

# GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

## **1. 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.

Approved plans				
Plan no.	Revision no.	Plan title	Drawn by	Date of plan
DA0005	08	Site Plan	Syms Architects	21/03/2024
DA0006	05	Demolition Plan	Syms Architects	21/03/2024
DA1001	08	Basement Floor Plan	Syms Architects	07/05/2024
DA1002	11	Ground Floor Plan	Syms Architects	22/05/2024
DA1003	11	Level 1 Floor Plan	Syms Architects	22/05/2024
DA1005	08	Roof Plan	Syms Architects	20/05/2024
DA2001	09	Elevations Sheet 1	Syms Architects	21/03/2024
DA2002	09	Elevations Sheet 2	Syms Architects	21/03/2024
DA3001	07	Sections Sheet 1	Syms Architects	21/03/2024
DA3002	08	Sections Sheet 2	Syms Architects	22/05/2024
DA3003	04	Sections Sheet 3	Syms Architects	21/03/2024
DA3004	05	Sections Sheet 4	Syms Architects	21/03/2024
DA3005	03	Sections Sheet 5	Syms Architects	21/03/2024
DA3006	01	Retaining Wall	Syms Architects	16/05/2024
DA3007	02	Retaining Wall	Syms Architects	22/05/2024
DA3100	02	Driveway Profile	Syms Architects	21/03/2024
DA7001	06	Cut and Fill	Syms Architects	21/03/2024
DA_FN	05	Finishes Schedule	Syms Architects	21/03/2024
SW01	06	Cover Sheet	Australiawide Consulting Services P/L	18/06/2024
SW02	06	Erosion & Sediment Control Plan	Australiawide Consulting Services P/L	18/06/2024
SW03	06	Basement Drainage Plan	Australiawide Consulting Services P/L	18/06/2024
SW04	06	Roof/Site Drainage Plan	Australiawide Consulting Services P/L	18/06/2024
S100-A	00	Retaining Wall Plan	Australiawide Consulting Services P/L	13/05/2024
S101	00	Retaining Wall Details	Australiawide Consulting Services P/L	13/05/2024
LPDA24-04 (Sheet 01)	F	Site Plan	Conzept Landscape Architects	06/05/2024
LPDA24-04 (Sheet 02)	F	Hardscape Plan	Conzept Landscape Architects	06/05/2024
LPDA24-04 (Sheet 03)	F	Landscape Plan	Conzept Landscape Architects	06/05/2024
LPDA24-04 (Sheet 04)	F	Landscape Plan	Conzept Landscape Architects	06/05/2024
LPDA24-04 (Sheet 05)	F	Planting Palette	Conzept Landscape Architects	06/05/2024
LPDA24-04 (Sheet 06)	F	Details & Specification	Conzept Landscape Architects	06/05/2024
LPDA24-04 (Sheet 07)	F	Elevation & Section	Conzept Landscape Architects	06/05/2024

Approved documents			
Document title	Version no.	Prepared by	Date of document
Traffic & Parking Assessment (Reference: 23103)	E	Transport and Traffic Planning Associates	June 2024
Disabled Access & Egress - DA Access Design Statement (A)	--	iAccess Consultants	06/09/2023
Access Report	B	iAccess Consultants	14/05/2024
Revised Plan of Management		AKM Urban	May 2024
Acoustical Report	V2	Koikas Acoustics Pty Ltd	03/05/2024
Arboricultural Impact Assessment	C	NSW Trees Arboricultural Consultants	03/05/2024
Preliminary Site Investigation	0	Neo Consulting	07/10/2023

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.

*Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.*

## 2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

*Condition reason: Prescribed condition under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

## 3. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp (unless as otherwise modified by a condition of this development consent), including the engagement of a suitably qualified landscape consultant/contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

Landscaped areas shall be separated from driveways and car parking areas by a suitable device such as bollards or concrete wheelstops to ensure that the landscaping is not damaged as a result of vehicular movement.

Landscape trees are to be grown in accordance with the Australian Standard AS2303:2018.

*Condition reason: To provide for planting that will enhance the natural and built environment.*

## 4. Tree Removal and Retention

Tree removal and retention is to be undertaken strictly in accordance with the Arboricultural Impact Assessment (AIA) prepared by NSW Trees Arboricultural Consultants, Revision C, (03/05/2024).

*Trees for removal*

- Tree T6 (dead) and T10 – 15, and T19 – 28 (total 17 trees) are approved for removal.

- T18 (African Olive) and T29 (Privet & Cotoneaster) (Total 3 trees) are Exempt species and should be removed.

*Trees to be retained*

- Trees T1 – T9, T16 and T17 (total 11 trees) are to be retained and protected.
- Trees T16 and T17 *Eucalyptus elata* (River Peppermint) will require pruning in accordance with AS4373:2007 by a suitably qualified Arborist.

*Condition reason: To ensure the correct trees are removed and retained.*

## **5. Tree Protection Measures**

All retained trees are to be protected in accordance with Australian Standard AS4970:2009, with the following to be incorporated into the proposal:

- No grading of the TPZ of any retained tree
- A Tree Protection Plan (TPP) must be provided to outline specific strategies for tree protection.
- General protection strategies are listed in AS4970:2009.
- Refer to Section 7 – Tree Protection Measures of the Arboricultural Impact Assessment by NSW Trees Arboricultural Consultants (03/05/2024), for detailed tree protection measures.

A Project Arborist with a minimum AQF Level 5 is to be engaged to oversee critical stages of works near trees and provide certification at the following stages:

- Compliance that Tree Protection Measures have been installed and maintained, including fencing, and signage.
- Mid construction inspection of tree condition.
- Final inspection of tree post works and prior to the issue of an occupation certificate.

No trees or vegetation are to be cut down, lopped, destroyed or removed, unless specified within this development consent, without the separate written approval of Council.

All works within proximity to existing trees or vegetation are to comply with Australian Standard AS4970 – Protection of Trees on Development Sites:

- All compound/ stockpile, laydown, vehicle parking and amenities shall be located in cleared areas and beyond the dripline of existing trees.
- Prior to the commencement of any works, the area required for site access will be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.

*Condition reason: To ensure correct tree removal and retention procedures are followed.*

## **6. Acoustic Requirements**

The recommended noise mitigation measures outlined in the Acoustical Report prepared by Koikas Acoustics, revised 03/05/2024, are to be implemented in full:

*Noise Barrier Fencing*

Additional noise barriers are required for the recreational areas. The extent and height of each noise barrier is detailed in Figure 3 of the Acoustical Report prepared by Koikas Acoustics, revised 03/05/2024, and listed below;

- a) On south and east boundary a 4 m high noise barrier is required above the recreational area, including any retaining walls; and
- b) a 1.8 m high noise barrier on the northern end of the proposed sports area to provide a noise barrier between outdoor recreation facility and the existing residence.

The 4m high noise barriers adjacent to the southern and eastern property boundary are to be setback in accordance with the approved Landscape Plan referred to in condition 1.

