



**CAMPBELLTOWN  
CITY COUNCIL**

# **LOCAL PLANNING PANEL**

**25 NOVEMBER 2020**

**MEETING NOTICE**

**Campbelltown City Council Local Planning Panel**

The meeting of the Campbelltown City Council Local Planning Panel will be held via Microsoft Teams on **Wednesday, 25 November 2020 at 3.00pm.**

**MEETING AGENDA**

**1. ACKNOWLEDGEMENT OF LAND**

I would like to acknowledge the Traditional Custodians, the Dharawal people, whose Lands we are now meeting on. I would like to pay my respects to the Dharawal Elders, past and present and all other Aboriginal people who are here today.

**2. APOLOGIES**

**3. DECLARATIONS OF INTEREST**

**4. REPORTS**

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4.1 Fitout and use as an entertainment venue (nightclub) 218-226 Queen Street, Campbelltown

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**5. CONFIDENTIAL ITEMS**

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5.1 Planning Proposal - Leumeah

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## **General Information**

The role of the Local Planning Panel is to determine development applications and provide advice on planning proposals.

When the panel is considering a report relating to a development application, the panel will receive and consider verbal submissions from the applicant and from any person that made a written submission in regard to that development application (during the notification or exhibition period).

As required by the Minister's Local Planning Panels Direction, when considering a planning proposal, the role of the panel is to provide advice to Council. The panel is the first step in the evaluation process before Council and the State Government (through the Gateway process) to decide whether to support a formal public exhibition or consultation period on the proposal. It is possible that the proposal will be modified before or as part of the consideration by Council and/or through the Gateway process. The panel will consider verbal submissions made in relation to the matter from the applicant, if there is one, and from any other person. The panel will not consider written submissions tabled at the meeting, however they will be accepted and passed on to Council officers for consideration in their report to Council.

Any person who makes a verbal submission to the panel must identify themselves and must also accept that their presentation will include their images and sounds and will be webcast and stored on Council's website for future viewing. Any person who makes a verbal submission to the panel must also declare before their submission any political contributions or donations they have made over the last four years exceeding \$1,000 to any political party or candidate who contested the last Ordinary Election of Council.

If you would like to make a verbal submission to the panel, it is necessary to submit the "request to address – community access to meetings" form available on Council's website by midday the day prior to the meeting. The panel chair will invite the registered speakers to the table at the appropriate time in the agenda. Verbal submissions to the panel will be limited to 5 minutes each. The chairperson has the discretion to extend the period if considered appropriate. Panel members will have the opportunity to ask you questions at the end of your submission.

**Recommendations of the Panel**

The reports are presented to the Local Planning Panel for its consideration and recommendation.

After the panel has considered submissions made by interested parties, the panel will make recommendations to the Council. The panel's recommendations become public day following the Independent Hearing and Assessment Panel meeting.

**Information**

Should you require information about the panel or any item listed on the agenda, please contact Council's City Development department on 4645 4575 between 8.30am and 4.30pm.

The following reports are referred to the Local Planning Panel Panel for its consideration and recommendation.

Lindy Deitz  
General Manager

## 4. REPORTS

### 4.1 Fitout and use as an entertainment venue (nightclub) 218-226 Queen Street, Campbelltown

#### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.4 - Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity

#### Referral Criteria

This development applications is for an entertainment venue (nightclub) which is new licensed premises requiring an on-premises license and therefore meets the criteria of sensitive development detailed in the Minister for Planning and Public Spaces section 9.1 direction issued 30 June, 2020 and therefore must be reported to the Campbelltown Local Planning Panel (the Panel) for determination.

#### Executive Summary

- Council has received a development application for the internal fit out of premises at 218-226 Queen Street, Campbelltown and the use of the premises as an entertainment venue (nightclub).
- The subject site is zoned B3 Commercial Core under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- The development application was publicly notified and exhibited from 8 January 2020 to 5 February 2020. No submissions were received.
- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and is included within this report.
- The proposed development was referred to NSW Police Force, where concerns were raised with the proposal, primarily in regards to anti-social behaviour and the risk of crime. In raising concerns they also provided recommended conditions of consent should the application be approved. The conditions recommended by the NSW Police Force have been incorporated into the recommended conditions of consent.
- It is recommended that the application be approved for a time limited period of 24 months and that the consent conditions include a reviewable condition in regards to the hours of operation. The recommended conditions of consent are in attachment 1.

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## Officer's Recommendation

That development application 3989/2019/DA-U for the internal fitout of premises at 218-226 Queen Street, Campbelltown and the use of the premises as an entertainment venue (nightclub) be approved for a time limited period of 24 months from the release of the Occupation Certificate and the commencement of the use of the premises as an entertainment venue subject to the conditions in attachment 1.

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## Purpose

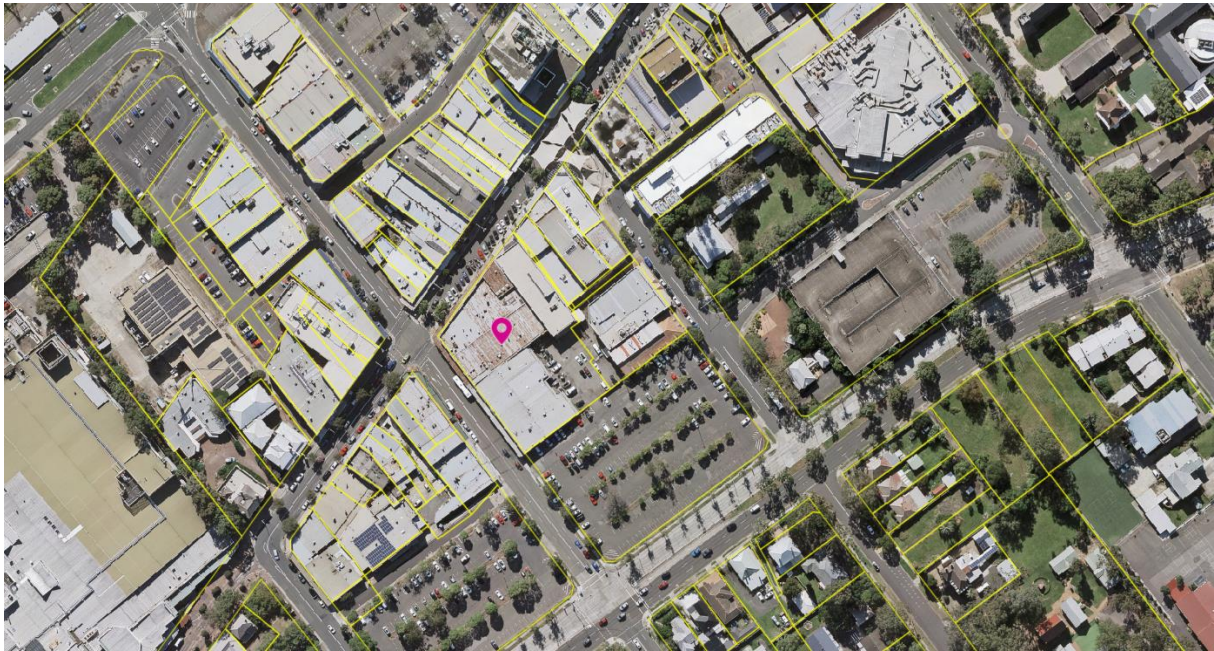
To assist Campbelltown Local Planning Panel in its determination of the subject application in accordance with the provisions of the EP&A Act.

<b>Property Description</b>	Lot 10 DP 1178627, 218–226 Queen Street, Campbelltown
<b>Application No</b>	3989/2019/DA-U
<b>Applicant</b>	RDP Consultancy
<b>Owner</b>	HP Advance Pty Ltd
<b>Provisions</b>	State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No.55 – Remediation of Land State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
<b>Other Provisions</b>	Campbelltown 2027
<b>Date Received</b>	18 December 2019

## Report

### The Site and Locality

The subject site is located on the southern side of Queen Street and has a site area of approximately 4,556sqm and a frontage of approximately 62.2m to Queen Street. The subject tenancy is two storeys in height and is currently used as a shop. There are multiple tenancies on the subject site that are used for a range of retail and commercial uses. Twenty seven car parking spaces are provided to the rear of the premises. An aerial photo of the site is shown in Figure 1.



**Figure 1:** Site location map, subject site identified with the pin (Source: Spectrum Spatial Analysis)

The surrounding locality consists of a range of commercial and retail uses within Queen Street. Directly adjoining to the rear of the site is a Council owned car park consisting of approximately 274 car parking spaces. The site is also approximately 520m walking distance from Campbelltown Railway Station. There are several heritage items on Queen Street and Lithgow Street but none of these are adjacent to the premises.

### **The Proposal**

The application submitted is for the change of use of the existing site for the purpose of an entertainment venue. The plans submitted with the application show that internal construction works are proposed to fit out the premises for use as an entertainment venue. The internal constructions proposed consist of:

#### **Ground Floor**

- new glazed wall with swing door on the Queen Street elevation
- modification to the existing exit door to swing outwards on the Queen Street elevation
- new accessible toilets, female toilets and male toilets to the rear of the tenancy
- new aluminium framed swing entry door to the rear of the tenancy
- blocking up the existing door to the rear of the tenancy

#### **First Floor**

- construction of new wall around kitchen
- new door to the male toilets

The ground floor would consist of a bar area, three seating areas, DJ booth and dance floor. The first floor would consist of a bar area, a lounge seating area, kitchen with adjacent seating area and balcony. There are no changes to the external facades of the building proposed. It is estimated that the maximum patron capacity of the nightclub would be 500 people. The requested hours of operation are Monday to Wednesday and Sunday, 8pm –

midnight and Thursday – Saturday, 8pm – 3am (next day). Up to twenty staff would be employed consisting of bartenders, RSA officers, floor staff, security guards and a site manager. There are twenty seven car spaces provided at the rear of the premises. The site owner has provided consent for access to all 27 car parking spaces given the hours of operation of the proposed use are outside normal business hours.

