

Attachment A

Recommended Conditions of Consent
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RECOMMENDED CONDITIONS OF CONSENT

SCHEDULE 1A

Approved Development/Design Modifications/Covenants and Contributions/Use and Operation

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2009/1424 dated 4 September 2009, the Statement of Environmental Effects prepared by Urbis Pty Ltd dated September 2009, the letter from Urbis Pty Ltd dated 27 January 2010 and the following drawings:

Drawing Number	Architect / Engineer	Date
DA - 000	Lacoste + Stevenson Pty Ltd	21/08/09
DA - 001	Lacoste + Stevenson Pty Ltd	21/08/09
DA – 110	Lacoste + Stevenson Pty Ltd	11/08/09
DA – 111	Lacoste + Stevenson Pty Ltd	11/08/09
DA – 112	Lacoste + Stevenson Pty Ltd	21/08/09
DA – 200	Lacoste + Stevenson Pty Ltd	21/08/09
DA – 201	Lacoste + Stevenson Pty Ltd	21/08/09
DA – 202	Lacoste + Stevenson Pty Ltd	21/08/09
DA - 203	Lacoste + Stevenson Pty Ltd	21/08/09
3311-M-2	Kuttner Collins	14/05/07
3311-M-1	Kuttner Collins	14/05/07

And as amended by the following drawings:

Drawing Number	Architect / Engineer	Date
S96.A – Hanna Reduction of Seating for Day V4	AHG Glebe	01/04/19
S96.A – Hanna Reduction of Seating for Night V4	AHG Glebe	01/04/19

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(Amended 15 May 2019 – D/2009/1424/B)

(2) HOURS OF OPERATION –~~MINOR DEVELOPMENT~~

- ~~(a) The hours of operation are restricted to between 6.30am and 6.00pm daily outside daylight savings time;~~
- ~~(b) The hours of operation are restricted to between 6.30am and 8.00pm daily during daylight savings time; and~~
- ~~(c) Council's consideration of any future applications to extend the hours of operation will be based on, among other things, the performance of the operator in relation to compliance with development consent conditions, any complaints received and any views expressed by the Police.~~
- (d) *The indoor hours of operation are restricted to between 6.30am and 10.00pm, Monday to Sunday.*
- (e) *The outdoor hours of operation are restricted to between 8.00am and 8.00pm, Monday to Sunday.*
- (f) *Notwithstanding (d) above, the outdoor use may operate between 6.30am and 8.00am, and 8.00pm and 10.00pm for a trial period of one year from 15 May 2019.*
- (g) *During the trial period, 2 surveys of customers' modes of transport to the venue are to be conducted at 6 month intervals, and submitted to Council before any further application is made.*
- (h) *A further application may be lodged to continue the operating hours outlined in (d) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.*

(Amended 15 May 2019 – D/2009/1424/B)

(3) SIGNS - SEPARATE DA REQUIRED

A separate development application for any proposed signs (other than exempt or complying signs under Council's exempt and complying DCPs) must be submitted to and approved by Council prior to the erection or display of any such signs.

(4) PLAN OF MANAGEMENT TO BE SUBMITTED AND APPROVED

- ~~(a) A Plan of Management must be prepared to address all operational and management procedures to be employed, to ensure that the premises can operate without disturbance to the surrounding locality. The plan must reflect the whole of the café's operations.~~
- ~~(b) The plan must include but not restricted to; compliance with all other operational conditions of this consent; hours of operation; noise; security management; and handling complaints.~~
- ~~(c) The plan must be submitted to and approved by Council prior to a Construction Certificate being issued.~~
- (d) The Plan of Management must be amended to reflect the additional patron numbers commencing at 7.00am. This must be submitted to and approved by Council's Area Planning Manager prior to the commencement of trial patron numbers.
- (e) The Plan of Management approved under (d) above must be complied with at all times.

(Amended 15 May 2019 – D/2009/1424/B)

(5) LIQUOR LICENSING ACCORD

The Licensee is encouraged to join and adopt the principles of the local Liquor Licensing Accord (contact Safe City on 9265 9333 for information or www.cityofsydney.nsw.gov.au).

(6) WASTE AND RECYCLING COLLECTION

- (a) The collection of waste and recycling must only occur between 7:30am and 11:00am on weekdays and between 9:00 am to 11:00 am on weekends and public holidays, to avoid noise disruption to the surrounding area.
- (b) Waste and recycling must be collected directly from the designated waste storage area at the premises.

