

Recommended Conditions

Deferred Commencement

Relevant matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

- (1) A detailed Public Domain Works Plan (PDWP) must be prepared by a suitably qualified architect, engineer or landscape architect and demonstrate, to Council's satisfaction, that the following items will be provided:
 1. A draft plan of consolidation is to be submitted for Lots 2, 3 and 4. The area of works to be provided within the public domain is to be clearly demonstrated on the plan showing correct survey boundaries and setback distances to road kerbs and existing infrastructure, including existing street pits along each road frontage.
 2. Footpaths shall be provided around the whole site's perimeter with the following specifications:
 - a. The Hermitage Way: Full width from property boundary to existing indented parking bays (approximately 2m – 4m).
 - b. Providence Drive: 1.5m to 1.8m wide from property boundary with any remaining verge widths to parking bays to be turfed.
 - c. Huntington Street – As per Providence Drive.
 - d. Internal access laneway – 1.8m wide paved path, as per cross section included in the approved landscaping plans.
 3. All footpaths are to comply with Council's Engineering Design Specification and Streetscape Design Manual in terms of cross falls, longitudinal grades and pavement/paving types. The proposed RL's for all paths and verges are to be shown on the plans.
 4. Further details of all changes to existing road carriageways, drainage infrastructure and on-street parking layouts are to be provided, including details of any stormwater pits or lintels to be removed and/or modified.
 5. The existing speed hump in The Hermitage Way (near the western Huntington Street end of the site frontage) is to be converted to a proper pedestrian crossing, with updated street lighting.
 6. The existing (main) pedestrian crossing in The Hermitage Way is to be deconstructed and relocated to align with the central north/south axis of the 'eat street' within the site. All make good works are to be shown on the plan.
 7. A new, raised, pedestrian crossing shall be provided along Providence Drive between the site and Gledswood Hills Public School at the location of the existing pram ramps (southern end towards The Hermitage Way). This location will minimise disturbance to existing car parking spaces on both sides of Providence

Drive, avoid vehicular conflicts with the two new basement driveways and ramps, and facilitate a continuous and efficient path of travel along The Hermitage Way for cyclists and pedestrians. The crossing shall comply with all relevant design standards and technical directions.

8. A new pedestrian crossing or median island shall be installed in Huntington Street (at the southern end towards The Hermitage Way using the existing pram ramps), to enable a continuous path of travel along The Hermitage Way.
9. Further details shall be provided in relation to all pedestrian crossing works, including:
 - a. Typical pedestrian crossing details and cross-sections.
 - b. Any required signs and line marking.
 - c. Gutter bridges or equivalent devices to cross the gutter.
 - d. New locations of impacted services – street lighting, drainage, etc.
- (2) Once the PDWP has been prepared, the approved Access Report shall be updated to confirm that all perimeter footpaths surrounding the site and building entries will comply with the relevant Australian Standards and the Building Code of Australia (BCA) / National Construction Code (NCC), with respect to accessibility.
- (3) A detailed Dock Management Plan (DMP) is to be prepared which summarises the management processes for deliveries, including but not limited to:
 1. An approximate timetable for the management of up to 24 HRV, MRV and SRV trucks and vehicles required to service the site per day for the approved uses (utilising service spaces 1 – 12).
 2. The night-time acoustic restrictions from 10pm to 6am (no deliveries permitted).
 3. Any further restrictions for HRV movements during school zone periods, and how these will be imposed on drivers. Evidence of consultation with Schools Infrastructure is to be documented in the DMP.
 4. What management measures will be included to ensure that the loading area is never over-capacity.
 5. How delivery vehicles will be prevented from queuing along Providence Drive if all loading spaces are occupied.
 6. Details of the method proposed to ensure delivery drivers are aware that they need to Give Way to entering vehicles to prevent collision or queuing along Providence Drive.
 7. What measures will be implemented for when mechanical turntables break down, to ensure safety is not compromised and that vehicles will not be required to reverse onto Providence Drive.

Note. All vehicles must enter and leave the site in a forward direction.
- (4) The drainage design for the entertainment precinct must be redirected as per the 'Northeast Catchment Stormwater Management Plan' prepared by Hyder, dated 14/09/2015, which has the whole entertainment precinct draining to Basin 18.

This report supersedes the 'The Hermitage Western Precinct Stormwater Management Strategy Report and Proposed Amendment to the Turner Road Indicative Layout Plan', prepared by J. Wyndham Prince.

Specifically:

1. This will require all flows to be directed to regional Basin 18 only, and not split into Basins 16 and 18.
2. The developed catchment is required to have 80% maximum impervious area (Catchments C-F) and catchment plan is to be amended, as required.
3. Mixed pervious area breakdowns are to be provided in MUSIC. Detailed breakdowns may be requested if Council cannot verify the areas.
4. Update the DRAINS and MUSIC models to match the revised catchment plan.

Note. The above updates may warrant multi-disciplinary updates to other approved plans and documents.

Alternatively, if the development is to continue to have half of the catchment flows directed into Basin 16, then the following must be demonstrated:

1. The MUSIC model submitted has breakdown of mixed areas resulting in the sum of total impervious areas to be 83%. An on-site detention system (OSD) will be required to reduce flows to 75% impervious area levels, as per the most recently approved stormwater master plan.
2. The DRAINS and MUSIC models must be updated to match the catchment plan. Detailed breakdown may be requested if Council cannot verify the areas.

The proposed pit in Huntington Street must be able to connect into existing pit 4/A, rather than creating a new pit. Details of any existing pits to be removed or modified shall be provided including the upstream and downstream connections and levels.

- (5) A revised Bulk Earthworks or Cut and Fill Plan is to be provided with additional sheets detailing the typical cross sections, the finished surface levels, permanent batters and any retaining walls (or integrated garden planters along the property boundaries) as noted in Section 5.2 of the approved engineering report. All relevant earthworks/compaction associated with the requested Public Domain Works upgrades (in the public domain) shall be demonstrated on the revised bulk earthworks / Cut and Fill Plan.
- (6) The Acoustic Report prepared by Acoustic Logic, Project 20230762.1 Revision 2, dated 7 July 2024 must be revised to clarify:
 1. The maximum noise level permitted for each future food and drink or entertainment tenancy on Ground Level, to ensure that the maximum cumulative project noise trigger level is not exceeded. This information is to be provided in the report to assist future acoustic consultants when assessing individual tenancy fit-outs for future DAs and/or exempt or complying development approvals.
 2. The exact materials, glazing, seals, etc. to be used for all wintergardens within the development.
 3. The specific glazing treatments required to facades and windows for Buildings C, D, G and H.
 4. That the acoustic attenuation measures proposed around the loading dock are sufficient to ensure noise from vehicles entering and exiting the site will not impact residents in the site, or whether/what any additional attenuation is required to be

included in the construction of the individual units facing the loading dock (for example, additional wintergardens on the northern façade).

'Evidence of the above relevant matter(s) must be produced to the consent authority, within 5 years of the date of the determination, otherwise the consent will lapse.'

General Conditions

1.1 - General Conditions

- (1) **Authority requirements** - The development must be carried out in accordance with the following authority requirements:

1. Endeavour Energy conditions in correspondence, dated 23 January 2024, reference CNR-64944.
2. Sydney Water conditions in correspondence, dated 11 March 2024, reference 212937.

Condition reason: To ensure the development complies with Authority requirements.

- (2) **Approved plans and documents** - Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this development consent expressly require otherwise:

Approved architectural plans			
Number	Title	Drawn by	Date
22109 DA1.21 Rev. B	Existing Site and Demolition Plan	Marchese Partners	27/09/2024
22109 DA1.30 Rev. C	Proposed Site Plan – Street Level	Marchese Partners	08/11/2024
22109 DA1.31 Rev. B	Proposed Site Plan – Roof Level	Marchese Partners	27/09/2024
22109 DA1.32 Rev. B	Proposed Street/Boundary Elevations	Marchese Partners	27/09/2024
22109 DA1.33 Rev. B	Proposed Site Sections	Marchese Partners	27/09/2024
22109 DA2.00 Rev. C	General Floorplan – Lower Ground Level	Marchese Partners	08/11/2024
22109 DA2.01 Rev. C	General Floorplan – Ground Floor Level	Marchese Partners	08/11/2024
22109 DA2.02 Rev. B	General Floorplan – Level 01	Marchese Partners	27/09/2024
22109 DA2.03 Rev. B	General Floorplan – Level 02	Marchese Partners	27/09/2024
22109 DA2.04 Rev. B	General Floorplan – Level 03	Marchese Partners	27/09/2024
22109 DA2.05 Rev. B	General Floorplan – Level 04	Marchese Partners	27/09/2024

22109 DA2.06 Rev. B	General Floorplan – Roof Level	Marchese Partners	27/09/2024
22109 DA2.07 Rev. B	General Floorplan – Basement 01	Marchese Partners	27/09/2024
22109 DA2.08 Rev. B	General Floorplan – Basement 02	Marchese Partners	27/09/2024
22109 DA2.10 Rev. B	West Precinct Plan – Lower Ground Level	Marchese Partners	27/09/2024
22109 DA2.11 Rev. B	East Precinct Plan – Lower Ground Level	Marchese Partners	27/09/2024
22109 DA2.12 Rev. B	West Precinct Plan – Ground Level	Marchese Partners	27/09/2024
22109 DA2.13 Rev. B	East Precinct Plan – Ground Level	Marchese Partners	27/09/2024
22109 DA2.14 Rev. B	West Precinct Plan – Level 01	Marchese Partners	27/09/2024
22109 DA2.15 Rev. B	East Precinct Plan – Level 01	Marchese Partners	27/09/2024
22109 DA2.16 Rev. B	West Precinct Plan – Level 02	Marchese Partners	27/09/2024
22109 DA2.17 Rev. B	East Precinct Plan – Level 02	Marchese Partners	27/09/2024
22109 DA2.18 Rev. B	West Precinct Plan – Level 03	Marchese Partners	27/09/2024
22109 DA2.19 Rev. B	East Precinct Plan – Level 03	Marchese Partners	27/09/2024
22109 DA2.20 Rev. B	West Precinct Plan – Level 04	Marchese Partners	27/09/2024
22109 DA2.21 Rev. B	East Precinct Plan – Level 04	Marchese Partners	27/09/2024
22109 DA2.22 Rev. B	West Precinct Plan – Roof Level	Marchese Partners	27/09/2024
22109 DA2.23 Rev. B	East Precinct Plan – Roof Level	Marchese Partners	27/09/2024
22109 DA2.24 Rev. B	West Precinct Plan – Basement 01	Marchese Partners	27/09/2024
22109 DA2.25 Rev. B	East Precinct Plan – Basement 01	Marchese Partners	27/09/2024
22109 DA2.26 Rev. B	West Precinct Plan – Basement 02	Marchese Partners	27/09/2024
22109 DA2.27 Rev. B	East Precinct Plan – Basement 02	Marchese Partners	27/09/2024
22109 DA4.00 Rev. B	Elevations – Sheet 1	Marchese Partners	27/09/2024
22109 DA4.01 Rev. B	Elevations – Sheet 2	Marchese Partners	27/09/2024
22109 DA4.02 Rev. B	Elevations – Sheet 3	Marchese Partners	27/09/2024
22109 DA4.10 Rev. B	Site Section – Sheet 1	Marchese Partners	27/09/2024
22109 DA4.11 Rev. B	Site Section – Sheet 2	Marchese Partners	27/09/2024
22109 DA4.12 Rev. B	Site Section – Sheet 3	Marchese Partners	27/09/2024

