

DEVELOPMENT ASSESSMENT REPORT – DA324/16 - PROPOSED SERVICE STATION, TRUCK STOP AND A RESTAURANT, LOT 20 DP 837978, 1940 GREAT WESTERN HIGHWAY MOUNT LAMBIE NSW 2790

1. PROPOSAL

Council is in receipt of a Development Application DA324/16 for a service station, truck stop and restaurant on land known as Lot 20 DP 837978, 1940 Great Western Highway, Mount Lambie.

The proposal involves 2 stages; that being:

- Stage 1 involves the construction of a new highway service centre comprising of 12 fuel points and 4 diesel points, canopy, convenience store (shop), a drive through restaurant, associated parking spaces for 18 vehicles (plus truck parking), signage and landscaping.
- Stage 2 involves the construction of the diesel service.

The entire development will be of single storey containing portable and rainwater storage and a new septic system.

The property contains an area of 1.644ha and has direct access from the Great Western Highway. The property was previously used as a service station that burnt down in 2010. Remnants of the old service station are located on the site and would be removed as part of this application.

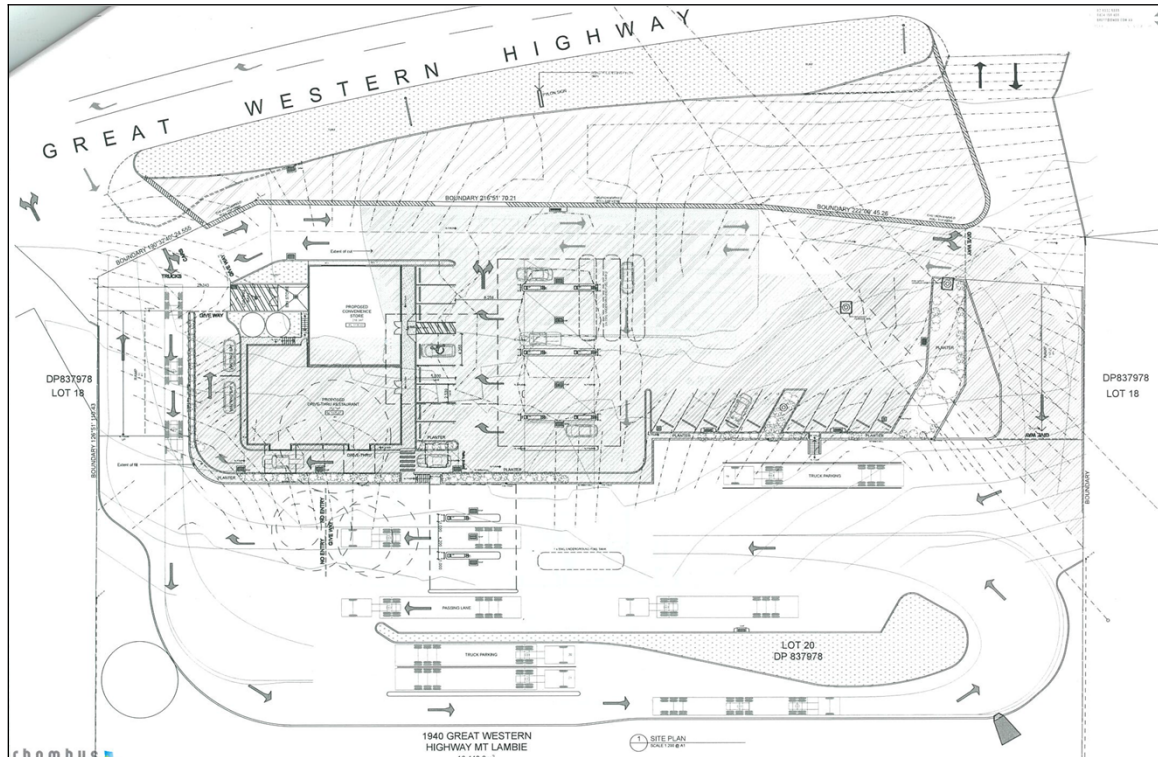
The operating hours of the development is proposed to be 24 hours per day, 7 days a week.

The property is rectangular in shape and has a slight fall from the Highway to the rear of the site. The property contains a small area of vegetation towards the rear of the site.

The property is shown in the picture below:



A site plan of the proposed development is shown below:



Previous Applications for the site

DA196/16- Service Station, Truck Stop and Restaurants – Rejected

BA359/79-Alterations to Restaurant

BA113/82-Freezer Room

2. SUMMARY

To assess and recommend determination of DA324/16 with recommendation for approval subject to conditions.

3. LOCATION OF THE PROPOSAL

Legal Description: Lot 20 DP 837978

Property Address: MT LAMBIE SERVICE STATION 1940 GREAT WESTERN
HIGHWAY MOUNT LAMBIE NSW 2790

4. ZONING: The land is zoned RU1 Primary Production in accordance with Council's current planning instrument, being Lithgow Local Environmental Plan (LEP) 2014.

5. PERMISSIBILITY: The development being a 'highway service centre' as defined below. Highway service centres are permissible under Lithgow Local Environmental Plan 2014, subject to development consent as per the RU1 Zoning Table.

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)

Policy 7.5 Notification Of Development Applications

5. Who will be notified under this Policy and how long is the notification period?

5.3 Certain types of development will be notified to adjoining landowners as well as the wider neighbourhood, and in some circumstances for 21 days, as indicated in the following table:

Type of Development Proposed	Minimum Notification Required (Surrounding Landowners)	Period
Bed & Breakfast, Home industries, restaurant or café, Self Storage Units	6 either side of the subject site, 6 at the rear and 6 opposite the site	21 days
Multi-dwelling Housing, hostels, boarding houses, child care centres, Hotels, Motels, Tourist Facilities, residential flat buildings, residential care facility, seniors housing, serviced apartments, places of public worship, recreation facility, amusement centres, professional consulting rooms	6 either side of the subject site, 6 at the rear and 6 opposite the site	21 days

The proposal was notified to surrounding landowners and placed on display for two notification periods, the first being undertaken on the 18 August 2017. The plans have since been amended with the reduction of 1 unit (8 to 7) and minor allotment layout. The notification period is currently being undertaken for a period of 21 days as per the above Policy.

Policy 7.7 Calling In Of Development Applications By Councillors

This application has been called in pursuant to Policy 7.7 "Calling in of Applications by Councillors" Item 3 that states:

3. Should written notice, signed by a minimum of one (1) Councillor, be received by the General Manager prior to determination of a development application or development application/construction certificate, the application shall not be determined under delegated authority but shall be:

- Reported to the next Ordinary Meeting for the information of Council that the development application or development application/construction certificate has been "called in"; and
- Reported to an Ordinary Meeting of Council for determination.

The development call in was reported at Council's Ordinary meeting held on 6 February 2017 (Minute Number 17-26). It was resolved at the meeting to hold an onsite meeting before the DA is reported to Council for determination.

An onsite meeting was held 3 May 2017. The meeting was held with Council, the applicant, landowner and architects and the surrounding landowners.

Concerns were raised relating to the amount of space on the property for the proposed development, effluent disposal area and drainage runoff, lights and traffic flow to and from Rydal, noise and impacts to Old Western Road.

These issues are detailed further in this report.

5.2 FINANCIAL IMPLICATIONS (eg Section 94)

Section 94A Development Contributions Plan 2015

The Section 94A plan applies to this development given it is for a service station, truck stop and restaurant at an estimated cost of \$3,515,206, using the below levies:

Estimated cost of development	Levy applicable
\$0 to \$100,000	0%
\$100,001 to \$200,000	0.5%
\$200,001 and over	1%

Therefore, the following condition of consent should apply to the development is approved:

- *Prior to the issue of a Construction Certificate the applicant shall pay to Council a Section 94A contribution of \$35,152.06, in accordance with the Lithgow City Council Section 94A Development Contribution Plan 2015. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2015.*

5.3 LEGAL IMPLICATIONS

Protection of the Environment Operations Act 1997

This Act will generally apply if they require to get EPA licences or GPA's and include the following types of development under Schedule 1 of the Act.

15 Contaminated soil treatment

15A Contaminated groundwater treatment

31A Petroleum products and fuel production

A contamination report was submitted with the application and is detailed further in this report. The development is required to get an EPA licence. This will be dealt with by the Applicant and EPA.

Roads Act 1993

The development has a frontage to the Great Western Highway and therefore the application was referred to the Roads and Maritime Services for comment. These comments are found later in this report.

Environmental Planning and Assessment Act 1979

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

5.3.1 Any Environmental Planning Instruments

Lithgow Local Environmental Plan 2014

LEP 2014 – Compliance Check		
Clause		Compliance
Land Use table	RU1 Primary Production	Yes
7.1	Earthworks	Yes
7.3	Stormwater management	Yes
7.5	Groundwater vulnerability	Yes

Comment: The development is considered to comply with the objectives of the zone. The zone objectives are:

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- To minimise the fragmentation and alienation of resource lands.*
- To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- To minimise the environmental and visual impact of development on the rural landscape.*
- To provide for recreational and tourist development and activities of an appropriate type and scale that do not detract from the economic resource, environmental or conservation value of the land.*
- To maintain or improve the water quality of receiving water catchments.*

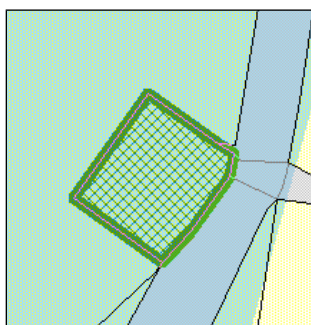
The property contains an area of 1.644ha and was previously used as a service station. Due to the size and previous use of the property agricultural use would not be viable. The property adjoins the Great Western Highway to the east with rural properties surrounding the other boundaries. The property is currently unsightly and derelict due to the relics of the previous service station that was burnt down. The development would improve the visual amenity as well as providing a service to the community.

The property is relatively flat and would consist of minimal fill. Disturbance to the natural ground would be minimal. All fill is proposed to be imported and consist of sandy loam textured material. Conditions of consent would be imposed in regard to erosion and sediment control.

Hydraulic details for stormwater was designed by civil and hydraulic engineers and submitted with the application. Stormwater Management Report was referred to Council's Engineers and Water NSW. The proposal is considered to contain adequate stormwater and complies with Council's LEP subject to conditions of consent.

Council's Engineering Comments and Water NSW comments are found later in this report.

The property is identified as containing ground water vulnerability. Groundwater dependent ecosystems would not be impacted upon by the development as minimal vegetation would be removed. The development is designed, sited and will be managed to avoid any significant adverse environmental impact. Groundwater was assessed by Water NSW. It is noted that the site currently retains some contamination due to the previous land use being a service station that was burnt down. If the proposal is approved, condition of consent will be imposed to ensure that any further groundwater impacts are minimised. Water vulnerability is mapped below:



The development is considered to comply with Council's Local Environmental Plan 2014.

State Environmental Planning Policy No 33—Hazardous and Offensive Development

SEPP 33 – Compliance Check		
Clause		Compliance
Part 3 Potentially hazardous or potentially offensive development		
12	Preparation of preliminary hazard analysis	Yes
13	Matters for consideration by consent authorities	Yes

Comment: The SEPP requires that any potentially hazardous or offensive development is to be assessed using a preliminary hazard analysis.

Safety precautions will be undertaken for the site specifically relating to the refuelling of trucks and vehicles. This will be in house as well as signage spread throughout the site. There are no other hazard that would relate to the development. Therefore the development satisfies the SEPP.

State Environmental Planning Policy 44 – Koala Habitat Protection

SEPP 44 is applicable to site given that it exceeds 1ha in size and is located within the Lithgow Local Government Area to which the SEPP applies. Part 2 of the SEPP requires Council to consider whether the land the subject of the application retains potential and subsequently core koala habitat.

Many of the trees listed within Schedule 2 of the SEPP are common within the Lithgow Local Government area, however core koala habitat within this area is rare, with only 12 koala sightings ever reported on private land within the LGA.

Comment: Given that a minimum of 3 trees are to be removed as part of the development, and the section of the subject site relevant to the application is devoid of native vegetation it is considered unnecessary to proceed further with SEPP 44 assessment.

State Environmental Planning Policy No 55—Remediation of Land

SEPP 55 – Compliance Check		
Clause		Compliance
7	Contamination and remediation to be considered in determining development application	Yes
17	Guidelines and notices: all remediation work	Yes

Comment: Testing for the tanks was undertaken in 2012. The results confirmed that the existing tanks and lines are intact; they are suitably vented and isolated with the lines capped.

The previous use of the site being a service station is listed in Table 1 of SEPP 55. Since 2012 the site has been vacant.

As the results of the testing are found to be suitable, it is believed that there is no contamination from the tanks located onsite. The new development is the same use as the previous use, that being a service station.

A contamination report was submitted with the application. Five disused underground storage tanks are located on the property with the filler pipes on the tanks being concreted over. It was concluded that moderate hydrocarbon was detected in soils around the bowers. The soil samples collected contained levels of total recoverable hydrocarbons that did not exceed the ecological or health screening limits.

The recommendations with the report states:

- *The UST and feeder lines are to be decommissioned in accordance with WorkCover and EPA guidelines.*
- *The soil contaminated with hydrocarbons around the UST and bowers are to be remediated. If extensive contamination is identified then an investigation with boreholes or monitoring wells may be required.*
- *Waste material including illegal dumping is to be removed and taken to a licensed landfill.*
- *A remediation action plan is to be undertaken describing the remediation works. A validation Report is to be also prepared to confirm the effective remediation of the contaminated areas.* These reports are to be submitted to Council prior to construction work.

The above recommendations will be conditioned on the consent.