## Report

### 1. Vision

#### Campbelltown 2027 Community Strategic Plan

Campbelltown 2027 is the Community Strategic Plan for the City of Campbelltown. The Strategic Plan addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next ten years:

- Outcome 1: A vibrant, liveable city
- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

Outcome 3 is most relevant to the proposed development. The relevant strategy to this proposed development is:

- 3.4 – Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workplace including professional, technology and knowledge based skills and creative space.

The proposed development would attract a new enterprise to Campbelltown and offer further opportunities for local employment. However, it is noted that the NSW Police Force has raised concerns with the proposal and formed the view that the use would have the potential to attract criminal and anti-social behaviour, and may have a negative impact on the ability for the precinct to attract new businesses.

These are very relevant issues and issues that have been very carefully considered through the assessment of the application. However, it is recommended that consent be issued for the proposed use, but given the qualified concern raised by the NSW Police Force, any consent issued be issued on a trial/time limited basis and its broader operation managed through reviewable consent conditions.

In this case it is recommended that reviewable conditions be applied to the consent if the development is approved, which includes the limiting of the operation of the consent to a maximum of a 24 month period, in order to allow the monitoring of the impacts of the use on the safety, economy and amenity of the CBD area before any longer term or permanent use is considered.

### 2. Planning Provisions

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the EP&A Act and having regard to those matters the following issues have been identified for further consideration.



## **2.1 State Environmental Planning Policy No.55 – Remediation of Land**

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) aims to provide a State wide planning approach for the remediation of contaminated land.

Clause 7(2) of SEPP 55 states that a consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned in accordance with the contaminated land guidelines. The subject site has predominately been used for retail/commercial purposes with the current use operating for a number of years. The site has not been used for any purpose that is deemed to be potentially contaminated and has not been identified as being contaminated. The proposed use would not have any adverse impacts on contamination.

Given the minimal contamination risk, a preliminary investigation report is not required to be submitted. It is further considered that the proposed development would not be adversely impacted upon by contamination. Nevertheless standard conditions have been recommended in case asbestos is discovered during renovation works.

## **2.2 State Environmental Planning Policy (Infrastructure) 2007**

The proposed development is not adjacent to or located on a classified road. The proposed development is not considered to be affected by road noise or vibration. Therefore, Clause 87 of the Infrastructure SEPP is not applicable in this instance.

The number of vehicles does not meet the requirements under Schedule 3 to be classified as traffic generating development. Therefore, referral to the RMS is not required in this instance.

## **2.3 Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment**

The proposed development is within the Georges River Catchment and as such this policy applies. The general aims and objectives of this plan are as follows:

- a) To maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment.
- b) To protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner.
- c) To ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries.
- d) To establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment.
- e) (Repealed)

- f) To provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.

The proposal does not conflict with any of the relevant provisions of the Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment, and is therefore considered acceptable in this regard.

#### **2.4 State Environmental Planning Policy (Sydney Region Growth Centres) 2006**

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (GC SEPP) was amended on 6 December 2019 to include the Greater Macarthur Growth Area as a designated growth centre. As there are no savings provisions associated with the amendment, the GC SEPP applies to the subject development.

The GC SEPP does not include a precinct plan for the Greater Macarthur Growth Area, and therefore Clause 16 of the GC SEPP is to be considered. In this regard, the following should be noted:

- The Campbelltown Precinct Plan released under the Glenfield to Macarthur Urban Renewal Corridor Strategy (which is not a Precinct Plan for the purposes of the GC SEPP but is rather a structure plan) indicates that the subject site would be “Commercial and Retail Core”. This implies that a future land use zoning of B3 Commercial Core would apply. As the proposed use is permissible in the B3 Commercial Core zone, the proposed development is consistent with the relevant precinct planning strategy.
- The cost and scale of the proposed development are relatively minor and as such, there would be no adverse impacts if the land were to be rezoned to reflect the land uses identified under the Corridor Strategy.

In conclusion, the proposed development is considered to be consistent with the GC SEPP.

#### **2.5 Campbelltown Local Environmental Plan 2015**

The subject site is zoned B3 Commercial Core under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015). The objectives of the B3 Commercial Core zone are:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To accommodate redevelopment, enhancement and vitality of centres by facilitating mixed use development.

It is a requirement of the CLEP 2015 that the proposed development be consistent with one or more objectives of the zone. The proposed development would provide an entertainment use that would serve the needs of the local and wider community and encourage employment opportunities in an accessible location.

The subject application has been submitted as an entertainment venue which is defined by CLEP 2015 as:

**Entertainment venue** means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

Entertainment venues are permissible with consent in the B3 Commercial Core zone. Specifically the definition of entertainment venue does not include a pub or a registered club which are defined as follows:

**Pub** means licensed premises under the *Liquor Act 2007* the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Note— Pubs are a type of food and drink premises—see the definition of that term in this Dictionary.

**Registered club** means a club that holds a club licence under the *Liquor Act 2007*.

The proposed use of the premises is for an entertainment venue. The use is distinguished from regular bars, registered clubs and pubs as it provides an avenue for live music including DJ booth and dance floor area. The primary purpose of the nightclub is to provide a venue for people to socialise in a setting where patrons can listen to music and dance as well as eat and drink in the seated lounge areas. The dance floor area provided on the plans can be expanded as well as removing the tables within the seating areas to also accommodate further dance floor space. The use as an entertainment venue is different from the use as a pub as the hours of operation, provision of dance floor areas and no poker machines are different for a pub which generally cater for families throughout the day, do not provide dance floor areas and also have poker machines and/or gambling areas such as TAB and keno facilities.

As such, it is considered that the proposed use as a nightclub is consistent with the definition of an entertainment venue.

#### **Clause 2.7 Demolition requires development consent**

Clause 2.7 states that the demolition of a building or work may be carried out only with development consent. There are minor demolition works as part of the proposed development with all demolition detailed on the plans and will be conditioned to comply with the relevant demolition requirements and Australian Standards.

#### **Clause 7.9 Mixed Use Development in Zone B3 and B4**

As the subject land is in the B3 zone clause 7.9 applies to the application. Clause 7.9(3) provides that development consent must not be granted to a change of use of a building unless the consent authority is satisfied that the building will have an active street frontage after is change of use, the ground floor will only accommodate non-residential land uses and in the case of the B3 zone the building will have at least one additional floor above the ground floor set aside for non-residential land uses. The proposed change of use satisfies these requirements as it maintains an active street frontage to Queen Street and the proposal is only for non-residential land uses.

### **Clause 7.10 Essential Services**

Clause 7.10 provides that development consent must not be granted to development unless the consent authority is satisfied that any of the following services essential for the development are available or that adequate arrangements have been made to make them available when required:

- a) the supply of water
- b) the supply of electricity
- c) the disposal and management of sewage
- d) stormwater drainage or on-site conservation
- e) suitable road and vehicular access
- f) telecommunication services
- g) the supply of natural gas.

Noting that the subject application is for a change of use of existing premises it is considered that the services essential to the development are available.

### **2.6 Draft Campbelltown Local Environmental Plan 2015 – Amendment No 24**

Section 4.15 – (1)(a)(ii) of the EP&A Act requires consideration of any proposed instrument that has been the subject of public consultation under the Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Amendment No. 24 to Campbelltown Local Environmental Plan 2015 has been publicly exhibited and a planning proposal was considered by Council on 9 June 2020. The proposal has been forwarded to the Department of Planning, Industry and Environment. As such, the proposed amendment has a high level of certainty and imminence.

The proposed amendment includes the addition of an additional objective to the B3 zone being wording like “To provide healthy, attractive, vibrant and safe commercial core”. The proposed entertainment venue is capable of being consistent with this objective, subject to compliance with the recommended conditions of consent.

### **2.7 Campbelltown (Sustainable City) Development Control Plan 2015**

Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) applies to the subject land. The aims of the SCDCP are:

- To ensure that the aims and objectives of the CLEP are complemented by the Plan
- Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development
- Facilitate innovative development of high quality design and construction in the City of Campbelltown
- Ensure that new development maintains or enhances the character and quality of the natural and built environment

- Ensure that new development takes place on land that is capable of supporting development
- Encourage the creation of safe, secure and liveable environments
- Ensure that new development minimises the consumption of energy and other finite resources, to conserve environmental assets and to reduce greenhouse gas emissions; and
- Provide for the design requirements for a variety of housing within the City of Campbelltown.

It is considered that the development is consistent with the relevant aims of the SCDCP as it would facilitate a development on land that is capable of supporting development.

## **Part 2 – Requirements Applying to all Types of Development**

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed below.

**Site Analysis Plan** – A site plan was submitted and considered to be satisfactory.

**Views and Vistas** – The proposed use would not impact upon views and vistas from public places of significance.

**Sustainable Building Design** – The building is an existing building and as the proposed development is for a use and internal construction works, a BASIX certificate is not required.

**Landscaping** – A landscape plan is not considered necessary in the circumstances of the case.

**Weed Management** – Not applicable.

**Erosion and Sediment Control** – All construction works are within the building and therefore an erosion and sediment control plan is not required.

**Cut, Fill and Floor Levels** – Not applicable.

**Demolition** – There are demolition works proposed and are detailed on the plans. Standard conditions will be applied to the consent to ensure that the demolition works are in accordance with the relevant Australian Standards,

**Water Cycle Management** – The proposal is for development within an existing building that is already connected to Council's stormwater system.