Unless otherwise specified in the report, proposed noise barriers on the architectural drawings and those specified in the Acoustical Report are to be constructed of either:

- 9mm fibre cement sheeting fixed to a suitable framing structure;
- Masonry (70mm thick or above);
- Transparent materials such as 10.38mm laminated glass or 15mm thick Perspex panels; or
- Proprietary noise wall solutions such as SlimWall by Modular Walls, Klionic Panels or the like.

If a material other than glass or Perspex is used, the acoustic noise barriers are to be finished in an appropriate, low impact colour that blends with the approved landscaping. Details are to be shown on plans and submitted to Council's Coordinator Development Assessment, or equivalent, for approval prior to the issue of a construction certificate.

Noise barrier fences should be constructed with minimal gaps between the panels and posts or the ground. Any gaps will reduce the effectiveness of the noise barrier and may lead to non-compliant noise levels.

*Condition reason: To ensure acoustic amenity is maintained.*

## **7. External finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

Note: the building shall not incorporate highly reflective glass.

*Condition reason: To ensure the approved development is constructed in the form illustrated to Council during assessment.*

## **8. Use of structures and facilities**

The building shall not be used, fitted or occupied for any purpose other than a community facility and recreation facility (outdoor), as defined in the Campbelltown Local Environmental Plan 2015:

*community facility means a building or place—*

- (a) owned or controlled by a public authority or non-profit community organisation, and*
  - (b) used for the physical, social, cultural or intellectual development or welfare of the community,*
- but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

*recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain...but does not include an entertainment facility or a recreation facility (major).*

The retained dwelling house is only to be used as a dwelling for the Facility Manager. It is not to be sold or leased to any other party, or used for general residential accommodation except as required by the Facility Manager.

*Condition reason: To ensure that the structure is used for the purposes described in the application and the use of the structure does not change without consent.*

## **9. Site Access**

Vehicular access to the site is restricted to left-in, left-out only. The access driveway is to be line marked and signposted accordingly.

*Condition reason: To ensure road safety.*

## **10. Boundary fencing**

Boundary fencing shall not exceed 1.8m in height. Sheet metal fencing is not permitted.

*Condition reason: To ensure the development complies with the relevant development controls and does not detract from the character of the area.*

## **11. Garbage room**

The garbage storage room identified on the approved plans shall:

- Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- A hose cock shall be provided within the room.
- Garbage rooms shall be vented to the external air by natural or artificial means.

*Condition reason: To ensure compliance with this development consent.*

## **12. Waste Collection and Servicing**

All waste collection and servicing is to be undertaken on-site within the designated loading area by a private waste collection contractor. Collections can only occur outside peak operating/patron times and to occur no earlier than 8am and no later than 5pm Monday to Saturday.

*Condition reason: To ensure appropriate waste collection and servicing.*

## **13. Waste 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.

*Condition reason: To ensure appropriate waste management.*

## **14. Switchboards/utilities/air conditioning units**

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

*Condition reason: To ensure that utilities are not directly visible from public spaces.*

## **15. Driveway**

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

Driveways shall be constructed using decorative paving materials such as pattern stencilled concrete or coloured stamped concrete. The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

*Condition reason: To ensure parking facilities are designed in accordance with relevant Australian Standards and Council's Development Control Plan.*

## **16. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

1. All vehicular entries and exits shall be made in a forward direction.
2. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
3. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

*Condition reason: To ensure deliveries to the premises are carried out safely and that signs do not interfere with the safety or amenity of the neighbourhood.*

## **17. Lighting**

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

*Condition reason: To ensure lighting is operated in a manner that protects the amenity of the local area.*

## **18. Storage of goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

*Condition reason: To ensure goods are stored wholly within the premises and protect the amenity of the local area.*

## **19. Graffiti removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

*Condition reason: To protect and preserve the visual amenity of the surrounding public domain.*

## **20. Unreasonable noise, dust and vibration**

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

*Condition reason: To protect the amenity of the local area.*

## **21. Engineering design works**

Engineering design of all proposed structures and works, unless modified by a condition of this consent or the approved plans and documents outlined in Condition 1, shall be designed and constructed in accordance with requirements outlined in the following Council documents (as amended);

- Specification for Construction of Subdivisional Road and Drainage Works,
- Engineering Design for Development Guide (as amended), and
- Campbelltown City Council Development Control Plan (where relevant).

All engineers engaged to prepare or certify engineering construction plans and documents prior to release of the construction certificate, or prior to construction, must provide a Design Certification Report, and fill out with detail relevant parts of the 'Engineering Plan Checklist', available in Appendix A of Council's Engineering Design for Development Guide, to the satisfaction of the appointed registered certifier.

## **22. Engineering Guides, Codes & Specifications**

All engineering design and construction plans, documents and work for the proposed development shall be in accordance with but not limited to current versions of the following documents, guides codes, and specifications;

- a) Council's Specification for Construction of Subdivisional Road and Drainage Works,
- b) Council's Campbelltown (Sustainable City) Development Control Plan 2015,
- c) Campbelltown City Council's Engineering Design for Development Guide (as amended),
- d) Managing Urban Stormwater - Soils and Construction ( a.k.a. the Bluebook),
- e) National Construction Code, Building Code of Australia,
- f) NSW Flood Risk Management Manual,
- g) Australian Rainfall and Runoff,
- h) Austroads Guides,
- i) RMS Guide to Traffic Generating Development
- j) Planning for Bushfire Protection,
- k) Australian Standards and State Government publications.

An engineering report shall be prepared by a qualified and experienced professional civil engineer registered on the NER detailing how the development, engineering design and construction plans comply with relevant, appropriate sections of these documents. The engineering report shall also include relevant design certification, any assumptions made, and maintenance and repair requirements for all structures, work, and services proposed as part of the development.



*Condition reason: To comply with Council requirements for engineering works.*

### **23. Operating hours**

The community facility shall operate:

Monday to Sunday 7:00 am – 10:00 pm

The outdoor recreation facility shall operate:

Monday-Sunday 9:00 am – 10:00 pm

*Condition reason: To protect the amenity of the local area.*

### **24. Car Parking Spaces**

The car parking spaces in the basement floor and ground floor shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards AS 2890.1,2, and 6 (as amended).

*Condition reason: To ensure that parking facilities are designed in accordance with the relevant Australian Standards and Council's DCP.*

### **25. Rubbish/recycling bin storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

*Condition reason: To ensure waste storage does not impact areas required to be dedicated to vehicle access and landscaping.*

### **26. Shoring and adequacy of adjoining property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

1. Protect and support the adjoining premises from possible damage from the excavation, and
2. Where necessary, underpin the adjoining premises to prevent any such damage.

The applicant shall consult with professional structural and geotechnical engineers with relevant qualifications and experience, to the satisfaction of the Appointed registered certifier, to provide design and construction requirements, actions, recommendations with regard to this condition on the engineering construction plans and documents issued prior to the release of a construction certificate.

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.