State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) 2007 – Compliance Check		
Clause		Compliance
Division 17 Roads and traffic		
Subdivision 2 Development in or adjacent to road corridors and road reservations		
99	Highway service centres in road corridors	Yes
101	Development with frontage to classified road	Yes
Schedule 3	Traffic generating development to be referred to the RTA	Yes

Comment: Service Stations on classified roads are listed under Schedule 3 of the Infrastructure SEPP and require referral the Roads & Maritime Services (RMS) (formerly known as RTA) where a new premise is proposed or an existing premise is proposed to be enlarged or extended. A referral to the RMS was made as The Great Western Highway is a classified road and resulted to no objections to the proposed development since the property was formerly a service station and traffic management to the site will remain unchanged with the retention of the existing driveways.

Refer to the RMS comments found later in this report.

State Environmental Planning Policy No 64—Advertising and signage

SEPP 64 – Compliance Check		
Clause		Compliance
3	Aims and Objectives	Yes
8	Granting of consent to signage	Yes
11	Requirement for consent	Yes
13	Matters for consideration	Yes
23	Freestanding advertisements	Yes
Schedule 1	Assessment criteria	Yes

Comment: The proposed signage is compatible with the character of the area given it is for a commercial use along the highway. A similar service station development is located at Yetholme, that being a few km's away from Mount Lambie.

The signage and design will not detract from the surrounding rural landuses as the development is proposed to be located on a small parcel of land with large rural allotments surrounding the property. The property also has direct access and frontage to the Highway.

There are no expected impacts on views or vistas of the area. The proposed signage will not obscure other advertising and will not create clutter. The size and scale of the proposed signage will suit the development. The signage will not provide distractions or safety issues for road users, pedestrians or obscure sightlines from public areas. The proposal has been referred to the Roads and Maritime Services for assessment and meets the requirements of the SEPP.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

SEPP (Sydney Drinking Water Catchment) 2011 – Compliance Check		
	Clause	Compliance
10	Development consent cannot be granted unless neutral or beneficial effect on water quality	Yes
11	Development that needs concurrence of the Chief Executive	Yes

Comment: The application is required to be assessed by Water NSW given the scale of development proposed for commercial purposes. Therefore, a referral to Water NSW was undertaken in accordance with the SEPP with recommendations from Water NSW detailed further in this report. As a result of assessment by Water NSW it was found that the proposal will have a neutral or beneficial effect on water quality subject to conditions of consent being imposed.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

5.3.3 Any Development Control Plan

There are no DCP's applicable at the time of lodgement of the application. Council's previous DCP's that have now been repealed are used as a guide. The following repealed DCP's are applicable:

Outdoor Advertising Development Control Plan

Outdoor Advertising – Compliance Check		
	Design Controls - Commercial	Compliance
Size of Signs	No specific size limit will be applied.	Yes
Number of Signs	One as of right sign will be permitted per premises providing it complies with the requirements of Council's DCP.	Yes
	Generally no more than 2 signs shall be erected above an awning of a premises. This includes 1 as of right sign. Signs shall not be erected directly on top of an awning.	Yes
General	Signs that detract from the architectural appearance of a building will not be permitted.	Yes
	Pole or pylon signs shall be no higher than 6 metres.	Yes

Comment: The development proposes the following signs:

- *Re-erection of existing pylon sign adjacent to the Great Western Highway, this sign is proposed to be 6m in height.*
- *Fuel canopy signs on either side of fuel and diesel canopies,*
- *Tenancy signs above entries to the convenience store and restaurant,*
- *Restaurant tenancy sign on wall of convenience store addressing highway.*

The colours proposed for the signs will be red, yellow and white.

The proposed signs comply with Council's Outdoor Advertising DCP.

Off Street Carparking Development Control Plan

Off Street Carparking – Compliance Check		
	Clause	Compliance
Refreshment Rooms plus Service Station	1 space per 6.5m gross floor area or 1 space per 3 seats whichever is greater Queuing area for a minimum of 5 cars if drive-through is provided Service Stations -3 spaces per workbay plus 1 space per 2 employees	No-Refer to justification
Part 6	Car Parking Standards	Yes
Part 7	Construction Standards	Yes
Part 8	Landscaping	Yes
Part 9	Design Guidelines	Yes

Comment: A total of 232.7m² of gross floor area is proposed for the restaurant on the site. At 6.5m of gross floor area, 35.8 carparking spaces are required. The gross floor area includes the kitchen and washing up areas, cool room, freezer, a staff office, bathroom amenities and dining area. The dining area would equate to approximately 100m² and would therefore require approximately 15 vehicle spaces.

Alternatively approximately 32 seats are proposed for the restaurant. This would require 10.8 spaces for the number of seating.

The gross floor area is to be taken into the consideration as it is the greater amount.

The applicant has provided justification indicating that as the development is a service centre on the Highway, the patronage would involve a high turnover for a short period of time.

The Statement of Environmental Effects states:

- *The Highway has approximately 8000 vehicle movements per day with an average of 5% of these vehicles would stop at the service centre with 1.5 occupants per vehicle.*
- *Peak demand will occur between 12 noon and 1pm with approximately 20% of vehicles stopping during this time. This equates to 80 vehicles between 12 noon and 1pm.*
- *Each of these vehicles will have an approximate stay of 15 minutes. Therefore there would be 25% of vehicles on the property at any one time during peak demand. Vehicles would also utilise the drive through where parking would not be required.*

In regard to the service station, no workbays are proposed. It is expected that three employees would be onsite at any one time, therefore two carparking spaces are provided for employees.

The development has provided 18 car spaces on site with truck parking separate from the total amount and to be located west of the property. Although the required number of spaces for the restaurant does not comply with the gross floor area, the justification is considered satisfactory for the development.

The queuing area for the drive through restaurant is satisfactory as the development has provided an area in excess of 5 vehicles.

All areas within the property are proposed to be reinforced concrete.

In relation to landscaping, the following condition would be included on the consent:

A landscaping plan is to be submitted to Council for approval prior to the issue of the Construction Certificate. Landscaping should be scattered throughout the developed site including but not limited to be: between the truck parking area and the truck fuel station, throughout the vehicle parking area, between the vehicle manoeuvring areas and the restaurant/service station and carparking areas.

All landscaping is to be undertaken prior to the issue of the Occupation Certificate.

All carparking is proposed to be designed in accordance with AS2890.1.

As such the development complies with Council's previous DCP with justification satisfactory for the number of carparking spaces.

5.3.4 Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F?

No. The VPA component under Council's Section 94A Contributions Plan 2015 for major developments has been superseded. As such the applicable have stated that they will pay a Section 94A Contribution of 1% and no VPA is applicable.

5.3.5 Any matters prescribed by the regulations that apply to the land

The development has been forwarded to Council's Building Officer for assessment under appropriate regulations. It is considered that as a result of this assessment the development will comply with the provisions of the regulations subject to conditions of consent.

Protection of the Environment Operations (Clean Air) Regulation 2010

The regulation applies to the development through Part 4, Division 5- transfer of Petrol and Division 6- Petrol Volatility. This ensures that vapour pressure is being closely monitored, maintained at safe levels and reported when required to the appropriate authorities. Additionally, it ensures that the premises in which fuel can be purchased has the appropriate nozzles fitted with automatic overfill protection devices. The development will be required to comply with the provisions of this regulation for the ongoing operations of the service station.

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Adjoining Landuse: The surrounding area is generally for rural residential purposes. The proposal will not cause any land use conflicts and the development is permissible within the zone and located on a small parcel of land that was previously utilised for a similar use being a service station.

Services: The development proposes to use rainwater tanks and potable water. An onsite waste water system is also proposed.

Stormwater Management Report was referred to Council's Engineers and Water NSW. The proposal is considered to contain adequate stormwater and complies with Council's LEP subject to conditions of consent. Council's Engineering Comments and Water NSW comments are found later in this report.

Additionally, there is access to electricity and telecommunication services nearby. Therefore, it is considered that the proposal will be adequately serviced.

Context and Setting: The proposed development will be located within an established rural residential area and will have no major impact on the context and setting. A service station was originally located on the property prior to it being burnt down. The development has been designed to complement the surrounding area by providing a new facility on a vacant allotment.

Access/traffic: Access to the property is via the Great Western Highway. Access to the property exists as well as turning and slip lanes. The development proposes to upgrade the access to allow for large vehicles to enter and exit the property in a safe manner. As the development is proposed to utilise the Great Western Highway, the development was referred to the Roads and Maritime Services for comment. The comments are found later in this report.

Access is shown in the picture below:



Flora and Fauna: The property contains a small area of vegetation towards the rear of the site. Three non-native medium sized trees are proposed to be removed as part of the development. However as the area has been previously disturbed with minimal mature trees, the development is expected to have minimal impact to flora or fauna.

Contamination: The previous use of the site was for a service station that has been decommissioned for the past 6 years. The previously used in ground fuel storage tanks are proposed to be removed as part of the development. Pressure testing was undertaken on the tanks that confirmed the tanks feed lines remain intact and un-breached.

Testing for the tanks was undertaken in 2012. The results confirmed that the existing tanks and lines are intact; they are suitably vented and isolated with the lines capped.

The previous use of the site being a service station is listed in Table 1 of SEPP 55. Since 2012 the site has been vacant.

As the results of the testing are found to be suitable, it is believed that there is no contamination from the tanks located onsite. The new development is the same use as the previous use, that being a service station. There is no reason to believe the site would be affected by acid sulphate soil.

A contamination report was submitted with the application. Five disused underground storage tanks are located on the property with the filler pipes on the tanks being concreted over. It was concluded that moderate hydrocarbon was detected in soils around the bowers. The soil samples collected contained levels of total recoverable hydrocarbons that did not exceed the ecological or health screening limits.

The recommendations with the report states:

- *The UST and feeder lines are to be decommissioned in accordance with WorkCover and EPA guidelines.*
- *The soil contaminated with hydrocarbons around the UST and bowers are to be remediated. If extensive contamination is identified then an investigation with boreholes or monitoring wells may be required.*
- *Waste material including illegal dumping is to be removed and taken to a licensed landfill.*
- *A remediation action plan is to be undertaken describing the remediation works. A validation Report is to be also prepared to confirm the effective remediation of the contaminated areas.* These reports are to be submitted to Council prior to construction work.

The above recommendations will be conditioned on the consent.

Social and Economic Impact: As the proposed development will be generally in keeping with the provisions of the planning instrument and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact.

Soils: The proposed development will have no significant impact on soils subject to conditions of consent and ongoing monitoring. The site has current contamination issues; however, the use of the site for a service station and café is suitable with maintenance to be undertaken during construction. Conditions of consent will be

imposed to control erosion and sedimentation impacts on the site and there will be no additional impacts on soils subject to conditions of consent.

Water: The proposed development has been assessed using the NorBE tool as required by the *State Environmental Planning Policy (Sydney Catchment Drinking Water) 2011* with a result of satisfied. Therefore with appropriate conditions of consent it is considered that the development will have minimal impact on water.

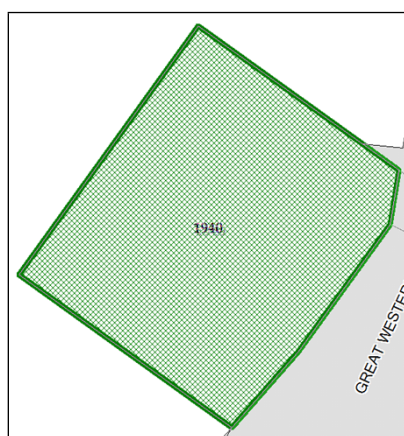
Air and Microclimate: There will be no significant impact on air or microclimate. However, a condition of consent will be imposed requiring that dust suppression be used during construction works to minimise impacts on the surrounding area.

Waste: Waste during construction will be to a licenced facility detailed in the waste management plan and as per conditions of consent if approved. Additionally, waste receptacles will be provided onsite to ensure that general waste (i.e. food packaging) is disposed of correctly which includes a recycling area.

Screened bin storage areas are proposed for all buildings. Truck collection areas have been provided on the plans for easy collection of large skip bins and containers.

Aboriginal heritage: The site is not known as related to Aboriginal relics and Aboriginal place.

Natural Hazards: the property is not identified as being within the bushfire prone area. Refer to the plan below:



Noise and Vibration: The proposal adjoins the Great Western Highway that has potential noise and vibration impacts from traffic on the development. However, given the proposal is for a service station, restaurant and a shop the impact will not be disruptive. The proposal is not expected to cause any noise or vibration issues on the surrounding area with no conflicting land uses nearby.

5.3.7 The Suitability of the site for the development

The surrounding land uses are for rural residential pursuits with the size and nature of the development to be consistent with those in the surrounding area. The proposal is compatible with the objectives of the zone and is considered to have minimal impact on the surrounding amenity. Therefore, the site is considered to be suitable for the proposed development.

5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was sent to Water NSW, Roads and Maritime Services, Endeavour Energy, Council's Building Officer, Environmental Officer and Engineers for commenting with recommendations detailed below. The proposal was also sent to surrounding landowners and placed on public display in Council's Administration Building for two notification periods. During the notification period, three submissions were received and are summarised below.

WATER NSW

Reference is made to Council's letter received 8 May 2018 providing amended reports and plans for the proposed service station development on the above land. The letter also requests any changes to Water NSW's previous concurrence advice provided to Council on 8 May 2017 under Clause 11 of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP).

The subject property, which has been previously inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

The following documents have been considered in the assessment of the application:

- an amended Statement of Environmental Effects prepared by Brett Moulds Design & Drafting Pty Ltd (dated 1 May 2018)
- Site, Floor, Landscape and Erosion & Sediment Control Plans all prepared by Rhombus Design and Architecture (dated 20 July 2016)
- a Contamination Investigation for Abandoned UPSS prepared by EnviroWest Consulting Pty Ltd (dated 20 March 2017)
- a Stormwater Management Report (dated 20 December 2016) and associated Site Plans (dated 3 May 2018), all prepared by ACOR Consultants (NNSW) Pty Ltd, and
- an Effluent Disposal Investigation Report and associated effluent disposal plan prepared by Calare Civil Pty Ltd (dated 1 May 2018).

Based on Water NSW's previous site inspection and the information previously provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the amended application, subject to the following conditions. This advice replaces Water NSW's previous concurrence advice to Council (dated 8 May 2017).

