

Attachment B – Conditions of Consent

Administrative Conditions

The development must be carried out in accordance with the following conditions of consent.

1. Approved Development

Development consent has been granted for construction of new staff administration and amenities building at Lot 162 DP751709 and Lot 2 DP1178211, 9 Murphy Road, HANWOOD.

The development must be implemented in accordance with Development Application No. 191/2023(1) accepted by Council on 26 September 2023 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing / Plan	Date	Prepared or Drawn By
Site Plan – Revision D (Ref for stamping 24/35464 sheet 2 of 8)	20 March 2024	fjcstudio
Ground Floor Plan – Revision E (Ref for stamping 24/35464 sheet 3 of 8)	20 March 2024	fjcstudio
Roof Plan – Revision D (Ref for stamping 24/35464 sheet 3 of 8)	20 March 2024	fjcstudio
General Building Elevations – Revision D (Ref for stamping 24/35464 sheet 3 of 8)	20 March 2024	fjcstudio
General Building Sections – Revision D (Ref for stamping 24/35464 sheet 3 of 8)	20 March 2024	fjcstudio
Landscape Plan – Revision E (Ref for stamping 24/35464 sheet 3 of 8)	20 March 2024	fjcstudio
Landscape Plan – Aerial & Trees to be removed (Ref for stamping 24/35465)	20 March 2024	fecstudio
Demolition/Bulk Excavation – Revision C (Ref for stamping 24/35464 sheet 5 of 8)	20 March 2024	fjcstudio
Bulk Earthworks Cut/Fill Plan (Ref for stamping 24/37815 sheet 3 of 5)	26 March 2024	Orion
Sediment & Erosion Control Plan (Ref for stamping 24/37815 sheet r of 5)	26 March 2024	Orion

Document	Date	Prepared or Drawn By
Statement of Environmental Effects, Version 2 issue date 15 September 2023 (Ref for stamping 23/120901)	26 September 2023	PSA Consulting
Arborist Report issue date 2 July 2023 (Ref for stamping 23/120895)	26 September 2023	Star Landscapes
BCA Assessment issue date 12 September 2023 (ref for stamping 23/120896)	26 September 2023	Bmplusg
Stormwater Quality and Detention Storage Report, Issue D Issue date 5 February 2024 (ref for stamping 23/120902)	26 September 2023	MPN Consulting
Traffic Impact Assessment issue date 14 September 2023 (ref for stamping 23/120903)	26 September 2023	PSA Consulting
Letter issue date 21 November 2023 23/156833	21 November 2023	PSA Consulting
Letter issue date 20 March 2024 24/35468	20 March 2023	PSA Consulting

If there is any inconsistency between the approved plans and documents referred to above, the conditions shall prevail.

2. Construction Certificate (Building Works)

In accordance with the provisions of Part 6, Divisions 6.2 and 6.3 of the Environmental Planning and Assessment Act, 1979 a person must not carry out building works, including associated excavation works (as applicable) until such time as:

- (a) A *Construction Certificate* has been obtained from either Griffith City Council or an *Accredited Certifier* holding the appropriate accreditation under the Building Professions Act, 2005;
- (b) A *Principal Certifier* has been appointed; and
- (c) The person with the benefit of the development consent has given at least two (2) days notice to Griffith City Council and the *Principal Certifier* of the person's intention to commence the erection of the building.

Note 1: Griffith City Council can issue your *Construction Certificate* and be appointed as your *Principal Certifier* for the development to undertake inspections and ensure compliance with development consent and relevant building regulations. For further details contact Council on 1300 176 077.

Note 2: Should the plans submitted with the Construction Certificate differ substantially from the plans approved as part of the development consent then a Section 4.55 modification of consent will be required to be made to Council.

3. Construction Approval (Civil Works)

Prior to construction of the approved development, it is necessary to obtain a Construction Approval (Civil Works). This approval can only be issued by Council. An Application for Construction Approval (Civil Works) form, complete with detailed plans and specifications, shall be submitted to Council for the Construction Approval (Civil Works).

4. Provision of Services

The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and relevant authorities' specifications.

5. Lapsing of Consent

In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

Note 1: Development consent for the purpose of the erection of a building or the subdivision of land or the carrying out of a work does not lapse if building, engineering or construction work relating to the development is lawfully and physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse.

Note 2: Development consent for the purpose of the use of the land, building or work the subject of the consent does not lapse if it is actually commenced the date on which the consent would otherwise lapse.

6. Damage to Council property

If any damage is occasioned to Council property during construction and associated works, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before works commence be immediately notified to Council to avoid later conflict.

7. Existing Services

The applicant must check that the proposed works do not affect any Council, electricity, telecommunications, gas or other services. Any required alterations to services will be at the developer's expense.

