

## RECOMMENDED CONDITIONS

### **General** **1.1 - General Conditions**

- (1) **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:

<b>Approved plans</b>			
<b>Number</b>	<b>Title</b>	<b>Drawn by</b>	<b>Date</b>
A001 Rev B	3D Renderings and Artist Impressions	Furfaro Architects	28/11/2024
A002 Rev B	Materials and Finishes	Furfaro Architects	28/11/2024
A003 Rev A	3D Realistic Elevations	Furfaro Architects	10/3/2025
A100 Rev B	Wider Context Analysis	Furfaro Architects	28/11/2024
A101 Rev C	Zoning Maps	Furfaro Architects	10/2/2025
A102 Rev B	Site Analysis	Furfaro Architects	28/11/2024
A103 Rev B	Site Analysis – Building Height	Furfaro Architects	28/11/2024
A004 Rev B	Site Survey Plan	Furfaro Architects	28/11/2024
A105 Rev C	Site Plan	Furfaro Architects	19/3/2025
A200 Rev E	Basement 4	Furfaro Architects	19/3/2025
A201 Rev E	Basement 3	Furfaro Architects	19/3/2025
A202 Rev E	Basement 2	Furfaro Architects	19/3/2025
A204 Rev E	Basement 1	Furfaro Architects	19/3/2025
A205 Rev E	Ground Floor Plan	Furfaro Architects	19/3/2025
A206 Rev D	First Floor Plan	Furfaro Architects	19/3/2025

A207 Rev D	Second Floor Plan	Furfaro Architects	19/3/2025
A208 Rev D	Third Floor Plan	Furfaro Architects	19/3/2025
A209 Rev D	Fourth Floor Plan	Furfaro Architects	19/3/2025
A210 Rev D	Fifth Floor Plan	Furfaro Architects	19/3/2025
A211 Rev E	Sixth Floor Plan	Furfaro Architects	19/3/2025
A215 Rev D	Roof Plan	Furfaro Architects	19/3/2025
A300 Rev D	Northern (Front) Elevation	Furfaro Architects	19/3/2025
A301 Rev D	Southern (Rear) Elevation	Furfaro Architects	19/3/2025
A302 Rev D	Western Elevation	Furfaro Architects	19/3/2025
A303 Rev D	Eastern Elevation	Furfaro Architects	19/3/2025
A304 Rev D	Front Streetscape Analysis	Furfaro Architects	19/3/2025
A400 Rev D	Sections	Furfaro Architects	19/3/2025
A401 Rev B	Sections	Furfaro Architects	10/2/2025
A402 Rev B	Driveway Details	Furfaro Architects	10/2/2025
A900 Rev D	Areas Breakdown	Furfaro Architects	19/3/2025
A403 Rev A	Mezzanine Level Sections	Furfaro Architects	10/3/2025
23_298 01-16 (Inclusive) Rev E	Landscape Plan - Design Plans	LandFX Landscape Architecture	21/3/2025
23_298 400-412 (Inclusive) Rev E	Landscape Plan - Schedule and Planting Plans	LandFX Landscape Architecture	21/3/2025
23_298 701 Rev E	Landscape Plan - Landscape Typical Details	LandFX Landscape Architecture	21/3/2025
23_298 801-804 (Inclusive) Rev E	Landscape Plan - Landscape Specifications	LandFX Landscape Architecture	21/3/2025