General

1. The proposed development (including staging) shall generally be as specified in the Statement of Environmental Effects (dated 1 May 2018) prepared by Brett Moulds Design & Drafting Pty Ltd and shown on the General Arrangement Plans (Project No. NE160110; Dwg. No. C01.01, Sheets 1 & 2; Issue A; dated 03.05.18) prepared by ACOR Consultants (NNSW) Pty Ltd and the architectural plans dated 13 July 2018, Plans 01 to 11 prepared by Brett Moulds Design & Drafting Pty Ltd. No revisions to site works, layout or staging of the development that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1 - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Forecourt Stormwater and Washdown Water Management

2. All runoff from the site including from forecourt areas, and other areas where oily liquids are used shall be managed as specified in the Stormwater Management Report (dated 23 December 2016) and shown on the Stormwater Management Plans (Project No. NE160110; Dwg. C02.001 and C02.02; Sheets 1 & 2; Issue. A; dated 03.08.18) and Hydraulic Services Plan (C02.02; Dwg. H01.01; Issue A; dated 03.05.18), all prepared by ACOR Consultants (NNSW) Pty Ltd, and shall include

- stormwater pits and pipes, and
- oil and water separator.

3. The forecourt area and any area where oily liquids are used shall employ appropriately sized bunds and capture devices so as to ensure that all runoff from these areas is directed to the oil-water separator and "clean" surface runoff is diverted around the forecourt.

4. The forecourt shall be covered, with the design, operation and maintenance, otherwise to be consistent with the Department of Environment & Climate Change Environment Action for Service Stations – Information Sheet-3 which can be found at: <http://www.epa.nsw.gov.au/resources/clm/2008552ServStations.pdf>

Other Stormwater

5. All other surface runoff and rainwater tank overflow from the site shall be directed to the two bioretention basins located as shown on the Stormwater Management Plans (Project No. NE160110; Dwg. C02.02; Sheet 2 of 2; Issue. A, dated 03.08.18) and Hydraulic Services Plan (Project No. NE160110; Dwg. H01.01; Issue A; dated 03.05.18), all prepared by ACOR Consultants (NNSW) Pty Ltd. Detailed design of the bioretention basins shall be prepared and submitted to the satisfaction of Water NSW and Council **prior to the issuance of a Construction Certificate**. The detailed design shall, as a minimum, incorporate the following specific requirements:

- be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
- each basin shall have a minimum surface area of 40 square metres and a minimum filter area of 40 square metres and also meet the following specifications:
 - incorporate gross pollutant traps at the inlets
 - an extended detention depth of 200 mm above the filter media
 - a minimum filter-media depth (excluding any transition zones) of 300 mm above the underdrain
 - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
 - be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation)
- direct all discharge and overflow via sheet flow away from the proposed amended soil mound area

- be accessible from the internal access road by machinery to facilitate cleaning, monitoring and maintenance of the structures, and
- be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management.

6. The bioretention basins shall be constructed after all hardstand areas have been paved or sealed and all ground surfaces have been stabilised.

7. A rainwater collection and re-use system shall be installed for all roof runoff that incorporates:

- two rainwater tanks with a minimum total capacity of 30,000 litres above any volume required for mains top-up
- roofs and gutters designed so as to maximise the capture of rainwater in the tanks
- tanks plumbed to toilets and other areas for non-potable use, and
- any overflow directed away from the amended soil mound area.

8. No washwater used in cleaning the floors of the restaurant facilities shall be directed to the stormwater management system.

9. No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.

Reason for Conditions 2 to 9 – To ensure appropriately designed stormwater management measures are implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

Wastewater Management

10. The aerated wastewater treatment system and amended soil mound system shall be designed, located and installed in accordance with the recommendations in the Effluent Disposal Investigation Report (dated 1 May 2018), and associated Effluent Disposal Envelope Plan (Job No. 16.8002; Dwg. No. E2; Amdt. A; dated 01.05.18) both prepared by Calare Civil Pty Ltd; the Wastewater Design Report prepared by Australian Environmental Wastewater (dated 1 May 2018); Designing and Installing On-site Wastewater Systems (Sydney Catchment Authority, 2012); and the manufacturer's specifications, but with the following specific requirements and modifications:

- the size and design of the amended soil mound system shall be based on a minimum wastewater loading of 11,150 litres per day, and a design loading rate based on the limiting soil layer of 8 mm/day,
- the site for the mound shall be levelled and shall have a minimum cut of no more than 0.25 metres into the slope to ensure natural soil is present underneath the mound so that any effluent leaving below or around the mound is absorbed by the natural soil,
- the mound shall be capped with a soil of moderate permeability, e.g. loam to clay loam, to minimise rainfall infiltration and promote evapo-transpiration, and shall be fully turfed prior to occupation of the site,
- the mound area shall be fenced-off from vehicles, and
- the mound area shall be mown regularly with grass clippings to be disposed of away from the mound.

11. All run-on and stormwater collected from roofs, access roads and other hard surface areas and the outlet of the bioretention basins shall be diverted away from the amended soil mound area, e.g. by means of a stabilised bund or drain with provision for energy dissipation at the outlet to prevent scouring or erosion.

12. The existing aerated wastewater system shall be decommissioned in accordance with the NSW Health Advisory Note No 3 (dated January 2017) for Destruction, Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems (AWTS) and Other Sewage Management Facilities (SMF).

13. All effluent shall be fully assimilated within the boundaries of the property.

14. No effluent disposal area shall be located within 100 metres of a named river, any perennial or intermittent creek or watercourse or water supply reservoir, or within 40 metres of a dam or drainage depression or waterbodies or roadside swale.

15. Appliances and fixtures with at least a four star ratings shall be installed in the restaurant, convenience store and service station to minimise the volume of wastewater produced.

16. No variation to wastewater treatment and management shall be permitted without prior agreement of Water NSW.

17. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater management systems.

18. The on-site wastewater management system shall be maintained according to Section 5 of the Department of Local Government's guidelines On-site Sewage Management for Single Households (1998), AS/NZS 1547:2012 On-site Domestic Wastewater Management, and the manufacturer's specifications.

Reason for Conditions 10 to 18 – To ensure that the on-site wastewater management system is appropriately designed, located and constructed so as to have a sustainable neutral or beneficial effect on water quality over the longer term.

Operational Environmental Management Plan

19. An Operational Environmental Management Plan (OEMP) for the site shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans, and shall be agreed to by Council prior to the issue of any Occupation Certificate. The Plan, which may be part of a broader site operational plan, shall be implemented and shall as a minimum include the following:

- plans showing the location, description and detailing the nature of all environmental and water quality management devices
- an inspection, monitoring and maintenance program for the stormwater and wastewater management and treatment systems including stormwater pits, bioretention basins, rainwater collection and reuse system, oil-water separator, the collection and disposal of oily liquids captured in the oil-separation tanks and other associated equipment

- an inspection, monitoring and maintenance program for the on-site wastewater management systems including all components of the aerated wastewater treatment system and amended soil mound
- an inspection and monitoring program for groundwater and any other underground tank monitoring equipment
- the identification of the individuals responsible for inspection, monitoring and maintenance activities including reporting hierarchy
- the identification of the frequency of inspection and monitoring for all environmental and water quality management devices and systems
- an inspection and monitoring reporting protocol and hierarchy
- an emergency liquids spill management procedure which includes notification of relevant agencies including Water NSW, and
- checklists for recording inspections, monitoring and maintenance activities.

20. All stormwater and wastewater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan referred in the above.

Reason for the above Conditions – To establish clear and appropriate management processes for water quality systems that have the potential to adversely affect environmental and water quality impacts during the operational stage of the development so as to ensure a sustainable neutral or beneficial impact on water quality over the longer term.

Other

21. Council shall not issue any Occupation Certificate until:

- a suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per conditions of consent and are in a functional state, and
- the installers of the wastewater management systems certify to Council in writing that the wastewater management systems have been constructed and installed as per these conditions of consent and in accordance with Water NSW's Designing and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2012), and that the systems have been tested and are functioning properly.

Reason for Condition 21 – To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all phases of the proposed development.

Excavation and Construction Activities

22. Any excavation work as part of this development involving potentially contaminated soil, such as the removal, installation or replacement of underground fuel storage tanks shall be carried out in accordance with the EPA's Environmental Guideline: Assessment Classification & Management of Liquid and non-Liquid Wastes (1999). A Remediation Action Plan shall be prepared by a person suitably experienced in the preparation of such plans prior to the issuance of Construction Certificate, and shall be to the satisfaction of Council. Such excavation works shall be carried out in accordance with the Erosion and Sediment Control Plan (Dwg No. E01; Amdt. A; dated 20.07.16) prepared by Rhombus Design and Architecture and shall be to the satisfaction of Council.

23. The Erosion and Sediment Control and Remediation Action Plans shall be implemented and effective erosion and sediment controls shall be installed prior to any excavation or construction activity and shall prevent sediment or polluted water leaving the site or entering any stormwater system. The controls shall be regularly maintained and retained until the works have been completed and the ground surface has been stabilised. Specifically, the following requirements shall be implemented for any excavation and installation for underground fuel tanks on the site involving potentially contaminated soils:

- excavated material shall be tested for contaminants as defined by the NSW Environment Protection Authority publication: <http://www.epa.nsw.gov.au/resources/clm/2008552ServStations.pdf>
- any contaminated material shall be disposed of at an appropriate licensed facility as soon as possible after identification with the correct waste classification,
- appropriate sediment management measures around the perimeter of the construction area,
- a stabilised entry point for the entry and exit of machinery,
- any temporarily stockpiled material shall be located within the construction area and shall be underlain by plastic and covered by weighted or heavy plastic to avoid any wind or water erosion,
- all stormwater drains and inlet points that drain from the construction site shall be protected by appropriate sediment management measures,
- the sediment management measures for stormwater drains and inlet points on the site that drain from the construction site shall be checked and maintained weekly and cleaned as necessary following rainfall events,
- appropriate measures shall be taken to prevent the infiltration of stormwater into the subsurface soil during the excavation and construction phase at the site, and
- the construction site shall be cleaned up at the end of each day.

Reason for the above Conditions – To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from a potentially contaminated site during this phase.

ROADS AND MARITIME SERVICES (RMS)

Reference is made to additional information provided by Brett Moulds, in support of DA324/16, on 18 December 2018.

The additional information includes a survey of the western access, quantifying the works required to achieve Safe Intersection Sight Distance (SISD) at the western access. Roads and Maritime has reviewed the survey and confirms it identifies the amount of benching required in the road reserve to achieve SISD on the western approach to the western vehicular access. The eastern approach to this driveway and both approaches to the eastern driveway, already achieve SISD.

The survey provided quantifies the amount of benching required to achieve SISD at a height of 1.1m metres above the road pavement. Roads and Maritime has suggested this be lowered to 550mm, to accommodate vegetation growth. Mr Moulds in a subsequent email on 24 January 2019 has agreed to lower the sight line to 550mm.

Roads and Maritime, pursuant to section 104 of *State Environmental Planning Policy (Infrastructure) 2007*, does not object to the proposed development and provides the following recommendations for Council's consideration:

- Prior to operation of the development, benching of the embankment adjoining the eastbound travel lane of the highway, on the western approach to the site, is to occur, generally in accordance with drawings Reference *17-136b Mount Lambie*, with the exception of the sight line (and subsequent benching) being lowered to 550 millimetres.
- A formal agreement in the form of a Works Authorisation Deed (WAD) is required between the developer and Roads and Maritime for the developer to undertake "private financing and construction" of any works on the Great Western Highway (including the road reserve). This agreement is necessary for works in which Roads and Maritime has a statutory interest. A WAD is to be executed prior to issuance of a Construction Certificate.
- Adequate turning circles, storage room and vertical clearance are to be provided within the site for the largest type of vehicle (26 metre B-Double) that will visit the site during operation.
- All activities including loading and unloading of goods associated with the development are to be carried out on site in the dedicated areas.
- Landscaping, signage and fencing are not to impede sight lines of traffic within or when passing, entering or departing from the site. Safe Intersection Sight Distance (SISD) requirements outlined in *Austroads Guide to Road Design* Part 4A is to be provided in both directions at the intersection of driveways and the Great Western Highway.
- Prior to the commencement of construction works, the proponent is to contact Roads and Maritime's Field Traffic Manager on 1300 656 371 to determine if a Road Occupancy Licence (ROL) is required. In the event that an ROL is required, the proponent is to obtain the ROL prior to works commencing within three (3) metres of the travel lanes on the Great Western Highway.
- All entry/exit points onto/from the Great Western Highway, internal vehicular manoeuvring, parking and loading areas are to be constructed, sealed and maintained generally in accordance with submitted plans prior to the issuance of an Occupation Certificate.
- Signage is to be in accordance with the Department of Planning and Environment's *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*, is not to flash, move or be objectionably glaring or luminous.

ENDEAVOUR ENERGY

Reference is made to your recent inquiry to Endeavour Energy regarding the abovementioned property which is affected by the combined Electricity Easement for the 66kv Transmission lines, feeder 817 between Wallerawang and Meadow Flat and the 11kv Distribution lines, feeder W164 from Meadow Flat. Consequently, the property is subject to some restrictions within the easement area.

Electricity easements are acquired by Endeavour Energy to provide adequate working space along the route of the line for construction, access and maintenance work. These easements are also acquired to ensure that no work or other activity is undertaken under or near the line or the structures that could either by accident or otherwise create an unsafe situation for persons or for the security of the line.

It is imperative that the easement area surrounding Endeavour Energy's Asset's is kept clear of all obstructions, encumbrances and other services in order to provide a safe work area for Endeavour Energy personnel to ensure compliance with Safe Work and the Work, Health & Safety legislation.