8. Tree Preservation

The applicant is advised that the land is subject to Council's Tree Policy and the requirements of that policy are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Parks and Gardens Department.

9. Aboriginal Heritage

If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:

- (a) Not further harm the object.

- (b) Immediately cease all work at the particular location.
- (c) Secure the area so as to avoid further harm to the Aboriginal object.
- (d) Notify the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location.
- (e) Not recommence any work at the particular location unless authorised in writing by the Department of Planning, Industry and Environment.

In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department contacted of Planning, Industry and Environment.

10. Other Cultural Heritage

Should any cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the *National Parks and Wildlife Act 1974*. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

11. Disability Discrimination Act

The applicant/owner is advised that this approval does not guarantee compliance with the provisions of the *Disability Discrimination Act 1992* and the applicant should therefore consider their liability under the Act. In this regard, the applicant is advised that compliance with the requirements of the National Construction Code of Australia and *Australian Standard 1428.1 - Design for Access and Mobility* does not necessarily satisfy the objectives of the *Disability Discrimination Act 1992*. The applicant/owner is requested to give consideration to providing access and facilities for people with disabilities in accordance with *Australian Standard 1428* Parts 1, 2, 3 and 4 - Design for Access and Mobility, which may be necessary to satisfy the objectives of the *Disability Discrimination Act 1992*.

12. Access for People with a Disability

The *Disability (Access to Premises – Building) Standards 2010* (Access Code) applies to this building. Plans detailing compliance with the Access Code must accompany the application for a construction certificate.

Note: The granting of development consent and any associated plans does not imply compliance with the Access Code.

13. National Construction Code

All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.

All plumbing and drainage works must comply with and be carried out in accordance with the requirements of the Plumbing Code of Australia.

Prior to the issue of a Construction Certificate for Building Works

Prior to commencing construction work, you will need a Construction Certificate for building works issued by Griffith City Council or an Accredited Certifier. Before a Construction Certificate can be issued, compliance with the following conditions is to be demonstrated.

14. Section 7.12 Development Contributions

In accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* (former S94A) and Council's Development Contribution Plan 2010, this development requires the payment of a 7.12 contribution. The Section 7.12 Contribution is required towards the provision of public amenities and services in accordance with Councils adopted *Section 94A Contributions Plan 2010 (Amendment 2013)*. A copy of this policy is publicly available from Council's website www.griffith.nsw.gov.au.

Total payment shall be **\$422,028.00** (1% of the proposed cost of carrying out the development). In accordance with Council's Section 94A Contributions Plan 2010 (Amended 2013) the total payment amount will be indexed by the Consumer Price Index (All Groups Index for Sydney as published by the Australian Bureau of Statistics), applicable at the date of payment.

The contribution is to be paid **prior to the issue of the Construction Certificate for Building Works.**

15. Section 64 Water Supply, Sewerage and Drainage Contributions

Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, this development requires a payment of a S64 contribution. The amount payable at the time of issue of this consent is set out in the table below.

Table of Contributions Required – Water, Sewerage & Drainage

Type of contribution	Location	Amount per tenement	Number of tenements	Amount to be paid
Water supply	Hanwood	\$ 8,695.00	27.77 ET	\$241,460.15
Total				\$241,460.15

The total amount payable will be subject to review in accordance with Council's Revenue Policy current at the time of payment.

The contribution is to be paid **prior to the issue of the Construction Certificate for Building Works.**

The contribution is exclusive of the fees for the connection of water services to the individual allotments. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

Reason: Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, the applicant is required to apply to Council for a Compliance Certificate under the provisions of S305 of the *Water Management Act 2000*.

16. Landscape Plan

Prior to the issue of the Construction Certificate for Building Works a detailed landscaping plan shall be designed for the proposed development. A copy is to be submitted to and approved by Council or the Principal Certifier.

- (a) The landscaping plan shall be drawn to scale (minimum 1:200) by a suitably qualified person and include: Identification of all trees to be retained, removed or transplanted
- (b) The location of all existing and proposed tree and shrub species
- (c) Height and spread of selected species at maturity
- (d) Elevation of landscaped areas
- (e) Irrigation measures
- (f) The nature strip and the footpath areas of the development are to be incorporated into the overall landscaped area of the development.

Landscaping to be provided within the site and along the boundary with the adjoining road reserve (including laneways) is to be designed and maintained to provide safe sight distance for pedestrians and motorists entering and exiting the site.

Shade trees are to be planted at a minimum ratio of 1 tree for every tree removed.

The purpose of the landscaping shall be to screen and soften the visual impact of the proposed development on the streetscape. The nature strip and the footpath areas of the development are to be incorporated into the overall landscaped area of the development.

17. Payment of building and construction industry long service levy

Before the issue of a Construction Certificate for Building Works, the applicant is to ensure that the person liable pays the long service levy as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the certifier.