22109 DA4.13 Rev. B	Site Section – Sheet 4	Marchese Partners	27/09/2024
22109 DA4.14 Rev. B	Site Section – Sheet 5	Marchese Partners	27/09/2024
22109 DA4.15 Rev. B	Site Section – Sheet 6	Marchese Partners	27/09/2024
22109 DA4.16 Rev. B	Site Section – Sheet 7	Marchese Partners	27/09/2024
22109 DA4.17 Rev. B	Site Section – Sheet 8	Marchese Partners	27/09/2024
22109 DA4.18 Rev. B	Site Section – Sheet 9	Marchese Partners	27/09/2024
22109 DA5.01 Rev. B	Detail – Lobby Access Typical	Marchese Partners	27/09/2024
22109 DA5.02 Rev. B	Detail – Façade	Marchese Partners	27/09/2024
22109 DA6.01 Rev. B	Adaptable Units – Sheet 1	Marchese Partners	27/09/2024
22109 DA6.02 Rev. B	Adaptable Units – Sheet 2	Marchese Partners	27/09/2024
22109 DA6.03 Rev. B	Silver Units – Sheet 1	Marchese Partners	27/09/2024
22109 DA8.00 Rev. B	Material Board	Marchese Partners	27/09/2024

Approved engineering plans			
Number	Title	Drawn by	Date
S10156, C001, Rev. C	General Notes Sheet 1	EI Australia	24/09/2024
S10156, C002, Rev. C	General Notes Sheet 1	EI Australia	24/09/2024
S10156, C003, Rev. C	Demolition Plan	EI Australia	24/09/2024
S10156, C100, Rev. C	Overall Site Plan	EI Australia	24/09/2024
S10156, C101, Rev. C	Sedimentation & Erosion and Control Plan Sheet 1	EI Australia	24/09/2024
S10156, C102, Rev. C	Sedimentation & Erosion and Control Plan Sheet 2	EI Australia	24/09/2024
S10156, C103, Rev. C	Sedimentation & Erosion and Control Plan Sheet 3	EI Australia	24/09/2024
S10156, C104, Rev. C	Sedimentation & Erosion and Control Plan Sheet 4	EI Australia	24/09/2024
S10156, C105, Rev. C	Sedimentation Basin Plan and Sections	EI Australia	24/09/2024
S10156, C106, Rev. C	Sedimentation & Erosion and Control Notes	EI Australia	24/09/2024
S10156, C107, Rev. C	Sedimentation & Erosion and Control Details Sheet 1	EI Australia	24/09/2024

S10156, C108, Rev. C	Sedimentation & Erosion and Control Details Sheet 2	EI Australia	24/09/2024
S10156, C109, Rev. C	Cut & Fill Plan	EI Australia	04/10/2024
S10156, C200, Rev. C	Ground Floor Siteworks and Stormwater Management Plan Sheet 01	EI Australia	24/09/2024
S10156, C201, Rev. C	Ground Floor Siteworks and Stormwater Management Plan Sheet 02	EI Australia	24/09/2024
S10156, C202, Rev. C	Ground Floor Siteworks and Stormwater Management Plan Sheet 03	EI Australia	24/09/2024
S10156, C203, Rev. C	Ground Floor Siteworks and Stormwater Management Plan Sheet 04	EI Australia	24/09/2024
S10156, C204, Rev. C	Lower Ground Siteworks and Stormwater Management Plan Sheet 01	EI Australia	24/09/2024
S10156, C205, Rev. C	Lower Ground Siteworks and Stormwater Management Plan Sheet 03	EI Australia	24/09/2024
S10156, C206, Rev. C	Lower Ground Siteworks and Stormwater Management Plan Sheet 04	EI Australia	24/09/2024
S10156, C207, Rev. C	Basement 01 Siteworks and Stormwater Management Plan Sheet 01	EI Australia	24/09/2024
S10156, C208, Rev. C	Basement 01 Siteworks and Stormwater Management Plan Sheet 02	EI Australia	24/09/2024
S10156, C209, Rev. C	Basement 01 Siteworks and Stormwater Management Plan Sheet 03	EI Australia	24/09/2024
S10156, C210, Rev. C	Basement 01 Siteworks and Stormwater Management Plan Sheet 04	EI Australia	24/09/2024
S10156, C211, Rev. C	Basement 02 Siteworks and Stormwater Management Plan Sheet 01	EI Australia	24/09/2024

S10156, C212, Rev. C	Basement 02 Siteworks and Stormwater Management Plan Sheet 02	El Australia	24/09/2024
S10156, C213, Rev. C	Basement 02 Siteworks and Stormwater Management Plan Sheet 03	El Australia	24/09/2024
S10156, C214, Rev. C	Basement 02 Siteworks and Stormwater Management Plan Sheet 04	El Australia	24/09/2024
S10156, C215, Rev. C	Basement 02 Siteworks and Stormwater Management Plan Sheet 05	El Australia	24/09/2024
S10156, C204, Rev. C	Stormwater Details	El Australia	24/09/2024
S10156, C300, Rev. C	Access Lane Plan	El Australia	04/10/2024
S10156, C304, Rev. C	Access Lane Detailed Cross Sections Sheet 1	El Australia	03/10/2024
S10156, C305, Rev. C	Access Lane Detailed Cross Sections Sheet 2	El Australia	03/10/2024
S10156, C407, Rev. C	Pavement and Landmarking Detail	El Australia	04/10/2024
S10156, C600, Rev. C	Pre-development Catchment Plan	El Australia	27/09/2024
S10156, C601, Rev. C	Post-development Catchment Plan and MUSIC Model	El Australia	27/09/2024

Approved landscaping plans			
Number	Title	Drawn by	Date
36-22 Revision K	Cover Sheet	Distinctive Living Design	September 2024
36-22 Revision K	Open Space Analysis	Distinctive Living Design	26/09/2024
36-22 Revision K	Master Plan	Distinctive Living Design	26/09/2024
36-22 Revision K	Deep Soil Plan	Distinctive Living Design	26/09/2024
36-22 Revision K	Open Space Programming	Distinctive Living Design	26/09/2024
36-22 Revision K	Key Character Zone	Distinctive Living Design	26/09/2024
36-22 Revision K	Entertainment Central – Mood	Distinctive Living Design	26/09/2024
36-22 Revision K	Ground and Overhead Plane Diagram	Distinctive Living Design	26/09/2024

36-22 Revision K	Ground Plane	Distinctive Living Design	26/09/2024
36-22 Revision K	Overhead Plane	Distinctive Living Design	26/09/2024
36-22 Revision K	Sections	Distinctive Living Design	26/09/2024
36-22 Revision K	Entertainment Central – Zoom Plan	Distinctive Living Design	26/09/2024
36-22 Revision K	Entertainment Central – Pods	Distinctive Living Design	26/09/2024
36-22 Revision K	'The Loop' Play Space – Mood	Distinctive Living Design	26/09/2024
36-22 Revision K	'The Green Way' – Typical Plan & Section CC	Distinctive Living Design	26/09/2024
36-22 Revision K	Courtyards – Mood	Distinctive Living Design	26/09/2024
36-22 Revision K	Communal Open Space – Rooftops	Distinctive Living Design	26/09/2024
36-22 Revision K	Streetscape Typical Zoom	Distinctive Living Design	26/09/2024
36-22 Revision K	Irrigation Plan	Distinctive Living Design	26/09/2024
36-22 Revision K	Indicative Materiality	Distinctive Living Design	26/09/2024
36-22 Revision K	Plant Palette	Distinctive Living Design	26/09/2024
36-22 Revision K	WSUD & Public Domain Details	Distinctive Living Design	26/09/2024
36-22 Revision K	Plan Schedule & Public Domain Details	Distinctive Living Design	26/09/2024

Approved documents			
Reference	Title	Prepared by	Date
Revision D	Waste Management Plan	Elephants Foot	27/09/2024
Project 20230762.1 Revision 2	Environmental Noise Impact Assessment	Acoustic Logic	07/07/2024
20230762.2/ 0809A/R0/VF	Acoustic Addendum Letter	Acoustic Logic	08/09/2024
Project 2288 Revision A	Transport Assessment	JMT Consulting	27/09/2024
S10156 CER.01-Rev01	Civil Engineering and Stormwater Management Report	EI Australia	27/09/2024
Project 34295.75	Salinity Investigation and Management Plan Stage 25, Stage 18B, Entertainment Precinct and the Proposed	Douglas Partners	June 2016

	School site The Hermitage, Gledswood Hills		
Project 76631.28 R.001.Rev0 LOC	Salinity Addendum Investigation Proposed Entertainment Precinct, The Hermitage Way, Gledswood Hills	Douglas Partners	07/08/2019
Project 76631.27	Report on Remedial Action Plan for Proposed Entertainment Precinct, The Hermitage, Gledswood Hills	Douglas Partners	March 2019
P000853, Rev. 3	Disability Access Report	Inclusive Places	31/10/2024
59-22m, Rev. 1	Building Code of Australia Assessment Report	Building Code Professionals	14/08/2023
1773813M	BASIX Certificate (Buildings A, B, C, I, J)	SLR Consulting	20/11/2024
1773815M	BASIX Certificate (Buildings D, E, F, G, H)	SLR Consulting	20/11/2024
TIDHPQNF6N	NatHERS Certificate	Xinyi Li	20/11/2024
630.032304.00001 Rev. v1.0	Embodied Emissions Report	SLR Consulting	19/11/2024

The approved plans and documents are subject to any amendments accepted by Council in satisfaction of the deferred commencement matters.

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails.