With the above in mind Endeavour Energy has No Objection to the proposed development as detailed in the plans supplied, but subject to agreement in writing within 45 days of the date of this letter to the following conditions:

1. Statutory clearances to the conductors are to be maintained at all times. It should be noted that power lines are designed to allow for sag and swing sideways, consequently allowance for this needs to be considered at all times. The statutory Clearance from 0kv to 132kv Conductors is 3 metres, in all directions, at all times. This measurement applies to, but is not limited to; persons, vehicles, hand tools and equipment, cranes, lifting gear, plant and load. Consideration needs to be given and the clearances increased where there is the likelihood of any inadvertent movement or swinging of the plant, crane, load or lifting gear towards the power lines.
2. Bunting shall be used to indicate the maximum height clearances during construction and Bollards are to be installed around Endeavour Energy's Structure.
3. On the completion of the works, Armco Railing will be installed around all Endeavour Energy's structures. This will be designed and installed to eliminate any vehicle contact to any part of the infrastructure on the pole and must be appropriately earthed.
4. Should any earthing be disturbed whilst work is being carried out, all work should immediately cease and Endeavour Energy notified so that the earthing can be reinstated.
5. Vehicles, plant or equipment having a height when fully extended that exceeds 4 metres shall not travel through the easement area without the prior written approval of Endeavour Energy. Vehicles with extendable operating equipment i.e. earth moving vehicles, loaders; tip trucks, cranes, etc. are not to be operated within the easement except with that equipment in the travelling position. Aerial boom concrete pumps are not permitted in any overhead easement.
6. All personnel are to be advised of the hazards of working in close proximity to high voltage wires. Extreme caution to be observed when working within the easement area and around any poles and structures.
7. All machinery or plant within an electricity easement is to be operated by adequately trained and accredited persons.
8. Endeavour Energy recommends the use of a suitably trained safety observer when work is being carried out within the easement area.

9. A hazard identification and risk assessment should be carried out within the easement area. A safe work method statement should be provided for any work carried out within the easement area. All staff should be briefed regularly, or when there are any changes, as to the contents of the risk assessment and safe work method statement.

10. For the attention of staff and visitors to the site and to ensure constant vigilance, Endeavour Energy recommends that clearly visible safety signs be erected, in accordance with the relevant safety standards, alerting attention to the transmission/distribution lines and their associated hazards.

11. Trees, plants or shrubs with a mature height that does not exceed 3 metres may be planted within the Overhead Easement area provided they are no closer than 15 metres from the closest structure and no closer than 5 metres from the vertical projection of the closest conductor. No plants are permitted in an area where they may obstruct access.

12. Any Metallic Fencing within the Easement shall be Isolated and Earthed as per Endeavour Energy Regulations and the AS3000.

13. The area within the easement is not to be used for the loading or unloading of trucks.

14. The area within the easement is not to be used for storage or stacking of goods or materials, especially flammable or explosive material.

15. No soil or other material is to be stored, loaded or unloaded within the easement area.

16. The cutting and filling of the surface land must be minimal throughout the easement area. Electrical Safety Clearances to the conductor height must be maintained. The area after the development must be clear, accessible and be able to support mobile plant and equipment up to 30 tonnes.

17. Unobstructed access to the easement area and associated structures must be available on a 24hr/7day a week basis. Any locked gates are to have an Endeavour Energy lock incorporated in the locking system.

18. All approvals granted are subject to the encroachment being removed or relocated at the Owners Expense should Endeavour Energy require this for maintenance, construction or emergency works.

19. Endeavour Energy will not take any responsibility for any damage occurring to the proposed development within our Transmission Easement, whilst or after any maintenance, construction or emergency work has been carried out by our staff or our associated contractors.

20. No other work shall be carried out within the easement, without written approval from Endeavour Energy.

ADVISORY NOTES

Dial Before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the ***Dial Before You Dig 1100*** service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

Public Safety

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Attached is Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.

COUNCIL'S BUILDING OFFICER

Reference is made to the development application in regard Council's Planner's to referral dated 8 May 2018.

Please be advised of the following:

- The restaurant will require an additional sanitary facility as the number of patrons will be over 25.

Therefore, there is no objection to the proposal given the following conditions of consent:

Approved Development

1. The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

Building Code of Australia

2. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Notification of commencement of building work

3. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:

- a) a Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act, and

- b) a Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and Form 7 of the Regulations, and
- c) Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.

Erosion and sediment control

4. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:

- a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
- b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

5. Prior to commencement of any building works, a suitable lidded waste container for the deposit of all building rubbish and litter must be provided onsite. The waste container must be emptied at a licensed waste disposal facility when full. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works.

Erection of Construction Sign

6. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
- b. Stating that unauthorised entry to the work site is prohibited and
- c. Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Dust Nuisance

7. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – “Soils and Construction” (2004) (Bluebook). All haul roads and construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

Workers toilet facilities

8. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot

remain on site for any longer than 12 months, without the further approval of Council.

Construction Work Hours

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

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No work

Excavation and Backfilling

10. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

Survey reports

11. The following survey reports (prepared by a practising registered Surveyor) are to be submitted to the Principal Certifying Authority to accurately demonstrate compliance with the approved plans to demonstrate that the building has been erected wholly within the subject property:

- a. A Set-out survey showing the location of slab formwork is to be submitted (prior to pouring of concrete);
- b. An Identification Survey (upon completion of external walls/eaves construction and retaining walls and prior to any Completion inspection being carried out).

12. The occupation certificate shall not be issued until Council as the certifying authority for water and sewer inspections has undertaken and approved the final installation of all plumbing and drainage fixtures and the Certificate of Compliance has been supplied by the licensed installer.

Approval to use structure

13. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

Advisory Notes

Construction Inspections

AN1. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes before filling with concrete.
- b) Trenches complete with reinforcing and prior to filling with concrete.
- c) Internal drainage carried out by licensed plumber prior to covering
- d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
- e) Slab base if no piers required and prior to placement of the membrane.
- f) Framing when external wall and roof cladding is in place and prior to internal linings.
- g) External drainage installed by a licensed plumber and prior to covering.
- h) Wet area flashing prior to tiling or covering.

- i) Stormwater drainage between building and discharge point prior to covering.
- j) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

Construction Certificate Application

AN2. The plans submitted with the Construction Certification Application must indicate compliance with the following provisions of the Building Code of Australia (Volume 1):

- a) The provision of an ambulant sanitary facility in the restaurant in addition to the accessible sanitary facility in accordance with Clauses F2.4 and F2.3 as the building will have seating for more than 25 patrons.

AN3. The property is located in an area subject to snow falls and the buildings are to be designed to withstand the site specific ground snow loading.

COUNCIL'S ENGINEERS

Reference is made to the development application in regard to Council's Planner's referral dated 5 January 2017.

Council's Engineers have no objection to the Development Application subject to the following conditions

- Concrete driveway is to be constructed in accordance with Lithgow City Council's "Specification for the construction of Driveways, Footpath/Gutter Crossings and Footpaving" (Policy 10.21) except where these specifications contravene the requirements of the Roads and Maritime Services. A copy is available on Council's website, or on request from Council's Administration.
- All development is to be constructed in accordance with Council's "Guidelines for Civil Engineering Design and Construction for Development" except where these requirements contravene those of any other controlling authority. This document is available on Council's website or upon request from Council's administration desk.
- All road, drainage, kerb and gutter, water and sewerage reticulation works associated with a development will be inspected by Council's Infrastructure Services. The developer shall at all times give uninterrupted access and afford every facility for the examination for any works and materials requested by the Group Manager of Operations or his authorised delegate.
- A construction certificate will be required to be lodged to Council prior to the commencement of any Civil Works.
- Works as Executed (WAE) Plans detailing all services and infrastructure are to be prepared by a registered surveyor or professional engineer, and submitted to Council. The WAE plans shall be lodged prior to the release of the linen plan. The applicant is required to submit three complete sets of hard copy plans (one A1-sized, two A3-sized) and one set of electronic plans in AUTOCAD format.

- Traffic signs, traffic signals, pavement markings, guide posts, delineators, safety barriers and the like, whether permanent or temporary, are to be designed and installed at all roads in accordance with guidelines contained within the Austroads publication, "Guide to Traffic Engineering Practice – Part 8: Traffic Control Devices", Australian Standard 1742 – Manual of Uniform Traffic Control Devices and the Roads and Traffic Authority "Road Design Guide". All traffic control devices and signage are to be detailed in the engineering drawings submitted with the construction certificate. The consent of Lithgow City Council's Director Infrastructure Services or appointed officer will be required prior to the installation of any traffic control devices on existing roads.

- A fully certified traffic control plan and road works signage will be required where machinery may obstruct traffic on any Public Road whilst construction work is being undertaken. A traffic control plan and certification of fully qualified contractors/persons will be required to be submitted to Council prior to any work commencing on the shoulder of any Public Road. Failure to comply may result in Work Cover Intervention and may also include Council stopping all work immediately until such time the developer complies with suitable traffic management procedures.

- Construction noise shall be in accordance with the 'Noise Control Guidelines' for construction noise standards. Hours of operation shall be permitted between 7am – 6pm Monday to Friday and 8am to 1pm Saturdays. No heavy machinery work or usage shall be permitted on Sundays or Public Holidays.

- Prior to and during the commencement of works the applicant shall erect soil erosion and sedimentation controls for the following purposes:

- Control of soil erosion and sedimentation movement during the bulk earthwork stage.
- Control of run-off and diversion to the 'sedimentation trap area' prior to the development of the land.
- Method of stabilising the land from erosion and sediment movement after the completion of works, prior the development of the land.

- The applicant is to comply with all reasonable requests from Council with regard to any complaints received during the construction works.

- The applicant shall ensure that during construction works, all measures are taken to eliminate/suppress any dust nuisance emanating from the site.

- The applicant shall submit a soil erosion and sedimentation control plan with the engineering design for Council approval. Such shall address both short and long term management of all disturbed areas and specified methods and structures to be employed to minimise any impact.

- The internal car parking area is to be designed and constructed in accordance with AS2890.1: Parking Facilities – Off-street Car Parking.

ENVIRONMENTAL OFFICER

Environment has no objection to the application subject to the following conditions:

1. Prior to the issue of a Construction Certificate the person acting on this consent shall submit a Waste Management Plan to the Certifying Authority (Lithgow City Council) for approval.

The Waste Management Plan shall include details of the handling of waste materials generated from the demolition, construction and on-going operation regarding:

- a. the location of waste management facilities proposed both during demolition, construction and for ongoing operation.
- b. volume and type of waste and recyclables to be generated.
- c. storage and treatment of waste and recyclables on site.
- d. disposal of residual waste and recyclables.
- e. operational procedures for ongoing waste management once the development is complete.

(Reason: To waste generated from the development is stored and disposed of in a way that does not impact on the environment.)

2. Prior to the issue of a Construction Certificate the person acting on this consent shall submit an Operational Environmental Management Plan (OEMP) to the Consent Authority (Lithgow City Council) for approval.

Note: Council may require the applicant/person acting on the consent to amend the plans prior to any such approval.

The OEMP shall:

- a) Provide the strategic framework for environmental management of the service station.
- b) Identify all statutory approvals that apply to the operation of the service station.
- c) Identify how the service station satisfies Environmental Actions for Service Stations:

(Forecourt Design, Operation and Maintenance and any other relevant guidelines, industry codes of practice or Australian Standards).

- d) Describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the service station.
- e) Provide an inspection and maintenance schedule of: stormwater drainage, grates, spill capture tank, litter and grounds, signage and electrical controls.
- f) Provide a methods statement for the inspections and maintenance (including details of the frequency of such inspections and maintenance).
- g) Include the pro-forma sheets for record-keeping of inspections and maintenance.

(Note: Records must be maintained for the inspection and maintenance program and must be available for inspection by the consent authority or appropriate regulatory authority).

(Reason: To ensure adequate systems are in place to protect the environment).

3. Stormwater shall be managed as follows:

- a) All roof areas drained directly to the drainage outlet.

- b) Stormwater drainage facilities are provided to intercept stormwater runoff from the carpark, hardstand areas.
- c) Gross pollutants are collected on-site.
- d) The stormwater collection point in the bin rooms must be diverted to the grease arrestor.

4. Full engineering details of the stormwater infrastructure are to be submitted to Council for approval prior to the issue of a Construction Certificate.

(Reason: To ensure adequate measures are in place to for stormwater management).

- a) On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped site, which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the site for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to the kerb and gutter or piped drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.
- b) For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 later re published in a modified form in 1997.
- c) Engineering calculations, design and certification shall be certified by an appropriately qualified and practising Hydraulic Engineer and submitted to, and approved by the Certifying Authority prior to the release of the Construction Certificate.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure that public infrastructure in Council's care and control is not overloaded).

- d) Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control, or a suitable and effective alternative method.
- e) All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

The installation is to be approved by the Principal Certifying Authority prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites).

5. Noise levels associated with the development shall not exceed the following at the boundary of any residential premises:

LAeq(15min)	Period
48	Day
43	Evening
38	Night

Note:

Day is: 7am to 6pm Monday to Saturday; 8am to 6pm Sundays and Public Holidays

Evening is: 6pm to 10pm daily

Night is: 10pm to 7am Monday to Saturday; 10pm to 8am Sundays and Public Holidays

6. Bund Wall

A bund wall shall be constructed around all work and liquid storage areas to prevent any spillage entering into the stormwater system. The bunded area shall provide a volume equal to 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

(To ensure there is adequate coverage of the bunded area for the containment of fuel spills).

7. Storage of Flammable and Combustible Liquids: Flammable and combustible liquids shall be stored in accordance with AS 1940-2004 – The Storage and Handling of Flammable and Combustible Liquids.

8. Storage of Dangerous Goods: Should any 'dangerous goods' proposed to be stored on the premises exceed the manifest quantity as prescribed by WorkCover, a **Notification of Dangerous Goods on Premises (form FDG01 or FDG02)** is required to be submitted to WorkCover for assessment.