18. S138 Roads Act

Prior to the issue of a Construction Certificate, a Section 138 Roads Act application, including payment of fees, shall be lodged with Griffith City Council, as the Roads Authority for any works required within a public road. These works may include but are not limited to:

- (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- (b) Road opening for utilities and stormwater (including stormwater connection to Council Infrastructure).
- (c) Road Occupancy or road closures

All works shall be carried out with the Roads Act approval, the development consent including the stamped plans and Griffith City Council specifications.

Note 1: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

Note 2: The application is to be made prior to the issue of the Construction Certificate but does not have to be approved by the Roads Authority prior to the issue of that certificate.

19. Car Parking Plan

A car parking plan, showing numbered car parking spaces, providing for 557 car parking spaces, designed in accordance with the provisions of Australian Standard AS 2890.1 "Parking Facilities: Off-Street Car Parking" and the provisions of AS/NZS 2890.6:2009 "Parking Facilities: Part 6: Off-Street parking for people with disabilities" is to be submitted with the Construction Certificate application.

20. Stormwater Drainage

All stormwater runoff shall be directed to Murrumbidgee Irrigation's drainage system via the onsite detention system for disposal. Stormwater runoff shall not be permitted to flow over property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. Detailed design drawings for the proposed drainage system are to comply with *Council's Engineering Guidelines – Subdivision and Development Standards* and Council's *Stormwater Drainage & Disposal Policy (CS-CP-310)* and are to be submitted to Council for approval **prior to the issue of a Construction Certificate**.

21. Wastewater

Prior to the issue of a Construction Certificate a qualified Consulting Engineer with experience in Wastewater Treatment and Disposal Systems shall certify that the current Wastewater Treatment and Disposal System has the capacity to cope with the wastewater that will be produced from the Development.

22. Kitchen/Canteen Floor Plan

Prior to the issue of a Construction Certificate for Building Works a detailed floor plan of the kitchen/canteen shall be submitted to Council and approved by the Environmental Health Department.

Prior to Commencement of Works

The following conditions need to be met prior to the commencement of works. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

23. Protection of adjoining areas

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

24. Notification of Commencement

Prior to commencing work the person having the benefit of the consent has:

- (a) given at least 2 days notice to the council, and the principal certifier if not the council, of the person's intention to commence the erection of the building, and
- (b) if not carrying out the work as an owner-builder, has:
 - i appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii notified the principal certifying authority of any such appointment, and
 - iii unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.

25. Signs on site

A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

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

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

26. Traffic Control Plan (TCP)

A traffic control plan is to be submitted to Council satisfying the provisions of Australian Standard 1742.3, for acceptance **prior to the commencement of work within Council's road reserve**. Strict compliance to the traffic control plan is to be maintained throughout the duration of the construction work.

27. Traffic Management Plan

A Traffic Management Plan must be submitted to and approved by the principal certifying authority prior to the issue of any **Construction Certificate**.

The traffic management plan needs to include:

- a) an estimate of the number of vehicles that will need to be accommodated at various stages of the earthworks and construction and what arrangements have been made to accommodate that number of vehicles.
- b) traffic management of short term activities such as delivery of fill and materials; accessing, exiting and parking in and near the work site by cranes, concrete agitator trucks; tradesmen work vehicles and the like.
- c) traffic control plans detailing proposed methods to ensure safe vehicle access into and out of the general traffic stream, pedestrian control and safe transfer of materials from road reserve to construction site.

28. Accessway levels

Driveway construction is subject to Council's *Engineering Guidelines - Subdivisions and Development Standards*. The finished level of the driveway at the property boundary shall be 130mm above the top of kerb. Upon completion of the formwork and string lines for the driveway, the applicant shall arrange for Council's Surveyors to inspect these works **prior to the pouring of concrete for the driveway**. In the event that this level is unachievable, documentary evidence, including a detailed design is to be submitted to Council for approval **prior to the commencement of driveway construction**.

Failure to construct to the given levels or without Council approval will render the owner liable for any necessary reconstruction costs to alter work not in conformity with such levels.

29. Sedimentation and Erosion Controls

Effective dust, noise, sedimentation and erosion controls are to be implemented prior to the commencement of site works. This is to include (as a minimum):

- (a) the installation of a sediment fence with returned ends across the low side of the works; and
- (b) a temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

The control measures are to be installed **prior to the commencement of site works** and maintained during works in order to ensure that site materials do not leave the site and/or enter the stormwater system and to maintain public safety/amenity.

Prior to Commencement of Civil Works

The following conditions need to be met prior to the commencement of Civil Works. The necessary documentation and information must be provided to Griffith City Council, as applicable.