*Condition reason: Prescribed condition under Section 74 of the Environmental Planning and Assessment Regulation 2021.*

### **27. Construction certificate**

Before commencement of any works that require a construction certificate:

1. the applicant shall appoint a principal certifier;
2. the applicant shall obtain a construction certificate for the particular works; and
3. when Council is not the principal certifier, the appointed principal certifier shall notify Council of their appointment no less than two days before the commencement of any works.

Applicants must submit a full application, providing all relevant development details, engineering and construction plans, calculations, models, reports, certification and meet all relevant consent requirements as part of the single application and submission package. Council will only permit staged construction certificates, or modification to the development consent to permit a staged approach, if this has been discussed and approved prior to development approval as part of a pre-lodgement meeting and conditioned accordingly.

*Condition reason: To comply with legislation.*

## **28. Pollution Control**

### *Neighbourhood Amenity*

The implementation and ongoing operation of this 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, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

### *Offensive Noise*

The development must be designed so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
  - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

In the event of a noise related issue arising, the person in charge of the premises shall, when required by Council, carry out a noise assessment of the operation. The noise assessment is to be carried out by a suitably qualified and experienced acoustic consultant. A report of the findings and any recommendations is to be submitted to Council for its review.

If required by Council, the appropriate person shall implement any or all of the recommendations tabled within the acoustic consultant's report and/or any additional operational measures deemed reasonable by the Council.

### *Unreasonable Noise, Odour, Dust and Vibration*

In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any

or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

**Health and Public Nuisance** - The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

#### *Use of Music and Public Announcement Systems*

The use of amplified music and public announcement systems outdoors is prohibited.

*Condition reason:* To ensure all activities involving the operation of the premises are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2005 and associated technical standards.

### **29. Ongoing Use**

The ongoing operation of the food premises in relation to the fitout, fixtures, equipment installed and construction must be maintained in a manner to ensure compliance with the Food Act 2003, Food Regulations 2015, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fitout of food premises.

*Condition reason:* To ensure compliance with the relevant legislation and Australian Standards.

### **30. Food Trucks**

Mobile Food Trucks are not permitted to trade at the premises without registering with Campbelltown City Council prior to operation. Any mobile food truck must not remain at premises. The mobile food truck must not provide seating or other auxiliary fittings (including marquees, awnings or the like).

*Condition reason:* To ensure compliance with this development consent.

### **31. Food Stalls/Vehicles operating at Fetes, Fundraisers and Events**

Any fete, fundraiser or event held at the premises must comply with the [NSW Government Premier and Cabinet – Event Starter Guide](#) and the following:

#### *Registration*

All food stalls and mobile food vehicles must be registered with Council. A mobile food business and temporary food stall registration form is available on Council's website and must be completed and submitted to Council 2 weeks prior to the fete, fundraiser or event.

#### *Mobile Food Vehicles*

Where applicable, a recent (dated within the last 12 months) and satisfactory Food Premises Assessment Report (FPAR) must be provided.

#### *Temporary Food Stalls*

Council's Requirements for the Operation of One Day Food Stalls, which is available on Council's website, must be fully complied with.

#### *Food Preparation*

All food must be prepared and cooked on-site, or in a commercial approved food preparation kitchen.

#### *Food Act 2003*

Food stalls and mobile food vehicles must comply and operate in accordance with Food Act 2003.

#### *Food Stall And Food Vehicle Inspections*

Council reserves the right to inspect all food stalls and food vehicles operating at the fete, fundraiser or event. The food operator will be responsible for the payment of all associated food inspection fees, which are reviewed annually and published in Council's adopted schedule of fees and charges.

Council reserves the right to revoke approval for any food stall or mobile food vehicle to trade at any fete, fundraiser or event if the stall/operator fails to comply with Council's requirements.

#### *Ventilation*

The organiser and food operator is responsible for providing appropriate ventilation during the operation of any fete, fundraiser or event to eliminate any smoke or odour nuisances from the use of all cooking appliances.

The food operator/organiser is responsible for ensuring that all smoke and odour dispersing from the use of all cooking appliances during the operations of any fete, fundraiser or event does not affect the safety of users of the site and the amenity of the area.

#### *Unreasonable Noise*

All generators used for any appliances within the food stalls/mobile food vehicles must be silent to reduce any noise impacts to nearby residents, other stalls and the public attending any fete, fundraiser or event. Any direction by Police or suitably authorised officer (e.g. authorised Council officer) to reduce or mitigate noise disturbances must be responded to immediately.

#### *Waste*

All waste and recycling generated from the food stalls and mobile food vehicles are to be kept within appropriate storage receptacles on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, vermin, odour or health nuisance.

*Condition reason: To ensure the compliance with this development consent.*

### **32. Acoustic Requirements**

All mechanical plant including carpark exhaust fans and air conditioning systems shall be turned off during the night period (10pm to 7am).

A detailed review of mechanical noise emissions from the development should be carried out if any new noise generating equipment is added to the proposal. The noise level generated by any equipment must not exceed an  $L_{Aeq(15\text{ min})}$  of 5dB(A) above background noise at the property boundary.

*Condition reason: To ensure the development complies with the EPA Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.*

### **33. Site Cap**

The number of people permitted on site in association with the approved development, is to be no more than 150 at any given time, except as otherwise permitted by a condition of this development consent.

*Condition reason: To ensure regular use of the development is in accordance with the approved Plan of Management, and does not adversely affect the amenity of the locality.*

### **34. Special Events**

No more than four (4) cultural events are permitted to occur per month. They are only to occur on Fridays, Saturdays or Sundays, and attendance is capped at 150.

Notice is to be provided to Campbelltown City Council four weeks prior to a cultural event, to allow Council to maintain a record of events and ensure no more than four (4) are held per month.

*Condition reason: To ensure no more than four (4) cultural events occur per month.*

## **BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

### **35. Mechanical Plant Noise**

A detailed assessment of mechanical plant noise must be prepared and submitted to Council's Coordinator Development Assessment, or equivalent, prior to the issuing of a construction certificate.

*Condition reason: To ensure compliance with the acoustic requirements of the development.*

### **36. Loading Bay**

Amended plans showing a loading bay that complies with Australian Standard 2890 must be prepared and submitted to Council's Coordinator Development Assessment, or equivalent, prior to the issuing of a construction certificate. The loading bay must be designed to allow for a heavy rigid vehicle to manoeuvre on site, and swept path diagrams are to be prepared to confirm this.

*Condition reason: To ensure a loading bay is provided in accordance with Australian Standard 2890.*

### **37. Utility Servicing Provisions**

Before the issue of a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authority's water or sewer infrastructure.

*Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.*

### **38. Waste Management Plan**

Further details are to be provided regarding the waste management of the development. These details are to form a revised WMP and must be submitted to Council's Coordinator Development Assessment, or equivalent, to review and approve prior to the issue of a construction certificate.