9. Stormwater Quality Treatment Device: Stormwater runoff from the site must be treated by a stormwater quality treatment technique/device(s) before discharge to the stormwater system. The stormwater quality treatment technique/device(s) shall be effective at capturing and retaining:

- a. 60% to 80% of annual total suspended solids load;
- b. More than 90% of free oils during treatment flows;
- c. The treatment technique must be able to retain a majority of particulates having a diameter of less than 100 microns;
- d. A certificate, from an appropriately qualified person, shall be submitted to Council certifying that a stormwater quality treatment technique/device as specified above has been provided on site; and
- e. All treatment techniques/device(s) must be maintained in accordance with the manufacturer's specifications.

10. Acoustic Report: An acoustic report is to be prepared and submitted to Council for its assessment and approval within **three (3) months** of occupation/completion of the development. The report shall include but is not limited to the following information:

- a) Noise measurements taken at the nearing noise sensitive locations as indicated in the Acoustic Assessment: Report No. prepared by and dated.

- b) Verification that noise levels at the nearest potentially affected receiver comply with all relevant assessment criteria detailed in the abovementioned report;
- c) All complaints received from local residents in relation to the operation of the premises/development.
- d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

11. Garbage Storage Area: The designated garbage/waste storage area as detailed in the approved plans shall comply with the following requirements:

- a) The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor.
- b) The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements. The floor waste must be connected to the Blackwater discharge via the grease arrestor.

The door to the room must be tight fitting and self-closing

12. Service Station:

- a) The fuel dispensing area must be sealed, covered, sloped and bunded (e.g. with speed humps) to prevent entry of rainwater.
- b) Cover all fuel dispensing area's with a roof that has an overhang of at least 10°.
- c) Provide bunding for both forecourt and install a floor with a minimum slope of 2%. (The bunded area must drain to a collection well such as a blind sump with an appropriate capacity, in accordance with NSW Office of Water Circular No 13 (10/04/2012) or another approved device).
- d) There must be no stormwater drains within the fuel dispensing area.
- e) The service station forecourt drainage should comply with the EPA's guideline on "Surface Water Management on the Covered Forecourt Areas of Service Stations."
- f) Installation monitoring and maintenance of UPSS must comply with the Guidelines for Assessing Service Station Sites (EPA 1994) and The National Environmental Protection (Assessment of Site Contamination) Measure 1999 (NEPC 2013) and any other relevant best practice guidelines.
- g) Council and/or the NSW EPA must be notified of pollution events immediately upon becoming aware of the incident. It is an offence not to notify of pollution events and all staff should be made aware of this requirement.
- h) All bulk liquids and chemicals to be stored in a bunded area away from stormwater drains. The bunded area should exceed 110% of the largest container stored within the bund.
- i) A copy of the Dangerous Goods Licence must be displayed at all times.
- j) A spill kit should be available at all times and all staff should be trained in spills management and containment.

COUNCIL'S HEALTH AND FOOD OFFICER

Council's Health and Food Officer has no objection to this application subject to the following conditions:

Food Premises

1. The proposed food premises areas are to be designed and constructed in accordance with the Food Act 2003. In this regard, the Applicant is to provide a detailed food premises fit-out plan and specification illustrating compliance with AS 4674-2004 - Design, construction and fit-out of food premises, for Council's approval prior to the commencement of demolition/construction activities.

Walls

2. The walls surrounding the food preparation areas shall be of solid construction.
3. The walls in the food preparation area of the premises shall be: sealed to prevent the entry of dirt, dust and pests; unable to absorb grease, food particles or water; and able to be easily and effectively cleaned. Walls in food preparation areas shall be finished with one or a combination of the following materials:

- (i) Glazed tiles.
- (ii) Stainless or aluminium sheeting.
- (iii) Polyvinyl sheeting with welded seams.
- (iv) Laminated thermosetting plastic sheeting.
- (v) Similar impervious material adhered directly to the wall.

Floors

4. The flooring in the food preparation, storage and bar areas of the premises shall be designed and constructed so that they can be effectively cleaned; be unable to absorb grease, food particles or water; be laid so that there is no ponding of water; and to the extent that is practicable, be unable to provide harborage for pests. Floors in the food preparation areas shall be finished with one or a combination of the following materials:

- (i) Sealed quarry tiles or ceramic tiles.
- (ii) Stainless steel.
- (iii) Polyvinyl sheeting with welded seams.
- (iv) Laminated thermosetting plastic sheeting.
- (v) Epoxy resin.
- (vi) Steel trowel case hardened concrete.

5. Coving of not less than 25mm in radius shall be provided to the intersections of floors with walls in the food preparation area. The coving shall be integral to the surface finish of both floor and wall in such a manner as to form a continuous uninterrupted surface.

6. The floor of the food preparation areas is to be drained to a floor waste connected to the sewer. The floor waste is to consist of a removable basket within a fixed basket arrestor and is to comply with the Sydney Water requirements.

Ceiling

7. The ceiling in food preparation areas and storage areas shall be finished with impervious sealed material without joints, cracks and crevices. (Note: Drop-in, removable panel ceilings shall not be used in food preparation areas or over areas where open food is stored, displayed or served.)

Washing Facilities

8. A separate hand wash basin, supplied with a constant supply of warm running water through a single outlet or mixer, shall be provided in food preparation areas.

9. All hand wash basins installed within the premises, including those inside the toilets, shall be supplied with warm running water delivered through a single outlet.

10. Adequate hand wash basins shall be installed inside the food preparation areas. They shall be located no further than 5m from any place where food handlers are handling open food.

11. A liquid soap dispenser (that dispenses liquid soap) and a towel dispenser (that dispenses a single-use paper or cloth towel) shall be provided adjacent to or near each hand wash basin.

12. The wash up sink shall be supplied with hot and cold water

Lighting and Light Fittings

13. Artificial lighting provided to the premises shall comply with the requirements of AS 1680.1 and AS/NZS 1680.2.4.

14. In areas where open food is handled or stored, light fittings shall be designed and constructed to prevent contamination of food should the globe or tube shatter and free from any features that would harbour dirt, dust or insects or make the fitting difficult to clean.

Mechanical Exhaust Ventilation System

15. Where cooking or extensive heating processes or such other processes as may be specified are carried out in the kitchen or in food preparation areas, an approved mechanical exhaust ventilation system shall be installed and operated in accordance with AS/NZS 1668.1 - 1998 and AS 1668.2 – 2012.

16. The mechanical exhaust ventilation system shall be designed and installed in accordance with AS/NZS 1668.1 – 1998 and AS 1668.2 – 2012. A certificate (issued by a licensed mechanical ventilation contractor) stating compliance with these Australian Standards shall be submitted to Council.

17. A mechanical exhaust ventilation system that complies with the AS/NZS 1668.1-1998 and AS 1668.2-2012 shall be provided in the food preparation areas to remove the steam from the dishwasher or other washing and sanitizing equipment.

Coolroom

18. The open space between the top of the coolroom and the ceiling shall be fully enclosed and kept insect and pest proof.

19. The coolroom must have a smooth concrete floor, which is to be sloped to the door. A floor waste connected to the sewer must be located outside the coolroom.

20. The coolroom shall be able to be opened from the inside without a key and fitted with an alarm that can only be operated from within the coolroom.

Fixtures, Fittings and Equipment

21. All fixtures, fittings and equipment shall be constructed so as to be capable of being easily and effectively cleaned.

22. Service pipes, conduits and electrical wiring shall either be –

- (i) concealed in floors, plinths, walls or ceiling; or
- (ii) fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces.

Toilet Cubicles

23. The toilet cubicles shall be –

- (i) separated from areas where open food is handled, displayed or stored by an intervening ventilated space fitting with self-closing doors; or
- (ii) provided with self-closing doors and mechanical exhaust system that operate when the sanitary compartment is in use and for at least 30 seconds after the cubicle is vacated.

Waste Management

24. Waste and recyclable material generated from the operations of the business shall be managed in a satisfactory manner that does not give rise to offensive odour or encourage pest activity. Food residues, food scraps, and waste material shall be regularly removed from the premises. Waste shall not be permitted to accumulate near the allocated waste storage bins.

25. A stainless steel cleaner's sink or a floor waste shall be provided for the disposal of waste water. The cleaner's sink or floor waste shall be located outside of areas where open food is handled.

Pest Control

26. Practicable measures shall be taken to exclude and prevent the entry of vermin into the food preparation area through windows and doors. Where premises are enclosed, windows shall be protected against the entry of pests by being -

- i. tight-fitting and permanently fixed closed;
- ii. fitted with mesh screens that can be removed for cleaning; or
- iii. protected by a permanent mesh screen that can be cleaned in place.

27. Entrances/exits, serving hatches and similar openings to food premises shall be protected against the entry of pests by –

- i. tight-fitting solid self-closing doors, roller shutters or other means of closing off the entrance; or
- ii. tight-fitting self-closing mesh screen doors.

28. The layout, disposition and method of installation of fixtures and fittings, together with wall, floor, and ceiling finishes to all preparation, storage areas and cool rooms (AS4674, the Food Act 2003 and Regulations there under).

29. Premise to be registered with Council prior to opening

Food Safety Supervisor

30. A food safety supervisor shall be appointed in accordance with Food Act 2003 and a copy of the Food Safety Supervisor Certificate shall be submitted to Council prior to the commencement of the food business.

Liquid Trade Waste

31. Annual Liquid Trade Waste Fees are applicable to this type of business in accordance with Council's current Fees & Charges.

32. All sinks in the food preparation area must be fitted with fixed sink screens.
33. Floor waste's in the food preparation areas and waste collection areas must be fitted with dry basket arrestors.
34. Food preparation activity will need to discharge to a suitable sized grease arrestor sized according to the inflow rate and instillation must comply with the requirements of AS3500 and Council's Trade Waste Guidelines.
35. A grease arrestor shall not be located in areas where food, equipment or packaging materials are handled or stored. Access to the grease arrestor for emptying shall not be through areas where open food is handled or stored or where food contact equipment and packaging materials are handled or stored.
36. A hose cock with RPZ backflow protection valve is required to be installed within 15m of the grease arrestor to assist with maintenance/cleaning. An annual backflow test report needs to be furnished upon installation.

PUBLIC SUBMISSIONS

During the two notification periods, three submissions were received with the following concerns:

1. The development would have an impact on Old Western Road as traffic is expected to increase from and to Rydal from the Highway. Old Western Road is currently a dirt road and is very dangerous and cannot carry additional loads. It is recommended that the dirt section from the corner of Pikes Lane to the Highway is upgraded to a bitumen surface.
2. Insufficient amount of carparking for the development. The submission believes that the basis of the car parking peak demand is not reflected in the actual data in the traffic report.

(It is to be noted that since the notification period the plans have amended from two restaurants to one restaurant).

3. The development requires trucks, cars and pedestrians to use the same routes. This is unsafe for all users of the development.
4. There are only 2 truck parking spaces on site; this is considered inadequate for the development.
5. The hours of operation being 24 hours 7 days a week is inappropriate for this location. The hours will create additional noise impacts and potential nuisance associated with a 24/7 operation.

At the onsite meeting, concerns were raised relating to the amount of space on the property for the proposed development, effluent disposal area and drainage runoff, lights and traffic flow to and from Rydal, noise and impacts to Old Western Road.

Applicants Comment:

1. Old Western Road serves as an access point to the Great Western Highway from rural holdings and the town of Rydal. The traffic assessment stated that the

proposed development does not warrant an upgrade to Old Western Road due to the low volume of use.

2. The traffic and parking assessment that was undertaken for the development stated that the minimum RMS requirements would be met with 24.7 on site spaces, while Council's requirement is for 37.8 or 12.8 on site spaces. The current development provides for 18 vehicle space. This is sufficient for the development as vehicles would be parked on the property for a short period of time.

3. Is it identified within the traffic and parking assessment that all driveways, parking areas etc, comply with the RMS and AS.NZS 2890 2004 Off Street car parking requirements. This along with reduced speed and designated area signage, highlighted pedestrian paths and suitable lighting will provide a safe usable area for patrons of the development.

4. The area identified as truck parking can accommodate up to two B Double vehicles or 4 standard semi-trailer vehicles. The amount provided has not been identified as a significant issue.

5. The location of the proposed development is approximately 20kms from Lithgow and 40kms from Bathurst. This distance means the development is not a point of convenience from either location which reduces the potential of nuisance associated with the 24/7 operation. The closest neighbour is approximately 300m (measured in a straight line). Without even considering the topography and natural sound barriers this distance provides adequate separation. As suggested in the traffic report, the main users of the development will be from passing traffic who are already using the Highway.

Council Officer's Comment:

1. The development is proposed to replace the existing service station that was previously burnt down. Traffic previously had the option to go the Great Western Highway or Old Western Road when the original service station was on the property. Old Western Road is currently used by rural properties and the town of Rydal. As such it is unlikely that the service station development would increase traffic on Old Western Road to the current volume of traffic.

2. The gross floor area includes the kitchen and washing up areas, cool room, freezer, a staff office, bathroom amenities and dining area. The dining area would equate to approximately 100m² and would therefore require approximately 15 vehicle spaces. 18 Vehicle spaces are proposed for the development, with truck parking to be located within a separate designated area. Due to vehicles having the option for drive-thru and as vehicles would stop for a short period of time, the number of vehicle spaces is satisfactory for the development.

Carparking and traffic movements have been assessed by Council's Engineers and the Roads and Maritime Services, who consider that there is adequate spaces for the development.

3. The amended plans show the reduced floor space for buildings; this equates more sufficient vehicle manoeuvring areas and would create less impact to trucks, cars and pedestrians. Suitable signage would also help with safety concerns. It is considered

that due to the amended site plan provides for better safety issues across the development site.

4. The amended site plan allows for three B-Double parking areas including a passing lane. It is not expected that the development would create a large amount of trucks to be on the premises at any one given time. Therefore it is considered that truck parking is sufficient.

5. It is expected that noise from the Highway would be more substantial than the noise predicted for the proposed development once it is operational. The service station is setback from the Highway that separates the development and Old Western Road. The design of the development having the restaurant behind the service centre/convenience store and the truck stop at the rear of the property would help to reduce potential social and vehicle noise/nuisance impacts.