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

- (3) **Approved uses** - This development consent approves the following parts of the development to be used for the following uses:

Building / Tenancy Number	Approved Use
Lower ground level – 01	Retail/commercial
Lower ground level – 02	Retail/commercial
Lower ground level – 03	Food and Beverage
Lower ground level – 04	Food and beverage
Lower ground level – 05	Retail/commercial

Lower ground level – 06	Retail/commercial
Lower ground level – 07	Retail/commercial
Lower ground level – 08	Retail/commercial
Lower ground level – 09	Retail/commercial
Lower ground level – 10	Retail/commercial
Lower ground level – 11	Food and beverage
Lower ground level – 12	Retail/commercial
Lower ground level – 13	Retail/commercial
Lower ground level – 14	Retail (bottle shop)
Lower ground level – 15	Retail (supermarket)
Lower ground level – 16	Retail (butcher)
Lower ground level – 17	Retail (pharmacy)
Lower ground level – 18	Indoor recreation facility (gym)
Lower ground level – 19	Food and beverage
Basement 01, Basement 02 and Lower ground level – 20	Cinema
Basement 01, Lower ground level and Ground level (no number)	Centre-based child care centre
Ground level – 21	Retail
Ground level – 22	Food and beverage
Ground level – 23	Food and beverage (café)
Ground level – 24	Food and beverage
Ground level – 25	Food and beverage
Ground level – 26	Food and beverage
Ground level – 27	Food and beverage
Ground level – 28	Food and beverage
Ground level – 29	Retail
Ground level – 30	Commercial
Ground level – 31	Food and beverage (café)

Condition reason: To detail the approved uses for the development.

- (4) **No fit out(s) approved** - This development consent does not approve the fit out(s) of any of the building / tenancies approved in Condition 1.1(3), except for the centre-based child care facility, and a separate development application must be lodged with and approved by Council before any fit out commences including beauty/hair/skin penetration uses (unless the fit out is exempt or complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).

Condition reason: To clarify when separate consent is required for the fit out of approved buildings and tenancies.

- (5) **No signage approved** - This development consent does not approve any signage. A separate development application must be lodged with and approved by Council before any signage is displayed on the site (unless the signs are exempt or complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).

Condition reason: To clarify when separate consent is required for signage.

- (6) **Approved tree work** - This development consent approves the following tree(s) to be removed:

1. Removal of four existing street trees as indicated on the Landscape Masterplan prepared by Distinctive Living Design, project reference 36-22, revision K, dated 26/09/24.
2. Removal of three feature trees and smaller shrubs adjacent to the existing temporary coffee kiosk.

All other street trees are to remain and are to be protected during construction works. Suitable replacement trees are to be planted upon completion of construction.

Condition reason: To detail approved tree work and any replacement landscaping.

- (7) **Local traffic committee approval** - Before the installation of or any changes to regulatory road signage, line marking and/or devices, approval must be obtained from Council's Local Traffic Committee (LTC) for the installation of or any changes to regulatory road signage, line marking and/or devices. Evidence of the approval must be provided to the principal certifier.

In particular, the following traffic matters shall be reviewed for LTC approval:

1. All proposed changes shown on the detailed Public Domain Works Plan that are to be provided by the applicant to satisfy the deferred commencement conditions approved by Council.
2. Any necessary changes to local speed limits (e.g. high pedestrian activity areas).
3. Additional timed on-street parking restrictions shall be considered in the vicinity of the site. There are already 2 hour restrictions (8am-4pm school days) along a section of The Hermitage Way and Providence Drive.

4. Consider signposting a parking space in the northern access laneway, or otherwise, for short stay delivery vehicles (≤ 15 minutes), to enable food deliveries or other vehicles to service the site without needing to enter the basement.
5. Consider the need for provision of a covered bus shelter on The Hermitage Way, given the likely increased use of bus route 840 by occupants of the development (this matter may be deferred until the need arises).
6. All signage, line marking and road infrastructure upgrade plans shall be submitted for LTC approval prior to the issue of any construction certificate for the development.

Condition reason: To ensure that regulatory road elements are formally approved.

- (8) **Fulfillment of BASIX commitments** - Each commitment listed in an approved BASIX certificate for the following development must be fulfilled:

1. BASIX development.
2. BASIX optional development, if the development application was accompanied by a BASIX certificate.

Condition reason: Prescribed condition under section 75 of the *Environmental Planning and Assessment Regulation 2021*.

- (9) **Energy and water use for large commercial development under State Environmental Planning Policy (Sustainable Buildings) 2022** - Within the relevant period, the following information must be given to the consent authority using the NSW Planning Portal:

1. An assessment of the NABERS rating for water use achieved by the development, prepared by an assessor accredited under NABERS.
2. An assessment of the NABERS rating for energy use achieved by the development, prepared by an assessor accredited under NABERS.
3. Evidence that the offsets required for the development under section 79A of the *Environmental Planning and Assessment Regulation 2021* have been:
 - a. for ACCUs or large-scale generation certificates - purchased and surrendered, or
 - b. for Climate Active certification - obtained.
4. The assessment under point 3 of this condition must specify the following:
 - a. the rated annual electricity use.
 - b. if the development will not achieve the energy use standards - the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.
 - c. the rated use of on-site fossil fuels and the associated amount of carbon dioxide measured as carbon dioxide equivalent or CO₂e, calculated for the first 10 years of operation.

Condition reason: Prescribed condition under section 79A of the *Environmental Planning and Assessment Regulation 2021*.

Demolition Work

2.1 - Before Demolition Work Commences

- (1) **Public liability insurance policy** - Before any demolition work commences, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to Council.

Condition reason: To ensure adequate public liability insurance is obtained to cover development within public property.

- (2) **Site security and fencing** - Before any demolition work commences, the site is to be secured and fenced to the satisfaction of Council.

Condition reason: To ensure that access to the site is managed before works commence.

- (3) **Dilapidation report** - Before any demolition work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of Council. The report must include:

1. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
 - a. Road carriageways.
 - b. Kerbs.
 - c. Footpaths.
 - d. Drainage structures.
 - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written approval must be obtained from Council in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer's damages bond.

The report must be submitted to Council 2 days before any demolition work commences. The development must comply with all conditions that the report imposes.

Condition reason: To ensure that any damage caused by works can be identified and rectified.

(4) **Demolition work** - Before any demolition work commences, the following requirements must be complied with to the satisfaction of Council:

1. The developer must notify adjoining property occupiers of the demolition works 7 working days prior to demolition. The notification must be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every apartment, unit or the like) either side, immediately at the rear of and directly opposite the demolition site.
2. The developer must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
3. The developer must erect a 1.8m high temporary fence and hoarding between the site and any public property (footpaths, roads, reserves, etc.). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or when the site is unoccupied.
4. All utilities (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant utility owner regarding their requirements for the disconnection of services.
5. Erosion and sediment control measures must be installed.
6. A work plan must be prepared by a suitably qualified person. The plan must:
 - a. Demonstrate compliance with AS 2601 - The Demolition of Structures.
 - b. The NSW Government's Code of Practice for Demolition Work.
 - c. Identify hazardous materials including surfaces coated with lead paint.
 - d. Detail the method(s) of demolition.
 - e. Identify the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - f. Note that the burning of any demolished material on site is not permitted and that offenders will be prosecuted.
7. If the property was built prior to 1987, an asbestos survey must be carried out by a suitably qualified person. If asbestos is found, a SafeWork NSW licensed asbestos removalist must remove all asbestos in accordance with SafeWork NSW requirements and include notification to adjoining property occupiers of the asbestos removal.

Condition reason: To ensure that demolition works are carried out to appropriate standards.

(5) **Site management plan (preparation)** - Before any demolition work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of Council, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the blue book) (as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

- (6) **Utility services protection** - Before any demolition work commences, the developer must demonstrate, to the satisfaction of Council, that the following requirements have been met:

1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.

2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.
3. Obtain approval to proceed with the site works from utility owners.

Condition reason: To ensure that utilities are not adversely affected by development.

- (7) **Erection of signs** - Before any demolition work commences, a sign must be erected in a prominent position on the site:

1. Showing the name of the principal contractor, if any, for the work and a telephone number on which the contractor may be contacted outside working hours.
2. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work has been completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

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

2.2 - During Demolition Work

- (1) **Site management plan (during work)** - While demolition work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

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

- (2) **Work hours** - While demolition work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

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

- (3) **Work noise** - While demolition work is being carried out, noise levels must comply with the approved Construction Noise and Vibration Management Plan for the site.

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

2.3 - On Completion of Demolition Work

- (1) **Occupational hygienist certificate** - On completion of demolition work, a certificate from an occupational hygienist must be provided to Council. The certificate must certify, to the satisfaction of Council, that the site is free of hazardous building materials and asbestos.

Condition reason: To ensure that the site is free of hazardous building materials and asbestos.

Remediation Work

3.1 - During Remediation Work

- (1) **Carrying out of works** – All remediation works shall be carried out in accordance with DA/2019/215/1 and all consent conditions contained in the approval issued on 20 March 2019.

Condition reason: To ensure that remediation works are carried out in accordance with the correct approval.

3.2 - On Completion of Remediation Work

- (1) **Validation report** – On completion of remediation works approved under DA/2019/215/1 as per the 'Report on Remedial Action Plan for Proposed Entertainment Precinct, The Hermitage, Gledswood Hills', prepared by Douglas Partners, project 76631.27, dated March 2019; a validation report endorsed by a certified contaminated land consultant must be provided to Council within 30 days following completion of the remediation work. The report must demonstrate, to the satisfaction of Council, that:

1. Compliance with the approved remediation action plan (RAP) has been achieved.
2. The remediation acceptance criteria (in the approved RAP) has been fully complied with.
3. All completed remediation works comply with the *Contaminated Lands Management Act* 1997, the contaminated land planning guidelines, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council's Management of Contaminated Lands Policy.

The report must include the following information, to the satisfaction of the principal certifier:

1. Works as-executed plans prepared by a registered surveyor that identify the extent of the completed remediation work (including any encapsulation work).

2. A notice of completion of remediation work as required by State Environmental Planning Policy (Resilience and Hazards) 2021.
3. A statement confirming that following the remediation work the site is suitable for the approved development.

Condition reason: To ensure site remediation is validated.

Building Work

4.1 - Before Issue of a Construction Certificate

- (1) **General design amendments** - Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. The car parking layout shall be amended to include:
 - a. A minimum of four (4) electric vehicle charging stations must be provided to both residential and commercial/retail sections in the basement.
 - b. all tandem/stacked residential and commercial spaces must be allocated to a single residential unit or tenancy which requires two spaces or more based on the number of bedrooms, or amount of gross floor area within the relevant commercial tenancy. Details of space allocations are to be demonstrated on the plans.
 - c. details shall be provided on the plans to demonstrate how resident's parking will be physically separated/access controlled (such as kerb blisters, boom gates, swipe cards, speed humps etc).
2. The materials and colours palette must be revised to include a more obvious feature colour near each building entry to provide visual interest and assist in wayfinding.
3. Skylights are proposed to various upper level units; however the floor plans for Levels 03 and 04 do not consistently identify which units will have them. The floor plan notations shall be updated to avoid confusion, as the skylights are necessary to achieve the ADGs minimum cross flow ventilation calculations.
4. Additional supervision windows must be provided to the north and south internal walls of the two children's bathrooms, and to the north and south internal walls of the central bottle preparation and craft rooms.
5. The internal fit-out plans for the child care centre must detail the height and design of the lower ground floor lobby reception counter. The bench is to contain lower cut-out sections to be more welcoming for children upon arrival.
6. Detailed fit-out plans are required to demonstrate that the child care centre (including kitchen and bottle preparation areas) comply with the following detailed design requirements:
 1. The *Food Act 2003*.