30. Section 68 of the Local Government Act 1993 Application

Prior to the commencement of works on Council's potable water main a Section 68 application in accordance with the Local Government Act 1993 is to be obtained through Council by submitting an application via the NSW Planning Portal and linking it to the Development Application or Construction Certificate application. The application is to include design drawings and details that comply with Council's *Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*. All works associated with the potable water works are to be completed at the expense of the applicant.

31. Traffic Management Plan (TMP)

A Traffic Management Plan (TMP) with all supporting documentation, including all relevant Traffic Guidance Schemes (TGS), is to be submitted to Council for approval **prior to the commencement of work** on the northern access to the Griffith Homemakers Centre off Kidman Way. The TMP must comply with the requirements of Transport for New South Wales' Traffic Control at Work Sites Technical Manual (TCAWS Manual), Standards Australia's Manual of uniform traffic control devices, Part 3: Traffic control for works on roads (AS1742.3), and Austroads' Guide to Temporary Traffic Management (AGTTM).

The TMP must be prepared by a person/s with a 'Prepare a Work Zone Traffic Management Plan' qualification. Strict compliance to the TMP is to be maintained throughout the duration of the works. All inspections of the TMP and collection of records must comply with the requirements of the TCAWS Manual.

32. Construction Management Plan (CMP)

Prior to the commencement of work, a Construction Management Plan is to be prepared by suitably qualified professionals and submitted to Council for approval detailing arrangements during the construction of the development. The Construction Management Plan is to include, but not be limited to, the following:

a. Measures for the management of traffic during construction

This is to include (as a minimum):

- a) management of the loading and unloading of vehicles (up to and including the largest size vehicle accessing the development)
- b) internal vehicle manoeuvring
- c) pedestrian safety measures
- d) ingress and egress movements of vehicles accessing the development from the public road

b. Waste Management Plan

This is to include (as a minimum):

- a) identify all waste (including excavation, demolition and construction waste material) that will be generated by the development during construction, and
- b) identify the quantity of waste material, in tonnes and cubic metres, to be:
 - i. reused on-site and off-site, and
 - ii. recycled on-site and off-site, and
 - iii. disposed of off-site, and
- c) if waste material is to be reused or recycled on-site - specify how the waste material will be reused or recycled on-site, and
- d) if waste material is to be disposed of, reused or recycled off-site - specify the contractor who will be transporting the material and the licensed waste management facility or recycling outlet to which the material will be taken.

c. Sedimentation and Erosion Control Plan

This is to include (as a minimum):

- a) The installation of a sediment fence with returned ends across the low side of the works; and
- b) A temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

The control measures are to be installed prior to the commencement of site works and maintained during works in order to ensure that site materials do not leave the site and/or enter the stormwater system and to maintain public safety/amenity.

d. Material stockpiling/storage

e. Identify parking for construction worker vehicles

f. Dust mitigation measures to be implemented during dry and/or windy weather conditions

g. Noise and vibration amelioration measures

h. Complaint management and contingency measures

The approved Construction Management Plan (incorporating Waste Management Plan, Sediment and Erosion Control Plan and other construction management measures) must be implemented and maintained prior to, and during, the construction until works are completed.

33. Stabilisation of Fill

Details are to be provided to the satisfaction of the Principle Certifying Authority regarding how fill is to adequately contained and stabilised to ensure safety and avoid sedimentation and erosion.

During Construction

The following conditions of consent must be complied with at all times during the demolition, excavation and construction of the development.

34. Sedimentation and Erosion Controls

The approved erosion and sediment control measures shall be implemented and maintained during works.

35. No obstruction of public way

The public walkway must not be obstructed by any materials, vehicles, refuse, skips or the like, without prior approval of Council.

36. Shoring and adequacy of adjoining property (if applicable)

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense:

- (a) protect and support the building, structure or work from possible damage from the excavation, and,
- (b) where necessary, underpin the building, structure or work to prevent any such damage.

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

37. Maintenance of site

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Copies of receipts stating the following must be provided to the consent authority on request:

- (a) the place to which waste materials were transported,
- (b) the name of the contractor transporting the materials,
- (c) the quantity of materials transported off-site and recycled or disposed of.

Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- (a) all vehicles entering or leaving the site must have their loads covered, and
- (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

38. Toilet Facilities

Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning **prior to the commencement of work**. In this clause:

accredited sewage management facility means a sewage management facility to which Part 2 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

public sewer has the same meaning as it has in the Local Government (General) Regulation 2005.

sewage management facility has the same meaning as it has in the Local Government (General) Regulation 2005.

39. SafeWork NSW

The developer is required to comply with any and all requirements of the SafeWork NSW.

40. Required documentation

For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent (Notice of Determination) and Construction Certificate on site.