From the onsite meeting, the plans have been amended to reduce the number of restaurants from two to one. This would allow suitable vehicle manoeuvring and carparking areas. The effluent disposal and drainage runoff has been assessed by Water NSW and is found to be satisfactory. A response to the potential impacts to Old Western Road has been addressed in point 1 and noise addressed in point 5 above.

5.3.9 The public interest

There have been no issues raised from the public regarding planning issues.

6. DISCUSSION AND CONCLUSIONS

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

7. ATTACHMENTS

Schedule A- Conditions of consent.

8. RECOMMENDATION

THAT development application DA 324/16 is approved subject to conditions set out in Schedule A.

Report prepared by:

Supervisor:

Signed:.....

Signed:.....

Dated:.....

Dated:.....

REASONS FOR CONDITIONS

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities
- To ensure access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

Schedule A

Conditions of Consent (Consent Authority)

Please Note: It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

ADMINISTRATIVE CONDITIONS

1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.
2. The development, including buildings, paved areas and landscaping are to be maintained for the life of the operation. Should operations of any component of the development cease at any time an ongoing maintenance program shall be implemented.
3. That the site be kept in a clean and tidy manner at all times. This includes all waste to be disposed of within the appropriate waste containers.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

Section 94

4. Prior to the issue of a Construction Certificate the applicant shall pay to Council a Section 94A contribution of \$35,152.06, in accordance with the Lithgow City Council Section 94A Development Contribution Plan 2015. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2015.

Landscaping

5. A landscaping plan is to be submitted to Council for approval prior to the issue of the Construction Certificate. Landscaping should be scattered throughout the developed site including but not limited to be: between the truck parking area and the truck fuel station, throughout the vehicle parking area, between the vehicle manoeuvring areas and the restaurant/service station and carparking areas.

All landscaping is to be undertaken prior to the issue of the Occupation Certificate.

Site Remediation

6. The recommendations within the Contamination Report are to be undertaken prior to the commencement of construction work. Evidence of the completed works are to be submitted to Council. The recommendations within the report includes:
 - *The UST and feeder lines are to be decommissioned in accordance with WorkCover and EPA guidelines.*
 - *The soil contaminated with hydrocarbons around the UST and bowers are to be remediated. If extensive contamination is identified then an investigation with boreholes or monitoring wells may be required.*
 - *Waste material including illegal dumping is to be removed and taken to a licensed landfill.*
 - *A remediation action plan is to be undertaken describing the remediation works. A validation Report is to be also prepared to confirm the effective remediation of the contaminated areas.*

WATERNSW REQUIREMENTS

General

7. The proposed development (including staging) shall generally be as specified in the Statement of Environmental Effects (dated 1 May 2018) prepared by Brett Moulds Design & Drafting Pty Ltd and shown on the General Arrangement Plans (Project No. NE160110; Dwg. No. C01.01, Sheets 1 & 2; Issue A; dated 03.05.18) prepared by ACOR Consultants (NNSW) Pty Ltd and the architectural plans dated 13 July 2018, Plans 01 to 11 prepared by Brett Moulds Design & Drafting Pty Ltd. No revisions to site works, layout or staging of the development that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for the above Condition - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Forecourt Stormwater and Washdown Water Management

8. All runoff from the site including from forecourt areas, and other areas where oily liquids are used shall be managed as specified in the Stormwater Management Report (dated 23 December 2016) and shown on the Stormwater Management Plans (Project No. NE160110; Dwg. C02.001 and C02.02; Sheets 1 & 2; Issue. A; dated 03.08.18) and Hydraulic Services Plan (C02.02; Dwg. H01.01; Issue A; dated 03.05.18), all prepared by ACOR Consultants (NNSW) Pty Ltd, and shall include
 - stormwater pits and pipes, and
 - oil and water separator.
9. The forecourt area and any area where oily liquids are used shall employ appropriately sized bunds and capture devices so as to ensure that all runoff from these areas is directed to the oil-water separator and "clean" surface runoff is diverted around the forecourt.
10. The forecourt shall be covered, with the design, operation and maintenance, otherwise to be consistent with the Department of Environment & Climate Change Environment Action for Service Stations – Information Sheet-3 which can be found at:
<http://www.epa.nsw.gov.au/resources/clm/2008552ServStations.pdf>

Other Stormwater

11. All other surface runoff and rainwater tank overflow from the site shall be directed to the two bioretention basins located as shown on the Stormwater Management Plans (Project No. NE160110; Dwg. C02.02; Sheet 2 of 2; Issue. A, dated 03.08.18) and Hydraulic Services Plan (Project No. NE160110; Dwg. H01.01; Issue A; dated 03.05.18), all prepared by ACOR Consultants (NNSW) Pty Ltd. Detailed design of the bioretention basins shall be prepared and submitted to the satisfaction of Water NSW and Council **prior to the issuance of a Construction Certificate**. The detailed design shall, as a minimum, incorporate the following specific requirements:
 - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
 - each basin shall have a minimum surface area of 40 square metres and a minimum filter area of 40 square metres and also meet the following specifications:
 - incorporate gross pollutant traps at the inlets
 - an extended detention depth of 200 mm above the filter media
 - a minimum filter-media depth (excluding any transition zones) of 300 mm above the underdrain
 - a filter media consisting of a clean sandy loam with a certified median particle

diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg

- be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation)
 - direct all discharge and overflow via sheet flow away from the proposed amended soil mound area
 - be accessible from the internal access road by machinery to facilitate cleaning, monitoring and maintenance of the structures, and
 - be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management.
12. The bioretention basins shall be constructed after all hardstand areas have been paved or sealed and all ground surfaces have been stabilised.
13. A rainwater collection and re-use system shall be installed for all roof runoff that incorporates:
- two rainwater tanks with a minimum total capacity of 30,000 litres above any volume required for mains top-up
 - roofs and gutters designed so as to maximise the capture of rainwater in the tanks
 - tanks plumbed to toilets and other areas for non-potable use, and
 - any overflow directed away from the amended soil mound area.
14. No washwater used in cleaning the floors of the restaurant facilities shall be directed to the stormwater management system.
15. No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.

Reason for the above Conditions – To ensure appropriately designed stormwater management measures are implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

Wastewater Management

16. The aerated wastewater treatment system and amended soil mound system shall be designed, located and installed in accordance with the recommendations in the Effluent Disposal Investigation Report (dated 1 May 2018), and associated Effluent Disposal Envelope Plan (Job No. 16.8002; Dwg. No. E2; Amdt. A; dated 01.05.18) both prepared by Calare Civil Pty Ltd; the Wastewater Design Report prepared by Australian Environmental Wastewater (dated 1 May 2018); Designing and Installing On-site Wastewater Systems (Sydney Catchment Authority, 2012); and the manufacturer's specifications, but with the following specific requirements and modifications:
- the size and design of the amended soil mound system shall be based on a minimum wastewater loading of 11,150 litres per day, and a design loading rate based on the limiting soil layer of 8 mm/day,
 - the site for the mound shall be levelled and shall have a minimum cut of no more than 0.25 metres into the slope to ensure natural soil is present underneath the mound so that any effluent leaving below or around the mound is absorbed by the natural soil,
 - the mound shall be capped with a soil of moderate permeability, e.g. loam to clay loam, to minimise rainfall infiltration and promote evapo-transpiration, and shall be fully turfed prior to occupation of the site,
 - the mound area shall be fenced-off from vehicles, and

- the mound area shall be mown regularly with grass clippings to be disposed of away from the mound.
17. All run-on and stormwater collected from roofs, access roads and other hard surface areas and the outlet of the bioretention basins shall be diverted away from the amended soil mound area, e.g. by means of a stabilised bund or drain with provision for energy dissipation at the outlet to prevent scouring or erosion.
 18. The existing aerated wastewater system shall be decommissioned in accordance with the NSW Health Advisory Note No 3 (dated January 2017) for Destruction, Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems (AWTS) and Other Sewage Management Facilities (SMF).
 19. All effluent shall be fully assimilated within the boundaries of the property.
 20. No effluent disposal area shall be located within 100 metres of a named river, any perennial or intermittent creek or watercourse or water supply reservoir, or within 40 metres of a dam or drainage depression or waterbodies or roadside swale.
 21. Appliances and fixtures with at least a four star ratings shall be installed in the restaurant, convenience store and service station to minimise the volume of wastewater produced.
 22. No variation to wastewater treatment and management shall be permitted without prior agreement of Water NSW.
 23. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater management systems.
 24. The on-site wastewater management system shall be maintained according to Section 5 of the Department of Local Government's guidelines On-site Sewage Management for Single Households (1998), AS/NZS 1547:2012 On-site Domestic Wastewater Management, and the manufacturer's specifications.

Reason for the above Conditions – To ensure that the on-site wastewater management system is appropriately designed, located and constructed so as to have a sustainable neutral or beneficial effect on water quality over the longer term.

Operational Environmental Management Plan

25. An Operational Environmental Management Plan (OEMP) for the site shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans, and shall be agreed to by Council prior to the issue of any Occupation Certificate. The Plan, which may be part of a broader site operational plan, shall be implemented and shall as a minimum include the following:
 - plans showing the location, description and detailing the nature of all environmental and water quality management devices
 - an inspection, monitoring and maintenance program for the stormwater and washwater management and treatment systems including stormwater pits, bioretention basins, rainwater collection and reuse system, oil-water separator, the collection and disposal of oily liquids captured in the oil-separation tanks and other associated equipment
 - an inspection, monitoring and maintenance program for the on-site wastewater management systems including all components of the aerated wastewater treatment

system and amended soil mound

- an inspection and monitoring program for groundwater and any other underground tank monitoring equipment
- the identification of the individuals responsible for inspection, monitoring and maintenance activities including reporting hierarchy
- the identification of the frequency of inspection and monitoring for all environmental and water quality management devices and systems
- an inspection and monitoring reporting protocol and hierarchy
- an emergency liquids spill management procedure which includes notification of relevant agencies including Water NSW, and
- checklists for recording inspections, monitoring and maintenance activities.

26. All stormwater and wastewater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan referred in the above.

Reason for the above Conditions – To establish clear and appropriate management processes for water quality systems that have the potential to adversely affect environmental and water quality impacts during the operational stage of the development so as to ensure a sustainable neutral or beneficial impact on water quality over the longer term.

Other

27. Council shall not issue any Occupation Certificate until:

- a suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per conditions of consent and are in a functional state, and
- the installers of the wastewater management systems certify to Council in writing that the wastewater management systems have been constructed and installed as per these conditions of consent and in accordance with Water NSW's Designing and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2012), and that the systems have been tested and are functioning properly.

Reason for the above Condition – To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all phases of the proposed development.

Excavation and Construction Activities

28. Any excavation work as part of this development involving potentially contaminated soil, such as the removal, installation or replacement of underground fuel storage tanks shall be carried out in accordance with the EPA's Environmental Guideline: Assessment Classification & Management of Liquid and non-Liquid Wastes (1999). A Remediation Action Plan shall be prepared by a person suitably experienced in the preparation of such plans prior to the issuance of Construction Certificate, and shall be to the satisfaction of Council. Such excavation works shall be carried out in accordance with the Erosion and Sediment Control Plan (Dwg No. E01; Amdt. A; dated 20.07.16) prepared by Rhombus Design and Architecture and shall be to the satisfaction of Council.

29. The Erosion and Sediment Control and Remediation Action Plans shall be implemented and effective erosion and sediment controls shall be installed prior to any excavation or construction activity and shall prevent sediment or polluted water leaving the site or entering any stormwater system. The controls shall be regularly maintained and retained until the works have been completed and the ground surface has been stabilised. Specifically, the following requirements shall be implemented for any excavation and installation for underground fuel tanks on the site

involving potentially contaminated soils:

- excavated material shall be tested for contaminants as defined by the NSW Environment Protection Authority publication:
<http://www.epa.nsw.gov.au/resources/clm/2008552ServStations.pdf>
- any contaminated material shall be disposed of at an appropriate licensed facility as soon as possible after identification with the correct waste classification,
- appropriate sediment management measures around the perimeter of the construction area,
- a stabilised entry point for the entry and exit of machinery,
- any temporarily stockpiled material shall be located within the construction area and shall be underlain by plastic and covered by weighted or heavy plastic to avoid any wind or water erosion,
- all stormwater drains and inlet points that drain from the construction site shall be protected by appropriate sediment management measures,
- the sediment management measures for stormwater drains and inlet points on the site that drain from the construction site shall be checked and maintained weekly and cleaned as necessary following rainfall events,
- appropriate measures shall be taken to prevent the infiltration of stormwater into the subsurface soil during the excavation and construction phase at the site, and
- the construction site shall be cleaned up at the end of each day.

Reason for the above Conditions – To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from a potentially contaminated site during this phase.

ROADS AND MARITIME SERVICES (RMS)

30. Prior to operation of the development, benching of the embankment adjoining the eastbound travel lane of the highway, on the western approach to the site, is to occur, generally in accordance with drawings Reference 17-136b Mount Lambie, with the exception of the sight line (and subsequent benching) being lowered to 550 millimetres.
31. A formal agreement in the form of a Works Authorisation Deed (WAD) is required between the developer and Roads and Maritime for the developer to undertake "private financing and construction" of any works on the Great Western Highway (including the road reserve). This agreement is necessary for works in which Roads and Maritime has a statutory interest. A WAD is to be executed prior to issuance of a Construction Certificate.
32. Adequate turning circles, storage room and vertical clearance are to be provided within the site for the largest type of vehicle (26 metre B-Double) that will visit the site during operation.
33. All activities including loading and unloading of goods associated with the development are to be carried out on site in the dedicated areas.
34. Landscaping, signage and fencing are not to impede sight lines of traffic within or when passing, entering or departing from the site. Safe Intersection Sight Distance (SISD) requirements outlined in *Austroads Guide to Road Design* Part 4A is to be provided in both directions at the intersection of driveways and the Great Western Highway.
35. Prior to the commencement of construction works, the proponent is to contact Roads and Maritime's Field Traffic Manager on 1300 656 371 to determine if a Road Occupancy Licence (ROL) is required. In the event that an ROL is required, the proponent is to obtain the ROL prior to works commencing within three (3) metres of the travel lanes on the Great Western Highway.