**Heritage Conservation** – The subject site does not contain a heritage item and is not within a heritage conservation area.

**Retaining Walls** – No retaining walls are required.

**Security** – A Crime Prevention through Environmental Design (CPTED) report has been submitted as part of the development application and is discussed further in this report.

**Risk Management** – The subject site is not affected by mine subsidence, contamination, salinity nor it is within a bushfire prone area.

**Waste Management** – A Waste Management Plan was submitted as part of the development application however did not detail disposal methods of the demolition and construction works. A condition of consent is recommended to provide this information prior to the issue of the construction certificate.

**Provision of Services** – The site has access to suitable water, electricity and sewage services.

**Work On, Over or Near Public Land** – No work is required on, over or near public land.

**Work on Land Adjacent to the Upper Canal Corridor** – Not applicable.

**Development Near or on Electricity Easements** – Not Applicable.

**Development on Land Adjacent to, or Affected by a Gas Easement** – Not Applicable.

#### Part 6 – Commercial Development

Part 6 – Commercial Development sets out the requirements for commercial development including entertainment venues within the City of Campbelltown. Below is an assessment against the relevant development standards.

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Proposed</b>	<b>Requirement</b>	<b>Complies</b>
<b>Car Parking</b>	<p>The car parking spaces that exist on site have been constructed in accordance with the Australian Standards 2890.1 and 2</p> <p>The site has 27 car parking spaces that are proposed to be made available for the exclusive use of the proposed development.</p> <p>Car parking spaces are not locked off, obstructed, reserved or separately allocated to any individual use at any time.</p> <p>All vehicles are capable of entering and exiting</p>	<p>Off street parking and loading to be designed in accordance with Australian Standards 2890.1 and 2</p> <p>The DCP requires a car parking rate of 1 space per 25sqm GFA for an entertainment venue.</p> <p>Required: 42 spaces</p> <p>Spaces shall not be locked off, obstructed, reserved or separately allocated to any individual use at any time.</p> <p>All vehicles to enter and exit the site in a forward direction.</p>	<p>No</p> <p>Refer to Section 3 of this report for further discussions</p>

	<p>the site in a forward direction.</p> <p>Manoeuvring area for delivery and service vehicles is separate from car parking spaces and accessed via the rear</p> <p>Vehicle movements will not interfere with the flow of traffic within the surrounding road network.</p> <p>Vehicle movements do not conflict with pedestrian access.</p> <p>A Traffic Impact Assessment report was not required under the provisions of the Infrastructure SEPP.</p> <p>No heavy vehicle access as heavy vehicles are not required for the proposed development.</p> <p>Parking is not proposed in a stacked configuration.</p> <p>No car parking space is created as a Strata or Torrens Title allotment.</p> <p>No multi-level car parking structure is proposed.</p>	<p>The area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas, preferably accessed via a rear lane.</p> <p>Vehicle movements shall minimise interference to the flow of traffic within the surrounding road network.</p> <p>Vehicle movements will provide safe and convenient access for pedestrians.</p> <p>A Traffic Impact Assessment Report prepared by a suitably qualified person is to be submitted if the development exceeds the thresholds within the Infrastructure SEPP.</p> <p>One ingress and one egress for heavy vehicles.</p> <p>No car parking shall be in a stacked configuration.</p> <p>No required car parking space shall be created as a separate Strata or Torrens Title allotment.</p> <p>Above ground multi-level car parking structures are to be designed so as to integrate with surrounding built form.</p>	
<b>Loading and Unloading</b>	<p>Existing loading dock and service areas exist.</p> <p>Parking spaces will be clearly identified on the site.</p> <p>Existing building therefore medium rigid</p>	<p>Loading bays to be kept separate from parking and pedestrian access.</p> <p>Loading and unloading to take place wholly on the site.</p> <p>No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian</p>	Yes

	access is not required.	aisles or on roadways.  Parking and loading shall be clearly identified on the site.  Required manoeuvring areas for heavy vehicles shall not conflict with car parking.  New commercial buildings more than 200sqm but less than 1500sqm shall provide a loading area for a medium rigid vehicle.  Loading docks and service areas shall not be visible from a public place.	
<b>Access for People with Disabilities</b>	Access report submitted and is satisfactory.  Conditions will be applied that the use complies with the relevant standards.  Disabled car parking spaces will be condition to be provided	Must comply with minimum access requirements contained within the BCA, the Disability Standards and Australian Standards.  Car parking for people with disabilities shall be provided at one space per development plus one space for every 20 car parking spaces and designed in accordance with the Australian Standards.	Yes
<b>Vehicular Access along Queen Street</b>	No vehicular access is proposed via Queen Street. Rear access is provided.	Consent must not be granted to the development of land unless vehicular access is provided by a road other than Queen Street and the safety, efficiency and ongoing operation of Queen Street is not adversely affected	Yes
<b>Commercial Waste Management</b>	Existing waste management facilities to be used.  Private contractor will dispose of all waste.	Provision of an enclosed waste and recycling venue to accommodate the waste generated.	Yes

The proposed development generally complies with the provisions of the SCDCP, except for the requirements for on-site car parking, which is discussed in Section 3 of this report.

### 3. Planning Assessment

#### 3.1 Impacts on the natural and built environment

Section 4.15(1)(b) of the EP&A Act requires the consent authority to assess the development's potential impacts on the natural and built environment.



The key matter for consideration when considering the development's impact on the natural and built environment in relation to the proposed development is car parking.

### **Car Parking**

The subject premises includes twenty seven car parking spaces located to the rear of the building. In addition, there are over 400 free public car parking spaces within a short walking distance from the premises. A two spot late night taxi rank is located on the northern side of Queen Street adjacent to the '4 Bargain Hunters' retail premises.

Based on the gross floor area of the tenancy (1042sqm), the proposed development is required to provide 42 car parking spaces which is a shortfall of 15 car parking spaces under the provisions of the SCDPC. It is however noted that the proposal does not increase the floor area of the tenancy, and the existing car parking arrangements have been in place for a long time. The subject application does not include the provision of any additional off street car parking. The hours of operation of the entertainment venue will be outside ordinary business hours.

The Campbelltown Contributions Plan – Public Car Parking Facilities applies to the subject site. The Plan has been in force since 21 September 2004. The Plan is usually applied for intensification of land use and where the applicant is unable to provide a valid justification for providing the required car parking spaces on site.

The applicant has provided a justification as to why the car parking contributions should not apply to this development. The main reason detailed in the request is the fact that a public car park with approximately 274 car spaces is located directly adjoining the rear of the building. It is argued that the proposed hours of operation of the entertainment venue would be outside of normal business hours and as such most of the car parking spaces in the public car park would be available for use for the nightclub. A parking survey reiterates this point and demonstrated that most of the car parking spaces were available at 9pm.

In addition, the justification notes that the subject site is located within close proximity to the train station with Queen Street frequented by a number of bus services throughout the night. A taxi rank is also provided on Queen Street within close proximity to the subject site and therefore there are a number of public transport options available for patrons of the nightclub. Given the proposed nature of the use it is considered that the use of public transport would be a better outcome for patrons instead of driving.

Given the operating hours of the proposed use; the location and availability of free parking in the nearby public car park; and the frequency of various modes of public transport available close to the site, it is considered that the shortage in car parking spaces will not result in a significant adverse impact on parking availability during normal retail hours. Further to this, it is noted that the Plan of Management details that free non-alcoholic drinks will be provided to designated drivers, encouraging car-pooling, and further reducing the demand for off street car parking.

With regard to the payment of developer contributions towards parking, as it is proposed to issue the consent for a time limited period, and there is currently capacity in the adjoining car parking during the hours of operation of the entertainment venue, it is not proposed to charge a contribution for the shortfall in parking spaces at this stage. Should a more permanent consent be issued for the use of this site as an entertainment venue, noting that the other uses in the tenancies in the same premises will change over time, it is considered more

appropriate and reasonable to apply a contribution for the shortfall in car parking spaces at that time.

It is also noted that there is a level of disrepair to the car park surface. It is recommended that the surface be repaired and line marking be refreshed to ensure the safety of patrons and the orderly parking of vehicles. These works should be completed prior to the release of the Occupation Certificate and prior to the use of the entertainment venue.

### **3.2 Social, economic and environmental impacts**

Section 4.15(1)(b) of the EP&A Act requires the consent authority to assess the development's likely impacts of the development, including social and economic impacts in the locality. The social, economic and environmental impacts associated with the proposed are discussed below.

#### **Acoustic Assessment**

An acoustic report prepared by Acoustic Dynamics, dated 12 December 2019 was submitted in support of the proposed development. The acoustic report assesses operational noise emission associated with the proposed development and provides an assessment of noise emission from the site at the nearest residential receivers.

The report concludes that the proposed development would comply with the relevant noise emission criteria, however recommends the following measures to be incorporated into the Plan of Management to help manage potential noise impacts:

- Signage reminding patrons to be aware of their neighbours and leave in a quiet manner;
- Ensuring patrons queuing along Queen Street are behaving in a quiet and sensible manner to minimise any potential impacts on the surrounding amenity;
- Preventing patron ingress and egress via the rear of the building, located to the southeast;
- Noise generating activities such as placing empty glass bottles in bottle bins are conducted during day time hours only;
- Deliveries to be received during day time hours only (7am to 6pm Monday to Saturday, 8am to 6pm Sundays and Public Holidays);
- Amplified music (including live music) must not exceed a maximum reverberant noise level of 90 dB(A) within the area;
- Mechanical equipment should be regularly maintained and serviced to maintain low mechanical noise emission levels; and
- At the cessation of trade, staff and security should actively discourage loitering near the venue to minimise any potential impacts on the surrounding amenity.