(7) DELIVERIES

- (a) Deliveries must only occur between 7:30am and 11:00am on weekdays and 9:00am to 11:00am on weekends.
- (b) Delivery services must not exceed an average of 2 – 3 services per day.

(8) ~~BOOKINGS / RESERVATIONS~~

~~The venue is prohibited from accepting bookings or reservations from individual patrons or groups of patrons.~~

(Deleted 18 December 2018 – D/2009/1424/A)

(9) ENTERTAINMENT

The venue will not permit or allow entertainment.

(10) PUBLIC AMENITIES

The operator will make the venue's toilet facilities available to members of the public and not just venue patrons throughout the venue's hours of operation.

(11) COMMUNITY USE

The operator will support some form of community initiative / use in the building, such as the provision of community meeting space, informal lounge seating, display of local artwork, provision of local information, brochures and resources or similar, through the dedication of space appropriate to such use. The nature and extent of community use is to be detailed in the Plan of Management.

(12) VENUE CAPACITY

~~***The venue will have a maximum capacity of 60 seats, with 30 seats indoors and no more than 30 seats outdoors.***~~

- (a) The venue will have a maximum capacity of 60 patrons at any time, with no more than 30 patrons outdoors.***
- (b) Notwithstanding (a) above, the use may operate with a maximum capacity of 120 patrons between 7.00am and 6.00pm, with no more than 90 seated outside in accordance with the approved seating plan, for a trial period of one year from 15 May 2019.***
- (c) A further application may be lodged to continue the maximum patron capacity outlined in (b) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.***
- (d) A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building.***

(Amended 15 May 2019 – D/2009/1424/B)

(13) NEIGHBOURHOOD AMENITY

- (a)** Signs must be placed in clearly visible positions within the café, requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
- (b)** The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management/licensee must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with.

(14) COMPLIANCE WITH ACOUSTIC REPORT

~~*All recommendations contained in the acoustic report prepared by Acoustic Logic Consultancy dated 29 August 2009 must be implemented during construction and use of the premises.*~~

- (a) All performance parameters, requirements, engineering assumptions and recommendations contained in the acoustic report prepared by The Acoustic Group, dated 18th February 2019 must be implemented where they do not contradict conditions of consent.*
- (b) Within the first 90 days of operating under the first trial period for hours and capacity, a suitably qualified acoustic consultant is to provide a written Acoustic Verification Report to the satisfaction of Council's Area Planning Manager. It must demonstrate the development complies with the requirements set out in the acoustic report.*

Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

(Amended 15 May 2019 – D/2009/1424/B)

(15) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 6.4m.

(16) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RTA Technical Directives and must be referred to and agreed to by the Sydney Traffic Committee prior to any work commencing on site.

(17) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Development Specification for Civil Works Design and Construction".

(18) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

(19) NOISE - GENERAL

- ~~(a) The ^{LAeq 15minutes} noise level emitted from the use must not exceed 5dB above the background (LA90) noise level in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected receiver. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.~~
- ~~(b) The ^{LAeq 15minutes} noise level emitted from the use must not exceed the background (LA90) noise level in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00 am when assessed at the boundary of any affected receiver. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.~~
- ~~(c) The use of the premise must be controlled so that any emitted noise is at a level so as not to create and "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.~~

(Deleted 15 May 2019 – D/2009/1424/B)

(20) NOISE - MECHANICAL PLANT AND EQUIPMENT

~~Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following:~~

- ~~(a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.~~
- ~~(b) A sound pressure level at the boundary of any affected receiver that exceeds the background (^{LA90, 15minutes}) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055.~~

~~**Note:** The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" – DEC (EPA) AS1055 for sound level measurements.~~

- ~~(c) Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA [Noise Policy for Industry 2017 \(NPfI\)](#) unless agreed to by the City's Area Planning Manager. Further:~~
 - ~~(i) Background noise monitoring must be carried out in accordance with the long-term methodology in [Fact Sheet B](#) of the NPfI unless otherwise agreed by the City's Area Planning Manager.~~
 - ~~(ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.~~

- (d) ***An $L_{Aeq,15 \text{ minute}}$ (noise level) emitted from the development must not exceed the $L_{A90, 15 \text{ minute}}$ (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:***
- (i) ***The noise level and the background noise level shall both be measured with all external doors and windows of the affected residence closed.***
- (ii) ***Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.***
- (e) ***Corrections in [Fact Sheet C](#) of the NPfl are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.***

(Amended 15 May 2019 – D/2009/1424/B)

(21) CARE OF BUILDING SURROUNDS

In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building must ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.