36. All entry/exit points onto/from the Great Western Highway, internal vehicular manoeuvring, parking and loading areas are to be constructed, sealed and maintained generally in accordance with submitted plans prior to the issuance of an Occupation Certificate.
37. Signage is to be in accordance with the Department of Planning and Environment's *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*, is not to flash, move or be objectionably glaring or luminous.

ENDEAVOUR ENERGY REQUIREMENTS

38. Statutory clearances to the conductors are to be maintained at all times. It should be noted that power lines are designed to allow for sag and swing sideways, consequently allowance for this needs to be considered at all times. The statutory Clearance from 0kv to 132kv Conductors is 3 metres, in all directions, at all times. This measurement applies to, but is not limited to; persons, vehicles, hand tools and equipment, cranes, lifting gear, plant and load. Consideration needs to be given and the clearances increased where there is the likelihood of any inadvertent movement or swinging of the plant, crane, load or lifting gear towards the power lines.
39. Bunting shall be used to indicate the maximum height clearances during construction and Bollards are to be installed around Endeavour Energy's Structure.
40. On the completion of the works, Armco Railing will be installed around all Endeavour Energy's structures. This will be designed and installed to eliminate any vehicle contact to any part of the infrastructure on the pole and must be appropriately earthed.
41. Should any earthing be disturbed whilst work is being carried out, all work should immediately cease and Endeavour Energy notified so that the earthing can be reinstated.
42. Vehicles, plant or equipment having a height when fully extended that exceeds 4 metres shall not travel through the easement area without the prior written approval of Endeavour Energy. Vehicles with extendable operating equipment i.e. earth moving vehicles, loaders; tip trucks, cranes, etc. are not to be operated within the easement except with that equipment in the travelling position. Aerial boom concrete pumps are not permitted in any overhead easement.
43. All personnel are to be advised of the hazards of working in close proximity to high voltage wires. Extreme caution to be observed when working within the easement area and around any poles and structures.
44. All machinery or plant within an electricity easement is to be operated by adequately trained and accredited persons.
45. Endeavour Energy recommends the use of a suitably trained safety observer when work is being carried out within the easement area.
46. A hazard identification and risk assessment should be carried out within the easement area. A safe work method statement should be provided for any work carried out within the easement area. All staff should be briefed regularly, or when there are any changes, as to the contents of the risk assessment and safe work method statement.
47. For the attention of staff and visitors to the site and to ensure constant vigilance, Endeavour Energy recommends that clearly visible safety signs be erected, in accordance with the relevant safety standards, alerting attention to the transmission/distribution lines and their associated hazards.

48. Trees, plants or shrubs with a mature height that does not exceed 3 metres may be planted within the Overhead Easement area provided they are no closer than 15 metres from the closest structure and no closer than 5 metres from the vertical projection of the closest conductor. No plants are permitted in an area where they may obstruct access.
49. Any Metallic Fencing within the Easement shall be Isolated and Earthed as per Endeavour Energy Regulations and the AS3000.
50. The area within the easement is not to be used for the loading or unloading of trucks.
51. The area within the easement is not to be used for storage or stacking of goods or materials, especially flammable or explosive material.
52. No soil or other material is to be stored, loaded or unloaded within the easement area.
53. The cutting and filling of the surface land must be minimal throughout the easement area. Electrical Safety Clearances to the conductor height must be maintained. The area after the development must be clear, accessible and be able to support mobile plant and equipment up to 30 tonnes.
54. Unobstructed access to the easement area and associated structures must be available on a 24hr/7day a week basis. Any locked gates are to have an Endeavour Energy lock incorporated in the locking system.
55. All approvals granted are subject to the encroachment being removed or relocated at the Owners Expense should Endeavour Energy require this for maintenance, construction or emergency works.
56. Endeavour Energy will not take any responsibility for any damage occurring to the proposed development within our Transmission Easement, whilst or after any maintenance, construction or emergency work has been carried out by our staff or our associated contractors.
57. No other work shall be carried out within the easement, without written approval from Endeavour Energy.

Engineering Requirements

58. Concrete driveway is to be constructed in accordance with Lithgow City Council's "Specification for the construction of Driveways, Footpath/Gutter Crossings and Footpaving" (Policy 10.21) except where these specifications contravene the requirements of the Roads and Maritime Services. A copy is available on Council's website, or on request from Council's Administration.
59. All development is to be constructed in accordance with Council's "Guidelines for Civil Engineering Design and Construction for Development" except where these requirements contravene those of any other controlling authority. This document is available on Council's website or upon request from Council's administration desk.
60. All road, drainage, kerb and gutter, water and sewerage reticulation works associated with a development will be inspected by Council's Infrastructure Services. The developer shall at all times give uninterrupted access and afford every facility for the examination for any works and materials requested by the Group Manager of Operations or his authorised delegate.

61. A construction certificate will be required to be lodged to Council prior to the commencement of any Civil Works.
62. Works as Executed (WAE) Plans detailing all services and infrastructure are to be prepared by a registered surveyor or professional engineer, and submitted to Council. The WAE plans shall be lodged prior to the release of the linen plan. The applicant is required to submit three complete sets of hard copy plans (one A1-sized, two A3-sized) and one set of electronic plans in AUTOCAD format.
63. Traffic signs, traffic signals, pavement markings, guide posts, delineators, safety barriers and the like, whether permanent or temporary, are to be designed and installed at all roads in accordance with guidelines contained within the Austroads publication, "Guide to Traffic Engineering Practice – Part 8: Traffic Control Devices", Australian Standard 1742 – Manual of Uniform Traffic Control Devices and the Roads and Traffic Authority "Road Design Guide". All traffic control devices and signage are to be detailed in the engineering drawings submitted with the construction certificate. The consent of Lithgow City Council's Director Infrastructure Services or appointed officer will be required prior to the installation of any traffic control devices on existing roads.
64. A fully certified traffic control plan and road works signage will be required where machinery may obstruct traffic on any Public Road whilst construction work is being undertaken. A traffic control plan and certification of fully qualified contractors/persons will be required to be submitted to Council prior to any work commencing on the shoulder of any Public Road. Failure to comply may result in Work Cover Intervention and may also include Council stopping all work immediately until such time the developer complies with suitable traffic management procedures.
65. Construction noise shall be in accordance with the 'Noise Control Guidelines' for construction noise standards. Hours of operation shall be permitted between 7am – 6pm Monday to Friday and 8am to 1pm Saturdays. No heavy machinery work or usage shall be permitted on Sundays or Public Holidays.
66. Prior to and during the commencement of works the applicant shall erect soil erosion and sedimentation controls for the following purposes:
 - Control of soil erosion and sedimentation movement during the bulk earthwork stage.
 - Control of run-off and diversion to the 'sedimentation trap area' prior to the development of the land.
 - Method of stabilising the land from erosion and sediment movement after the completion of works, prior the development of the land.
67. The applicant is to comply with all reasonable requests from Council with regard to any complaints received during the construction works.
68. The applicant shall ensure that during construction works, all measures are taken to eliminate/suppress any dust nuisance emanating from the site.
69. The applicant shall submit a soil erosion and sedimentation control plan with the engineering design for Council approval. Such shall address both short and long term management of all disturbed areas and specified methods and structures to be employed to minimise any impact.
70. The internal car parking area is to be designed and constructed in accordance with AS2890.1: Parking Facilities – Off-street Car Parking.

Building Requirements

71. Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
72. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:
 - a) a Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act, and
 - b) a Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and Form 7 of the Regulations, and
 - c) Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
73. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
 - a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
 - b) Stating that unauthorised entry to the work site is prohibited and
 - c) Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, is being carried out, but must be removed when the work has been completed.
74. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – “Soils and Construction” (2004) (Bluebook). All haul roads and construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.
75. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.
76. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.
77. Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with WorkCover requirements.

The works site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
78. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
 - a) Pier holes/pad footings before filling with concrete.
 - b) Trenches complete with reinforcing and prior to filling with concrete.
 - c) Internal drainage carried out by licensed plumber prior to covering

- d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like).
- e) Framing when external wall and roof cladding is in place and prior to internal linings.
- f) External drainage (including onsite waste disposal system) installed by a licensed plumber and prior to covering.
- g) Wet area flashing prior to tiling or covering.
- h) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- i) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections

79. All work on site shall only occur between the following hours:
- | | |
|----------------------------|------------------|
| Monday to Friday | 7.00am to 6.00pm |
| Saturday | 8.00am to 1.00pm |
| Sunday and public holidays | No work |
80. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.
81. Upon completion of the building and prior to issue of an Occupation Certificate, those essential fire safety measures services listed in any current Fire Safety Schedule must be certified by a competent person, engaged by the owner. Certification is to be submitted to the Principal Certifying Authority stating that the essential fire and other safety measures have been installed and comply with the relevant standard specified below.
- Once the building is occupied, an Annual Fire Safety Statement must be submitted to Council and the NSW Fire Brigades, PO Box A249, SYDNEY SOUTH NSW 2001, and a copy retained on site certifying that:
- (i) The essential fire and other safety measures have been maintained and serviced at regular intervals in accordance with the appropriate maintenance specified below and are still operable; and
 - (ii) That the path of travel is clear of anything which would impede free passage of any person at any time.
82. The occupation certificate shall not be issued until Council as the certifying authority for water and sewer inspections has undertaken and approved the final installation of all plumbing and drainage fixtures and the Certificate of Compliance has been supplied by the licensed installer.
83. Prior to commencement of any building works, a suitable lidded waste container for the deposit of all building rubbish and litter must be provided onsite. The waste container must be emptied at a licensed waste disposal facility when full. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works.

Erosion and sediment control

84. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:
- a) The installation of a sediment fence with returned ends across the low side of the site so

that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.

- b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm.

The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

Excavation and Backfilling

- 85. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

Survey Reports

- 86. The following survey reports (prepared by a practising registered Surveyor) are to be submitted to the Principal Certifying Authority to accurately demonstrate compliance with the approved plans to demonstrate that the building has been erected wholly within the subject property:
 - a. A Set-out survey showing the location of slab formwork is to be submitted (prior to pouring of concrete);
 - b. An Identification Survey (upon completion of external walls/eaves construction and retaining walls and prior to any Completion inspection being carried out).

Environmental Requirements

- 87. The fuel dispensing area must be sealed, covered, sloped or bunded (e.g. with speed humps) to prevent entry of rainwater.
- 88. Cover all fuel dispensing area's with a roof that has an overhang of at least 10°.
- 89. Provide bunding for both forecourt and install a floor with a minimum slope of 2%.
- 90. There must be no stormwater drains within the fuel dispensing area.
- 91. The service station forecourt drainage should comply with the EPA's guideline on "Surface Water Management on the Covered Forecourt Areas of Service Stations."
- 92. Instillation monitoring and maintenance of UPSS must comply with the Guidelines for Assessing Service Station Sites (EPA 1994) and The National Environmental Protection (Assessment of Site Contamination) Measure 1999 (NEPC 2013) and any other relevant best practice guidelines.
- 93. Council and/or the NSW EPA must be notified of pollution events immediately upon becoming aware of the incident. It is an offence not to notify of pollution events and all staff should be made aware of this requirement.
- 94. All bulk liquids and chemicals to be stalled in a bunded area away from stormwater drains. The bunded area should exceed 110% of the largest container stored within the bund.
- 95. A copy of the Dangerous Goods Licence must be displayed at all times.
- 96. A spill kit should be available at all times and all staff should be trained in spills management and containment.

97. Prior to the issue of a Construction Certificate the person acting on this consent shall submit a Waste Management Plan to the Certifying Authority (Lithgow City Council) for approval.

The Waste Management Plan shall include details of the handling of waste materials generated from the demolition, construction and on-going operation regarding:

- a. the location of waste management facilities proposed both during demolition, construction and for ongoing operation.
 - b. volume and type of waste and recyclables to be generated.
 - c. storage and treatment of waste and recyclables on site.
 - d. disposal of residual waste and recyclables.
 - e. operational procedures for ongoing waste management once the development is complete.
98. Prior to the issue of a Construction Certificate the person acting on this consent shall submit an Operational Environmental Management Plan (OEMP) to the Consent Authority (Lithgow City Council) for approval.

Note: Council may require the applicant/person acting on the consent to amend the plans prior to any such approval.

The OEMP shall:

- a) Provide the strategic framework for environmental management of the service station.
- b) Identify all statutory approvals that apply to the operation of the service station.
- c) Identify how the service station satisfies Environmental Actions for Service Stations: (Forecourt Design, Operation and Maintenance and any other relevant guidelines, industry codes of practice or Australian Standards).
- d) Describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the service station.
- e) Provide an inspection and maintenance schedule of: stormwater drainage, grates, spill capture tank, litter and grounds, signage and electrical controls.
- f) Provide a methods statement for the inspections and maintenance (including details of the frequency of such inspections and maintenance).
- g) Include the pro-forma sheets for record-keeping of inspections and maintenance.

(Note: Records must be maintained for the inspection and maintenance program and must be available for inspection by the consent authority or appropriate regulatory authority).