SW001 Rev E	Stormwater Layout Plan Cover Sheet	Capital Engineering Solutions	7/2/2025
SW010 Rev E	Stormwater Layout Plan Basement 4 Plan Part 1, Notes & Details	Capital Engineering Solutions	7/2/2025
SW011 Rev E	Stormwater Layout Plan Basement 4 Plan Part 2, Notes & Details	Capital Engineering Solutions	7/2/2025
SW020 Rev E	Stormwater Layout Plan Basement 3 Plan Part 1, Notes & Details	Capital Engineering Solutions	7/2/2025
SW021 Rev E	Stormwater Layout Plan Basement 3 Plan Part 2, Notes & Details	Capital Engineering Solutions	7/2/2025
SW030 Rev E	Stormwater Layout Plan Basement 2 Plan Part 1, Notes & Details	Capital Engineering Solutions	7/2/2025
SW013 Rev E	Stormwater Layout Plan Basement 2 Plan Part 2, Notes & Details	Capital Engineering Solutions	7/2/2025
SW040 Rev E	Stormwater Layout Plan Basement 1 Plan Part 1, Notes & Details	Capital Engineering Solutions	7/2/2025
SW041 Rev E	Stormwater Layout Plan Basement 1 Plan Part 2, Notes & Details	Capital Engineering Solutions	7/2/2025
SW050 Rev E	Stormwater Layout Plan Ground Floor Part 1, Notes & Details	Capital Engineering Solutions	7/2/2025
SW051 Rev E	Stormwater Layout Plan Ground Floor Part 2, Notes & Details	Capital Engineering Solutions	7/2/2025
SW052 Rev E	Stormwater Layout Plan Onsite Detention Tank Plan & Details	Capital Engineering Solutions	7/2/2025
SW053 Rev E	Stormwater Layout Plan Music Catchment Plan Notes & Details	Capital Engineering Solutions	7/2/2025
SW054 Rev E	Stormwater Layout Plan Site Catchment Plan	Capital Engineering Solutions	7/2/2025

	DRAINS Results		
ER001 Rev E	Stormwater Layout Plan Erosion & Sediment Control Plan Part 1, Notes & Details	Capital Engineering Solutions	7/2/2025
ER002 Rev E	Stormwater Layout Plan Erosion & Sediment Control Plan Part 2, Notes & Details	Capital Engineering Solutions	7/2/2025
SW002 Rev E	Stormwater Layout Plan Typical Drainage Notes & Details Sheet 1 of 2	Capital Engineering Solutions	7/2/2025
SW003 Rev E	Stormwater Layout Plan Typical Drainage Notes & Details Sheet 2 of 2	Capital Engineering Solutions	7/2/2025

Approved documents		
Title	Prepared by	Date
Preliminary Site Investigation Report, 38-44 Lasso Road, Gregory Hills, Project no. ER23015	CEC Geotechnical	19/4/2023
Revised Traffic and Parking Assessment Report, 38-44 Lasso Road, Gregory Hills, Ref 23043, V3	CJP Consulting Engineers	13/3/2025
Site Stormwater Management Strategy Report, 38-44 Lasso Road, Gregory Hills, Project No. SW23108, Rev E	Capital Engineering Consultants	5/2/2025
Dewatering Management Plan, 38-44 Lasso Road, Gregory Hills, Project No. GR24179-2A	CEC Geotechnical	6/12/2024
Geotechnical Investigation Report, GR24179, 38-44 Lasso Road, Gregory Hills	CEC Geotechnical	12/12/2024
Hydrogeological Assessment, Report GR24179-1A, 38-44 Lasso Road, Gregory Hills	CEC Geotechnical	13/12/2024
Noise Impact Assessment Mixed Use Development, 38-44 Lasso Road, Gregory Hills, Report no. R230197, Rev 1	Rodney Stevens Acoustics	11/12/2024
Building Code of Australia Report, Project 38-44 Lasso Road, Project no. A24-287, Gregory Hills, Rev 02	Design and Approval Pty Ltd	4/12/2024

Waste Management Plan Proposed Commercial Development at 38-44 Lasso Road, Gregory Hills, Rev 3	ttm	27/11/2024
Preliminary NABERS Base Building Energy Estimation 38-44 Lasso Road, Gregory Hills	Aspire Sustainability Consulting	28/11/2024
NABERS Water for Office Assessment: 38-44 Lasso Road, Gregory Hills	Aspire Sustainability Consulting	28/11/2024
SEPP C.4 Net Zero Statement, 38-44 Lasso Road, Gregory Hills	Aspire Sustainability Consulting	28/11/2024

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.