The revised WMP is to be prepared in accordance with Campbelltown (Sustainable Cities) DCP 2015 and is to include:

- a) Bin allocation calculations for the development for all required waste streams in accordance with the EPA Better Practice Guide
- b) Documentation within the WMP that demonstrates the capability of a private waste collection service that can operate within the following restrictions:
  - Can undertake on-site collections only from the designated loading area
  - Collections and servicing vehicle requirements in regard to access, manoeuvring and loading.
  - Collection frequency of all streams and bin sizes available.
  - Collections can only occur outside peak operating times i.e. between 8am and 5pm Monday to Friday.
- c) Nominate changes that are required (if any) to the designated loading area and bin storage area to inform Construction Certificate documentation and plans. Plans should illustrate turning paths to ensure waste collection vehicle can enter and exit in a forward direction.

*Reason: To ensure appropriate waste management.*

### **39. Bin Storage Room Construction**

A design certificate and detailed plans are to accompany any construction certificate application which demonstrate that the bin storage room has been designed to be constructed in accordance with the approved (Revised) Waste Management Plan and including the following requirements:

- a) Storage is provided for all allocated bins and is appropriately dimensioned to enable safe and convenient bin movement, maintenance and cleaning and the storage of bin handling equipment.
- b) Door widths of 2.5m is required to enable the movement of bulk bins;
- c) The floor is to be constructed of concrete at least 75mm thick and adequately graded to drain to a Sydney Water approved drainage fitting;
- d) The floor must be finished so that it is non-slip and has a smooth and even surface covered at all intersections;
- e) The ceilings and walls must be finished with smooth faced non-absorbent material capable of being cleaned;
- f) The room is to be provided with artificial light controllable within the room and mechanical ventilation; and
- g) The room is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.

*Reason: To ensure appropriate waste management.*

### **40. Soil and Water Management Plan**

A Soil and Water Management Plan (SWMP) must be prepared by a qualified and experienced professional civil engineer and submitted to the satisfaction of the certifying authority prior to construction certificate approval.

The SWMP must;

- a) be prepared in accordance with the methodologies and requirements of Landcom's Managing Urban Stormwater - Soils and Construction (2004) (aka The Blue Book), Council's Engineering Design for Development Guide (as amended), and be prepared and implemented in accordance with all geotechnical engineering requirements specified for the development.
- b) clearly identify site features, constraints, existing and proposed slope grades, soil types, and nature of the proposed land disturbing activities,
- c) specify the type and location of erosion and sediment control measures, and detail them on the construction certificate plans in accordance with relevant standard drawings, diagrams and plans from the Blue Book,
- d) recommend rehabilitation, and revegetation techniques,
- e) specify measures to control dust generated from the site,
- f) provide civil works and structural engineering details for all erosion and sediment controls, and
- g) provide manufacturers installation and operation details for all proprietary products.
- h) specify fencing for temporary sediment ponds/traps where batter slope exceeds 1 vertical to 5 horizontal,
- i) show details of securing the site against unauthorised access,
- j) provide a stabilised and drained; site entry and exit point, with circulation road(s) to all site construction offices, temporary onsite staff car park areas, and any machinery storage/maintenance areas,
- k) be staged to minimise the area of soils exposed at any one time,
- l) conserve topsoil for reuse on site, and identify on the plan the location of proposed soil, and materials stockpile locations,
- m) preserve existing native and riparian vegetation in accordance with any Council approved vegetation report or legislative requirements,
- n) control surface water flows safely through the construction site, from all storm events up to and including the 1% AEP event, in a manner that:
  - i. diverts clean run-off around disturbed areas.
  - ii. minimises slope gradient and flow distance within disturbed areas.
  - iii. is non-erodible.
  - iv. allows prompt rehabilitation of the site.
- o) trap eroded sediment on site as close as practicable to the source, with scour protection designed for the 10% AEP event. (Note: Hay bales are not to be used as sediment control devices. Straw bales are permitted),
- p) provide details of a self-auditing program, including monitoring and maintenance of erosion and sediment control measures, weather forecasting (at least the 3-day forecast), staging of rehabilitation and site stabilisation works, up to and including completion of any maintenance period (includes landscaping). A log book shall be kept onsite and be made available at all times for all staff, government authorities, and authorised site visitors to access, for record keeping of these requirements, and provision of standing orders and emergency actions to be observed during normal work hours, after-hours, weekends, and holidays.

*Condition reason: To ensure no sediments or substances other than rainwater enters the stormwater system and waterways.*

#### **41. Stormwater Drainage (Comprehensive)**

A detailed stormwater drainage design plan and associated design report shall be prepared by an experienced and qualified professional civil or hydraulics engineer registered on the NER, to the satisfaction of the appointed registered certifier prior to issue of a construction certificate. The plan and report shall clearly demonstrate;

- a. general compliance with the approved Stormwater Plan outlined in condition 1 of this consent.
- b. compliance with geotechnical and structural engineering requirements outlined in any engineering report/investigation that has been submitted to support the development or to comply with conditions of this consent required to be met for issue of the construction certificate.

- c. details of all hydrologic and hydraulic engineering design, calculations, HGL analysis and assumptions made in relation to site regrading, collection and disposal of stormwater from the site, building/s and adjacent sub-catchments to the approved point of discharge. Where third party proprietary software is used to model design stormwater events, full model setup details including parameters, assumptions made, calibration, validation, and sensitivity analysis shall be provided in the engineering report. Copies of all model files shall be submitted with the plan and report.
- d. no adverse impacts to surrounding properties and stormwater behaviour up to and including the 1% AEP storm event.,
- e. minor and major stormwater flows for all storm events up to and including the 1% AEP event shall be safely conveyed by gravity through the site to the approved point of discharge. Formalised overflow drainage paths shall be provided to cater for any surcharge from the existing and proposed underground stormwater drainage system, overland flow up to and including the 1% AEP storm event, including adequate freeboard to all building floor levels, basement parking facility, and prevent and ponding of stormwater against the buildings or entering into the basement carpark.
- f. management and disposal of all stormwater and groundwater, connection from the site's drainage system into Council's existing stormwater drainage network to the fronting road reserve (including augmentation of any existing line), existing and finished ground and surface levels, all pervious and impervious areas, estimated surface and pipe flow rates, velocities, invert levels, clearances between other services, and sizes of all pipelines.
- g. no long-term ponding of water on site
- h. hydraulic and structural design and construction details of rainwater tanks(s), on-site detention/retention tank(s), and any water harvesting systems, including but not limited to dimensions, materials, overflow discharge path to safe overland flow path or pipe system designed to cater for 1% AEP stormwater flows, and associated pump and pipe system details for irrigation purposes.
- i. design and construction details of any level spreader, energy dissipater, or other similar structure required to allow safe discharge of site stormwater to the approved point of discharge, in a manner that converts concentrated flow to sheet flow, reduces velocity and energy to below scour limits of surrounding materials and waterways, keeps flow sub-critical, and prevents adverse impacts to neighbouring development, for all storm events up to and including the 1% AEP.
- j. details of sub-soil drainage system.

#### **42. Civil Works under S138 Roads Act**

Prior to issue of a construction certificate, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for construction of stormwater network, driveways, footpaths etc. in Eagleview Road road reserve.

Detailed engineering plans for the proposed works in Eagleview Road road reserve shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications.