2. *The Food Regulation 2015.*
3. Food Standards Australia and New Zealand Food Standards Code 2003.
4. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
5. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical ventilation in Buildings.
6. AS 4674 - Design, Construction and Fit-Out of Food Premises.

In particular, adequacy of space must be demonstrated for all dry and cold food storage, food preparation activities and washing equipment, for the scale required to service an 80 place centre.

7. Access to the child care centre bin room must be from the external hallway only. The double doors providing direct access from the kitchen must be deleted.
8. The laundry in the child care centre must have a double bowl sink and a single in-bench sink. The double bowl cleaner's sink in the laundry must be changed to a wastewater/mop sink.
9. The bottle preparation room has been provided with one sink. This room requires two separate sinks; one handwash basin, and one bottle preparation (rinse) sink, on the provision that bottles are washed and sanitised by parents at home.
10. Amended overall precinct floor plans are required showing the location of a cleaning room demonstrating adequate size for all equipment to be used and stored for the precinct (i.e. bin movers, ride on sweepers, landscape equipment etc). This room must be constructed of a solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to a floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in, ventilation, pest proofing and a hose tap must be provided.

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

- (2) **Amended building code of Australia report** - The approved Building Code of Australia (BCA) report prepared by Building Code Professionals, reference 59-22m, Rev. 1, dated 14 August 2023 shall be updated to include an assessment of the plans for construction certificate approval.
- (3) **Amended landscaping plans** - Before the issue of a construction certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:
 1. Further details must be provided to demonstrate that the planting of trees will be in accordance with Part 3E – Deep Soil Zones of the NSW Apartment Design Guide (ADG).
 2. Further details must be provided to demonstrate that the plants to be grown on structures will comply with Table 5 of Part 4P – Planting on Structures of the ADG.
 3. Seating opportunities must be added the primary deep soil zone (DSZ) landscaped area in the north-western portion of the site to maximise the amenity provided by larger canopy trees.

4. Waste bins are to be provided regularly within the central public open space areas to minimise litter leaving the site. Bin locations are to be demonstrated on the construction certificate plans.
5. A site-specific and suitably detailed landscaping plan must be prepared for the centre-based child care facility, in accordance with the NSW Child Care Planning Guidelines. The landscaping plan must include a variety of natural and manmade floor and surface finishes, and sufficient equipment to provide shade, screening, play interest and educational opportunities. Landscaping features must not restrict the use of unencumbered outdoor play areas (7m² is required to be provided per child). The landscaping must include a mix of natural and manmade shade structures to at least 30% of the external play area, with a minimum head clearance of 2.1m from finished ground level.

Condition reason: To ensure that detailed landscaping requirements are documented.

(4) **Amended civil engineering plans and information** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. All surface inlet pits within the development shall be heelproof and have adequate pollutant protection.
2. For both car parks and service/loading areas, the development shall reduce total hydrocarbons, motor fuels, oils and grease by 90% of the average annual pollutant load for the 3 month average recurrence interval event.
3. All V-grates/butterfly pits, surface inlet and junction pits in the road carriageway shall be rated for vehicle traffic.
4. Any permanent batters exceeding 1(vertical):4 (horizontal) shall be certified by a suitably qualified engineer.
5. The minimum gradient for all roads shall be 1%, as per Council's specifications.
6. Barriers shall be placed at ramps and driveways where the drop from the edge to the lower level exceeds 600mm.
7. Ramps shall have grades and transitions that comply with Australian Standards.
8. Pedestrian areas adjacent to the service lane shall be protected with appropriate vehicle mitigation measures.
9. On street parking indented bays shall have parking lengths compliant with Australian Standards.
10. A detailed signs and line marking plan shall be submitted including but not limited to:
 - a. give way controls at 4-way intersections and busy intersections for the underground car parking.
 - b. appropriate traffic calming devices and pedestrian warning signs.

- c. one-way and no-entry signs for the accessway/service lane.
 - d. any required speed limit signs for the internal roads, car park and service lanes.
 - e. any new signs and line marking for changes to Council's road infrastructure such as pedestrian crossings (subject to traffic committee approval).
11. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book) (as amended from time to time).
 12. Earthworks.
 13. Water quantity and quality facilities:
 - a. A detailed on-site detention and water quality report.
 - b. An electronic stormwater model.
 - c. A validated Camden Council MUSIC-link report with electronic model.
 14. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
 15. For roads and car parks:
 - a. Pavement design.
 - b. Traffic management devices.
 - c. Line marking.

The amended plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.

Condition reason: To ensure that civil works are designed to appropriate standards.

- (5) **Detailed traffic compliance report** - A detailed traffic compliance report is to be provided that reviews and confirms compliance for:

1. All internal driveway ramps, gradients, vertical clearances, parking spaces and loading module components against the relevant AS2890 specifications.
2. Sightlines to pedestrians at driveways, and how they will be maintained, as well as any other measures to ensure adequate safety.
3. Turning paths for Basement 1 and 2 shall be provided. Turning paths shall be to scale in A1 or A3 and legible for detailed review. Each turning path shall be on a different sheet. Parking locations in corners and entries shall be reviewed.

Note. The traffic report only provides assessment for one basement and does not state which one. All turning paths must be clear of pillars and oncoming vehicles.

4. Following the design and placement of the new pedestrian crossings in Providence Drive, revised swept paths for a HRV are to be provided for vehicles entering from The Hermitage Way into Providence Drive from west and east.
5. Specify how the loading area access is to be splayed, and what specific 'Stop' treatments will be installed, as indicated on page 18 of the Traffic Report (Figure 19).

- (5) **Engineering specifications** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

Condition reason: To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

- (6) **Structural engineer certificate** - Before the issue of a construction certificate, a certificate must be prepared by a suitably qualified structural engineer and certify, to the certifier's satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer's current professional indemnity insurance.

Condition reason: To ensure that building elements are designed for the site conditions.

- (7) **Construction on-site detention/sediment control basins** - Before the issue of a construction certificate, information detailing the location and design of construction on-site detention/sediment control basins within the site must be prepared by a suitably qualified person, to the certifier's satisfaction.

Condition reason: To ensure that on-site detention and sediment control measures are provided.

- (8) **Public infrastructure alterations** - Before the issue of a construction certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees, pedestrian crossings or any other public infrastructure) must be approved by the roads authority (Council) under the *Roads Act 1993* through a Road Works Application. Any costs incurred will be borne by the developer. Detailed design of driveways, adjustments to footpaths, stormwater devices and any other works in the public road reserve shall be provided to Council's satisfaction as part of the approval. Evidence of the approval must be provided to the certifier. Upon completion of the works, a works as executed plan shall be submitted to Council.

Condition reason: To clarify the timing and need for approval under the *Roads Act 1993*.

- (9) **Street lighting** - Before the issue of a construction certificate, a design brief for the development's detailed street lighting design must be obtained from Council. E-mail Council at lighting@camden.nsw.gov.au to request the design brief. The design brief must be provided to the certifier.

Condition reason: To ensure that the safety and amenity of road users is protected.

- (10) **Pavement design report** - Before the issue of a construction certificate, a pavement design report in accordance with Council's engineering specifications must be prepared by a suitably qualified person, to the certifier's satisfaction.

Condition reason: To ensure that pavement designs are in accordance with Council's engineering specifications.

- (11) **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a construction certificate, written evidence from the carrier must be obtained that demonstrates, to the certifier's satisfaction, that arrangements have been made for:

1. The installation of fibre-ready facilities to all individual lots and/or premises in the development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Written confirmation that the carrier is satisfied that the fibre ready facilities are fit for purpose is also required.
2. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development project demonstrated through an agreement with a carrier.

Condition reason: To ensure fibre-ready telecommunications facilities are installed for new development.

- (12) **Glass reflectivity index** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the glass reflectivity index for all glass used externally will not exceed 20%.

Condition reason: To ensure all glass used externally has a reasonable maximum level of reflectivity.

- (13) **Smoke alarms** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will provide smoke alarms that comply with AS 3786 - Smoke Alarms Using Scattered Light, Transmitted Light or Ionization.

Condition reason: To ensure the provision of smoke alarms that comply with industry standards.

- (14) **Outdoor lighting plan (preparation)** - Before the issue of a construction certificate, a lighting plan must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that all lighting will comply with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

Condition reason: To ensure compliance with industry standards and to protect the amenity of the surrounding area.

- (15) **Driveway design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the approved driveway(s) will comply with AS 2890 - Parking Facilities and Council's Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).

Widths, slopes and details of all driveway crossovers and conversions are to be provided to the satisfaction of Council. These shall comply with the relevant Australian Standards and Council Specifications (Engineering, Access and Driveways). This requirement applies to the:

- a. Residential and commercial basement entries.
- b. Access laneway.
- c. Loading dock access driveway.

A driveway crossing approval must be obtained from Council before the issue of a construction certificate. Evidence of the approval must be provided to the certifier.

Condition reason: To ensure that driveways are designed to appropriate standards.

- (16) **Mechanical exhaust systems** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the mechanical exhaust systems will comply with AS 1668 - The Use of Ventilation and Air Conditioning in Buildings (including exhaust air quantities and discharge location points).

Condition reason: To ensure compliance with industry standards.

- (17) **Smoke exhaust stacks** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person demonstrating, to the principal certifier's satisfaction, that any impacts on sensitive receivers from odour or particulate matter associated with the smoke exhaust stacks are addressed, and that the stacks comply with all relevant statutory requirements and industry standards.

Condition reason: To ensure compliance with industry standards.

- (18) **Regulated systems (design)** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the following detailed design requirements:

1. The *Public Health Act 2010*.
2. The *Public Health Regulation 2022*.
3. AS 3666 - Air Handling and Water Systems of Buildings.
4. AS 1657 - Fixed Platforms, Walkways, Stairways and Ladders - Design, Construction and Installation.
5. AS 1892.1 - Portable Ladders - Performance and Geometric Requirements.
6. AS 2865 - Confined Spaces.
7. The WorkCover New South Wales publication 'Safe Work on Roofs Part 1: Commercial and Industrial Buildings'.

Condition reason: To ensure that regulated systems are designed to comply with statutory requirements and industry standards.

- (19) **Mechanical ventilation** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that any room or area not provided with natural ventilation in accordance with the Building Code of Australia will instead be provided with a mechanical ventilation system that complies with the following requirements:

1. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
2. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical Ventilation in Buildings.