(2) **Authority requirements**

The development must be carried out in accordance with the following authority requirements:

1. Water NSW, Ref IDAS1155960/CNR-70811, dated 14 January 2025.

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

(3) **No fit out approved** - This development consent does not approve the fit out of the approved food premises. A separate development application must be lodged with and approved by Council before any fit out commences (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.

(4) **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 CO<sub>2</sub>e, calculated for the first 10 years of operation.

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

## **Building Work**

### **2.1 - Before Issue of a Construction Certificate**

- (1) **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 access ramp to the loading bay shall be designed for the largest vehicles servicing the site including but not limited to vertical clearance requirement. Vertical clearance of 3.7m shall be provided for the largest vehicles of 3.5m in height. Vertical clearance shall be measured as illustrated in Figure 5.3 of AS/NZS 2890.1:2004.
  2. The proposed driveway shall be designed to accommodate the swept path of the largest vehicle to service the site.
  3. The stormwater plan shall be updated to align with the submitted MUSIC model, including 8 PSORB Stormfilter cartridges within the water quality facility.
  4. Amended plans to demonstrate facilities for common area maintenance to be provided with water and wastewater disposal connections.

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

- (2) **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 or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

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

- (3) **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 premises in the development so as to enable fibre to be readily connected. 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 the development demonstrated through an agreement with a carrier.

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

- (4) **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.

- (5) **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.

- (6) **Outdoor lighting provision** - 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 be provided with lighting in all outdoor areas that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

**Condition reason:** To ensure the provision of lighting in accordance with industry standards and to protect the amenity of the surrounding area.

- (7) **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).

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.

- (8) **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.

- (9) **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.

- (10) **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.

- (11) **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.

- (12) **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. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Earthworks.
3. 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.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
5. For roads and car parks:



- a. Pavement design.
  - b. Traffic management devices.
  - c. Line marking.
6. Clearly delineate the extent/location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such (only if the site is flood affected). The FPL is defined in Council's Flood Risk Management Policy.

The 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.

- (13) **Detailed landscaping plan** - 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. All slab edge planters on Levels 1 to 6 must have a minimum soil depth of 450mm and a minimum soil width of 500mm.
2. An irrigation system must be installed to all slab edge planters on Levels 1 to 6.
3. Consistency with the concept landscaping plans approved by this development consent.
4. Compliance with Appendix B of Camden Development Control Plan 2019.

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

- (14) **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.

- (15) **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.

- (16) **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.

- (17) **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.

- (18) **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 [SICContributions@planning.nsw.gov.au](mailto:SICContributions@planning.nsw.gov.au).

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

- (19) **Section 7.12 contributions** - Before the issue of a construction certificate, contributions must be made to Council under section 7.12 of the *Environmental Planning and Assessment Act 1979*:

Camden Section 7.12 Development Contribution Plan	
% of development cost	<b>1% OF DEVELOPMENT COST</b>
Amount payable	<b>\$710,488.00</b>

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 consumer price index.

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

- (20) **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. Ventilated in accordance with AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
5. Provided with lighting, pest proofing and an external water tap.
6. Roofed with a minimum ceiling height of 2.4m.

7. Serviced by a minimum 1.8m wide door(s) that opens in an outwards direction and can be locked open.

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

- (21) **Swimming pool and/or spa 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 swimming pool and/or spa will comply with the following detailed design requirements:

1. The *Swimming Pools Act 1992*.
2. The *Swimming Pools Regulation 2018*.
3. The Building Code of Australia.
4. AS 1926.1 - Swimming Pool Safety - Safety Barriers for Swimming Pools.
5. AS 1926.3 - Swimming Pool Safety - Water Recirculation Systems.
6. AS 3500.2 - Plumbing and Drainage - Sanitary Plumbing and Drainage.