*Condition reason: To ensure the relevant approvals are obtained.*

#### **43. On-Site Detention Facility**

Prior to issue of a construction certificate, the applicant shall submit details & design calculations of the On-Site Detention (OSD) system for approval. OSD system shall comply with the requirements detailed in the *Campbelltown City Council Engineering Design for Development Guide (as amended)*.

The applicant shall note in the documentation that the ongoing maintenance of the on-site detention facility is the responsibility of the owner.

In this regard, an Operation and Maintenance Manual for the detention facility shall be submitted to Council's Coordinator Development Assessment, or equivalent, for approval, prior to issue of construction certificate.



*Condition reasons: To ensure appropriate stormwater management.*

#### **44. DRAINS Model**

Prior to the issue of a construction certificate, the DRAINS model for the development is to be updated to account for the provision of on-site detention. The DRAINS model is to demonstrate that there are no adverse impacts due to flooding in the post development scenario, up to the 1% AEP event.

*Condition reason: To ensure appropriate stormwater management.*

#### **45. MUSICX Model**

Prior to the issue of a construction certificate, the MUSICX model for the development is to be updated to include the correct rainfall and PET data.

*Condition reason: To ensure consistency with the NSW Music Modelling Guidelines.*

#### **46. Retaining Walls**

Prior to issue of a construction certificate, an engineering design and construction plan (plan) shall be prepared by a professional engineer registered on the NER with relevant qualifications and experience, for assessment and written approval of Council's Coordinator Development Assessment, or equivalent.

The plan shall detail structural design, design loads, location, dimensions, material specifications of all existing and proposed retaining walls required to support development of the site. Retaining walls must be located wholly within the subject site, including associated footings and drainage, and shall be finished smoothly with no burrs, sharp edges, sides, or corners that could easily injure pedestrians.

Maximum horizontal gap between retaining wall and boundary fence is limited to 50mm. Boundary fences preferably should be located immediately over the top of the retaining wall, eliminating any horizontal gaps.

Plans shall be signed and certified by both geotechnical and structural engineers, as being fit for purpose, have a design life of 50 years and be in accordance with all relevant Council requirements. Construction of retaining walls and associated drainage work and must not compromise the structural integrity of any existing structures on neighbouring properties.

Retaining walls within 1m of any lot boundary must have written consent from owners of existing neighbouring properties, including Council as the local roads authority.

*Condition reason: To ensure retaining wall details are prepared by a suitably qualified professional.*

#### **47. Blind Aisle Provisions**

Prior to the issue of a construction certificate, documentation is to be submitted to the principal certifying authority confirming blind aisle provisions have been considered for the ground floor car parking area as per AS 2890.1.

*Condition reason: To ensure compliance with Australian Standards.*

#### **48. Vehicle Turning Movements**

Prior to issue of a construction certificate, vehicle turning movements (for the appropriate vehicle types as agreed with Council) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking and provided to Council's Coordinator Development Assessment, or equivalent, for approval. In

this regard the Vehicle Tracking files and associated development proposal shall be submitted in dwg/dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

*Condition reason: To ensure vehicle turning movements are consistent with the Austroads Guide to Road Design Part 4.*

#### **49. Geotechnical Report**

Prior to issue of a construction certificate, a comprehensive geotechnical investigation and report must be prepared and certified by a professional Geotechnical Engineer registered on the NER, with all testing undertaken and results reported by a NATA endorsed testing laboratory, showing that the land will not be subject to subsidence, slip, slope failure or erosion. The report shall provide appropriate geotechnical information and recommendations for civil and structural engineering design. Proposed retaining walls, footings and other structural designs shall be reviewed and certified by the Geotechnical Engineer.

*Condition reason: To ensure the land will not be subject to subsidence, slip, slope failure or erosion.*

#### **50. Pollution Control**

Prior to issue of a construction certificate, a pollution control plan and report detailing engineering design, construction, operation and maintenance of all required stormwater pollution controls, water quality treatment, and rainwater harvesting/reuse systems, shall be prepared by a qualified and experienced professional engineer registered on the NER to the satisfaction of the appointed registered certifier.

The plan and report shall comply with preliminary engineering reporting, approved plans and electronic MUSIC-X modelling approved by Council, relevant guidelines of the Department of Climate Change, Energy, Environment and Water (DCCEEW) or equivalent State and Federal Authorities, Council's DCP and Engineering Design for Development Guide, manufacturer's specifications, operating & maintenance guides for third party proprietary infrastructure and devices.

*Condition reason: To ensure appropriate pollution control.*

#### **51. Dilapidation Report**

Prior to issue of a construction certificate, the applicant shall submit a dilapidation report for all buildings in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

*Condition reason: To ensure a record is made of the condition of surrounding development.*

#### **52. Work on Public Land**

Prior to issue of a construction certificate, the applicant shall obtain written approval from Council's Coordinator Development Assessment, or equivalent, for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council, prior to the principal certifying authority issue of an occupation certificate.

*Condition reason: To ensure works are undertaken with the relevant approvals.*

#### **53. Works Outside the Site Boundary**

Prior to issue of a construction certificate, engineering plans for any work outside the site boundary shall be submitted to Council's Coordinator Development Assessment, or equivalent, for approval. All works

shall comply with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design for Development Guide (as amended)* and relevant *Campbelltown City Council Development Control Plan (as amended)* and shall be inspected by Council at all stages of construction.

A compliance certificate for the work shall be obtained from Council prior to the appointed registered certifier issue of an occupation certificate.

Council assessment and inspection fees, apply to the above requirements.

*Condition reason: To ensure works are undertaken with the relevant approvals.*

#### **54. Design for access and mobility**

Before the issue of a construction certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

*Condition reason: To ensure safe and easy access to the premises for people with a disability.*

#### **55. Telecommunications infrastructure**

If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed certifier prior to the issue of a construction certificate or any works commencing, whichever occurs first; and

The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

*Condition reason: To ensure that the development does not impact any telecommunications infrastructure and that appropriate arrangements have been made for the approved development.*

#### **56. Sydney Water**

Before the issue of a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

*Condition reason: To ensure the development does not adversely affect Sydney Water infrastructure and that appropriate arrangements have been made to connect to Sydney Water services.*

#### **57. Architectural finishes validation statement**

A construction certificate shall not be issued until an 'Architectural Finishes Validation Statement' is prepared and submitted to the Principal Certifying Authority for approval.

The 'Architectural Finishes Validation Statement' shall confirm that the plans relied upon for the issue of the construction certificate are not inconsistent with the approved plans described in Condition 1 with

specific regard to the architectural design elements, colours, finishes and treatments that are provided to the building's exterior.

*Condition reason: To ensure compliance with this development consent.*

## **58. Section 7.12 Contributions**

### Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of \$110,458.15 for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

The contribution rate will be adjusted on a quarterly basis with CPI indexation as detailed in Section 6.3.2 of the Plan. The exact amount of the contribution will be calculated at the rate applicable at the time of payment.

