these recommendations are to be implemented by the person acting on this consent.

The owner/occupier must then provide a supplementary acoustic report to the principal certifier certifying that all compliance works have been completed and that noise levels comply with the above criteria.

- (14) **Public Swimming Pool/Spa Pool** - Prior to the issue of an occupation certificate the occupier of the premises shall provide written Notification to Council of the Public Swimming Pool. Council is to conduct an inspection of the completed facility prior to the issue of an occupation certificate.

## 6.0 - Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Plan of Management** – The premises must always comply with *the Oran Park Leisure Centre Plan of Management* prepared by Camden Council dated 30 August 2021. The conditions of consent prevail to the extent of any inconsistency between the plan of management and these conditions.
- (2) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (3) **Hours of Operation** - The leisure centre must operate in accordance with the following hours of operation:

| Use                | Days             | Hours of Operation |
|--------------------|------------------|--------------------|
| Courts             | Monday to Sunday | 8.30 am to 9.30pm  |
| Gym/Fitness Centre | Monday to Sunday | 5.30am to 9.30pm   |
| Leisure Pool       | Monday to Sunday | 5.30am to 9.30pm   |
| 50m Pool           | Monday to Sunday | 5.30am to 9.30pm   |
| Cafe               | Monday to Sunday | 6.30am to 6.00pm   |
| Maintenance        | Monday to Sunday | 7.00am to 3.00pm   |

- (4) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

- (5) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

Loading dock use is restricted to the hours between 7am and 6pm.

- (6) **Parking Areas to be Kept Clear** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.



- (7) **Swimming Pool Water Health Standards** - To maintain hygienic conditions, the swimming pool/spa must be maintained in a clean and healthy condition at all times. For this purpose the following health standards must be maintained:

a) Chlorination without Cyanurate Sun Stabiliser

Free chlorine concentration must be maintained within the following range:

Outdoor swimming pools - not less than 1mg per litre;

Indoor swimming pools - water temperature 26 degrees C or below, not less than 1.5mg per litre;

water temperature above 26 degrees C not less than 2mg per litre.

**Note** – Cyanurate compounds must not be used in the disinfecting of indoor swimming pools and spa water.

b) Chlorination with Cyanurate (Sun Stabiliser Added)

Free residual chlorine concentration must be not less than 3mg per litre.

The Cyanurate concentration must be maintained within the range 25 to 50mg per litre.

c) pH must be maintained within the range of 7.5 and 8.1.

d) Reserve Alkalinity

Where sodium or calcium hypochloride is used, must be not less than 60mg per litre.

e) Sodium hypochloride – liquid chlorine

Calcium hypochloride - granulated chlorine

**Note** – The above information is supplied by the NSW Department of Health.

- (8) **Approved Signage Maintenance** - The approved signs shall be maintained in a presentable and satisfactory state of repair. Where illumination has been approved, the level of illumination and/or lighting intensity used to illuminate the sign/s shall comply with AS 1158 and AS 4282.
- (9) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW EPA Noise Policy for Industry.
- (10) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (e.g. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (11) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (12) **Emission Requirements** - All gases, odours, dust, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected into approved stacks for discharge to the atmosphere. The quality of the discharges from the stack system shall comply with the requirements of the *Protection of the Environment Act 1997* and Regulations made thereunder.

- (13) **Waste Water Treatment Devices** – All wastewater treatment devices (including drainage systems, sumps, traps and pumps) shall be regularly maintained in good working order to ensure that they remain effective. A maintenance schedule shall be developed and incorporated into a Plan of Management (PoM) and kept on-site at all times for staff to comply with. All liquid and solid wastes collected from the treatment device shall be disposed of in accordance with relevant environmental protection and waste control legislation.
- (14) **Public Swimming Pool** – The public swimming pool/spa pool/splash park shall be operated and maintained in accordance with the Public Health Act 2010, Public Health Regulation 2012 and Public Swimming Pool and Spa Pool Advisory Document – NSW Health 2013.
- (15) **Patron Restrictions** - A maximum of 50 patrons can occupy the rear pool balcony during the day 7am to 6pm (Monday to Friday) and 8am to 6pm (Sunday and Public Holidays).
- (16) **Gym Music Levels** - Indoor music for the Gym is limited to 80 dB (LAeq) measured inside the gym 1.0 metre from fixed glazing.