41. Access location

The driveway access to the lot is to be located a minimum of one (1) metre away from all services (e.g.: stormwater pits, electricity poles, service pits, etc.), and a minimum of one (1) metre away from neighbouring property boundaries.

42. Hours of Work

The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

7.00am to 6.00pm on Monday to Saturday.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

43. Plumbing and Drainage Inspections

The carrying out of Water Supply Work, Sewerage Work and Stormwater Drainage Work requires an approval under Section 68 of the Local Government Act 1993. Approval and Inspection is required by the Regulatory Authority being the NSW Office of Fair Trading who has delegated authority to Griffith City Council to carry out these tasks.

The following inspections are required to be carried out.

- (a) Internal / External sanitary drainage (including sanitary plumbing) prior to covering.
- (b) Stormwater Drainage. - External drains connection from base of down pipes to designated disposal point.

Note: All plumbing and drainage work is to be carried out by licensed tradesman and necessary S68 approval permits obtained through Council prior to works commencing, by submitting an application via the NSW Planning Portal and linking it to the Development Application or Construction Certificate application.

Note: A Certificate of Compliance will need to be submitted, along with a Works as Executed Drawing, at the completion of works. Inspection fees will apply in accordance with Councils revenue policy and are required to be paid prior to inspection.

Should adequate notice not be given for cancellation of an inspection, or if works have not progressed to a stage where an inspection can be completed, a default penalty may be imposed upon the applicant by Council.

Twenty four (24) hours notice is to be given to Council's Customer Service by telephoning 1300 176 077 to arrange for an inspection to be carried out.

44. Fill

All fill is to be placed in accordance with the requirements of Council's *Engineering Guidelines – Subdivisions and Development Standards* and the approved Sediment and Erosion Control Plan.

45. Importation of Fill

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

- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);
- b) Any other waste-derived material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (*Waste Regulation 2005*) that is permitted to be used as fill material, excluding waste tyre.

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

46. Survey of Building Location

A survey report, prepared by a registered and practising Land Surveyor is required to verify the siting of the building in relation to adjacent boundaries. This survey shall be undertaken prior to work proceeding past the completion of footings and before concrete is poured. A copy of this report shall be submitted to Council **prior to the issue of the Occupation Certificate**.

Prior to the issue of the Occupation Certificate

An Occupation Certificate must be obtained from the Principal Certifying Authority (PCA) prior to occupation of the new building, part of the building, or a change of building use. Prior to issue of an Occupation Certificate compliance with the following conditions is to be demonstrated.

47. Installation of Landscaping

The approved landscaping areas shall be installed to the satisfaction of Council **prior to the issue of the Final Occupation Certificate**. The maintenance of the landscaping areas within Council's road reserve shall be the responsibility of the person with the benefit of the development consent and to the satisfaction of Council.

48. Fire Safety Certificate

An occupation certificate authorising a person

- (a) to commence occupation or use of a new building, or
- (b) to commence a change of use for an existing building, must not be issued unless a final fire safety certificate has been issued for the building.

An occupation certificate authorising a person

- (a) to commence occupation or use of a partially completed new building, or
- (b) to commence a change of use for part of an existing building, must not be issued unless a final fire safety certificate or an interim fire safety certificate has been issued for the relevant part of the building.

49. Drainage Diagram

Where development includes the installation of sanitary plumbing and drainage works between the building and Council's sewer, the applicant is required to submit to Council a drainage diagram. This diagram shall be prepared and submitted to Council **prior to the issue of the Occupation Certificate**. The diagram shall be drawn to scale at a ratio of 1:100 showing the location of the buildings and fittings and all pipelines, junctions, inspection openings and the like. Alternatively, Council can be requested to carry out the work upon payment of the fee listed in Council's current Revenue Policy

50. S138 Roads Act Approval

Prior to the issue of an Occupation Certificate, the Principle Certifying Authority shall ensure that all works associated with a S138 Roads Act approval have been inspected and signed off by Griffith City Council.

51. Submission of Survey of Building Location

A survey report, prepared by a registered and practising Land Surveyor is required to verify the siting of the building in relation to adjacent boundaries. This survey shall be submitted to Council **prior to the issue of the Occupation Certificate**.

52. Bulk Earthworks

A Bulk Earthworks Plan as executed is to be provided to Council **prior to the issue of the Occupation Certificate**.

53. Installation of stormwater infrastructure

Prior to the issue of an Occupation Certificate, stormwater infrastructure are to be installed in accordance with the Stormwater Quantity and Detention Storage Report (Issue E, dated 27 February 2024), Council's *Engineering Guidelines – Subdivisions and Development Standards*, Council's *Onsite Detention Policy (CS-CP-404)*, and Council's *Stormwater Drainage & Disposal Policy (CS-CP- 310)*.