### Indexation

The monetary contribution is based on a proposed cost of carrying out the development of \$10,644,731.68 indexed to the quarter immediately prior to the date of this consent (\$11,045,814.26). This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development cost (\$) =	$\$CC \times CPI_p$
	$CPI_c$

Where:

- \$CC is the contribution amount shown in this certificate expressed in dollars
- $CPI_p$  is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution.
- $CPI_c$  is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate – 137.7 Mar 2024

### Time for payment

The contribution must be paid prior to the release of a construction certificate.

### How to make the contribution payment

Contact Council's Development Contributions Officer on 4645 4000 or email, [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au) for an invoice which will also provide details of the various methods of payment available, prior to payment.

*Condition reason: To contribute to the provision of public amenities and services to meet the increased demands created by the new development.*

## **59. Kitchen Fit-Out**

Prior to the issue of a construction certificate, the applicant is to submit to the Certifying Authority a professional detailed plan of the food premises demonstrating exactly how the proposed development complies with the requirements of the Australia New Zealand Food Standards Code and AS4674-2004: Design, construction and fit-out of food premises. The plans must include the following:

- a) A detailed description of the types of food related procedures and practices that will take place, such as preparation, handling, storage, packaging, cleaning etc.

b) A detailed floor plan, drawn to scale, and showing:

- i. The proposed floor layout and use of each room/area.
- ii. Details of all construction materials and other materials that will be used within the premises (i.e. finishes of all floors, coving, walls and ceilings).
- iii. Elevations of the walls and floor finish, showing the type and method of installation of coving to be used.
- iv. Locations and design details of proposed hand washing facilities.
- v. Locations and design details of proposed washing facilities and any floor wastes.
- vi. Proposed location and details of all fixtures, fittings and appliances (including the proposed method of installation).
- vii. Details showing location, capacity and clearance of hot water services.
- viii. Design and construction details of cool rooms and/or freezer rooms, including condensation collection and disposal.
- ix. Proposed location and details of storage facilities for cleaning equipment and staff personal belongings.
- x. Proposed location and details of all waste storage areas.
- xi. If applicable, proposed location of the Grease Trap

*Condition reason:* To ensure that all construction and fit-out of the canteen premises complies with the *Food Act 2003, Food Regulation 2015, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.*

## **60. Unexpected Finds Protocol**

Prior to the issuing of a Construction Certificate, a site specific 'Unexpected Finds Protocol' is to be prepared, submitted to the Principal Certifying Authority for approval, and made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered.

*Condition reason:* To ensure unexpected finds are managed appropriately.

## **61. Signage Plans**

Prior to the issue of a construction certificate, detailed design plans of the proposed signage are to be prepared and submitted to Council's Coordinator Development Assessment, or equivalent, for approval. Signage is to be designed generally in accordance with what is shown on the approved plans.

Note: signs that contain wording in a language other than English shall have an English translation of that wording to a minimum font size of 50% of the non-English word/s.

*Condition reason:* To ensure detailed plans are prepared for the approved signage.

# **BEFORE WORK COMMENCES**

## **62. Erosion and sediment control**

Before any site work commences on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

*Condition reason:* To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

## **63. Erection of construction sign**

Before any site work commences on the land, signs must be erected in prominent positions on the site:

1. 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
2. Stating that unauthorised entry to the work site is prohibited
3. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
4. Stating the approved construction hours in which all works can occur
5. Showing the name, address and telephone number of the principal certifier for the work.

Any such signs are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

*Condition reason: Prescribed condition under Section 70 of the Environmental Planning and Assessment Regulation 2021.*

#### **64. Toilet on construction site**

Before any site work commences on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

1. A public sewer, or
2. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
3. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

*Condition reason: To ensure that appropriate toilets are provided for construction workers.*

#### **65. Trade waste**

Before any site work commences on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

*Condition reason: To ensure all waste is moved off-site for disposal.*

#### **66. Vehicular access during construction**

Before any site work commences on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

*Condition reason: To ensure that construction vehicles do not disturb the soil and adversely impact Council infrastructure.*

#### **67. Public property**

Before any site work commences on site, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) kerbs, gutters, footpaths, and the like.

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

*Condition reason: To ensure the condition of public infrastructure is recorded before the commencement of any works.*

## **68. Hoarding / Fence**

Before any site work commences, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

*Condition reason: To protect workers, the public and the environment.*

## **69. Geotechnical Reference**

Prior to the commencement of any works, a certificate prepared by the designing structural engineer certifying that the design is in accordance with the geotechnical investigation of the site. The designing structural engineer shall also nominate a site classification note AS2870

– Residential Slabs and Footings.

*Condition reason: To ensure the design is in accordance with the geotechnical investigation of the site.*

## **70. Structural engineer details**

Before any site work commences, the submission to the principal certifier of all details prepared by a practicing structural engineer.

*Condition reason: To ensure the principal certifier has all the necessary structural engineering details for the approved works.*

## **71. Food Premises Fit-Out Pre-Construction Meeting**

Prior to any construction work commencing on the fit-out of the food premises, the applicant/builder/private certifier must contact Council's Environmental Health Officers on 02 4645 4604 to arrange an onsite meeting /phone call to discuss the requirements of the fit out under this Consent.

*Condition reason: To ensure the requirements of the fit out under this development consent are complied with.*

# **DURING WORK**

## **72. Construction work hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

*Condition reason: To protect the amenity of the surrounding area.*

### **73. Erosion and sediment control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period in accordance with the approved Soil and Water Management Plan, Erosion and Sediment Control Plan, or both, and methodologies and requirements of the Landcom's Managing Urban Stormwater - Soils and Construction - March 2004 (aka The Blue Book), to the satisfaction of the principal certifying authority. The proposed erosion and sediment control devices and measures shall remain in place until the site has been stabilised and fully revegetated. Any proposed changes to the approved plans and controls shall be approved by Council's Coordinator Development Assessment, or equivalent, unless emergency action is required to prevent environmental pollution.

Note: On the spot penalties up to \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.

*Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater and waterways.*

### **74. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual - 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the appointed principal certifier.

*Condition reason: To minimise the impacts of the development construction on the environment.*

### **75. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

*Condition reason: To ensure appropriate work zones are established.*

### **76. Fill Compaction Requirements**

Any filling carried out on the site shall be compacted to a minimum dry density of 98% Standard Compaction. Density testing, which is to be certified by a qualified geotechnical engineer, shall be undertaken for every 300mm rise in vertical height, with test locations being selected randomly across the site. At least 1 test shall be taken for every 500m<sup>2</sup> of the filled area (minimum 1 test per 300mm layer).

*Condition reason: To ensure fill material is compacted to an appropriate density.*

### **77. Fill Contamination**



Any landfill used on the site is to be validated in accordance with the *Environment Protection Authority's* guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

*Condition reason: To ensure fill material is validated.*

## **78. Imported 'waste derived' fill material**

The only waste derived fill material that may be received at the development site is:

- a) virgin excavated natural material (within the meaning of the *Protection of the Environment Operations Act 1997*); and
- b) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the *Protection of the Environment Operations (Waste) Regulation 2005* that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

*Conditions reason: To ensure only suitable fill material is used.*

## **79. Earth Works / Filling Works**

All earthworks, including stripping, filling, and compaction shall be:

- a) Undertaken in accordance with Council's *Specification for Construction of Subdivisional Roads and Drainage Works (as amended)*, Australian Standard AS 3798 *Guidelines for Earthworks for Commercial and Residential Development (as amended)*, and the approved construction drawings;
- b) Supervised, monitored, inspected, tested and reported in accordance with Australian Standard AS 3798 *Appendix B 2(a) Level 1 and Appendix C* by a N.A.T.A. registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- c) Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and Australian Standard AS 3798.