Condition reason: To ensure that mechanical ventilation system(s) are provided where natural ventilation is not achieved.

- (20) **Salinity management** - Further testing shall be carried out to the maximum depth of cut for the basement levels, with the results and recommendations summarised in a further addendum to the approved Salinity Investigation and Management Plan Stage 25, Stage 18B, Entertainment Precinct and the Proposed School site The Hermitage, Gledswood Hills prepared by Douglas Partners, project 34295.75, dated June 2016; and subsequent addendum titled Salinity Addendum Investigation Proposed Entertainment Precinct, The Hermitage Way, Gledswood Hills also prepared by Douglas Partners, projects 34295.75, dated 07/08/2019.

Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the latest salinity documentation applicable for the site.

Condition reason: To ensure the development is designed to withstand the effects of salinity.

- (21) **Sydney Water trade waste requirements** - Before the issue of a construction certificate, information must be obtained from Sydney Water and a suitably qualified person and demonstrate, to the certifier's satisfaction, any Sydney Water trade waste requirements and how the development will comply with them.

Condition reason: To ensure that provisions have been made for managing trade waste.

- (22) **Waste rooms** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the waste rooms will comply with the following detailed design requirements:

1. Constructed of solid, impact resistant materials and finished in a smooth, even surface.
2. Smooth, impervious walls to ensure no moisture, oils or similar material can soak in.
3. Impervious, coved and graded floors that will be drained to a floor waste connection.
4. Provision of ventilation in accordance with AS 1668 - The Use of Ventilation in Buildings, lighting, pest proofing and an external hose tap.

5. Roofed with a minimum ceiling height of 2.4m.

Condition reason: To ensure that hygienic waste management facilities are provided.

- (23) **Mailboxes** - Before the issue of a construction certificate, a compliance letter must be provided from Australia Post permitting any residential mailboxes that are proposed to be located within the ground floor lobbies for each building. Alternatively, amended plans which demonstrate mailboxes located externally at street level shall be provided.

Condition reason: To ensure that provisions have been made for managing mail deliveries.

- (24) **CCTV for Security** - Before the issue of a construction certificate, plans and specifications detailing CCTV to be provided near all critical points of site and building access are to be provided, including for the child care centre. All CCTV shall comply with the relevant Australian Standards.

Condition reason: To provide appropriate surveillance of publicly accessible areas.

- (25) **Food premises and/or storage areas** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the following detailed design requirements:

1. The *Food Act 2003*.
2. The *Food Regulation 2015*.
3. Food Standards Australia and New Zealand Food Standards Code 2003.
4. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
5. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical ventilation in Buildings.
6. AS 4674 - Design, Construction and Fit-Out of Food Premises.

Condition reason: To ensure that food premises and/or storage areas are designed to comply with statutory requirements and industry standards.

- (26) **Performance bond** - Before the issue of a construction certificate, a performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.

- (27) **Damages bond** - Before the issue of a construction certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that any damage to existing public infrastructure is rectified.

- (28) **Long service levy** - Before the issue of a construction certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

Condition reason: To ensure the long service levy is paid.

- (29) **Special infrastructure contribution payment** - Before the issue of a construction certificate, a special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

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

Alternatively, the applicant must obtain written confirmation from the Department of Planning, Housing and Infrastructure that the SIC is not required to be paid for the approved development.

More information

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

Condition reason: To require a special infrastructure contribution to be paid.

- (30) **Section 7.11 contributions** - Before the issue of a construction certificate, contributions must be made to Council for the following services and amounts under section 7.11 of the *Environmental Planning and Assessment Act 1979*:

Plan Name	Contribution Type	Amount Payable
Oran Park & Turner Road	Open Space & Recreation - Land Acquisition	\$6,596,606.00
Oran Park & Turner Road	Open Space & Recreation - Works	\$2,122,332.00
Oran Park & Turner Road	Open Space & Recreation - Project Management	\$46,770.00
Open Space & Recreation Sub Total		\$8,765,708.00
Oran Park & Turner Road	Community Facilities - Land Acquisition	\$84,736.00
Oran Park & Turner Road	Community Facilities - Works	\$362,630.00
Oran Park & Turner Road	Community Facilities - Project Management	\$8,199.00

Community Facilities Sub Total		\$455,565.00
Oran Park & Turner Road	Transport Management - Land Acquisition	\$0.00
Oran Park & Turner Road	Transport Management - Works	\$37,132.00
Oran Park & Turner Road	Transport Management - Project Management	\$847.00
Transport Management Sub Total		\$37,979.00
Oran Park & Turner Road	Water Cycle Management - Land Acquisition	\$502,779.00
Oran Park & Turner Road	Water Cycle Management - Works	\$163,977.00
Oran Park & Turner Road	Water Cycle Management - Project Management	\$3,992.00
Water Cycle Management Sub Total		\$670,748.00
TOTAL CASH CONTRIBUTIONS		\$9,930,000.00

A copy of the Oran Park and Turner Road Contributions Plan may be inspected at Council's office at 70 Central Avenue, Oran Park or can be accessed on Council's website at www.camden.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of determination. In accordance with the provisions of the contributions plan, this amount shall be indexed at the time of actual payment in accordance with the applicable index.

Evidence of the contribution payment must be provided to the certifier.

Condition reason: To ensure that development makes contributions towards services identified in the applicable contributions plan.

- (31) **Construction noise and vibration management plan** - Given the large scale of the development and anticipated construction program that is likely to exceed 26 weeks, a detailed Construction Noise and Vibration Management Plan (CNVMP) is to be prepared demonstrating what measures will be imposed for this site to achieve the NSW Environment Protection Authority Interim Construction Noise Guidelines to ensure that works do not exceed noise background noise level by more than 10dB(A) when measured at the nearest affected residential boundary.

The plan shall include, but limited to:

1. noise mitigation measures.
2. noise monitoring.
3. use of respite periods.
4. use of quieter plant and equipment.
5. location of equipment.
6. complaints handling (with a permanent register to be kept on site and made available to Council's staff with action taken).
7. community liaison (letter box drop, community meetings) and consultation.

8. A maximum 45dB(A) internal noise level on the adjacent Gledswood Hills Public School. This may require restrictions on truck movements (frequency and operational times) and consultation.

Condition reason: To ensure sufficient measures are in place to protect the acoustic amenity of surrounding residents during the construction phase of the development.

- (32) **Services and fire hydrant enclosures** - Before the issue of a construction certificate for works above ground slab level, detailed plans must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that all services (including gas meters, water meters, fire hydrants, sprinkler booster valves and the like) will be enclosed in a manner that complements the building(s) and in accordance with the requirements of the *Building Code of Australia*.

Condition reason: To ensure that essential services are appropriately screened.

- (33) **Intertenancy wall noise attenuation design** - Before the issue of a construction certificate, certification must be provided from a suitably qualified acoustic consultant and demonstrate, to the certifier's satisfaction, that the building(s) are designed to minimise noise impacts between apartments. In particular, where an internal apartment layout places a bedroom against an intertenancy wall with living areas on the other side, the acoustic consultant must define a construction specification nominating the use of materials with low noise penetration properties that exceed the minimum standards of the *Building Code of Australia*, to the certifier's satisfaction.

Condition reason: To ensure consistency with Part 4H of the NSW Apartment Design Guide and achieve best practice standards for residential acoustic amenity.

4.2 - Before Building Work Commences

- (1) **Public liability insurance policy** - Before any building or public domain works commence, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to the principal certifier.

Condition reason: To ensure adequate public liability insurance is obtained to cover development within public property.

- (2) **Site security and fencing** - Before any building or public domain works commence, the site (or relevant area) is to be secured and fenced to the satisfaction of the principal certifier.

Condition reason: To ensure that access to the site is managed before works commence.

- (3) **Sydney Water approval** - Before any building or public domain works commence, the approved construction certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit www.sydneywater.com.au/tapin to apply. The Sydney Water approval must be provided to the principal certifier.

Condition reason: To ensure that any impacts upon Sydney Water infrastructure have been approved.

- (4) **Dilapidation report** - Before any building or public domain works work commence, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:

1. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
 - a. Road carriageways.
 - b. Kerbs.
 - c. Footpaths.
 - d. Drainage structures.
 - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer's damages bond.

The report must be submitted to the principal certifier and Council 2 days before any building work commences. The development must comply with all conditions that the report imposes.

Condition reason: To ensure that any damage causes by works can be identified and rectified.

- (5) **Site management plan (preparation)** - Before any building or public domain works work commence, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the blue book) (as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New

Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.

5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

- (6) **Utility services protection** - Before any building or public domain works commence, the developer must demonstrate, to the satisfaction of the principal certifier (or Council), that the following requirements have been met:

1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.
2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.
3. Obtain approval to proceed with the site works from utility owners.

Condition reason: To ensure that utilities are not adversely affected by development.

- (7) **Erection of signs** - Before any building or public domain works commence, a sign must be erected in a prominent position on the site:

1. Showing the name, address and telephone number of the principal certifier for the work.

2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work is being completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

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

- (8) **Residential building work insurance** - Before any residential building work commences for which a contract of insurance is required under Part 6 of the *Home Building Act 1989*, a contract of insurance must be in force.

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

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

- (9) **Notification of Home Building Act 1989 requirements** - Before any residential building work commences, the principal certifier must give Council written notice of the following:

1. For work that requires a principal contractor to be appointed:
 - a. The name and licence number of the principal contractor.
 - b. The name of the insurer of the work under Part 6 of the *Home Building Act 1989*.
2. For work to be carried out by an owner-builder:
 - a. The name of the owner-builder.

- b. If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the information required by this condition is no longer correct, work must not be carried out unless the principal certifier gives Council written notice of the updated information.

This condition does not apply in relation to Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: Prescribed condition under section 71 of the *Environmental Planning and Assessment Regulation 2021*.

4.3 - During Building Work

- (1) **Work near or involving vegetation** - While building work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

Condition reason: To ensure that work near or involving vegetation is carried out to industry standards.

- (2) **Redundant driveway laybacks** - While building work is being carried out, all redundant driveway laybacks along all of the site's road frontages must be sealed and restored to match the existing standards along those roads, to the satisfaction of the principal certifier.

Condition reason: To ensure that road frontages are provided with consistent conditions.

- (3) **Fill compaction (non-subdivision)** - While building work is being carried out, all fill must be compacted in accordance with Council's current engineering specifications, to the satisfaction of the principal certifier.

Condition reason: To ensure that fill is compacted to appropriate standards.

- (4) **Material sampling and testing** - While building work is being carried out and before any material is delivered to the site, sampling and testing of all material in accordance with Council's engineering specifications must be completed by a suitably qualified testing organisation, to the satisfaction of the principal certifier. The testing results must include a certificate from the testing organisation that certifies compliance with the criteria in Council's engineering specifications. The testing results must be updated every 3 months or when the material source changes.