These recommendations are considered to be appropriate in mitigating noise generated by the activities undertaken on the site, and have been incorporated into the Plan of Management. Conditions have been included in the draft consent that generally require

compliance with the Plan of Management. In addition, it is normal for liquor licensing conditions to include conditions relating to noise mitigation and abatement, and these conditions are able to be altered during the course of the license.

### **Crime Prevention Through Environmental Design**

The applicant submitted a Crime Prevention Through Environmental Design (CPTED) report as well as an external lighting plan and CCTV plan. The external lighting and CCTV plan are provided in attachments 2 and 3.

The proposed development was referred to the NSW Police Force for its comment. The response provided did not support the proposed development due to the potential for crime, anti-social behaviour and alcohol fuelled related issues. Notwithstanding, the response requested that where the application was to be approved, that specific additional conditions be included in the consent in order to reduce the potential for anti-social behaviour and improve the NSW Police Force's ability to successfully investigate a matter, in the case that the need for a Police investigation eventuates.

Further to the conditions recommended by the NSW Police Force, it is recommended that the conditions of consent include a reviewable condition in accordance with section 4.17 10(B)-10(E) of the EP&A Act. The recommended condition sets the hours of operation with a finish time of 12.00am (midnight) but enables the opportunity for extended operations until 3.00am for a trial period of 12 months. Recommended condition 2 also allows for this 12 month trial period to be reviewed.

The CPTED report was prepared by Space Plus and identified potential impacts associated with the proposed development, considering principles such as accessibility, lighting, design, pedestrian safety, and impact on the local amenity.

The report concludes that the overall development complies with the CPTED principles which reinforce ingress and egress, provides optimal passive and natural surveillance and appropriate safety and security measures. The report recommends a number of recommendations in regards to graffiti management, CCTV and noise all of which will be incorporated into conditions of consent.

Notwithstanding this, the recommendation for a time limited consent is being proposed in order to respond to any unforeseen detrimental impacts the operation of the entertainment venue might have on the safety and general amenity of the area.

### **Economic Impacts**

The proposed development will have a positive impact on the local area as it would provide for 20 direct local jobs for those in the community, and it is expected to have a positive impact on the potential for increased trade along Queen Street in the evening, with an opportunity for other establishments to stay open for longer hours, servicing the passing trade/patrons of the subject entertainment venue.

Notwithstanding this, the recommendation for a time limited consent is being proposed in order to respond to any unforeseen detrimental impacts the operation of the entertainment venue might have on the economic viability of the area.

## **Plan of Management**

A Plan of Management was submitted for the proposed use (see Attachment 4) and detailed information relating to:

- operating hours
- security
- patron management
- cleaning
- liquor policy
- noise measures
- responsible service of alcohol
- complaint management
- staff training

The plan of management is considered to be generally satisfactory with draft conditions recommended to be incorporated with any consent issued that ensures the ongoing management of both known and unforeseen noise impacts caused by the use of the site as a nightclub.

### **3.3 Suitability of the Site**

Section 4.15(1)(c) of the EP&A Act requires the consent authority to assess the suitability of the site for the proposed development.

The proposed development is permissible within the zone and is considered to be accessible by various modes of public transport as well as providing sufficient vehicular access and is in proximity to large areas of public parking that have a low level of occupancy during the proposed hours of operation of the entertainment venue. There are no immediate residential neighbours to the development. It is considered that the subject site is suitable for the proposed development subject to operational conditions of consent.

### **3.4 Public Interest**

The public interest is a comprehensive requirement that requires the consent authority to consider impacts of the development and the suitability of the proposal in a wider context.

The proposed development type is considered to be potentially suitable for the site. However, and to ensure that the proposed development would not lead to or result in a detrimental impact on the locality, it is recommended that consent only be granted for a continuous period of 24 months from its commencement date, and a reviewable condition be included in regards to the hours of operation.

This will provide Council and the NSW Police Force an opportunity to understand and assess the impacts of the proposal on its surroundings. It will also provide a more commercially viable timeframe during which the operator will have time to address issues that might arise from time to time to demonstrate the premises is capable of operating without having an amenity impact on its neighbours.

Council has adopted an economic development strategy that promotes the creation of local jobs. The Western City District Plan strategic directions for Campbelltown City Centre encourages new lifestyle and entertainment uses to activate streets and grow the night-time economy. The proposed use is considered consistent with this as the use will generate jobs

for the local community and an opportunity to increase patronage for other establishments along Queen Street during the evening.

#### **4. Public Participation**

Section 4.15(1)(d) of the EP&A Act requires the Panel to consider submissions. The development application was notified to adjoining and nearby properties from 8 January 2020 until 5 February 2020. The proposal was then placed on public exhibition on 30 January, 2020 and adjoining and nearby properties were renotified and given 21 days to comment.

No submissions were received.

#### **5. Conclusion**

The application has been assessed against the provisions of Section 4.15 of the EP&A Act. The proposed development is permissible with consent under the provisions of Campbelltown Local Environmental Plan 2015 and is consistent with the objectives of the B3 Commercial Core Zone.

Having regard to the matters for consideration under Section 4.15 of the EP&A Act, it is considered that the proposed development is suitable for the site subject to the conditions discussed in this report.

A numerical deficiency in the number of car parking spaces provided by the development has been identified, however on review and in consideration of the hours of operation outside of normal retail trading hours, and the availability of free parking close to the site, it is considered that (while not fully known at this stage), the impacts of the development on public car parking can be monitored over the 24 months of the time limited consent.

The NSW Police Force has raised a number of concerns relating to potential crime and reduced safety as a consequence of the operation of the nightclub. Those concerns have been closely considered as part of the assessment of the application and are also deemed an important and necessary matter of consideration for the Panel with its determination.

While these concerns must not be dismissed, when considering all aspects of the proposal, it is recommended that the development application be issued with a time limited consent, and that the consent include a reviewable condition. The reviewable condition provides the opportunity to limit the hours of operation where the use is found to be operating not in accordance with the conditions of consent, having an adverse impact on the amenity and safety of the area, or where any increase in the occurrence of anti-social behavioural or crime related activities can be shown to be a consequence of the use of the site as a nightclub.

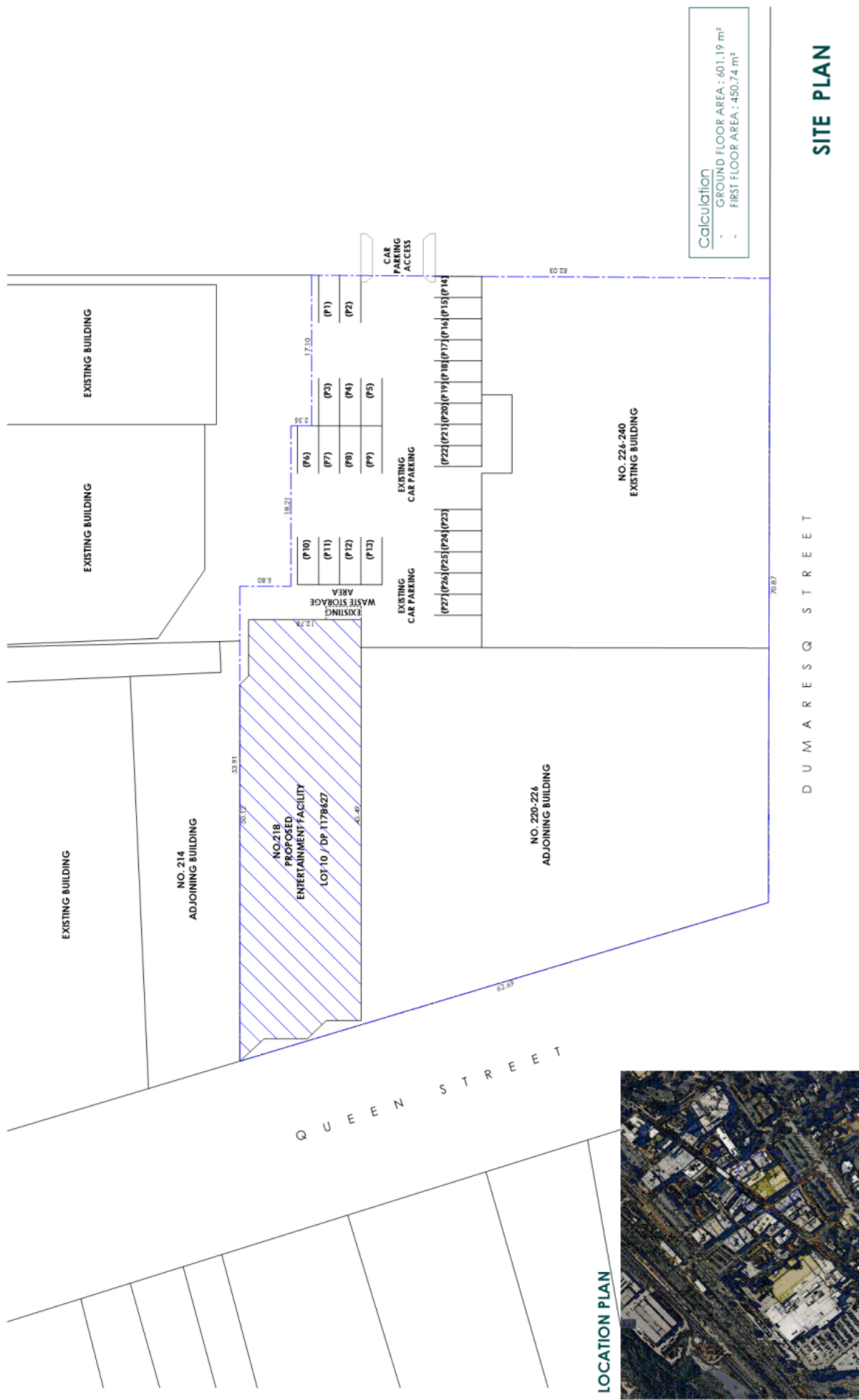
On balance, it is recommended that a time limited consent be issued for a maximum period of 24 months from the release of the Occupation Certificate and the commencement of the use of the premises for an entertainment venue.