54. Accessway upgrade

Prior to the issue of an Occupation Certificate, the existing central accessway off Murphy Road servicing the subject allotment is to be upgraded to a concrete or bitumen sealed access between the property boundary and the road carriageway off Murphy Road. The accessway is to be constructed in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

55. Internal driveways

Prior to the issue of an Occupation Certificate the internal driveway to the proposed staff administration and amenities building off the central accessway is to be constructed of concrete in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and Council's *Residential Development Control Plan 2020*.

56. Off-Street Parking

Prior to the issue of the Occupation Certificate 557 car parking spaces as shown on the plan approved in accordance with condition number 20. Parking spaces each of dimensions 2.6 metres x 5.5 metres in accordance with Council's *Development Control Plan No. 20 Off-street Parking Policy*, including six (6) car parking spaces in accordance with *Australian Standard 2890.6:2022* for people with a disability are to be provided on site to serve the

development. One of the six disability accessible parking spaces is to be provided in the visitor parking area servicing the administration and staff amenities building. Spaces adjacent to walls or other obstructions, which may affect door openings or vehicle manoeuvring, are to be widened by an additional 300mm on the side of the obstruction(s).

NOTE: This consent does not guarantee compliance with the *Disability Discrimination Act, 1992* and the developer should investigate their liability under the Act. The applicant's attention is drawn to the Australian Standard AS 2890.6:2022 in respect of acceptable standards of design and requirements.

57. Linemarking

Delineation of parking bays and directional lines are to be implemented in accordance with the approved construction plans and *Australian Standard 2890.1:2004*. Parking bay delineation and directional lines are to be installed **prior to the issue of an Occupation Certificate**.

58. All Works To Be Completed

All works specified on the approved Construction Certificate drawings are to be completed in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards* (and other authorities specifications outlined within this Development Application) and approved by Council **prior to the issue of an Occupation Certificate**.

59. S138 Roads Act Approval

Prior to the issue of an Occupation Certificate, the Principle Certifying Authority shall ensure that all works associated with a S138 Roads Act approval have been inspected and signed off by Griffith City Council.

60. Section 68 of the Local Government Act 1993 Final Certificate of Completion

Prior to the issue of an Occupation Certificate, a Section 68 of the Local Government Act 1993 Final Compliance Certificate is to be issued by Council at the completion of the works on Council's sewer main, potable water main and stormwater drainage system.

61. Mechanical Ventilation

On the satisfactory completion of work and **prior to the issue of the Occupation Certificate**, a Certificate of Test of Mechanical Ventilation shall be supplied to the Principal Certifying Authority from an approved mechanical ventilation engineer.

62. Prior to commencing operation

Prior to commencing operation, an inspection of the premises is to be undertaken by Council's Officers. The following matters are to be implemented **prior to the issue of the Occupation**, and complied with at all times throughout the use of the development.

a) **Food Premises – General**

The construction and operation of the food premises shall comply with all applicable legislation/regulation and standards, including:

- The Food Act 2003

- Food Regulation 2015
- Food Standards Australia and New Zealand - Food Standards Code

The cooking appliances require an approved air handling system designed in accordance with AS1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the National Construction Code. No approval is granted for the burning of wood fired fuel.

The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the *Food Act 2003* and AS 4674 - Design, Construction and Fitout of Food Premises.

b) Floor surfaces

The floor of the food premises must be finished in an approved non-absorbent material, evenly laid, graded and drained to a trapped floor waste.

The floor must be coved at the intersection with the walls.

c) Walls and Ceilings

The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other rigid, smooth-faced impervious material.

Ceilings within the food preparation and storage areas must be free of gaps and open joints and must be finished with an impervious sealed material. Suspended ceiling panels are not permitted in food preparation areas, food storage areas or areas where open food is displayed or served.

d) Hand Washing Facilities

Hand wash basin/s, with hot and cold running water mixed through a common spout, liquid hand wash soap and hand drying facilities must be provided in all food preparation, bar areas, and toilets used by food handlers and must be no further than 5m travel distance from a place where a food handler is handling food.

e) Fixtures, Fittings and Appliances

1. A single bowl sink and a dishwasher or a double bowl sink must be provided in the food preparation or designated area, (of a capacity to handle the food preparation equipment) in addition to the hand basin.
2. A separate and dedicated food preparation sink is to be provided within the food premises (where foods are prepared by immersion in water.)
3. A cleaners sink for the purpose of cleaning floor mops and other cleaning equipment must be provided within the premises separate from the food preparation and storage area.
4. The appliances used to store potentially hazardous food must have a capacity to keep food hotter than 60oC or colder than 5oC and be provided with a thermometer, accurate to 1oC and which can be easily read without opening the appliance.

