

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

Application number:	DA19/0763.02
Description of development:	Section 4.55(1A) Modifications to Approved Nepean Village Outdoor Dining Precinct including Amendments to Pergola Structure, Increase in Outdoor Dining Area & Installation of Children's Playground Shade Sail - Alterations & Additions to Nepean Village Outdoor Dining Precinct & Use of "Victorian House" as Food & Drink Premises
Classification of development:	Class 6 , Class 10a

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 80 DP 709313 Lot 1 DP 715198 Lot 11 DP 715161
Property address:	148 Station Street, PENRITH NSW 2750 122 Station Street, PENRITH NSW 2750 146 Station Street, PENRITH NSW 2750

DETAILS OF THE APPLICANT

Name & Address:	Urbis 18/123 Pitt Street SYDNEY NSW 2000
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DECISION OF CONSENT AUTHORITY

In accordance with Sections 4.18(1) (a) and 4.55 of the Environmental Planning and Assessment Act 1979, consent is granted subject to the conditions listed in attachment 1.

Please note that this consent will lapse on the expiry date unless the development has commenced in that time.

Date from which consent operates	4 February 2020
Date the consent expires	4 February 2025

Date of this decision	31 January 2020 as amended on 12 February 2021 under Section 4.55 of the Environmental Planning and Assessment Act.
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POINT OF CONTACT

If you have any questions regarding this determination you should contact:

Assessing Officer:	Jacqueline Klincke
Contact telephone number:	+612 4732 8391

NOTES

Reasons

The conditions in the attached schedule have been imposed in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 as amended.

Conditions

Your attention is drawn to the attached conditions of consent in attachment 1.

Certification and advisory notes

You should also check if this type of development requires a construction certificate in addition to this development consent.

It is recommended that you read any Advisory Note enclosed with this notice of determination.

Review of determination

The applicant may request Council to review its determination pursuant to Division 8.2 of the Environmental Planning and Assessment Act 1979 within twelve months of receiving this Notice of Determination.

These provisions do not apply to designated development, complying development or crown development pursuant to Section 8.2(2) of the Environmental Planning and Assessment Act 1979.

Appeals in the Land and Environment Court

The applicant can appeal against this decision in the Land and Environment Court within twelve months of receiving this Notice of Determination.

There is no right of appeal to a decision of the Independent Planning Commission or matters relating to a complying development certificate pursuant to clause 8.6(3) of the Environmental Planning and Assessment Act 1979.

Designated development

If the application was for designated development and a written objection was made in respect to the application, the objector can appeal against this decision to the Land and Environment Court within 56 days after the date of this notice.

If the applicant appeals against this decision, objector(s) will be given a notice of the appeal and the objector(s) can apply to the Land and Environment Court within 56 days after the date of this appeal notice to attend the appeal and make submissions at that appeal.

Sydney Western City Planning Panels

If the application was decided by the Sydney Western City Planning Panel, please refer to Section 2.16 of the Environmental Planning and Assessment Act, 1979 (as amended) for any further regulations.

ATTACHMENT 1: CONDITIONS OF CONSENT

General

- 1 The development must be implemented substantially in accordance with the plans tabled below and any supporting information received with the application, except as amended in red on the approved plans and by the following conditions.

Doc. No.	Issue	Title	Date
Architectural Plans by BN Group Pty Ltd, Project No. S1863			
A001.01	A	Title Sheet, Location Plan & Drawing List	16/11/2020
A01.01	A	Existing Plan - Ground Level	27/09/2019
A01.02	A	Existing Roof Plan	27/09/2019
A01.01	A	Existing & Demolition Plan – GL	16/11/2020
A02.10	A	Proposed Site Plan - Aerial View	16/11/2020
A03-01	A	Existing & Demolition – Elevations	27/09/2019
A03-02	A	Existing & Demolition - Elevations	27/09/2019
A06.01	A	Proposed Ground Floor Layout	16/11/2020
A06.02	A	Proposed Roof Plan Layout	16/11/2020
A06.03	A	Proposed Ground Level - Seating Areas	16/11/2020
A09.01	A	Reflected Ceiling Plan	16/11/2020
A10.01	A	Proposed Elevations	16/11/2020
A10.02	A	Proposed Elevations	16/11/2020
A11.01	A	Proposed Sections	16/11/2020
A11.02	A	Proposed Sections	16/11/2020
A80-01	A	3D Views	16/11/2020
Fixtures and Finishes by BN Group Pty Ltd			
-	DA-A	Fixtures + Finishes Schedule	16/11/2020
Signage Plan by Diadem			
DIR_PED_T1	00	Internally Illuminated Directional Pedestrian Sign	-
Generally consistent with Landscape Plan by Monaco Designs PL, Job No. 5395			
1	-	Landscape Concept	15/10/2019
Stormwater Concept Plans by JHA Engineers, Job No. 190531			
H000	P5	Cover Sheet	16/11/2020
H100	P5	Ground Floor Sewer & Trade Waste Drainage Systems	16/11/2020
H200	P5	Ground Floor Water & Gas Systems	16/11/2020
H300	P5	Ground Floor Stormwater Drainage System	16/11/2020
H400	P5	Erosion & Sediment Control Plan	16/11/2020