**Condition reason:** To ensure that swimming pools and/or spas are designed to comply with statutory requirements and industry standards.

- (22) **Swimming pool and/or spa safety fencing (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 swimming pool and/or spa will be fenced to be effectively isolated from the dwelling and adjoining property, and that the fencing will comply with the following detailed design requirements:

1. Compliance with the design and location approved with the development consent and any conditions of the development consent.
2. AS 1926.1 - Swimming Pool Safety - Safety Barriers for Swimming Pools.
3. A minimum 1.2m effective height.
4. All gates self-closing, self-latching and opening outwards from the swimming pool and/or spa enclosure.
5. Filtration equipment, including any cover, housing or pipework, must not be located within 900mm from the outside face of the safety fencing enclosure, nor within 300mm from the inside of the swimming pool safety fencing enclosure (where footholds are possible).
6. Boundary fencing forming part of the swimming pool and/or spa safety fencing maintains a minimum effective height of 1.8m and a 900mm non-climbable zone (measured from the top of the inside of the fencing).

**Condition reason:** To ensure that swimming pools and/or spas are fenced to comply with industry standards.

- (23) **Swimming pool and/or spa wastewater disposal (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 all swimming pool and/or spa wastewater disposal will comply with the following detailed design requirements:

#### Sand Filters

1. For sand filters and where Sydney Water sewer is available, wastewater must be drained or pumped to the sewer.
2. For sand filters and where a Sydney Water sewer is not available, wastewater disposal must meet the following requirements:
  - a. discharge to a rubble pit measuring 600mm wide x 600mm deep x 3m long and located not less than 3m from any structure or property boundary, or
  - b. discharge to a tail out drain to disperse the water over a large, grassed area, provided that the land fall does not direct water to buildings on the site or adjoining properties or create a nuisance to an adjoining property owner. The following requirements must also be complied with:
    - i. Wastewater must not be discharged to a septic tank, an on-site sewage management installation or an effluent disposal area.
    - ii. Wastewater must not be discharged into a public reserve, watercourse, easement or stormwater drainage system or otherwise adversely impact upon an adjoining property.
3. For cartridge filters, no connection to Sydney Water sewer in rural areas is required. Additionally, no connection to a rubble pit or tail out drain is required.

**Condition reason:** To protect the amenity of the surrounding area and the environment from pollution.

## **2.2 - Before Building Work Commences**

- (1) **Site security and fencing** - Before any building work commences, the site 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.

- (2) **Sydney Water approval** - Before any building work commences, 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](http://www.sydneywater.com.au/tapin) to apply. The Sydney Water approval must be provided to the principal certifier.

For subdivision works certificates, stamped water servicing coordinator must be provided to the principal certifier.

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

- (3) **Dilapidation report** - Before any building work commences, 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 the following properties:
  - a. Lot 8 DP 1267546, 28-36 Lasso Road, Gregory Hills.
  - b. Lot 10 DP 1267546, 21 Central Hills Drive, Gregory Hills
  - c. Lot 1 DP 1267546, 4 Steer Road, Gregory Hills.
  - d. Lot 1 DP 1289360, 23 Central Hills Drive, Gregory Hills.
2. 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 caused by works can be identified and rectified.

- (4) **Site management plan (preparation)** - Before any building work commences, 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 Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and 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.

- (5) **Erection of signs** - Before any building work commences, 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*.

- (6) **Utility services protection** - Before any building work commences, the developer must demonstrate, to the satisfaction of the principal certifier, 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) **Mechanical Plant Acoustic Assessment** - Upon selection of all mechanical plant, an additional acoustic assessment is required to be submitted to ensure that the selected plant achieves acoustic compliance to preserve the acoustic amenity of occupants/tenants and all nearby receivers C1-C7 as outlined in "Noise Impact Assessment, Mixed Use Development, 38-44 Lasso Road, Gregory Hills, Revision 1", prepared by Rodney Stevens Acoustics report no. R230197, dated 11 December 2024.