Condition reason: To ensure that material used in construction complies with Council's engineering specifications.

- (5) **Priority (noxious) weeds management (during work)** - While building work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (6) **Work hours** - While building or public domain works are being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

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

- (7) **Work noise** - While demolition work is being carried out, noise levels must comply with the approved Construction Noise and Vibration Management Plan for the site.

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

- (8) **Stormwater collection and discharge** - While building work is being carried out, the roof of the approved building work must be provided with guttering and downpipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, must be conveyed in accordance with the approved stormwater plan(s).

All roof water must be connected to the approved roof water disposal system immediately after the roofing material has been fixed to the framing members. The principal certifier must not permit construction works beyond the frame inspection stage until this work has been carried out.

Connection to the street gutter or drainage easement must only occur at the designated connection point for the site. New connections that require work to an easement pipe or kerb must only occur with Council's approval.

Condition reason: To ensure that stormwater is properly collected and discharged.

- (9) **Finished floor level** - Before the development proceeds beyond floor level stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the finished floor level complies with the approved plans and this development consent.

Condition reason: To ensure that the finished floor level complies with the approved plans and this development consent.

- (10) **Survey report** - Before concrete is poured, the building(s) must be set out by a registered surveyor and a peg out survey must be prepared. The survey must confirm, to the satisfaction of the principal certifier, that the building will be sited in accordance with the approved plans and this development consent.

Condition reason: To ensure that the building(s) will be sited in accordance with the approved plans and this development consent.

- (11) **Pollution warning sign** - While building or public domain works are being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:

'WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (12 22 63) - Solution to Pollution.'

The wording must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.

The sign(s) must be maintained until the works have been completed.

Condition reason: To ensure that potential fines for pollution are clearly advertised.

- (12) **Site management plan (during work)** - While building or public domain works are being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

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

- (13) **Construction noise and vibration management plan (during work)** - While building or public domain works are being carried out, the approved construction noise and vibration management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

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

- (14) **Fill delivery register** - Once building or public domain works are completed, the delivery register for the site work must be submitted to Council.

Condition reason: To ensure that Council has a record of all fill deliveries to the site.

- (15) **Fill material (virgin excavated natural material)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. The report and plan have been endorsed by a practising engineer with specific area of practice in subdivisional geotechnics.
2. The report and plan have been prepared in accordance with:
 - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'.
 - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
3. The fill material:
 - a. Provides no unacceptable risk to human health and the environment.
 - b. Is free of contaminants.
 - c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').
 - d. Is suitable for its intended purpose and land use.
 - e. Has been lawfully obtained.
4. The sampling of the material for salinity complies with:
 - a. Less than 6,000m³ - 3 sampling locations.
 - b. Greater than 6,000m³ - 3 sampling locations with 1 extra location for each additional 2,000m³ or part thereof.
 - c. A minimum of 1 sample from each sampling location must have been provided for assessment.
5. The sampling of the material for contamination complies with:
 - a. 1 sample per 1,000m² or part thereof.
 - b. For volumes less than 1,000m², a minimum of 2 separate samples from different locations must be taken.

Condition reason: To ensure that fill material has been adequately assessed before placement on the site.

- (16) **Unexpected contamination finds contingency (general)** - While building work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of the principal certifier.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

Condition reason: To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (17) **Car park noise control (during work)** - While building work is being carried out, all car parks must have a coved finish with Slabseal 2000 SR sealant (or a similar equivalent product) applied to concrete floors, to the satisfaction of the principal certifier.

Condition reason: To ensure that car parks are adequate finished to protect the amenity of the surrounding area.

- (18) **Archaeological discovery** - While building work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of the principal certifier:

1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

- (19) **Compliance with *Building Code of Australia*** - While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

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

- (20) **Shoring and adequacy of adjoining property** - While building work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

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

- (21) **Building height** - Before the development proceeds beyond frame stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the building height complies with the approved plans and this development consent.

Condition reason: To ensure that the building height complies with the approved plans and this development consent.

- (22) **Pavement layer thickness** – While site/public domain work is being carried out and at the completion of each pavement layer, a site survey plan must be prepared by a registered surveyor and demonstrate, to the satisfaction of the principal certifier, the following information:

1. The reduced level (to Australian height datum level) of the finished surface layer after trimming and before the next course material is laid.
2. Survey readings at the lip of gutter (two sides) and the centre line of the road at least every 50m of road chainage or part thereof, with a minimum of two chainage locations per continuous length of pavement design profile along a single road.
3. The variation from the design level and whether the points are within Council's acceptable tolerances. The tolerances for each layer are specified in the table below:

Layer	Tolerance
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Subgrade (surface layer)	-30mm / +10mm
Subbase Course (thickness)	-10mm / +20mm
Base Course (thickness)	-0mm - +20mm
Finished Surface Level	-15mm / +12mm

The construction of the next pavement layer must not commence until written approval is given by the principal certifier.

Condition reason: To ensure that pavement layer thickness complies with Council's engineering specifications.

- (23) **Sediment Basin** - Sediment basin dewatering shall ensure that clean water is pumped into Council's stormwater system after appropriate settlement and flocculation.

Condition reason: To ensure that the sediment basin is managed in accordance with Council's engineering specifications.

4.4 - Before Issue of an Occupation Certificate

- (1) **Lot consolidation** - Before the issue of an occupation certificate, the following lots must be consolidated into one lot. Documentary evidence shall be provided to the principal certifier confirming registration of the approved allotments with NSW Land Registry Services:

1. Lots 2, 3 and 4 in DP 1276321.

Condition reason: To ensure the site is legally configured as one lot.

- (2) **Removal of existing easements** - The following easements and restrictions shall be removed prior to the plan of consolidation being registered:

1. Right of carriageway 6m wide (EA) as per item 1 in DP1276321.
2. Restriction on the use of land as per item 9 in DP1161618.

Condition reason: To remove redundant restrictions on the land.

- (3) **Existing and identified easements, restrictions and/or covenants** - The final plan of consolidation must detail the following elements to the satisfaction of the principal certifier:

1. All relevant existing easements and covenants.
2. Any required easements and covenants identified following approval of the development application.

Condition reason: To ensure that all necessary existing and identified easements, restrictions and/or covenants are detailed on the final plan of consolidation.

- (4) **New easements, restrictions and/or covenants** - Before the issue of an occupation certificate, the developer must register the following positive covenants to the satisfaction of the principal certifier. The positive covenant must be created under Section 88E of the *Conveyancing Act 1919* and burden the property owner with a requirement to maintain any required on-site detention, on-site re-use and water quality facilities on the property.

The terms of the positive covenant must include the following:

1. The property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
2. The property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities' design specifications and to the frequency as mandated by the associated plan of management.
3. Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities.
4. Council will have the right to recover as a liquidated debt the cost of any remedial work from the property owner upon demand.
5. The property owner will indemnify Council and all adjoining property owners against damage to their properties arising from the failure of any component of the facilities or the failure to clean, maintain and repair the facilities.
6. Restriction as to user that prohibits structures in the area impacted by the zone of influence of the basement without investigation and certification by a suitably qualified structural engineer.
7. Restriction as to user requiring site-specific individual acoustic assessments for all food and beverage tenancies (including licenced premises) on Ground Level, in accordance with the approved Acoustic Report for the development (inclusive of any amendments to the report, as required by this consent).
8. Prospective purchaser/contract information – The following statement must be clearly conveyed (in writing) in information provided to prospective purchasers of (future) Strata lots and in all contracts of sale for shop top housing or residential flat building units:

‘The purchaser is buying into an entertainment precinct where background noise levels may be higher than normal residential areas’.

Condition reason: To provide a legal mechanism for the long-term maintenance of water management facilities and other structural infrastructure, and to ensure the likely acoustic impacts caused by the development are suitably managed and advised.

- (5) **Incomplete works bond** - Before the issue of an occupation certificate, and where the developer proposes public domain work to be deferred in accordance with Council's engineering specifications, an incomplete works bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

Condition reason: To ensure that the cost to rectify incomplete public infrastructure works is captured.

- (6) **Defects and liability bond** - Before the issue of an occupation certificate, a defects and liability bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy for any public domain works, as deemed necessary. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

Condition reason: To ensure that the cost to rectify defects and liabilities in new public infrastructure works is captured.

- (7) **Surveyor's certificate** - Before the issue of an occupation certificate, a certificate must be prepared by a registered surveyor and certify, to the principal certifier's satisfaction, that:

1. All drainage lines, services, retaining walls, accessways and basins have been laid within their proposed easements.
2. No services or accessways encroach over the proposed boundaries other than those provided for by easements as created by the final plan of subdivision.

Condition reason: To ensure that infrastructure is located within an easement.

- (8) **Survey certificate** - Before the issue of an occupation certificate, a survey certificate must be prepared by a registered surveyor and demonstrate, to the principal certifier's satisfaction, that the siting of the building(s) complies with the approved plans and this development consent.

Condition reason: To ensure that the building(s) are sited in accordance with the approved plans and this development consent.

- (9) **Value of works** - Before the issue of an occupation certificate, itemised data and values of civil works must be prepared by a suitably qualified person, to the satisfaction of the principal certifier, for inclusion in Council's asset management system.

Condition reason: To ensure that the value of new civil works is recorded.

- (10) **Electricity notice of arrangement** - Before the issue of an occupation certificate, a notice of arrangement for the provision of electricity from Endeavour Energy must be provided to the principal certifier's satisfaction. The arrangement must include the provision of any electricity for updated street lighting that may be deemed necessary by Council.

Condition reason: To ensure that electricity is provided for the development.

- (11) **Section 73 compliance certificate** - Before the issue of an occupation certificate, a section 73 compliance certificate demonstrating that satisfactory arrangements have been made with Sydney Water for the supply of water and sewer services must be provided to the principal certifier's satisfaction. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water website](#) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Condition reason: To ensure that water and sewer services are provided for the development.

- (12) **Compaction report** - Before the issue of an occupation certificate, a compaction report must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the results of field testing and that all roads and lots have been compacted in accordance with Council's engineering specifications.

Condition reason: To ensure that roads and lots have been compacted to an appropriate standard.

- (13) **Water quality facility manuals** - Before the issue of an occupation certificate, operating, maintenance and monitoring manual(s) for water quality facilities must be prepared in accordance with Council's engineering specifications by a suitably qualified person to the satisfaction of the principal certifier.

Condition reason: To ensure that the operation, maintenance and monitoring requirements for water quality facilities is documented.

- (14) **Works as executed plans** - Before the issue of an occupation certificate, works as executed plans in accordance with Council's engineering specifications must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:

1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:
 - a. Levels and dimensions to verify the storage volume of any water management facilities.
 - b. Levels and other relevant dimensions of:
 - i. Internal drainage pipes.
 - ii. Orifice plates.
 - iii. Outlet control devices and pits.
 - iv. Weirs (including widths).
 - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
 - d. Verification that trash screens are installed.