## **Attachments**

1. Site Plan (contained within this report)
2. Existing ground floor and first floor plan (contained within this report)
3. Proposed ground floor and first floor plan (contained within this report)
4. CCTV & Lighting plan (contained within this report)
5. Elevations plan (contained within this report)
6. Kitchen plan (contained within this report)
7. Bar 1 detail plan (contained within this report)
8. Bar 2 detail plan (contained within this report)
9. Plan of Management (contained within this report)
10. Police Comments (contained within this report)
11. Entertainment venue use (contained within this report)
12. Recommended conditions of consent (contained within this report)

## **Reporting Officer**

Executive Manager Urban Centres



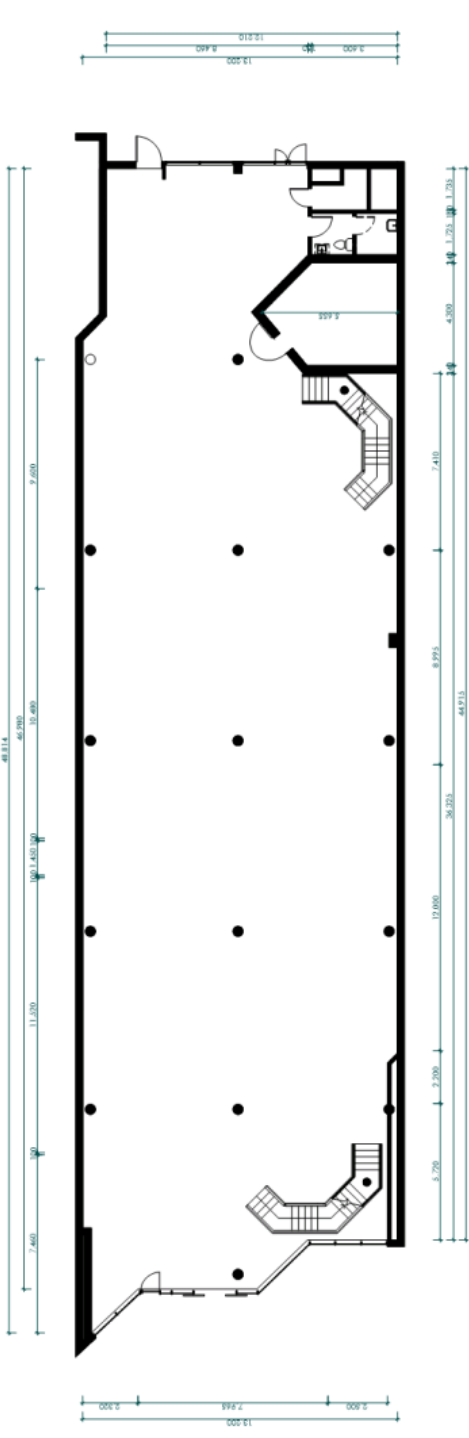
Calculation  
 - GROUND FLOOR AREA : 601.19 m<sup>2</sup>  
 - FIRST FLOOR AREA : 450.74 m<sup>2</sup>

**SITE PLAN**

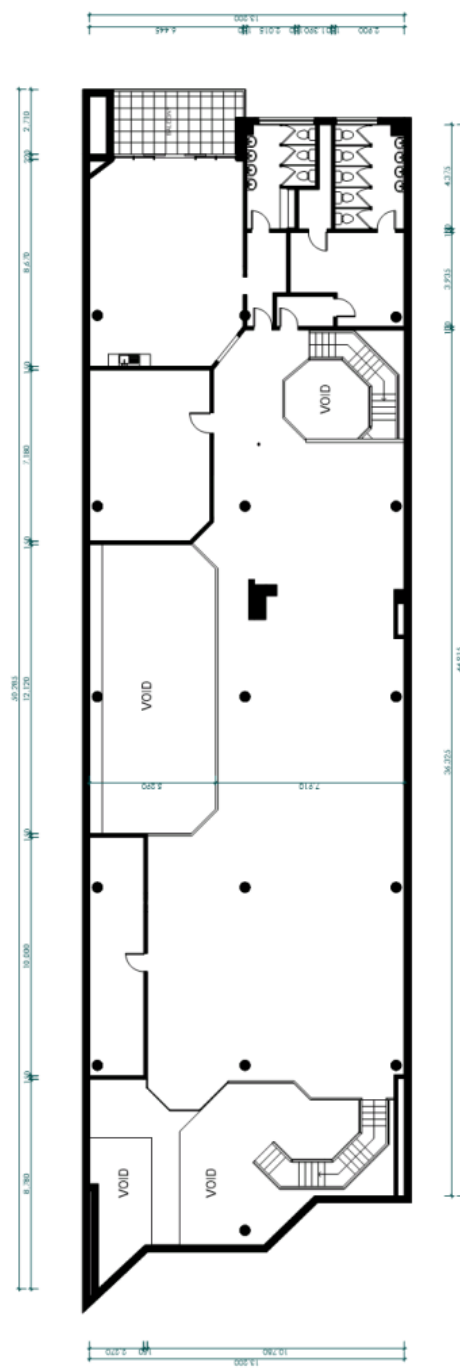
D U M A R E S Q S T R E E T

Q U E E N S T R E E T

<p><b>SPACE PLUS</b>                  ARCHITECTURE &amp; INTERIOR DESIGN</p>	<p>Project / address                  PROPOSED ENTERTAINMENT FACILITY                  at 218 Queen Street Campbelltown                  (LOT 10 / DP 1179627)</p>	<p>Client / G.P.                  [REDACTED] (02/12/2019)</p>
	<p>Drawing title                  SITE PLAN</p>	<p>Scale                  1:2000 (A)</p>
<p>Rev / date</p>	<p>notes</p>	<p>Drawing number                  19239-1</p>
<p><small>MICROPLANE NOTE: THIS PLAN MUST BE USED ONLY IN CONJUNCTION WITH THE PROPOSED ARCHITECTURAL DRAWINGS AND NOT FOR CONSTRUCTION. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY SPACE PLUS ARCHITECTURE &amp; INTERIOR DESIGN. THIS PLAN IS THE PROPERTY OF SPACE PLUS ARCHITECTURE &amp; INTERIOR DESIGN AND MUST NOT BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN CONSENT OF SPACE PLUS ARCHITECTURE &amp; INTERIOR DESIGN.</small></p>		
<p><small>SPACE PLUS                  T 02 8855 2182                  M 0482 792 777                  Email info@spaceplus.com.au                  Profile addresses: LEVEL 5, Suite 12                  11 The Boulevard, Sheffield NSW 2135                  www.spaceplus.com.au</small></p>		



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

**LEGEND**

- EXISTING WALL
- EXISTING WALL TO BE REMOVED
- NEW INTERNAL WALL

**NOTE:** PER MANAGEMENT PLAN, TOTAL NUMBER OF PERSONS UPON THE FIRST FLOOR LEVEL WILL NOT EXCEED 200.

**SPACE PLUS** architecture & interior design

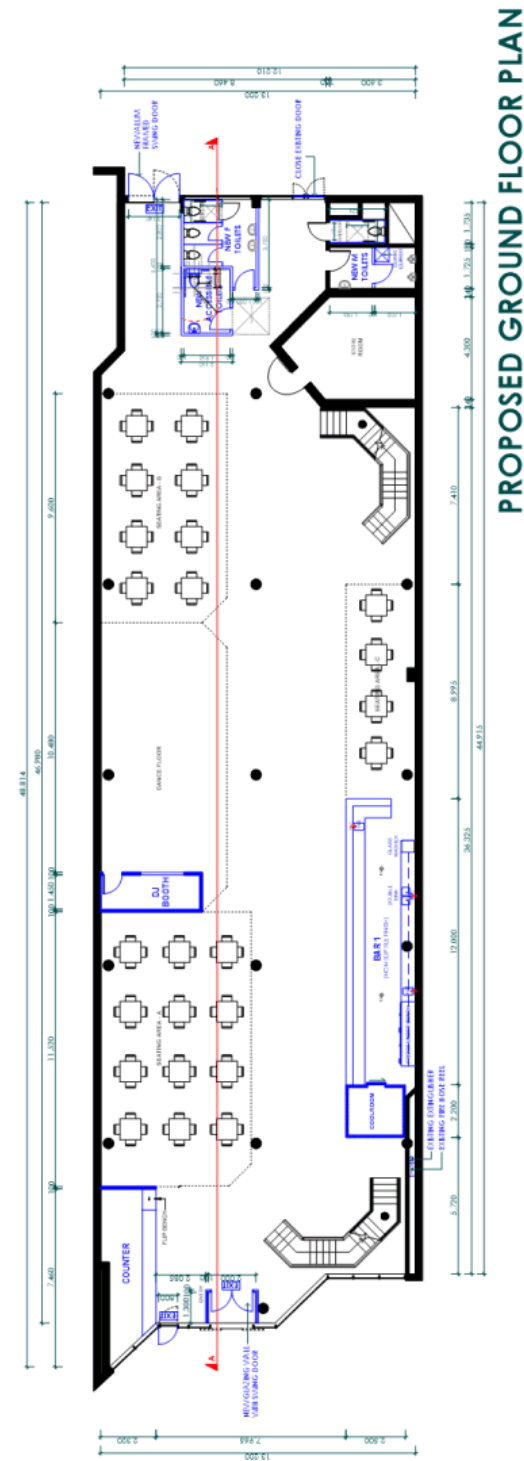
T 02 8855 2182  
 M 0482 792 777  
 info@spaceplus.com.au  
 Postal addresses: LEVEL 5, Suite 12  
 11 The Boulevard, Sturtfield NSW 2135  
 www.spaceplus.com.au

**DISCLAIMER NOTE:** THIS DRAWING SHALL BE USED ONLY AS A GUIDE TO THE EXISTING AND PROPOSED WORKS OF FLOODING, AND SHOP DRAWINGS, LIFT, VENTILATION, AIR CONDITIONING, AND MECHANICAL SERVICES. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN CONSENT OF SPACE PLUS.