(22) NO SPRUIKING/AMPLIFIED NOISE

No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking or amplified noise generated within privately owned land must not be audible on Council's footpath adjoining the subject property.

(23) NO SPEAKERS OR MUSIC OUTSIDE

Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

(24) REMOVAL OF GLASS

Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area).

(25) NOISE FROM GLASS REMOVAL

Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred within the premises and removed in containers.

(25A) ADVERTISEMENT OF PARKING CONDITIONS

- (a) ***The following information must be advertised to restaurant patrons:***

- (i) The limited parking conditions near Leichhardt Street;*
 - (ii) A recommendation that patrons park at the northern end of Glebe Point Road; and*
 - (iii) Details of walking and cycling routes to the site.*
- (b) The above information must be advertised on any website operated by the premises, and provided to the patron's email address (when available) on the receipt of an electronic booking request.*

(Added 15 May 2019 – D/2009/1424/B)

(25B) OPERATION OF WINDOWS

Windows on the south-western facade of Bellevue House must remain closed at all times.

(Added 15 May 2019 – D/2009/1424/B)

(25C) LICENSED PREMISES – PRIMARY PURPOSE

The primary purpose of the premises is as a restaurant with the kitchen to be open and substantial food service to be available to patrons at all times during the approved hours of operation. The sale and supply of liquor shall cease when the kitchen ceases to operate. All patrons are to have an allocated seat and the number and location of tables and chairs provided for seated dining must be in accordance with the approved floor plan at all times.

(Added 15 May 2019 – D/2009/1424/B)

(25D) CESSATION OF SERVICE

The premises may be open for business only between the operating hours in Condition 2A above. The operator must cease providing food and alcohol at the premises 15 minute before the required closing time.

(Added 15 May 2019 – D/2009/1424/B)

(25E) GLASS CRUSHER

All glass bottles and other glass waste must be reduced to glass shards (by way of a glass crusher located within the premises) prior to the removal of such waste from the premises.

(Added 15 May 2019 – D/2009/1424/B)

(25F) QUEUING

No persons are to be permitted to drink or queue outside the premises at any time after 6.00pm. Staff are to ensure that there is no queue for the

premises and take all reasonable steps to ensure compliance with this condition.

(Added 15 May 2019 – D/2009/1424/B)

(25G) SURVEILLANCE CAMERAS

- (a) CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to:
 - (i) principal entrance/s and exits;*
 - (ii) all areas within the premise occupied by the public (excluding toilets);*
 - (iii) staircases in multilevel premises; and*
 - (iv) the area within a 10m radius external to the public entrance(s) to the premise.**
- (b) Suitable and clearly visible signage shall be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words “Closed Circuit Television in use on these premises”.*
- (c) All CCTV recording equipment and cameras shall be of high grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras. In this respect each surveillance camera shall be capable of recording a minimum rate of 10 frames per second and at high resolution.*
- (d) CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required.*
- (e) All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Licensee shall record this daily checking activity in the security/incident register book that meets the standards required by the Licensing Police and Council. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police.*
- (f) All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not*

operate 24 hours a day, continuously for at least 1 hour prior to opening and closing times of the premises.

- (g) The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage. When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies.*
- (h) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.*

(Added 15 May 2019 – D/2009/1424/B)

(25H) COPIES OF CONSENTS AND MANAGEMENT PLANS

A full and current copy of all current development consents for the operation of the licensed premises, and the Plan of Management must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.

(Added 15 May 2019 – D/2009/1424/B)

SCHEDULE 1B

PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING

Note: Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

(26) GENERAL HERITAGE

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.

(27) BCA - NEW BUILDINGS WORKS - CLASS 2-9 BUILDINGS

- (a) Pursuant to Clause 98 of the Environmental Planning and Assessment Regulation 2000, the proposed building work must comply with the Building Code of Australia (BCA) including:
 - (i) Fire resistance and stability - Part C1;
 - (ii) Fire fighting equipment - Part E1;
 - (iii) Emergency lighting, exit signs and warning systems - Part E4;
 - (iv) Sanitary and other facilities - Part F2;