Reports:

- Nepean Village Plan of Management prepared by Urbis, dated December 2019.
- Accessibility Design Review Report prepared by Mackenzie Group, Job No. 190016, **Revision B, dated 13/03/2020**.
- Report on Preliminary Environmental Site Assessment (PESA): Nepean Village Outdoor Precinct, 146-148 Station Street Penrith, NSW, prepared by Edison Environmental & Engineering Pty Ltd, Doc. Ref.

E19010-NV-01-R.docx, dated 15/10/2019.

- Operational Waste Management Plan, Nepean Village, prepared by Vicinity Centres, Revision 2, dated October 2018.
- Nepean Village Outdoor Dining Precinct, Penrith - Heritage Impact Statement prepared by Urbis, Project Code P10929, Revision 2, dated 31/10/2019, **as amended by Heritage Advice prepared by Urbis 20/11/2020.**
- Traffic Statements prepared by Colston Budd Rogers & Kafes Pty Ltd, Ref. JH\1130\1jj dated 03/10/2019 and 17/12/2019.
- Tree Risk Assessment Report prepared by Moore Trees Arboricultural Services, dated November 2018.
- Arborist Inspection Report prepared by Moore Trees Consulting Arborist, Ref. Nepean 220219, dated 14/03/2019.
- **Vicinity Retail Design Guidelines.**
- **Stormwater Management Plan prepared by JHA Engineers, dated 16 November 2020.**

As amended on 12 February 2021 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

- 2 The development shall not be used or occupied until an Occupation Certificate has been issued.**
- 3 A separate development application for the erection of any sign or advertising structure, other than those approved by this consent or an advertisement listed as exempt development, is to be submitted to Penrith City Council, complying with the requirements of Part C9 of Penrith Development Control Plan - Advertising and Signage.
- 4 The operating hours are to be 8am to 10pm, Monday to Sunday.
- 5 **Prior to the issue of an Occupation Certificate**, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with Australia Standard 4282 Control of the obtrusive effects of outdoor lighting (1997).
- 6 The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
- 7 A **Construction Certificate** shall be obtained prior to commencement of any building works.
- 8 No vehicular access into or parking within the dining precinct is permitted, other than for emergency vehicle access.

Removable bollards are to be installed to ensure there are no vehicle/pedestrian conflicts within the precinct in accordance with the approved plans and the Nepean Village Plan of Management by Urbis, dated December 2019.
- 9 There are to be no changes to existing food shop fit outs unless prior approval is granted.
- 10 The requirements of the Smoke Free Environment Act 2000 are to be met at all times.
- 11 The following community safety and Crime Prevention through Environmental Design (CPTED) requirements are required to be implemented:

Lighting

- All outdoor/public spaces throughout the development must be lit to the minimum Australian Standard of AS 1158. Lighting must be consistent in order to reduce the contrast between shadows and illuminated areas and must be designed in accordance with AS 4282 - Control of the obtrusive effects of outdoor lighting.

Building Security & Access Control

- Intercom, code or card locks or similar must be installed to all restricted (staff only) entries to the buildings.
- Australian Standard 220 – door and window locks must be installed in all premises.
- Monitored alarm systems must be installed in all premises.
- CCTV is to be provided to cover communal public space areas. Cameras must be of sufficient standard to be useful for police in the event of criminal investigations. Lighting must be provided to support cameras at night (alternatively infra-red cameras are recommended). Signage must be displayed to indicate that CCTV cameras are in use.

Graffiti/Vandalism

- Graffiti resistant coatings must be used to external surfaces where possible, including signage, furniture, retaining walls/planter beds etc.
- Procedures must be in place to ensure the prompt removal and/or repair of graffiti or vandalism to the buildings, fencing, and common areas. This includes reporting incidents to police and/or relevant authorities.
- All outdoor furniture must be well secured or packed away after hours to minimise vandalism and opportunities for loitering.

Landscaping

- All vegetation must be regularly pruned to ensure that sight lines are maintained.

Demolition

- 12 All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 “The Demolition of Structures”. **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

- 13 You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site.**

Prior to commencement of demolition works on site, a portaloos with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

Heritage/Archaeological relics

- 14 **No building works are approved in relation to the building known as 'Victorian House' (Heritage Item Number 217) at 148 Station Street, Penrith.**

A separate development approval must be obtained from Penrith City Council for any fit out or alterations to the building associated with the approved use as a food and drink premises.