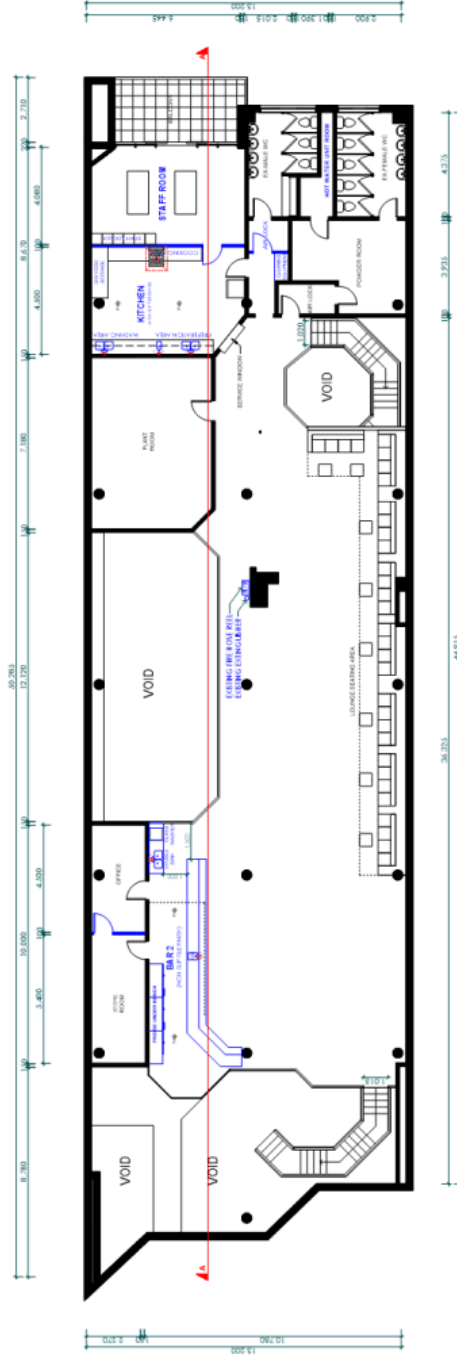
REV	DATE	NOTES

PROJECT / ADDRESS: PROPOSED ENTERTAINMENT FACILITY at 218 Queen Street Campbelltown (LOT 10 / DP 1178627)  
 DRAWING TITLE: FLOOR PLAN  
 DRAWING NUMBER: 19239-2  
 SCALE: 1:100 (A1)  
 REVISION: -  
 DRAWN BY: GJ  
 DATE: 02/12/2019  
 REVISION DATE: 02/12/2019





**PROPOSED GROUND FLOOR PLAN**



**PROPOSED FIRST FLOOR PLAN**

**LEGEND**

- EXISTING WALL
- EXISTING WALL TO BE REMOVED
- NEW INTERNAL WALL

**NOTE:** PER MANAGEMENT PLAN, TOTAL NUMBER OF PERSONS UPON THE FIRST FLOOR LEVEL WILL NOT EXCEED 200.  
THE TOTAL WIDTH OF ALL INTERNAL DOORWAYS

**GROUND FLOOR**  
FRONT: 800mm AND 1720mm  
BACK: 2140mm  
TOTAL: 4680mm

**FIRST FLOOR**  
STAIRCASE 1: 1015mm  
STAIRCASE 2: 1020mm  
TOTAL: 2035mm

**CALCULATIONS OF SANITARY FACILITIES IN CLASS 6**

**TOTAL NO. OF EMPLOYEE: MAX 20**  
- THE NO OF MALE EMPLOYEE: 10  
- THE NO OF FEMALE EMPLOYEE: 10  
**TOTAL NO. OF PATRONS: MAX 200**  
- THE NO OF MALE PATRONS: 250  
- THE NO OF FEMALE PATRONS: 250

**REQUIRED**

TOILET EMPLOYEE	CLOSET	URINAL WASH BASIN
10	1	0
MALE PATRONS: 250	2	5
<b>TOTAL REQUIRED</b>	<b>3</b>	<b>5</b>
FEMALE EMPLOYEE		
10	1	1
MALE PATRONS: 250	6	3
<b>TOTAL REQUIRED</b>	<b>7</b>	<b>4</b>

**PROVIDED**

CLOSET	URINAL WASH BASIN
3	4
MALE (EXISTING)	
1	2
<b>TOTAL PROVIDED</b>	<b>6</b>
FEMALE (EXISTING)	
5	4
FEMALE (NEW)	3
<b>TOTAL PROVIDED</b>	<b>12</b>

**ACCESSIBLE**

CLOSET	URINAL WASH BASIN
1	1
<b>REQUIRED</b>	<b>1</b>
<b>PROVIDED</b>	<b>1</b>

**SPACE PLUS**

1 02 8885 2182  
M 0483 792 777  
Project addresses: LEVEL 5, Suite 12  
11 The Boulevard, Sheffield NSW 2135  
www.spaceplus.com.au

project / address  
**PROPOSED ENTERTAINMENT FACILITY  
at 218 Queen Street Campbelltown  
(LOT 10 / DP 1178627)**

DATE	NOTES
A 28.04.2020	AMENDED

Drawing Title  
**FLOOR PLAN**

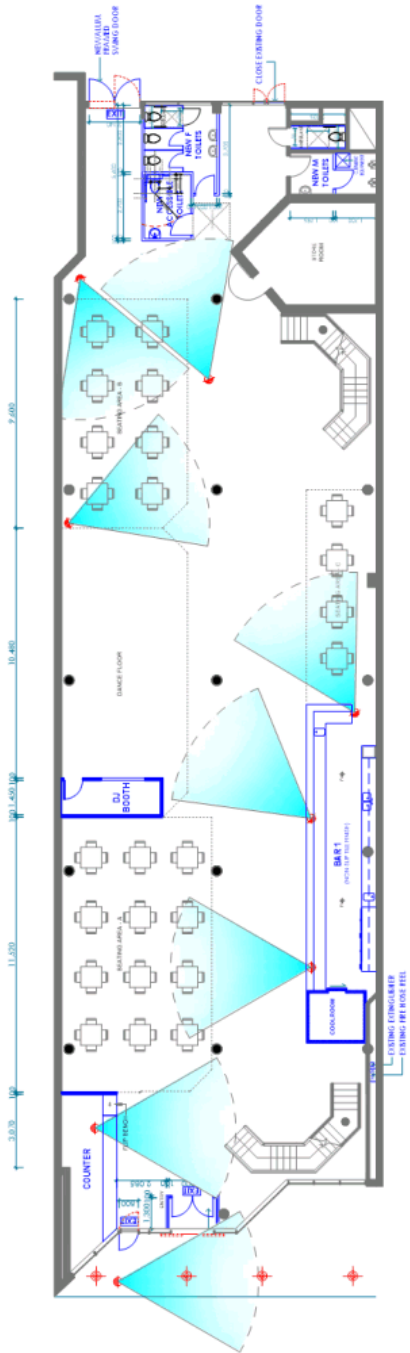
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**19239-3**

Scale  
1:100 (A1)