**Condition reason:** To preserve the acoustic amenity of the surrounding locality.

## 2.3 - During Building Work

- (1) **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.

- (2) **Work hours** - While building 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 building work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

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

(4) **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 to the street gutter, drainage easement or existing drainage system 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.

(5) **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.

(6) **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.

- (7) **Pollution warning sign** - While building work is 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 \$30,000 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.

- (8) **Site management plan (during work)** - While building 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.

- (9) **Fill delivery register** - Once building work is 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.

- (10) **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 6,000m<sup>3</sup> - 3 sampling locations.
  - b. Greater than 6,000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2,000m<sup>3</sup> 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 1,000m<sup>2</sup> or part thereof.
  - b. For volumes less than 1,000m<sup>2</sup>, 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.

- (11) **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.

- (12) **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.

- (13) **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.

- (14) **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.

- (15) **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.

- (16) **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*.

- (17) **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*.

- (18) **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.

- (19) **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 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.

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

- (20) **Swimming pool and/or spa filling** - While building work is being carried out, the swimming pool and/or spa must not be filled with water until the safety fencing required by this development consent has been installed. The principal certifier must inspect the fencing prior to the filling.

**Condition reason:** To ensure that safety fencing has been installed before the swimming pool and/or spa is filled.

- (21) **Acoustic Construction Requirements** - The construction of the premises shall be undertaken in accordance with the recommendations in the approved acoustic report titled "Noise Impact Assessment, Mixed Use Development, 38-44 Lasso Road, Gregory Hills, Revision 1", prepared by Rodney Stevens Acoustics report no. R230197, dated 11 December 2024.

**Condition reason:** To ensure compliance with the acoustic report.

## **2.4 - Before Issue of an Occupation Certificate**

- (1) **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.

- (2) **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.

- (3) **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.

- (4) **Verge reconstruction** - Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species listed in Council's engineering specifications.

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

- (5) **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.

- (6) **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.

- (7) **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. 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.

- (8) **Water management facilities positive covenant** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a positive covenant has been registered with NSW Land Registry Services. 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 on-site detention, on-site retention/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.
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.

**Condition reason:** To provide a legal mechanism for the long-term maintenance of water management facilities.

- (9) **On-site detention facility plan of management (preparation)** - Before the issue of an occupation certificate, an on-site detention facility plan of management (POM) must be prepared by a suitably qualified person, to the satisfaction of the principal certifier. The POM must describe all design and operational parameters for the facility including:

1. Design levels.
2. Hydrology and hydraulics.
3. Inspection and maintenance requirements (including time intervals for inspections and maintenance).

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

- (10) **Water management basins certificate** - Before the issue of an occupation certificate, a certificate must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, that the water management basins comply with the following requirements:

1. The basins have been completed in accordance with the approved construction certificate plans or that any variations that have been made will not impair the performance of the basins.
2. The basins will function in accordance with the design intent approved by the construction certificate.

**Condition reason:** To ensure that water management basins will comply with the construction certificate.

- (11) **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.
- 3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

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

- (12) **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.

- (13) **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.
- 4. AS 1657 - Fixed Platforms, Walkways, Stairways and Ladders - Design, Construction and Installation
- 5. AS 1892.1 - Portable Ladders - Performance and Geometric Requirements.
- 6. 6.AS 2865 - Confined Spaces.
- 7. The Work Cover New South Wales publication 'Safe Work on Roofs Part 1: Commercial and Industrial Buildings'.

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

- (14) **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.

- (15) **Swimming pool and/or spa fencing** - Before the issue of an occupation certificate, the principal certifier must inspect the swimming pool and/or spa safety fencing.

**Condition reason:** To ensure that safety fencing has been installed for the swimming pool and/or spa.

- (16) **Swimming pool and/or spa safety fencing (certification)** - Before the issue of an occupation certificate, a certificate must be prepared by the supplier of the swimming pool and/or spa fencing and certify, to the principal certifier's satisfaction, that the fencing will comply with AS 1926.1 - Swimming Pool Safety - Safety Barriers for Swimming Pools.