Note: For restaurants, cafes, bars and the like, sanitary facilities (including accessible facilities for persons with disabilities complying with AS 1248.1) must be provided for customers where more than 20 seats are provided, including seating for any future footway dining facilities.
 - (v) Energy Efficiency - Air-conditioning and ventilation systems - Part J5;
 - (vi) Energy Efficiency - Artificial lighting and power - Part J6;
 - (vii) Energy Efficiency - Hot water supply - Part J7;

- (b) If compliance with the deemed-to-satisfy provisions of the BCA and the matters listed in condition (a) above cannot be achieved, an alternative building solution in accordance with Part A0 of the BCA must be prepared by a suitably qualified and accredited person and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the BCA are to be satisfied. Prior to a Construction Certificate being issued, the Certifying Authority must ensure that the building complies with the Building Code of Australia.
- (c) The BCA matters identified in (a) above are not an exhaustive list of conditions to verify compliance or non-compliance with the BCA. Any design amendments required to achieve compliance with the BCA must be submitted to Council. Significant amendments may require an application under Section 96 of the Act to be lodged with Council to amend this consent.

Note: The provisions of Clause 94 of the Environmental Planning and Assessment Regulation 2000 have been considered in the assessment of the proposed development.

(28) STRUCTURAL CERTIFICATION FOR DESIGN - BCA (ALL BUILDING CLASSES)

Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design by a qualified practising structural engineer and in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to class 2-9 building) and Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of Council (where Council is the Certifying Authority).

(29) CONSTRUCTION AND FITOUT OF FOOD PREMISES

- (a) Detailed plans of the kitchen, bar and food preparation and storage areas must be prepared by a suitably qualified person and certified in accordance 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 and must be submitted to and approved by Council prior to a Construction Certificate being issued.
- (b) 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.
- (c) Provision must be made for the installation of adequate mechanical exhaust for any future premises where food is to be prepared.
- (d) 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 Building Code of Australia. No approval is granted for the burning of wood fired fuel.
- (e) Cooking must not commence until an air handling system, in accordance with the BCA is installed and operational.

- (f) The floor of the food premises must be finished in an approved non absorbent material, evenly laid, or graded and drained to a trapped floor waste.
 - (g) The floor must be coved at the intersection with the walls.
 - (h) 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.
 - (i) 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. Drop in panels are not permitted in food preparation areas, food storage areas or areas where open food is displayed or served.
 - (j) Hand wash basin/s, with hot and cold running water mixed through a common spout, 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. All taps to hand wash basins must be hands free. (For example: sensor taps, knee operated taps or foot pedal taps). Liquid soap and paper towel dispensers or other hand drying facilities must be located next to and in close proximity the hand wash basin.
 - (k) A double bowl sink or two compartment tub (the capacity of which must be capable of fitting all food contact equipment) must be provided in the food preparation area, in addition to the hand basin,
- OR
- a single bowl sink and a dishwasher must be provided in the food preparation or designated area, (where all the food contact equipment will fit in the dishwasher) in addition to the hand basin.
- (l) A separate and dedicated food preparation sink is to be provided within the food premises where foods are prepared by immersion in water.
 - (m) A cleaners' sink for the purpose of cleaning floor mops and other cleaning equipment must be provided within the premises, preferably in the garbage room or separate from the food preparation and storage area.
 - (n) The appliances used to store potentially hazardous food must have a capacity to keep food hotter than 60°C or colder than 5°C and be provided with a thermometer, accurate to 1°C and which can be easily read from outside the appliance.
 - (o) All food is to be transported, stored and displayed in a manner that protects the food from likely contamination in accordance with the provisions of Standard 3.2.2 of the *Food Standards Code* under the *Food Act 2003*.

- (p) All unpackaged ready to eat food for self service 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*.
- (q) The sanitary facilities must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the *Building Code of Australia*, Part F 3.1, 4.8 and 4.9.
- (r) Clothing lockers or change rooms for male and female staff must be provided in the premises in a separate location to the food handling and storage areas.
- (s) To ensure the adequate storage and collection of waste from the occupation or the use of the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 – Design, Construction and Fitout of Food Premises, and must be:
 - (i) Provided with a hose tap connected to the water supply;
 - (ii) Paved with impervious floor materials;
 - (iii) Coved at the intersection of the floor and walls;
 - (iv) Graded and drained to a waste disposal system in accordance with the relevant regulatory authority (Sydney Water);
 - (v) Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997;
 - (vi) Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.

Detailed plans and specifications for the construction of the waste storage area are to be submitted to the Certifying Authority with the Construction Certificate.