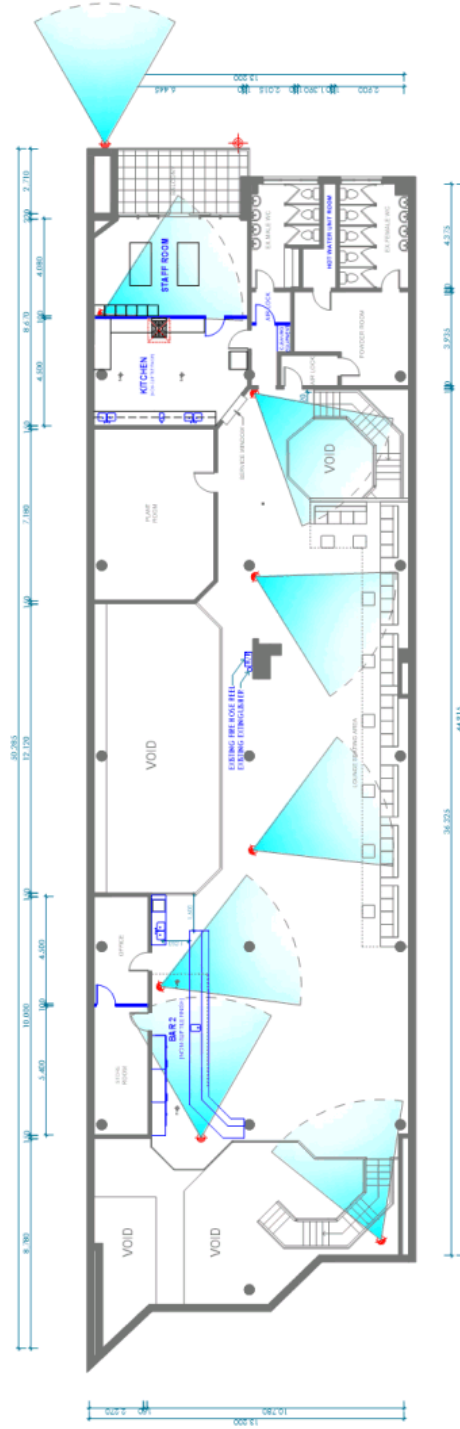
Revision  
-

**LEGEND**



-  LOCATION OF SURVEILLANCE CAMERA
-  LOCATION OF LIGHT
-  LOCATION OF EXIT SIGN



**PROPOSED GROUND FLOOR PLAN**



**PROPOSED FIRST FLOOR PLAN**

 <p><b>SPACE PLUS</b> architecture &amp; interior design</p>	<p>02 8855 2162 02 8855 2163 spaceplus@spaceplus.com.au Project address: LEVEL 5, Suite 12 11 The Boulevard, Sheffield NSW 2135 www.spaceplus.com.au</p>	<p>DATE: 28.04.2020 REVISED: AMENDED</p>		<p>PROJECT / ADDRESS <b>PROPOSED ENTERTAINMENT FACILITY at 218 Queen Street Campbelltown (LOT 10 / DP 1178627)</b></p>	<p>DRAWING TITLE <b>CCTV / LIGHT PLAN</b></p>	<p>DRAWING NUMBER <b>19239-4</b></p>	<p>DATE: 02.12.2019 SCALE: 1:100 (A1) REVISION: -</p>
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**LEGEND**

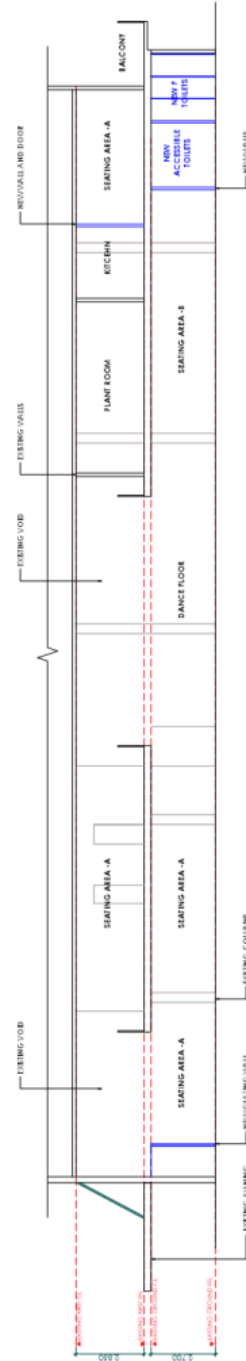
	EXISTING WALL
	EXISTING WALL TO BE REMOVED
	NEW LIGHTWEIGHT BRICK WALL
	NEW INTERNAL WALL

**NOTE:** PER MANAGEMENT PLAN, TOTAL NUMBER OF PERSONS UPON THE FIRST FLOOR LEVEL WILL NOT EXCEED 200.



**FRONT ELEVATION (NORTH)**

**REAR ELEVATION (SOUTH)**



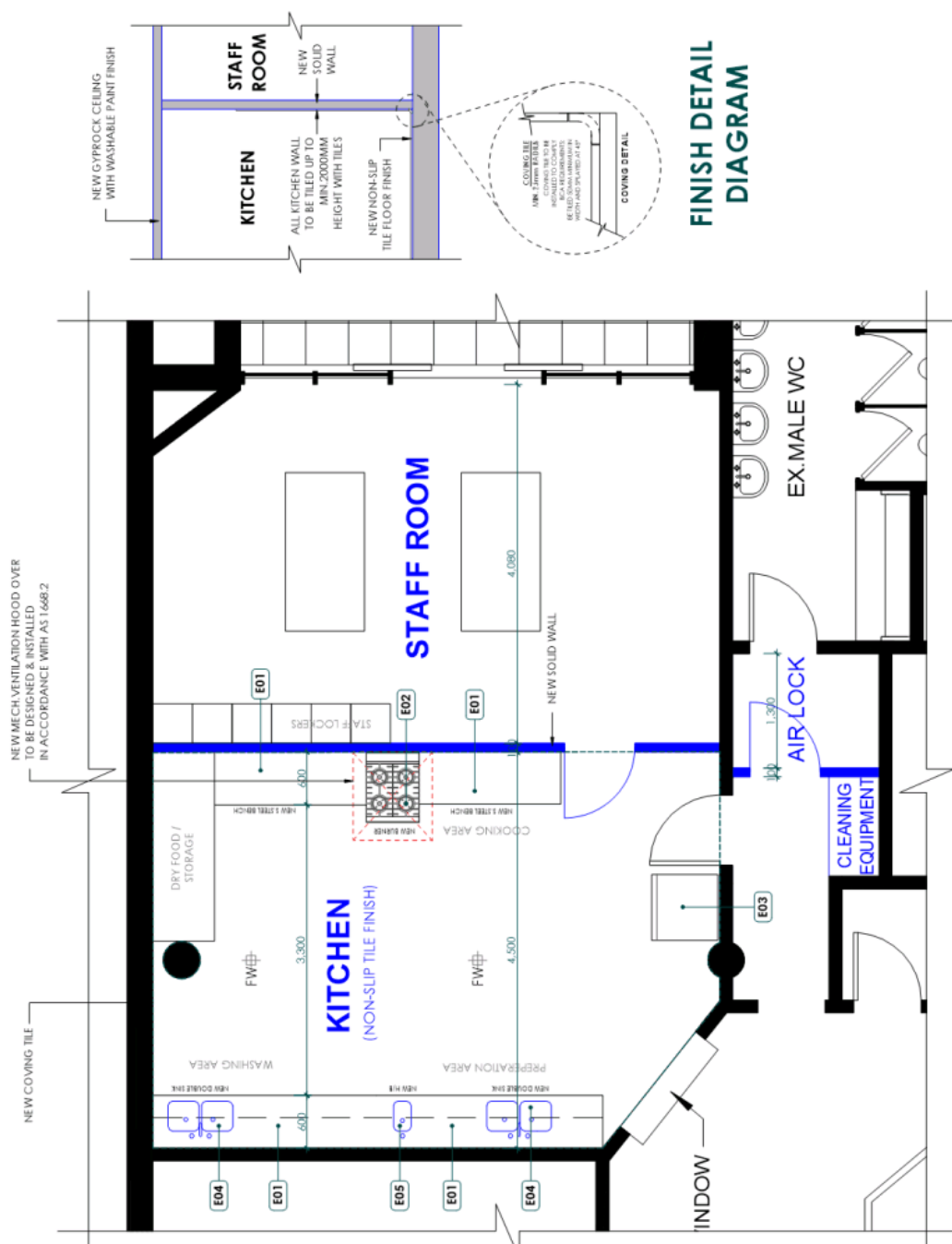
**SECTION A-A**

<p><b>SPACE PLUS</b> Architecture &amp; Interior Design</p>	<p>1 02 8855 2102 M 0483 792 777 info@spaceplus.com.au Profile addresses: LEVEL 5, Suite 12 11 The Boulevard, Sheffield NSW 2135 www.spaceplus.com.au</p>	<p>PROJECT / address <b>PROPOSED ENTERTAINMENT FACILITY at 218 Queen Street Campbelltown (LOT 10 / DP 1178627)</b></p>	<p>drawing title <b>ELEVATIONS AND SECTION</b></p> <p>drawing number <b>19239-5</b></p>	<p>drawn by <b>G.J.</b></p> <p>checked by <b>G.J.</b></p> <p>date <b>02/12/2019</b></p>	<p>scale <b>1:100 (A1)</b></p> <p>revision <b>-</b></p>
	<p><b>DISCLAIMER NOTE:</b> THIS DRAWING MUST BE CHECKED AGAINST THE TO SHAPING ANY WORKS OF FENCING/ANY SHOP DRAWINGS, LIFT, WIRE IN DIMENSIONS IN DRAWINGS ARE THE PROPERTY OF SPACE PLUS &amp; MAY NOT BE REPRODUCED WHOLLY OR IN PART WITHOUT WRITTEN CONSENT OF SPACE PLUS.</p>	<p>rev / date</p> <p>notes</p>			

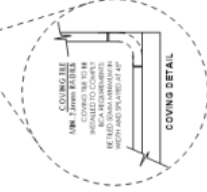
SYMBOL	DESCRIPTION
E01	S/STEEL WORKBENCH
E02	GAS 4 BURNER COOKTOP WITH COMMERCIAL EXHAUST HOOD OVER
E03	S/STEEL 4 DOOR UPRIGHT FREEZER/FRIDGE
E04	S/STEEL WORKBENCH WITH DOUBLE BOWL SINK UNDER
E05	BUILT-IN HAND WASH BASIN WITH SOAP AND DISPOSABLE PAPER TOWEL DISPENSER, ALLOW HANDS FREE FITTINGS-- TO COMPLY WITH THE CURRENT ENVIRONMENT HEALTH ACT

FOOD PREMISE TO BE COMPLY WITH THE FOLLOWING CODES:  
 \* National Code for the Construction and Fitout of Food Premises published by the Australian Institute of Environmental Health (The City's Food Premises Code)  
 \* Food Safety Standard 2.2.3 Food Premises and Equipment & AS4674-2004