- 15 No covering, cladding, sheeting, roofing or the like is to be applied to the pergola structure adjacent to the heritage buildings known as 'Victorian House' and 'Kentucky House'.

The pergola must not be fixed or joined by flashing or other materials to the heritage buildings.

The pergola must remain an open-roofed, detached structure in the areas adjoining the heritage buildings.

Environmental Matters

- 16 Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.
- 17 All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.
- 18 The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

- 19 Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

- 20 No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to the Certifying Authority. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Development Control Plan 2014) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith Development Control Plan 2014) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Development Control Plan 2014 defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soilscience, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

- 21 Dust suppression techniques are to be employed during all works to reduce any potential nuisances to

surrounding properties.

- 22 Mud and soil from vehicular movements to and from the site must not be deposited on the road.
- 23 Intrusive ground works that are expected to disturb natural soils are to be carried out in such a manner so as to minimise the potential for dermal contact, dust generation or ingestion of soils.

BCA Issues

- 24 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/statement for the building.

Health Matters and OSSM installations

- 25 Prior to commencing outdoor dining or trading, the operator of the business shall obtain an Outdoor Eating & Trading Licence in accordance with Council's Outdoor Eating & Trading Policy. An application form can be obtained by contacting Council on (02) 4732 7777 or from Council's website www.penrithcity.nsw.gov.au.

Construction

26 Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

27 Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

28 Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Engineering

- 29 All roadworks, stormwater drainage works, associated civil works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.\
- 30 An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

- 31 **Prior to the issue of any Construction Certificate**, a Section 138 Roads Act application, including payment of application and inspection fees, shall be lodged and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following:
- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
 - b) Concrete footpaths and or cycleways
 - c) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)
 - d) Road occupancy or road closures
 - e) The placement of hoardings, structures, containers, waster skips, signs etc. in the road reserve
 - f) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

Note:

- a) Where Penrith City Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
- b) All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate as applicable.

- 32 **Prior to the issue of any Construction Certificate** for internal works associated with the development, the site must be serviced by a legal point of discharge including any required infrastructure drainage works. The drainage works may include inter-allotment drainage construction, upgrades and / or road drainage extensions located on lands owned by others.

- 33 Prior to commencement of any works associated with the development, a Traffic Control Plan, including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Maritime Services' publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Maritime Services Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note:

- a) A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.
- b) Traffic control measures may require road occupancy / road closure approvals issued under Section 138 of the Roads Act by Penrith City Council prior to the issue of a Construction Certificate.

- 34 Upon completion of all works in the road reserve, all verge areas fronting and within the development are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.
- 35 **Prior to the issue of any Occupation Certificate**, the Principal Certifying Authority shall ensure that all works associated with any S138 Roads Act approval have been inspected and signed off by Penrith City Council.

Landscaping

- 36 All landscape works are to be constructed in accordance with the stamped approved plans and Part C6 of Penrith Development Control Plan 2014.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

- 37 The approved landscaping for the site must be constructed by a suitably qualified landscape professional.
- 38 The following report relating to landscaping is to be submitted to the nominated consent authority at the appropriate time periods as listed below.

i. Implementation Report

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a suitably qualified landscape professional.

An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory

Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

- 39 All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Development Control Plan 2014.
- 40 All landscape works are to meet industry best practice and the following relevant Australian Standards:
- AS 4419 Soils for Landscaping and Garden Use,
 - AS 4454 Composts, Soil Conditioners and Mulches, and
 - AS 4373 Pruning of Amenity Trees.
- 41 All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in Appendix F5 of Penrith Development Control Plan 2014.
- Any garden beds or raised planter boxes shall not increase the depth of soil placed around existing tree trunks in a way that would inhibit the ongoing health of those trees.
- 42 No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

Certification

- 43 Prior to the commencement of any earthworks or construction works on site, the proponent is to:

(a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and

(b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

- 44 The approved wayfinding signage shall be erected strictly in accordance with the manufacturer's or engineer's specifications, and the relevant Australian Standards. Any installation fixtures associated with the signage or internal illumination shall be wholly contained within the body of the signage and not be visible from the public domain.

Inserted on 12 February 2021 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

- 45 The intensity of the illumination of the approved wayfinding signage shall be controlled in accordance with AS 4282 - 1997 "Control of the obtrusive effects of outdoor lighting". The signage shall include an integrated and

automatic light dimmer to enable the intensity of the lighting to be adjusted if required.

Inserted on 12 February 2021 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

46 The approved wayfinding signs shall be a maximum height of 2.2m.

Inserted on 12 February 2021 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

SIGNATURE

Name:	Jacqueline Klincke
Signature:	

For the Development Services Manager