Condition reason: To ensure that the completed works are recorded.

- (15) **Stormwater pipe CCTV camera reports** - Before the issue of an occupation certificate for any new or reconstructed public drainage infrastructure, a CCTV inspection must be carried out after the installation of new public drainage pipes. The inspection shall be in accordance with the Water Services Association of Australia publications 'Sewer

Inspection Report Code of Australia' and the 'Sewerage Code of Australia' (Sydney Water Edition). A report and footage shall be submitted to Council's satisfaction.

Condition reason: To record the state of all public stormwater drainage pipes for the development.

- (16) **Landscaping works completion** - Before the issue of an occupation certificate, all of the landscaping works approved by this development consent and the construction certificate must be completed to the satisfaction of the principal certifier. This must include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use.

Condition reason: To ensure that all approved landscaping works have been completed to an appropriate standard.

- (17) **Existing street trees inspection** - Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the satisfaction of Council. Evidence of the inspection and Council's satisfaction of any required rectification works must be provided to the principal certifier.

Condition reason: To ensure that existing street trees are inspected for damage and rectified where required.

- (18) **Verge reconstruction** - Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed in accordance with the approved Public Domain Plan(s).

Condition reason: To ensure that road verges are reconstructed with grass following building works.

- (19) **NSW Department of Education approval** - Before the issue of an occupation certificate for the approved child care centre, a letter from the NSW Department of Education detailing any operational conditions must be submitted to Council.

Condition reason: To ensure record of NSW Department of Education requirements.

- (20) **Driveway crossing construction** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a driveway crossing has been constructed in accordance with this development consent and the driveway crossing approval.

Condition reason: To ensure that the building(s) is provided with vehicular access.

- (21) **Services** - Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:

1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water](#)

[website](#) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Condition reason: To ensure that energy, water and wastewater services are provided for the development.

- (22) **House numbering** - Before the issue of an occupation certificate, the dwellings on the site must be readily identifiable from the adjoining road by displaying their Council allocated house numbers, to the satisfaction of the principal certifier. E-mail Council at sis.mailbox@camden.nsw.gov.au to obtain the allocated house numbers.

Condition reason: To ensure the dwellings on the site are officially and clearly numbered.

- (23) **Contributions payment evidence** - Before the issue of an occupation certificate, a document from Council certifying that the payment of section 7.11 contributions:

1. is not required at any time before the issue of an occupation certificate, or
2. is required and the requirement has been met, must be provided to the principal certifier.

An occupation certificate must not be issued unless the principal certifier has received a copy of the document and has confirmed with Council that:

1. Council issued the document.
2. No contributions or levies have been required since the document was issued.

Condition reason: To require evidence that section 7.11 contributions have been paid if required.

- (24) **Special infrastructure contribution payment evidence** - Before the issue of an occupation certificate, a document from the Planning Secretary certifying that the payment of a special infrastructure contribution:

1. is not required at any time before the issue of an occupation certificate, or
2. is required and the requirement has been met, must be provided to the principal certifier.

An occupation certificate must not be issued unless the principal certifier has received a copy of the document and has confirmed with the Planning Secretary that:

1. The Planning Secretary issued the document.
2. No contributions or levies have been required since the document was issued.

Condition reason: To require evidence that a special infrastructure contribution has been paid if required.

- (25) **Smoke alarms installation** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that smoke alarms that comply with AS 3786 - Smoke Alarms

Using Scattered Light, Transmitted Light or Ionization have been provided in the development.

Condition reason: To ensure the provision of smoke alarms that comply with industry standards.

- (26) **Building height** - Before the issue of an occupation certificate, a certificate from a registered surveyor must be prepared and certify, to the principal certifier's satisfaction, that the building height complies with the approved plans and this development consent.

Condition reason: To ensure that the building height complies with the approved plans and this development consent.

- (27) **Mechanical exhaust systems** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that:

1. The mechanical exhaust systems have been designed, constructed and installed in accordance with the *Building Code of Australia* and AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
2. The installed air handling system has been tested and complies with the construction certificate plans and specifications (including ventilation requirements and fire precautions).

Condition reason: To ensure that mechanical exhaust system(s) are installed in accordance with industry standards.

- (28) **Regulated systems (commissioning)** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that the installed regulated systems comply with the following requirements:

1. The *Public Health Act 2010*.
2. The *Public Health Regulation 2022*.
3. AS 3666 - Air Handling and Water Systems of Buildings.

Condition reason: To ensure that regulated systems are installed in accordance with statutory requirements and industry standards.

- (29) **Development registration with Council** - Before the issue of an occupation certificate, the development must be inspected by and registered with Council. Evidence of the inspection and registration must be provided to the principal certifier.

Condition reason: To support Council's regulatory functions related to the development.

- (30) **Private waste collection contract** - Before the issue of an occupation certificate, a private waste collection contract must be entered into for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be provided to the principal certifier and Council.

Condition reason: To ensure that a formal arrangement is in place for the private collection of waste.

- (31) **Trolley management plan (preparation)** - Before the issue of an occupation certificate, a management plan that addresses the management of trolleys must be prepared by a suitably qualified person, to the satisfaction of Council.

The plan must address the following:

1. Physical mechanisms to prevent trolleys being removed from the site.
2. Display of signage advising customers not to remove trolleys from the site.
3. Daily collection of trolleys deposited informally around the site.
4. Displaying the retailer's name and details of how to report abandoned trolleys on the trolleys.
5. If trolleys are removed from the site, collection of those trolleys within 24 hours of receiving report of their off-site location.

Condition reason: To provide measures to minimise nuisance caused by abandoned trolleys.

- (32) **Acoustic compliance report** - Before the issue of an occupation certificate, an acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier's satisfaction, that noise from the mechanical plant, loading dock and equipment will comply with the criteria in Section 5.2 Table 6 - Project Trigger Levels of the approved acoustic report titled Gledswood Village Environmental Noise Impact Assessment prepared by Acoustic Logic, revision 2, dated 7 July 2024.

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

For any acoustic non-compliance(s), the compliance report must make recommendations for compliance or further mitigation of noise sources, to the satisfaction of Council. The developer must then comply with the recommendations of the compliance report and a further acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier's satisfaction, that the noise criteria in this condition has been achieved.

Documentary evidence shall be provided to the principal certifier confirming that all building/s has been constructed in accordance with the approved acoustic report titled Gledswood Village Environmental Noise Impact Assessment prepared by Acoustic Logic, revision 2, dated 7 July 2024.

The compliance report shall also confirm that the external doors and windows of the apartments are acoustically rated in accordance with Section 4.5.1.1 "Glazed Windows and Doors" Tables 3 and 4 of the acoustic report titled "Gledswood Village Environmental Noise Impact Assessment prepared by Acoustic Logic Rev 2 dated 7 July 2024". Documentary evidence shall be provided to the principal certifying authority prior to the issue of the Occupation Certificate.

Condition reason: To ensure that operational noise levels will comply with the approved acoustic report.

- (33) **Alternate ventilation** – Alternate ventilation shall be provided to all apartments that require windows to be kept closed in accordance with AS 1668. Evidence of satisfactory installations shall be provided.

Condition reason: To ensure adequate ventilation.

- (34) **Loading Dock** - The soffit of the loading dock/underside of entry is to be lined with absorptive material with a minimum NRC of 0.9. Documentary evidence shall be provided to the private certifier prior to the issue of an occupation certificate.

Condition reason: To ensure reasonable amenity.

- (35) **Noise management plan** – Before the issue of an occupation certificate, a noise management plan prepared by an appropriately qualified person is to be submitted to and approved by the Consent Authority. The plan shall demonstrate the management principles that will be implemented at the site to ensure that the noise emissions from the premises will comply with the relevant noise criteria. The plan shall include but is not limited to the following information:

1. Details of management practices to be implemented to ensure the noise emitted from the playground area(s) are kept to a minimum.
2. A complaints handling system including details regarding how noise complaints from the use of the playground(s) will be received, rectified, recorded and monitored.

Condition reason: To ensure reasonable amenity.

- (36) **Window and door glazing of child care centre** – The child care centre is to have a minimum Rw35 10.38mm laminated glazing on all windows and doors. The external doors and windows shall remain closed during noisy indoor play activities. Evidence of compliance shall be provided before the issue of an occupation certificate.

Condition reason: To ensure reasonable amenity.

- (37) **Wintergardens** - Wintergardens are to be provided to all apartments as identified in figure 4J.2 in Appendix C of the acoustic report titled 'Gledswood Village Environmental Noise Impact Assessment', prepared by Acoustic Logic, revision 2, dated 7 July 2024. The wintergardens shall be provided with an absorptive ceiling. Glazing shall be a minimum 35Rw 10.38mm laminated glazing. Evidence of compliance shall be provided.

Condition reason: To ensure reasonable amenity.

- (38) **Wayfinding maps** – Given the large scale of the approved development, way finding maps shall be designed and installed in or adjacent to each building lobby to assist residents and visitors in navigating the site. The maps must identify the building's location within the site and identify key amenities/locations, such as the eat street, communal and public open spaces, main access points to the shops and any other relevant way finding features or landmarks. The wayfinding maps shall be installed prior to the issue of an occupation certificate.

Condition reason: To ensure suitable wayfinding.

- (39) **Smoke exhaust stacks** – A certificate prepared by a suitably qualified environmental consultant must be submitted prior to an occupation certificate being issued to certify to the installation of stacks complies with legislative and industry standards.

Condition reason: To ensure reasonable amenity.

- (40) **Compliance certificate for public works** - All works in the public domain servicing the development shall be inspected and approved to the satisfaction of Council. Evidence of a compliance certificate from Council shall be submitted to the certifier.

Condition reason: To ensure compliant public works.

- (41) **Child Care Centre Emergency Evacuation** - A detailed emergency and evacuation management plan must be prepared for the child care centre detailing appropriate evacuation routes in the event of an emergency. The plan must include:

1. instructions for what must be done in the event of a fire or other emergency.
2. an emergency evacuation floor plan, displayed prominently near exits.
3. a risk assessment of the premises.
4. mobility of children.
5. safe congregation/assembly points.
6. maintenance of child-to-staff ratios for supervision during evacuation.
7. for child care centres in multi-storey buildings, the plan should consider additional safety features such as child appropriate safety rails for shared fire stairs and a 'muster area' to account for all children prior to evacuation.

Condition reason: To ensure safety and compliance with the NSW Child Care Planning Guideline.

- (42) **Intertenancy wall noise attenuation construction** - Before the issue of an occupation certificate, certification must be provided from a suitability qualified acoustic consultant and demonstrate, to the principal certifier's satisfaction, that all intertenancy walls where an internal apartment layout places a bedroom against an intertenancy wall with living areas on the other side, have been constructed in accordance with the defined construction specification submitted with the construction certificate to ensure that all sound between apartments has necessary noise attenuation.