5. All self service unpackaged ready to eat food must be provided and maintained with protective barriers and have separate serving utensils, in accordance with Standard 3.2.2 of the *Food Standards Code* under the *Food Act 2003*.
6. All service pipes, electrical conduits, refrigeration condensate pipes and the like must be chased into walls and floors or at least 25mm off the wall.
7. All openings in walls, floors and ceilings, through which service pipes pass, must be vermin proof.
8. Where fittings are butt joined together they must be sealed to eliminate any cavities or crevices. Alternatively, a clear space of at least 75mm is to be provided between fittings.

The following requirements apply to clearances and supports of equipment:

1. All stoves, refrigerators, cupboards and similar fittings must have metal legs made of non-corrosive metal or moulded plastic at a minimum height of 150mm above the floor. If placed flush on solid plinths the solid plinth is to be a minimum of 75 mm high.
2. All shelving must be fixed 25mm clear of the walls on solid metal brackets.

f) Entry of Pests

The design and construction of food premises must not permit the entry of pests through windows and/or other entrances e.g. fly screens on opening windows.

g) Food Safety Supervisor Certificate

Food Business shall appoint a Food Safety Supervisor and notify Griffith City Council. The Food Safety Supervisor must be trained by a Registered Training organisation approved by the NSW Food Authority. A valid Food Safety Supervisors certificate shall be available on the premises at all times.

63. Final inspection

Prior to the issue of the Occupation Certificate, an Inspection report is to be obtained from Council confirming satisfactory compliance with applicable food legislation.

64. Businesses Registration

Prior to the issue of the Occupation Certificate a Food Business Registration Form must be completed and submitted to Council. This form is available online at www.griffith.nsw.gov.au.

In the instance details on the original registration form change, Council is to be notified of the change within seven (7) days of the change occurring.

65. Installation of pre-treatment system for Liquid Waste from Canteen

All liquid trade waste from the Canteen must pass through an appropriately sized grease arrestor. Minimum capacity is 1,000L.

(Reason: Department and council requirement to install pre-treatment system of sufficient capacity for the reduction of oil and grease levels in liquid trade waste)

The grease arrestor must be maintained regularly.

(Reason: Department and council requirement to ensure maximum effectiveness of the pre-treatment system)

Discrete cooking oil is not permitted to be discharged into the grease arrestor. Spent oil is to be collected by a licensed contractor for off-site management.

(Reason: Department and council requirement to limit pollutant loading on the sewerage system).

Demolition Management

Demolition must be carried out in accordance with the following conditions.

66. Demolition

Any demolition must be carried out in accordance with AS 2601—2001, *The demolition of structures*, and with the *Code of Practice: Demolition Work* by SafeWork NSW. The code is available for download from the SafeWork NSW website.

67. Demolition Management Plan

Demolition is to be carried out in accordance with a demolition management plan. This is to be submitted to the Principal Certifier prior to the commencement of works.

68. Disconnection of Water & Sewer Services

Prior to demolition work being commenced, the water and sewage services are to be disconnected by an appropriately qualified licensed plumber and drainer and to the satisfaction of Council's Utilities Department.

69. Neighbour Notification

The person with the benefit of the development consent must give at least 2 days' notice in writing, of their intention to commence demolition work authorised by the consent, to the occupier of each dwelling that is on a lot with an adjoining boundary.

70. Impact on adjoining buildings

In consideration of the proximity of the site's adjoining buildings:

- (a) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
- (b) No demolition activity is to cause damage to or adversely affect the structural integrity of adjoining buildings. Consideration should be given to the use of shoring and underpinning and to changes in the soil conditions as a result of demolition and appropriate action taken.
- (c) The effect of vibration and concussion on adjoining buildings and their occupants is to be minimised by selection of appropriate demolition methods and equipment.

71. Demolition Waste

At the completion of the demolition of the buildings, all demolition waste is to be removed from the site and the site is to be rehabilitated and revegetated and/or erosion and sedimentation controls to be installed and maintained until vegetation is sufficiently established to reduce the risk of sediment leaving the site or the site is redeveloped.

72. Receipts

Copies of receipts stating the following must be given to the principal certifying authority:

- (a) the place to which waste materials were transported,
- (b) the name of the contractor transporting the materials,
- (c) the quantity of materials transported off-site and recycled or disposed of.

73. Completion of works

At the completion of the works, the work site must be left clear of waste and debris.

74. Waste Management Plan

A Waste Management Plan shall be prepared and submitted to Council and approved prior to commencement of demolition works. The plan shall address all waste collection, processing and disposal issues associated with the approved demolition works.