99. Stormwater shall be managed as follows:
- a) All roof areas drained directly to the drainage outlet.
 - b) Stormwater drainage facilities are provided to intercept stormwater runoff from the carpark, hardstand areas.
 - c) Gross pollutants are collected on-site.
 - d) The stormwater collection point in the bin rooms must be diverted to the grease arrestor.
100. Full engineering details of the stormwater infrastructure are to be submitted to Council for approval prior to the issue of a Construction Certificate.
101. On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped site, which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the site for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to the kerb and gutter or piped

drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

102. For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 later re published in a modified form in 1997.
103. Engineering calculations, design and certification shall be certified by an appropriately qualified and practising Hydraulic Engineer and submitted to, and approved by the Certifying Authority prior to the release of the Construction Certificate.
104. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control, or a suitable and effective alternative method.
105. All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.
106. The installation is to be approved by the Principal Certifying Authority prior to further commencement of site works.
107. Noise levels associated with the development shall not exceed the following at the boundary of any residential premises:

LAeq(15min)	Period
48	Day
43	Evening
38	Night

Note:

Day is: 7am to 6pm Monday to Saturday; 8am to 6pm Sundays and Public Holidays

Evening is: 6pm to 10pm daily

Night is: 10pm to 7am Monday to Saturday; 10pm to 8am Sundays and Public Holidays

Bund Wall

108. A bund wall shall be constructed around all work and liquid storage areas to prevent any spillage entering into the stormwater system. The bunded area shall provide a volume equal to 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

(To ensure there is adequate coverage of the bunded area for the containment of fuel spills).

Storage of Flammable and Combustible Liquids

109. Flammable and combustible liquids shall be stored in accordance with AS 1940-2004 – The Storage and Handling of Flammable and Combustible Liquids.

Storage of Dangerous Goods

110. Should any 'dangerous goods' proposed to be stored on the premises exceed the manifest quantity as prescribed by WorkCover, a **Notification of Dangerous Goods on Premises (form FDG01 or FDG02)** is required to be submitted to WorkCover for assessment.

Stormwater Quality Treatment Device

111. Stormwater runoff from the site must be treated by a stormwater quality treatment technique/device(s) before discharge to the stormwater system. The stormwater quality treatment technique/device(s) shall be effective at capturing and retaining:
- a. 60% to 80% of annual total suspended solids load;
 - b. More than 90% of free oils during treatment flows;
 - c. The treatment technique must be able to retain a majority of particulates having a diameter of less than 100 microns;
 - d. A certificate, from an appropriately qualified person, shall be submitted to Council certifying that a stormwater quality treatment technique/device as specified above has been provided on site; and
 - f. All treatment techniques/device(s) must be maintained in accordance with the manufacturer's specifications.

Acoustic Report

112. An acoustic report is to be prepared and submitted to Council for its assessment and approval within **three (3) months** of occupation/completion of the development. The report shall include but is not limited to the following information:
- a) Noise measurements taken at the nearing noise sensitive locations as indicated in the Acoustic Assessment: Report No. prepared by and dated.
 - b) Verification that noise levels at the nearest potentially affected receiver comply with all relevant assessment criteria detailed in the abovementioned report;
 - c) All complaints received from local residents in relation to the operation of the premises/development.
 - d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Garbage Storage Area

113. The designated garbage/waste storage area as detailed in the approved plans shall comply with the following requirements:
- a) The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor.
 - b) The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements. The floor waste must be connected to the Blackwater discharge via the grease arrestor.
 - c) The door to the room must be tight fitting and self-closing

Food Premises

114. The proposed food premises areas are to be designed and constructed in accordance with the Food Act 2003. In this regard, the Applicant is to provide a detailed food premises fit-out plan and specification illustrating compliance with AS 4674-2004 - Design, construction and fit-out of food premises, for Council's approval prior to the commencement of demolition/construction activities.

Walls

115. The walls surrounding the food preparation areas shall be of solid construction.

116. The walls in the food preparation area of the premises shall be: sealed to prevent the entry of dirt, dust and pests; unable to absorb grease, food particles or water; and able to be easily and effectively cleaned. Walls in food preparation areas shall be finished with one or a combination of the following materials:
- (i) Glazed tiles.
 - (ii) Stainless or aluminium sheeting.
 - (iii) Polyvinyl sheeting with welded seams.
 - (iv) Laminated thermosetting plastic sheeting.
 - (v) Similar impervious material adhered directly to the wall.

Floors

117. The flooring in the food preparation, storage and bar areas of the premises shall be designed and constructed so that they can be effectively cleaned; be unable to absorb grease, food particles or water; be laid so that there is no ponding of water; and to the extent that is practicable, be unable to provide harborage for pests. Floors in the food preparation areas shall be finished with one or a combination of the following materials:
- (i) Sealed quarry tiles or ceramic tiles.
 - (ii) Stainless steel.
 - (iii) Polyvinyl sheeting with welded seams.
 - (iv) Laminated thermosetting plastic sheeting.
 - (v) Epoxy resin.
 - (vi) Steel trowel case hardened concrete.
118. Coving of not less than 25mm in radius shall be provided to the intersections of floors with walls in the food preparation area. The coving shall be integral to the surface finish of both floor and wall in such a manner as to form a continuous uninterrupted surface.
119. The floor of the food preparation areas is to be drained to a floor waste connected to the sewer. The floor waste is to consist of a removable basket within a fixed basket arrestor and is to comply with the Sydney Water requirements.

Ceiling

120. The ceiling in food preparation areas and storage areas shall be finished with impervious sealed material without joints, cracks and crevices. (Note: Drop-in, removable panel ceilings shall not be used in food preparation areas or over areas where open food is stored, displayed or served.)

Washing Facilities

121. A separate hand wash basin, supplied with a constant supply of warm running water through a single outlet or mixer, shall be provided in food preparation areas.
122. All hand wash basins installed within the premises, including those inside the toilets, shall be supplied with warm running water delivered through a single outlet.
123. Adequate hand wash basins shall be installed inside the food preparation areas. They shall be located no further than 5m from any place where food handlers are handling open food.
124. A liquid soap dispenser (that dispenses liquid soap) and a towel dispenser (that dispenses a single-use paper or cloth towel) shall be provided adjacent to or near each hand wash basin.
125. The wash up sink shall be supplied with hot and cold water

Lighting and Light Fittings

126. Artificial lighting provided to the premises shall comply with the requirements of AS 1680.1 and AS/NZS 1680.2.4.
127. In areas where open food is handled or stored, light fittings shall be designed and constructed to prevent contamination of food should the globe or tube shatter and free from any features that would harbour dirt, dust or insects or make the fitting difficult to clean.

Mechanical Exhaust Ventilation System

128. Where cooking or extensive heating processes or such other processes as may be specified are carried out in the kitchen or in food preparation areas, an approved mechanical exhaust ventilation system shall be installed and operated in accordance with AS/NZS 1668.1 - 1998 and AS 1668.2 – 2012.
129. The mechanical exhaust ventilation system shall be designed and installed in accordance with AS/NZS 1668.1 – 1998 and AS 1668.2 – 2012. A certificate (issued by a licensed mechanical ventilation contractor) stating compliance with these Australian Standards shall be submitted to Council.
130. A mechanical exhaust ventilation system that complies with the AS/NZS 1668.1-1998 and AS 1668.2-2012 shall be provided in the food preparation areas to remove the steam from the dishwasher or other washing and sanitizing equipment.

Coolroom

131. The open space between the top of the coolroom and the ceiling shall be fully enclosed and kept insect and pest proof.
132. The coolroom must have a smooth concrete floor, which is to be sloped to the door. A floor waste connected to the sewer must be located outside the coolroom.
133. The coolroom shall be able to be opened from the inside without a key and fitted with an alarm that can only be operated from within the coolroom.

Fixtures, Fittings and Equipment

134. All fixtures, fittings and equipment shall be constructed so as to be capable of being easily and effectively cleaned.
135. Service pipes, conduits and electrical wiring shall either be –
(i) concealed in floors, plinths, walls or ceiling; or
(ii) fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces.

Toilet Cubicles

136. The toilet cubicles shall be –
(i) separated from areas where open food is handled, displayed or stored by an intervening ventilated space fitting with self-closing doors; or
(ii) provided with self-closing doors and mechanical exhaust system that operate when the sanitary compartment is in use and for at least 30 seconds after the cubicle is vacated.

Waste Management

137. Waste and recyclable material generated from the operations of the business shall be managed in a satisfactory manner that does not give rise to offensive odour or encourage pest activity. Food residues, food scraps, and waste material shall be regularly removed from the premises. Waste shall not be permitted to accumulate near the allocated waste storage bins.
138. A stainless steel cleaner's sink or a floor waste shall be provided for the disposal of waste water. The cleaner's sink or floor waste shall be located outside of areas where open food is handled.

Pest Control

139. Practicable measures shall be taken to exclude and prevent the entry of vermin into the food preparation area through windows and doors. Where premises are enclosed, windows shall be protected against the entry of pests by being -
- iv. tight-fitting and permanently fixed closed;
 - v. fitted with mesh screens that can be removed for cleaning; or
 - vi. protected by a permanent mesh screen that can be cleaned in place.
140. Entrances/exits, serving hatches and similar openings to food premises shall be protected against the entry of pests by -
- iii. tight-fitting solid self-closing doors, roller shutters or other means of closing off the entrance; or
 - iv. tight-fitting self-closing mesh screen doors.
141. The layout, disposition and method of installation of fixtures and fittings, together with wall, floor, and ceiling finishes to all preparation, storage areas and cool rooms (AS4674, the Food Act 2003 and Regulations there under).
142. Each food premise is to be registered with Council prior to opening.

Food Safety Supervisor

143. A food safety supervisor shall be appointed in accordance with Food Act 2003 and a copy of the Food Safety Supervisor Certificate shall be submitted to Council prior to the commencement of the food business.

Liquid Trade Waste

144. Annual Liquid Trade Waste Fees are applicable to this type of business in accordance with Council's current Fees & Charges.
145. All sinks in the food preparation area must be fitted with fixed sink screens.
146. Floor waste's in the food preparation areas and waste collection areas must be fitted with dry basket arrestors.
147. Food preparation activity will need to discharge to a suitable sized grease arrestor sized according to the inflow rate and installation must comply with the requirements of AS3500 and Council's Trade Waste Guidelines.
148. A grease arrestor shall not be located in areas where food, equipment or packaging materials are handled or stored. Access to the grease arrestor for emptying shall not be through areas where open food is handled or stored or where food contact equipment and packaging materials are handled or stored.

149. A hose cock with RPZ backflow protection valve is required to be installed within 15m of the grease arrestor to assist with maintenance/cleaning. An annual backflow test report needs to be furnished upon installation.

Water Supply

150. An appropriate drinking water management system, in compliance with NSW Health requirements and Public Health Act 2010 and Regulation 2012, or an appropriate filtration and disinfection process must be used to be potable water. The Public Health Act 2010 requires suppliers of drinking water to establish and adhere to a Quality Assurance Program (QAP) which addresses the relevant elements of the Framework for Management of Drinking Water Quality in the Australian Drinking Water Guidelines. The Framework provides a preventive risk management approach to ensure risks are adequately managed through all stages of supply.
151. If the applicant is required to supplement the drinking water supply, they must use a licensed Water Carter. The Water Carter must demonstrate that they comply with NSW Health Guidelines for Water Carters, with the name of supplier to be provided to Council.
152. The source of the drinking water must comply with the Australian Drinking Water Guidelines 2011 and any subsequent amendments to the Guidelines.
153. All water supplied for hand washing, showering, food preparation – all water for human contact is to be potable water.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

154. Prior to the issue of any Occupation Certificate, the Onsite Wastewater Management System must be installed in accordance with the conditions of approval vide S68187/16. A satisfactory completion inspection of the Onsite Wastewater Management System must be carried out by Council in this regard.
155. Prior to the issue of any Occupation Certificate an Approval to Operate for the On-Site Wastewater Management System is to be issued by Council in accordance with Section 68 of the Local Government Act.
156. The occupation certificate shall not be issued until Council as the certifying authority for water and sewer inspections has undertaken and approved the final installation of all plumbing and drainage fixtures and the Certificate of Compliance has been supplied by the licensed installer.

Approval to use structure

157. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

ADVISORY NOTES

Building Code of Australia Compliance

- AN1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Construction Certificate

- AN2. A construction certificate is required for each building prior to the commencement of any site or building works. This certificate can be issued either by Council as the consent authority or by an accredited certifier.

National Construction Code

- AN3. Aspects of the development application do not appear to comply with the deemed to satisfy provisions of the National Construction Code. Determination and resolution of such matters remain the responsibility of the Principal Certifying Authority.

Construction Inspections

- AN4. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
- a) Pier holes before filling with concrete.
 - b) Trenches complete with reinforcing and prior to filling with concrete.
 - c) Internal drainage carried out by licensed plumber prior to covering
 - d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
 - e) Slab base if no piers required and prior to placement of the membrane.
 - f) Framing when external wall and roof cladding is in place and prior to internal linings.
 - g) External drainage installed by a licensed plumber and prior to covering.
 - h) Wet area flashing prior to tiling or covering.
 - i) Stormwater drainage between building and discharge point prior to covering.
 - j) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

Construction Certificate Application

- AN5. The plans submitted with the Construction Certification Application must indicate compliance with the following provisions of the Building Code of Australia (Volume 1):
- a) The provision of an ambulant sanitary facility in the restaurant in addition to the accessible sanitary facility in accordance with Clauses F2.4 and F2.3 as the building will have seating for more than 25 patrons.
- AN6. The property is located in an area subject to snow falls and the buildings are to be designed to withstand the site specific ground snow loading.

Food Preparation

- AN7. Information is required regarding the proposed sale of food from the premises, and whether the development complies with the appropriate requirements. The heating of pastries and beverages constitutes food preparation and if the use of a fryer is proposed, mechanical ventilation and a grease trap will be required. Details must be submitted to Council prior to the release of the occupation certificate for the restaurant and convenient store, so Council can determine whether the food preparation and storage areas will comply with Australian Standard 4674-2004 "Design Construction and Fit-out of Food Premises."

The applicant would need to nominate a means of sanitising food handling and preparation equipment. It is suggested that a commercial dishwasher be installed.

ENDEAVOUR ENERGY

Dial Before You Dig

- AN8. Before commencing any underground activity the applicant is required to obtain advice from the ***Dial Before You Dig 1100*** service in accordance with the requirements of the *Electricity*

Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

Public Safety

AN9. Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Attached is Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

Emergency Contact

AN10. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.