Condition reason: To ensure consistency with Part 4H of the NSW Apartment Design Guide and achieve best practice standards for residential acoustic amenity.

5.1 - Occupation and Ongoing Use

- (1) **Operating hours** - During occupation and ongoing use of the development, the development is approved to operate within the following hours:

Tenancy	Approved Use	Approved Days	Approved Hours
N/A	Loading dock deliveries	Mon – Sun	6am – 10pm
N/A	Centre	Mon – Wed Thurs Fri – Sun	9am – 6pm 9am – 9pm 9am – 9pm

LG - 01	Retail/commercial	As per Centre	
LG - 02			
LG - 03	Food/beverage/entertainment	Mon – Thurs Fri – Sat Sun	9am – 10pm
LG - 04			9am – 12am 9am – 10pm
LG - 05	Retail/commercial	As per Centre	
LG - 06			
LG - 07			
LG - 08			
LG - 09			
LG - 10			
LG - 11	Food/beverage/entertainment	Mon – Thurs Fri – Sat Sun	9am – 10pm 9am – 12am 9am – 10pm
LG - 12	Retail/commercial	As per Centre	
LG - 13			
LG - 14	Bottle shop	Mon – Sun	9am – 10pm
LG - 15	Supermarket (public)	Mon – Sun	7am – 10pm
LG - 15	Supermarket (back of house)	Mon – Sun	6am – 12am
LG - 16	Butcher	As per Centre	
LG - 17	Pharmacy		
LG - 18	Gym	Mon – Sun	5am – 10pm
LG - 19	Food/beverage/entertainment	Mon – Thurs Fri – Sat Sun	9am – 10pm 9am – 12am 9am – 10pm
B1, B2 and LG - 20	Cinema	Mon – Sun 12 times annually	9am – 12am 24 hours
B1, LG and G	Child care centre	Mon – Fri	7am – 6pm
G - 21	Retail	As per Centre	
G - 22	Food/beverage/entertainment	Mon – Thurs Fri – Sat Sun	9am – 10pm 9am – 12am 9am – 10pm

G – 23	Café	Mon – Sun	7am – 10pm
G – 24	Food/beverage/entertainment	Mon – Thurs Fri – Sat Sun	9am – 10pm 9am – 12am 9am – 10pm
G – 25			
G – 26			
G – 27			
G – 28			
G – 29	Retail	As per Centre	
G – 30	Commercial		
G – 31	Café	Mon – Sun	7am – 10pm

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

- (2) **Maximum centre-based child care facility places** - During occupation and ongoing use of the development, the development is approved to accommodate up to 80 children. However, this maximum number must be reduced to any lower number that is separately approved for the facility by the Department of Education.

Condition reason: To clarify the maximum number of children approved for the facility.

- (3) **NSW Department of Education requirements** - During occupation and ongoing use of the development, the development must comply with all requirements of the NSW Department of Education. Should the NSW Department of Education requirements be modified at any time, details of the modifications must be submitted to Council.

Condition reason: To ensure compliance with and record of NSW Department of Education requirements.

- (4) **Loading and unloading** - During occupation and ongoing use of the development, all loading and unloading activities must take place within the development's approved loading area.

Condition reason: To maintain the visual amenity of the area and off-street car parking spaces and driveways approved for the development.

- (5) **Loading dock truck movements** - A maximum of 2 truck movements with a 15min period from 6am-10pm are allowed for the loading dock area. Any increase in movements shall trigger a further acoustical assessment and approval by Council. No truck movements are to be carried out between 10pm and 6am.

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

- (6) **Offensive noise and noise compliance** - During occupation and ongoing use of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Operational noise must also comply with the NSW Noise Policy for Industry 2017.

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

- (7) **Noise management plan** - All requirements of the approved noise management plan are to be implemented within one month of the use of the premises commencing and shall be complied with at all times during the operation of the premises.

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

- (8) **Car park noise control (ongoing)** - During occupation and ongoing use of the development, the coved finish and sealant applied to all car parks must always be maintained to a standard that eliminates tyre squeal noise from being audible.

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

- (9) **No amplified music** - No amplified music is to be played externally in association with the child care centre.

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

- (10) **Food and beverage premises (outdoor seating)** – All food and beverage premise must close their outdoor seating area at 10pm. A separate acoustic report shall be provided for any food and beverage premise for further assessment and approval by Council should they propose to operate past 10pm.

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

- (11) **Food and beverage premises (music)** – Only back ground music shall be played outside of any tenancy with a sound pressure limit of 65dB(A) L10.

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

- (12) **Noise generating equipment in common areas** - During occupation and ongoing use of the development, the use of noise generating equipment for the cleaning or maintenance of common areas must only occur between 7am-10pm each day.

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

- (13) **Licensed premises noise** - During occupation and ongoing use of the development, noise from the development must comply with the following requirements:

1. The LA10, 15min noise level emitted from the licensed premises must not exceed the background noise level in any octave band centre frequency (31.5Hz-8kHz inclusive) by more than 5dB between 7am and 12 midnight at the boundary of any affected residence.
2. The LA10, 15min noise level emitted from the licensed premises must not exceed the background noise level in any octave band centre frequency (31.5Hz-8kHz inclusive) between 12 midnight and 7am at the boundary of any affected residence.
3. The LA10, 15min noise level emitted from the licensed premises when measured inside a habitable room of a residence between 12pm and 7am must not give rise to a measurable increase above the ambient level in any octave band centre frequency (31.5Hz-8kHz inclusive) in the absence of music.

*In this condition, LA10 is taken as the average maximum deflection of the noise emission from the licensed premises.

Condition reason: To ensure that hazardous materials are safely stored and used.

- (14) **Goods, materials, equipment and/or waste storage** - During occupation and ongoing use of the development, all goods, materials, equipment and/or waste must be stored inside the building.

Condition reason: To protect the visual amenity of the surrounding area and not impact the public domain.

- (15) **Dangerous and/or hazardous goods storage** - During occupation and ongoing use of the development, all dangerous and/or hazardous goods must be stored in accordance with SafeWork NSW requirements.

Condition reason: To ensure that dangerous and/or hazardous good are stored safely and in compliance with industry standards.

- (16) **Flammable and/or combustible liquid storage** - During occupation and ongoing use of the development, all flammable and/or combustible liquid must be stored in accordance with AS 1940 - The Storage and Handling of Flammable and Combustible Liquids.

Condition reason: To ensure that flammable and/or combustible liquid is stored safety and in compliance with industry standards.

- (17) **Hazardous and/or industrial waste removal** - During occupation and ongoing use of the development, all hazardous and/or industrial waste must be removed in accordance with the requirements of the NSW Environment Protection Authority and SafeWork NSW.

Condition reason: To ensure hazardous and/or industrial waste is safely removed.

- (18) **Liquid spills management** - During occupation and ongoing use of the development, the management of liquid spills must comply with the following requirements:

1. Supplies of spill prevention, absorbent and clean-up materials must be kept on site to recover any spilled liquid.
2. Liquid spills must be cleaned up using dry methods (by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin).
3. Materials used for clean-up must be disposed of at a waste facility.

Condition reason: To protect the environment from pollution.

- (19) **Pollutant discharge management** - During occupation and ongoing use of the development, the control of pollutant discharges must comply with the following requirements:

1. No wastewater, chemicals or other pollutant substances may be discharged to Council's stormwater system or other waterways.

2. All gases, odours, dust, fumes, steam, moisture and particulate matter generated by the development must be collected into approved stacks for discharge to the atmosphere.

Condition reason: To protect the environment from pollution.

- (20) **Liquid storage and bunding** - During occupation and ongoing use of the development, all liquids including oils, lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals must be stored in approved containers and housed in an impervious, bunded and covered area. The bunded area must be able to store a minimum of 110% of the volume of the largest container stored or 25% of the total volume of all the containers stored.

Condition reason: To protect the environment from pollution.

- (21) **Pollution control devices** - During occupation and ongoing use of the development, all pollution control devices (including drainage systems, sumps and traps) must be regularly maintained.

Condition reason: To protect the environment from pollution.

- (22) **Material safety data sheets** - During occupation and ongoing use of the development, material safety data sheets must be held on site for all hazardous materials.

Condition reason: To ensure that hazardous materials are safely stored and used.

- (23) **Private waste collection contract** - During occupation and ongoing use of the development, a private waste collection contract must be maintained for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be kept on the site.

Condition reason: To ensure that a formal arrangement is in place for the private collection of waste.

- (24) **Medical waste storage** - During occupation and ongoing use of the development, waste containers with securely fitting lids must be kept on the site for the storage of any clinical and related waste before its disposal at a waste facility. Waste containers used for sharps must comply with AS 3816 - Management of Clinical and Related Wastes.

Condition reason: To ensure that medical waste is securely stored.

- (25) **Remote storage facilities for food premises** - During occupation and ongoing use of the development, the use of remote storage facilities by food premises is prohibited.

Condition reason: To ensure that food storage only occurs in approved locations.

- (26) **Landscaping works maintenance** - During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

Condition reason: To ensure that approved landscaping works are perpetually maintained to an appropriate standard.

- (27) **Public domain landscaping works establishment period** - Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.

Condition reason: To ensure that approved public domain landscaping works are established to an appropriate standard.

- (28) **Priority (noxious) weeds management (ongoing)** - During occupation and ongoing use of the development, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (29) **Graffiti removal** - During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application.

Condition reason: To protect the visual amenity of the area surrounding the development.

- (30) **Trolley management plan (ongoing)** - During occupation and ongoing use of the development, the trolley management plan approved by Council for the development must be complied with.

Condition reason: To minimise nuisance caused by abandoned trolleys.

- (31) **Outdoor lighting plan (ongoing)** - During occupation and ongoing use of the development, the approved lighting plan must be complied with.

Condition reason: To ensure compliance with industry standards and to protect the amenity of the surrounding area.

- (32) **On-site detention facility plan of management (ongoing)** - During occupation and ongoing use of the development, the on-site detention facility plan of management plan required by this development must be complied with.

Condition reason: To provide a management regime for on-site detention facilities.

- (33) **Car wash bay and vehicle washing (residential development)** - During occupation and ongoing use of the development, the car wash bay and vehicle washing must comply with the following requirements:

1. Vehicle washing must only be conducted in the approved car wash bay.
2. All wastewater generated from the car wash bay must be discharged to sewer or via alternative on-site disposal options where water is recycled or re-used.
3. Wastewater must not enter the stormwater system.
4. A designated hose fitted with a water trigger device must be used for vehicle washing.

5. Car wash bays and drains must be regularly cleaned and maintained.
6. The site owner/manager must advise residents of the operational and maintenance requirements for the car wash bay.

Condition reason: To prevent water pollution.