*Condition reason: To ensure works are undertaken in accordance with the relevant Australian Standards.*

## **80. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, a minimum of 1.2 metres wide and separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times. The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the manual "Traffic Control at Work Sites" (as amended), all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all Work Cover Authority requirements are complied with. Council may at any time and without prior notification make safe any such works that is considered unsafe, and recover all reasonable costs incurred from the applicant.

*Condition reason: To ensure public safety.*

## **81. Compliance with Relevant Authority's Specifications**

All design and construction work shall be in accordance with:

- a) Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*;

- b) Council's *Engineering Design for Development Guide (as amended)*;
- c) Council's *relevant Campbelltown City Council Development Control Plan (as amended)*;
- d) Landcom's *Managing Urban Stormwater - Soils and Construction - March 2004 (aka The Blue Book)*, and
- e) Relevant Australian Standards and State Government publications.

*Condition reason: To ensure works are undertaken in accordance with the relevant specifications.*

## **82. Commercial Driveway Crossing and Layback**

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property, in accordance with Council's Commercial Vehicle Crossing Specification and the Council's Engineering Design for Development Guide and Standard Drawings (as amended). Where necessary, in accordance with the relevant service authority's requirements, conduits shall be provided under the footpath crossing.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council on the NSW Planning Portal as a Section 138 application.

*Condition reason: To ensure an appropriate driveway crossing and layback is constructed.*

## **83. Associated works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any other civil works directed by Council, to make a smooth junction with existing work.

*Condition reason: To ensure all works are undertaken in a manner that results in a smooth junction with existing work.*

## **84. Redundant laybacks and Access Driveway**

All redundant laybacks and access driveways shall be removed, and kerb and gutter reinstated, in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and the design requirements detailed in the Council's Engineering Design for Development Guide and standard Drawings (as amended).

*Condition reason: To ensure all redundant laybacks and driveways are removed.*

## **85. Certification of location of while site work is being carried out**

Before the positioning of wall panels/bricks or block work, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

*Condition reason: To ensure that the building is constructed in the location approved on the plans.*

## **86. Certification of location of building upon completion**

Upon completion of the building, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from boundaries.

*Condition reason: To ensure that the building has been constructed in accordance with the approved plans.*

## **87. Certification of levels of building while site work is being carried out**

Before the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

*Condition reason: To ensure that the building has been constructed to the levels specified on the approved plans.*

## **88. Termite control**

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the principal certifier before the issue of the relevant occupation certificate.

*Condition reason: To ensure termite control measures are in place.*

## **89. Compliance with Council specification**

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

*Condition reason: To ensure earthworks are carried out in accordance with the relevant Australian Standards, best practice and Council's DCP.*

## **90. Construction of Food Preparation Areas**

### *Construction*

The construction, fit-out and finishes of the food preparation areas must be constructed in accordance with the *Food Act 2003*, *Food Regulation 2015*, *Food Standards Code Australia* and *New Zealand* and *Australian Standard 4674-2004 Design, construction and fit-out of food premises*.

### *Floor Construction*

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

### *Floor Waste*

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates.

### *Coving*

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the *Australian Standard (AS 4674-2004, Section 3.1.5)*.

All coving must:

- a) Have a minimum concave radius of 25mm; or
- b) Be tiled 50mm minimum in width and splayed at 45°.

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas.

#### *Penetrations/Service Lines*

All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

External service pipes and electrical conduit must be fixed on brackets so to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

#### *Wall Requirements*

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

#### *Window Sills*

Window sills located within a food preparation area or food service area must be located 450mm above the top of any bench or sink and tiled at a splayed angle of 45°.

#### *Ceiling Construction*

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

#### *Light Fittings*

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. Recessed so that the diffuser is flush with ceiling; or
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

#### *Hand Wash Basins*

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible from no further than 5 metres away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

#### *Dishwashing Machines*

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80C for 2 minutes or 75C for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

#### *Equipment Wash Sinks*

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 - Section 4.1). The double bowl sink is in addition to the hand wash basin.

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

#### *Food Preparation Sink*

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

#### *Cleaner's Sink*

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

#### *Tap Fittings*

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600mm above the floor in a convenient and accessible location within the food preparation area and adjacent to the floor waste (AS 4674-2004, Section 4.1.8).

#### *Fittings and Fixtures*

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 & 4.3).

### *Food Preparation Benches*

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

### *Benches*

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices (AS 4674-2004, Section 4.2).

### *Storage Cabinets/Cupboards*

All storage cabinets/cupboards (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS 4674-2004, Section 4.2).

### *Shelving*

All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150mm from the floor level (AS 4674-2004, Section 4.2).

### *Food Display Units*

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Standards Code 3.2.2).

### *Self-Service Appliances*

Self-service food appliances must be constructed so as to comply with the, '*National code for the construction and fit-out of food premises*' as published by the Australian Institute of Environmental Health.

### *Food Storage*

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

### *Coolroom and Freezer Room*

Where applicable the coolroom and/or freezer room floor, walls and ceiling must be finished with a smooth even surface and graded to the door.

A sanitary floor waste must be located outside the coolroom and freezer room adjacent to the door.

All metal work in the coolroom and freezer room must be treated to resist corrosion.

Condensation from the refrigeration units/coolroom/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The coolroom and freezer room must be provided with:

- A door which can at all times be opened internally without a key; and
- An approved alarm device located outside the room, but controllable only from the inside.

### *Condensation Collection*

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

#### *Mechanical Exhaust Ventilation*

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings – Fire and smoke control in multi-compartment buildings, where:

Any cooking apparatus has:

- a) A total maximum electrical power input exceeding 8 kW; or A total gas power input exceeding 29 MJ/h; or
- b) The total maximum power input to more than one apparatus exceeds:
  - i. 0.5 kW electrical power; or
  - ii. 1.8 MJ gas per m<sup>2</sup> of floor area of the room or enclosure; or
- c) Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

#### *Offensive Odour*

To ensure that adequate provision is made for the treatment of odours, suitable odour control equipment shall be fitted to the mechanical exhaust system within the development. This equipment shall be capable of enabling the operation of the exhaust system free from the emission of offensive odours from the premises as defined under the *Protection of the Environment Operations Act 1997* and Regulations.

#### *Pest Protection*

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between coolroom walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as coolrooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

#### *Toilet Facilities and Handbasins*

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors; or
- b. Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted

with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

#### *Locker Storage for Staff Belongings and Equipment*

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

#### *Meter Box*

An approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45° to the wall at the top and made tight fitting to the wall surfaces.