- (t) Cool room(s), refrigerated chambers and strong-rooms are to be constructed in accordance with G 1.2 of the *Building Code of Australia*.
 - (i) The floor of the coolroom must be graded to the door and a floor trapped waste outlet must be located outside the coolroom as near as possible to the door opening.
 - (ii) All proposed shelving in the coolroom must be free-standing, constructed of galvanised steel angle section or other approved material with the lowest shelf at least 150mm clear of the floor.
 - (iii) The floor of the coolroom must be constructed of impermeable concrete or coated, topped or otherwise finished with an impervious material to a smooth even surface and coved at the intersections with the walls to a minimum radius of 25mm.

- (iv) A door which can be opened at all times from inside without a key.
- (v) An approved audible alarm device must be located outside the coolroom(s) but controllable only from within the coolroom(s) and be able to achieve a sound pressure level outside the chamber or coolroom(s) of 90 d B (A) when measured 3 metres from the sounding device.
- (u) 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.
- (v) All openings in walls, floors and ceilings, through which service pipes pass, must be vermin proof.
- (w) 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.
- (x) The following requirements apply to clearances and supports of equipment:
 - (i) 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.
 - (ii) All shelving must be fixed 25mm clear of the walls on solid metal brackets.
- (y) The following requirements apply to food conveyors:
 - (i) The area (well) at the bottom of the food lift must be designed to allow access for cleaning.
 - (ii) The outside wall surface of the lift shaft must be finished to match the surrounding wall surface and coved to a minimum radius of 25 mm at the intersection with the floor.
 - (iii) The internal surfaces of the food lift must be a smooth cement finish and coved at all angles.
- (z) A grease trap (if required by Sydney Water) must not be installed in any kitchen, food preparation or food storage area. The grease trap room must have a piped connection to the boundary so that it can be emptied. Note: Sydney Water Authority also have requirements for grease arrestors that you need to comply with.

Note: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website www.standards.com.au.

Copies of the Food Standards Code (Australia) may be obtained by contacting the Food Standards Australia and New Zealand Authority on telephone (02) 6271 2222, email info@foodstandards.gov.au or by visiting the website www.foodstandards.gov.au.

(30) FINAL INSPECTION (FOOD PREMISES)

A final site inspection relating to the works carried out on the premises must be arranged by the applicant and must be undertaken by Council. The time for the inspection must be arranged with Council at least 48 hours prior to the applicants' suggested appointment time.

(31) FOOD PREMISES DATA BASE

Prior to an Occupation Certificate being issued, Council's Environmental Health Unit must be notified that the premises is being used for the preparation, manufacture or storage of food for sale so that the premises can be registered on Council's food premises database.

(32) NOTIFY NSW FOOD AUTHORITY

Prior to the commencement of food handling operations, the food business must notify the NSW Food Authority of the following information including:

- (a) Contact details for the food business, including the name and address of the business and the proprietor of the business.
- (b) The nature of the food business.
- (c) The location of any other food premises associated with the food business, within the jurisdiction of NSW Health.

You may notify the NSW Food Authority via the Internet on www.foodnotify.nsw.gov.au or by contacting the Council for a notification form. Failure to notify the NSW Food Authority may result in a penalty not exceeding \$2,750.

(33) BARRICADE PERMIT

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

(34) WASTE AND RECYCLING MANAGEMENT - MINOR

The proposal must comply with the relevant provisions of Council's *Policy for Waste Minimisation in New Developments 2005* which requires facilities to minimise and manage waste and recycling generated by the proposal.

(35) STRUCTURAL CERTIFICATION - MINOR SIGNAGE

Prior to the issue of a construction certificate details of the proposed method of fixing the sign/s to the building must be provided to and approved by Council (where Council is the certifying authority).

(36) BASIX CERTIFICATE - DETAILS TO BE LODGED WITH A CC

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for a construction certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application.

(37) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

(38) ANNUAL FIRE SAFETY STATEMENT FORM

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.

SCHEDULE 1C

DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION

(39) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

(40) NO OBSTRUCTION OF PUBLIC WAY

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

(41) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site.
- (b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

(42) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

(43) USE OF MOBILE CRANES

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.

- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.

(44) CHANGES TO KERB SIDE PARKING RESTRICTIONS

A separate submission must be made to the Sydney Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed or that any change will remain in place for the duration of the development use.

The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include changes to all signs and stems from the kerb line of the nearest intersection.

All costs associated with the changes to sign posting will be at no cost to Council.