75. Waste Management Plan

A waste management plan for the work must be prepared before work commences on the site. The waste management plan must:

- (a) identify all waste (including excavation, demolition and construction waste material) that will be generated by the work on the site, and
- (b) identify the quantity of waste material, in tonnes and cubic metres, to be:
 - i. reused on-site, and
 - ii. recycled on-site and off-site, and
 - iii. disposed of off-site, and
- (c) if waste material is to be reused or recycled on-site - specify how the waste material will be reused or recycled on-site, and
- (d) if waste material is to be disposed of or recycled off-site - specify the contractor who will be transporting the material and the waste facility or recycling outlet to which the material will be taken.

76. Burning of Waste or Refuse

No waste or refuse shall be burned on site. All building waste, excavated material, broken concrete, or the like, shall be removed from the site and disposed of at an approved waste management depot.

77. Asbestos Removal

All asbestos removal is to be carried out in accordance with the *How to Safely Remove Asbestos: Code of Practice*. The code is available for download from the SafeWork NSW website.

78. Development involving bonded asbestos material and friable asbestos material

Work involving bonded asbestos removal work of an area of more than 10 square metres or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the *Work Health and Safety Regulation 2017*.

The person having the benefit of the development consent must provide Council with a copy of a signed contract with such a person before any demolition commences,

- (a) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
- (b) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the Council a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

79. Asbestos – Tip Receipts

Documentary evidence in the form of tip receipts from an approved Waste Management Facility shall be obtained demonstrating the appropriate disposal of the asbestos waste. Tip receipts shall be provided to Council at the completion of demolition works and prior to any further works on the site.

80. Asbestos – Notification of Neighbours

Fourteen (14) days **prior to the commencement of any demolition works involving asbestos**, all immediate neighbours shall be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and provided to Council.

81. Asbestos – Statement

No later than seven (7) days **prior to the demolition of any building or structure**, a written statement must be provided to Council indicating whether the building or structure contains asbestos or material containing asbestos and, if so, the following must be provided:

- (a) A hazardous substances audit report prepared by a competent and appropriately qualified person in compliance with AS2601-2001; and
- (b) A hazardous substances management plan prepared by a competent and appropriately qualified person in compliance with AS2601-2001.

82. Validation Statement for potential asbestos

A Validation Statement that the land is cleaned and cleared of contaminants shall be furnished to the Principal Certifier from a suitably qualified professional, within 28 days of the completion of works.

On-Going Requirements

The following conditions or requirements must be complied with at all times, throughout the use and operation of the development.

83. Outdoor Advertising & Signage

No advertising matter or signage is to be erected, painted or displayed without the prior consent of Council unless it is "Exempt Development". Council's road reserve and nature strip is to be clear of all advertising material at all times.

84. Outdoor lighting

Any outdoor display and/or security lighting is to be so located or shielded so that no additional light is cast on adjoining land or that it will distract traffic.

85. Annual Fire Safety Statement

Each year, the owner of a building to which an essential fire safety measure is applicable must cause the council to be given an annual fire safety statement for the building, which;

- (a) must deal with each essential fire safety measure in the building premises, and
- (b) must be given:
 - i within 12 months after the date on which an annual fire safety statement was previously given, or
 - ii if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

86. Access maintenance

The property owner remains responsible for the upkeep and maintenance of the accessway and associated facilities for the lifetime of the proposed development.

87. Sight Distance

Any landscaping, fencing or signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with *AS2890.1-2004 "Off-street car parking"*.

88. Heavy vehicle access restriction

Vehicular access to the new staff administration and amenities building from the central accessway to the development off Murphy Road is to be restricted to light vehicles only. All service and delivery vehicles are to access the new staff administration and amenities building via the western accessway of Murphy Road.

89. Access maintenance

The property owner remains responsible for the upkeep and maintenance of the accessway and associated facilities for the lifetime of the proposed development.

90. Parking Maintenance

The property owner remains responsible for the upkeep and maintenance of the car parking, vehicle manoeuvring areas and associated facilities for the lifetime of the proposed development.

91. Landscaping on-going maintenance

Landscaping required under Conditions 17 and 47 shall be maintained for the lifetime of the development.

Attachment C – Advisory Notes

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2021*, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.16 of the Act.

1. Essential Energy

- a) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- b) Essential Energy's records indicate there is electricity infrastructure located within the vicinity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure. <https://energy.nsw.gov.au/sites/default/files/2018-09/ISSC-20-Electricity-Easements.pdf>
- c) Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
- d) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

2. Water applications

Water meter connections, disconnections, relocation, or resizing require separate applications to Council's Water and Sewer department. Connections which are required to be 25mm or greater to serve the needs of the development, shall be supported with hydraulic calculations prepared by an appropriate consultant, including reference to a water pressure and flow rate test of the adjacent mains.

Attachment D – Other Council Approvals and Consents

Section 68 Local Government Act 1993 Approvals

This consent includes the following approvals under Section 4.12 of the *Environmental Planning and Assessment Act 1979* and Section 68 of the *Local Government Act 1993*.

nil