#### *Roller Door*

The drum of a roller door situated in the food preparation area must be enclosed in a frame, sheeted with compressed cement with a smooth and sealed finish. The enclosure must be accessible for pest control inspection and maintenance (AS 4674-2004, Section 2.1.5).

#### *Hot Water Service*

The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

#### *Smoke Free Areas*

Any enclosed eating area must be smoke free. Smoking is not permitted in all outdoor eating areas. "No Smoking" signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website for further information <http://www.health.nsw.gov.au>

#### *Office Materials*

Facilities for storing paperwork and other materials associated with the administration of the business must be in a designated room for office use or in an enclosed cupboard or drawer dedicated for that use (AS 4674-2004, Section 5.1.3).

#### *Construction of the Waste Storage Areas and Rooms*

The waste storage area/room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided (AS 4674-2004, Section 2.4).

#### *Grease Arrestors*

All grease arrestors must be located outside of where food and equipment is handled or stored and installed on the private land. Access to grease arrestors for emptying must not be through an area where



open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS 4674-2004, Section 2.3).

No grease trap is permitted to be installed/constructed on Public /Council Land.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

#### *Store Room*

The storeroom must be constructed in accordance with AS 4674-2004 by providing the following:

- a. A smooth, even and non-slip floor surface;
- b. Walls must be provided with a smooth, even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004;
- c. The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS 4674-2004, Section 3.2);
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning; and
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape of heat and odour that can be produced from refrigeration and freezer motor units.

Note: Caged store rooms are not permitted.

*Condition reason: To ensure the development complies with the relevant legislation and Australian Standards.*

## BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

### **91. Section 73 certificate**

Before the issue of the relevant occupation certificate, a section 73 compliance certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The section 73 certificate must be submitted to the appointed principal certifier prior to the issue of an occupation certificate.

*Condition reason: To ensure the development is serviced by Sydney Water.*

### **92. Structural engineering certificate**

Before the issue of the relevant occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

*Condition reason: To ensure the building is structurally adequate.*

### **93. Restriction on the Use of Land**

Prior to issue of an occupation certificate, the applicant shall engage a registered surveyor or equivalent professional to create appropriate easements, covenants, and restrictions on the use of land for the following items, in accordance with the Conveyancing Act and Council's Engineering Design for Development Guide.

- a) *On Site Detention facility*
- b) *Stormwater treatment devices*

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

*Condition reason: To ensure ongoing maintenance of the OSD facility and stormwater treatment devices are secured in perpetuity.*

#### **94. Final Inspection - Works as Executed Plans (Basic)**

Prior to issue of an occupation certificate, the applicant shall submit to Council a copy of a work as executed plan, certified by a qualified surveyor, which has been prepared in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design for Development Guide (as amended)*.

*Condition reason: To ensure Council has a record of the works as executed.*

#### **95. Restoration of Public Roads**

Prior to issue of an occupation certificate, any restoration of the public road pavement required as a result of the development, shall be carried out by Council and all costs shall be paid by the applicant.

*Condition reason: To ensure any damage to the road as a result of the development is repaired by the applicant.*

#### **96. Public Utilities**

Prior to issue of an occupation certificate, any adjustments to public utilities required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

*Condition reason: To ensure any adjustments required as a result of the development is completed.*

#### **97. Marking / Sign Posting Documentation (Development)**

Prior to issue of an occupation certificate, the applicant shall submit to Council for Council records, copies of the work as executed plans for the marking / sign posting for the bottom right hand car space in the basement carpark indicating "FRONT IN PARKING ONLY".

*Condition reason: To ensure appropriate sign posting is installed.*

#### **98. Completion of external works onsite**

Before the issue of the relevant occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifier.

*Condition reason: To ensure that approved, landscaping, driveways, fencing, external finishes and retaining walls are in place prior to occupation of the building.*

#### **99. Mechanical ventilation**

Before the issue of the relevant occupation certificate, the submission of a compliance certificate certifying that:

- The mechanical ventilation exhaust system has been installed in accordance with Australian Standard AS1668 Part 1 and 2.
- The exhaust hood and air conditioning system has been installed in accordance with Australian Standard AS1668 (Mechanical Ventilation and Air Conditioning Code), and Australian Standard AS1055 (Acoustics – Description and Measurement of Environmental Noise).

*Condition reason: To ensure compliance with the relevant Australian Standards.*

#### **100. Operational Management Plan**

Before the issue of the relevant occupation certificate, an operational management plan is required to be prepared for the development that clearly outlines the responsibilities of all tenants/visitors, cleaners, building manager/cleaners and waste contractor in regards waste management and waste management services and support the operational requirements of the approved WMP. This includes correct use of bin storage room, cleaning/maintenance and on-site bin presentation for waste servicing.

#### **101. Retaining**

Before the issue of the relevant occupation certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

*Condition reason: To ensure any retaining walls or filling onsite has been authorised.*

#### **102. Termite protection**

Before the issue of the relevant occupation certificate, certification from a licensed pest controller shall be submitted certifying that the termite treatment has been installed in accordance with AS3660.1.

*Condition reason: To ensure termite control measures are in place.*

#### **103. Council fees and charges**

Before the issue of the relevant occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

*Condition reason: To ensure that there are no outstanding fees, charges or rectification works associated with the approved development.*

#### **104. Pre-Inspection**

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this

Consent, the Food Act 2003, Food Regulation 2015, Food Standards Code Australia and New Zealand and AS 4674-2004.

*Condition reason: To ensure compliance with the development consent, relevant legislation , and Australian Standards.*

#### **105. Registration with Council**

The premise is required to be registered with Council prior to the Occupation Certificate being issued. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

*Condition reason: To ensure health standards are maintained.*

#### **106. Food Safety Supervisor**

A Food Safety Supervisor must be nominated for the premises. The Food Safety Supervisor Certificate must be kept on-site at the food premises at all times. The nominated Food Safety Supervisor must not be a nominated Food Safety Supervisor at any other premises. Any changes to the Nominated Food Safety Supervisor must be notified to Council.

*Condition reason: To ensure a Food Safety Supervisor is appointed.*

#### **107. Grease Trap**

Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to issue of an Occupation Certificate.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

*Condition reason: To ensure a trade waste water agreement is in place.*

#### **Advice 1. Adjustment to Public Utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

#### **Advice 2. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

#### **Advice 3. Inspections – Civil Works (Generally for Developments)**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a) EROSION AND SEDIMENT CONTROL –
  - i. Direction/confirmation of required measures.
  - ii. After installation and prior to commencement of earthworks.
  - iii. As necessary until completion of work.
- b) STORMWATER PIPES – Laid, jointed and prior to backfill.
- c) VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.

d) FINAL INSPECTION – All outstanding work.

**Advice 4. Inspection Within Public Areas**

All works within public areas, or places that will become a public area are required to be inspected at all stages of construction and approved by Council prior to the appointed registered certifier releasing the Occupation Certificate. Contact Council's Duty Development Engineer for further details.