**Condition reason:** To ensure that swimming pools and/or spas are fenced to comply with industry standards.

- (17) **Filter and recirculation 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 the swimming pool and/or spa filtration and recirculation systems comply with AS 1926.3 - Swimming Pool Safety.

**Condition reason:** To ensure that swimming pools and/or spas comply with industry standards.

- (18) **Acoustic Compliance Report**– A compliance certificate shall be submitted to the principal certifying authority upon completion of the building to demonstrate that it has been constructed in accordance with the requirements contained within the acoustic report titled "Noise Impact Assessment, Mixed Use Development, 38-44 Lasso Road, Gregory Hills, Revision 1" prepared by Rodney Stevens Acoustics report no. R230197, dated 11 December 2024.

**Condition reason:** To ensure that the development complies with the acoustic report.

- (19) **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.

- (20) **Contributions payment evidence** - Before the issue of an occupation certificate, a document from Council certifying that the payment of section 7.12 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.

## 2.5 - Occupation and Ongoing Use

- (1) **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.

- (2) **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.

- (3) **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.

- (4) **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.

- (5) **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.

- (6) **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.

- (7) **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.

- (8) **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.

- (9) **Landscaping works maintenance** - During occupation and ongoing use of the development, all approved landscaping, including the slab edge planting on levels 1-6, 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.

- (10) **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.

- (11) **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.

- (12) **Public swimming pool and/or spa water quality standards** - During occupation and ongoing use of the development, the swimming pool and/or spa must comply with the following requirements:

1. NSW Health Public Swimming Pool and Spas Advisory Document 2013.
2. Public Health Act 2010.
3. Public Health Regulation 2022.

**Condition reason:** To ensure that swimming pools and/or spas are maintained in a clean and healthy condition.

- (13) **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.

- (14) **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.

- (15) **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.

- (16) **Waste oil and by-products disposal** - During occupation and ongoing use of the development, all waste oil, grease and associated by-products must be transferred to a waste or recycling facility by a liquid waste contractor. All waste disposal must be in accordance with the NSW Environment Protection Authority's waste tracking requirements with documentation kept for 4 years. The documentation must be produced to Council upon request.

**Condition reason:** To ensure compliance with industry standards.

- (17) **Swimming pool and/or spa wastewater disposal (ongoing)** - During occupation and ongoing use of the development, the following requirements must be complied with:

1. Wastewater must not be discharged to a septic tank, an on-site sewage management installation or an effluent disposal area.

2. Wastewater must not be discharged into a public reserve, watercourse, easement or stormwater drainage system or otherwise adversely impact upon an adjoining property.
3. If cartridge filters are used, when the filters are cleaned they must be hosed out in a location that will not adversely impact upon an effluent disposal area or an adjoining property and must not cause water to enter a public reserve, watercourse, easement or stormwater drainage system.

**Condition reason:** To protect the amenity of the surrounding area and the environment from pollution.

- (18) **Swimming pool and/or spa safety fencing (ongoing)** - During occupation and ongoing use of the development, the placement of outdoor furniture (including barbecues and the like) must not reduce the effectiveness of swimming pool and/or spa safety fencing. All such items must be located at least 900mm from the outside of the fencing.

**Condition reason:** To ensure that swimming pools and/or spas safety fencing remains effective.

- (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.

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 ensure that pollutants are appropriately discharged.

- (20) **Waste oil and by-products disposal** - During occupation and ongoing use of the development, all waste oil, grease and associated by-products must be transferred to a waste or recycling facility by a liquid waste contractor. All waste disposal must be in accordance with the NSW Environment Protection Authority's waste tracking requirements with documentation kept for 4 years. The documentation must be produced to Council upon request.

**Condition reason:** To ensure that waste oil and by-products are appropriately discharged.