**FOOD PREMISE SPECIFICATION**  
 THE FLOORS OF ALL FOOD PREPARATION AREAS, KITCHENS, SCULLERIES AND THE LIKE MUST BE FINISHED TO A SMOOTH EVEN SURFACE WITH CERAMIC TILES OR OTHER IMPERVIOUS MATERIAL THAT IS NON-SLIP, DURABLE AND CAPABLE OF BEING EASILY CLEANED, AND COVERED TO A RADIUS OF AT LEAST 25mm AT THE INTERSECTIONS WITH THE WALLS AND ANY EXPOSED FINISHES, AND GRADED TO FLOOR WASTES CONNECTED TO THE SEWERAGE SYSTEM.  
 \* THE FLOORS OF ALL FOOD DISPLAY AREAS, FOOD STORAGE AREAS AND THE LIKE MUST BE FINISHED TO A SMOOTH EVEN SURFACE WITH CERAMIC TILES OR OTHER IMPERVIOUS MATERIAL THAT IS NON-SLIP, DURABLE AND CAPABLE OF BEING EASILY CLEANED, AND COVERED TO A RADIUS OF AT LEAST 25mm AT THE INTERSECTIONS WITH THE WALLS AND ANY EXPOSED FINISHES, AND GRADED TO FLOOR WASTES CONNECTED TO A FIXED BARRET ARRESTOR COMPLYING WITH THE REQUIREMENTS OF SYDNEY WATER CORPORATION.  
 \* ALL FLOOR FINISHES IN KITCHENS, SCULLERIES, FOOD SERVICE AREAS, FOOD DISPLAY AND FOOD STORAGE AREAS MUST BE PROVIDED WITH CEILING FINISHES CONSTRUCTED OF PLASTERBOARD OR OTHER RIGID, SMOOTH FACED, NON-ABSORBENT MATERIAL AND PAINTED WITH LIGHT COLOURED WASHABLE PAINT, DROP-IN PANEL FINISHES OR OTHER FINISHES THAT ARE EASILY CLEANED AND DURABLE.  
 \* THE WALLS OF ALL FOOD PREPARATION AREAS, KITCHENS, SCULLERIES, FOOD SERVICE AREAS, FOOD DISPLAY AND FOOD STORAGE AREAS MUST BE CONSTRUCTED OF BRICK, CONCRETE BLOCKS OR SIMILAR SOLID MATERIALS. SCULLERIES AND THE LIKE MUST BE FINISHED TO A HEIGHT OF AT LEAST 2 METRES ABOVE FLOOR LEVEL AND TO THE UNDERSIDE OF ANY HOODS, WITH EVENLY Laid GLAZED TILES, STAINLESS STEEL SHEETING OR SIMILAR SMOOTH FACED IMPERVIOUS MATERIAL ADHERED TO THE TOP EDGE OF THE WALL TILING. MUST BE SPLAYED WITH AN IMPERVIOUS MATERIAL SO AS NOT TO FORM A LEDGE UPON WHICH DUST OR GREASE CAN ACCUMULATE.  
 \* SHEETING AND SIMILAR MATERIALS MUST BE FITTED SO AS TO PROVIDE A SMOOTH FINISH TO ALL WALLS, INCLUDING AT CORNERS, JOINTS, CRACKS OR CREVICES THAT MAY PERMIT ACCESS FOR VERMIN OR THE COLLECTION OF REFUSE.  
 \* LIGHT FITTINGS IN FOOD PREPARATION AREAS, KITCHENS, SCULLERIES, FOOD SERVICE AREAS, FOOD DISPLAY AND FOOD STORAGE AREAS MUST BE INSTALLED FLUSH WITH THE CEILING OR FITTED WITH DIFFUSERS DESIGNED TO PREVENT THE ACCUMULATION OF DUST OR THE HARBOURAGE OF VERMIN.  
 \* ALL FLOOR FINISHES IN FOOD PREPARATION AREAS, KITCHENS, SCULLERIES, FOOD SERVICE AREAS, FOOD DISPLAY AND FOOD STORAGE AREAS MUST BE FITTED WITH REMOVABLE FLY-PROOF SCREENS OR SELF-CLOSING FLY-PROOF DOORS UNLESS OTHER SUITABLE MEANS ARE EMPLOYED TO KEEP THE AREAS FREE FROM VERMIN.  
 \* WHERE POSSIBLE ALL SERVICE PIPES MUST BE CONCEALED IN FLOORS, PLINTHS, WALLS OR CEILINGS. ALTERNATIVELY, SERVICE PIPES MUST BE FIRED ON BRACKETS SO AS TO PROVIDE AT LEAST 25mm CLEARANCE BETWEEN THE PIPE AND ANY AND ANY ADJACENT HORIZONTAL SURFACE.  
 \* INACCESSIBLE CAVITIES AND VOIDS MUST BE FORMED IN THE CONSTRUCTION OF ALL SERVICE PIPES AND EQUIPMENT UNLESS THEY ARE COMPLETELY SEALED TO PREVENT THE HARBOURAGE OF VERMIN.  
 \* ALL COUNTER AND BAR FITTINGS, CUPBOARDS, CABINETS, SHELVING, BENCHES AND TABLES MUST BE DESIGNED AND CONSTRUCTED TO PERMIT EASY CLEANING, AND BE FINISHED ON ALL EXPOSED SURFACES WITH A SMOOTH, DURABLE, NON-ABSORBENT MATERIAL. TABLES, BENCHES AND SHELVING IN FOOD PREPARATION AREAS, KITCHENS, SCULLERIES AND THE LIKE MUST BE CONSTRUCTED OF STAINLESS STEEL.  
 \* ALL FITTINGS, FITTINGS AND APPLIANCES MUST BE SUPPORTED ON SUITABLE WHEELS.  
 \* PLINTHS MUST BE CONSTRUCTED OF SOLID CONCRETE AT LEAST 75mm HIGH AND RECESSED UNDER FITTINGS AND APPLIANCES TO PROVIDE A TOE SPACE OF NOT LESS THAN 150mm.  
 \* ALL FLOOR FINISHES IN FOOD STORAGE OF HOT OR COLD FOOD MUST BE FITTED WITH AN INDICATING OR RECORDING THERMOMETER ACCURATE TO +/-1 degree OR AN ALARM SYSTEM FOR CONTINUOUS MONITORING OF THE TEMPERATURE OF THE APPLIANCE AND MUST BE CAPABLE OF MAINTAINING THE TEMPERATURE OF THE FOOD STORED OR ABOVE (IN THE CASE OF HOT FOOD); OR -54deg OR BELOW (IN THE CASE OF COLD FOOD).  
 \* ALL FOOD STORAGE AREAS MUST BE PROVIDED WITH ADEQUATE VENTILATION WITHIN THE FOOD PREPARATION AREA, TOGETHER WITH AN ADEQUATE SUPPLY OF LIQUID SOAP AND CLEAN SINGLE-USE TOWELS IN SUITABLE DISPENSERS.



**FINISH DETAIL DIAGRAM**

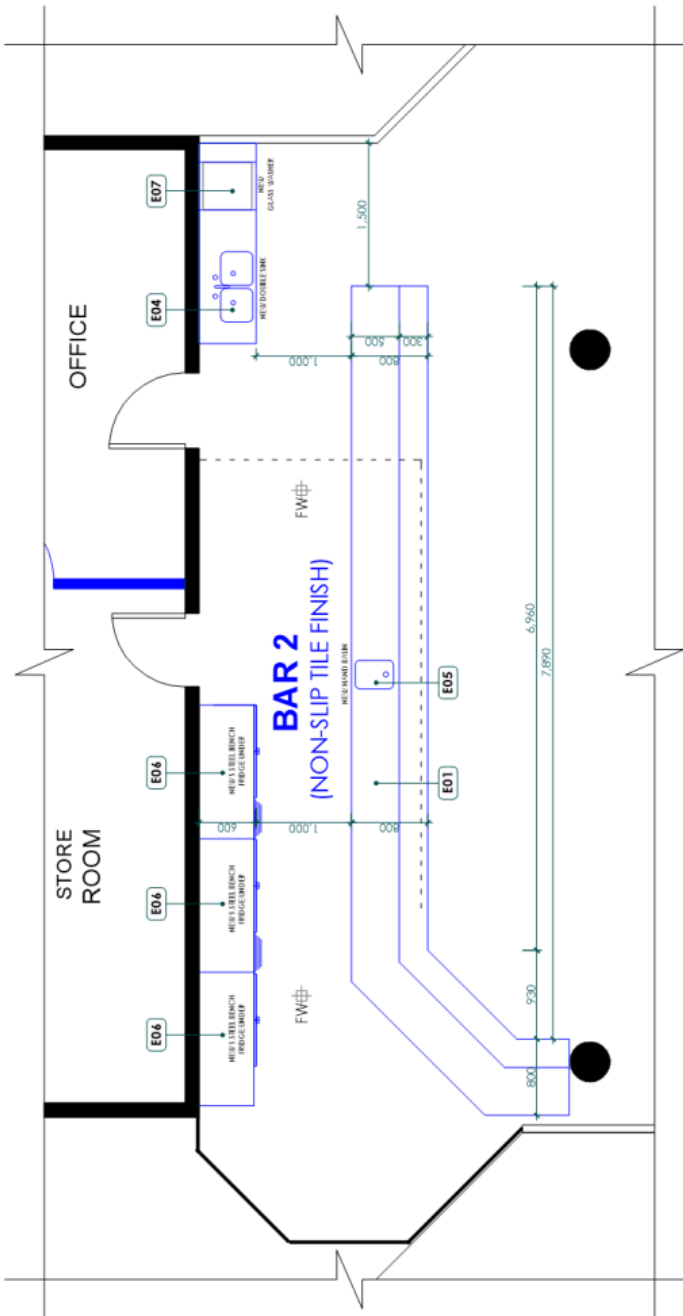


**DETAIL PLAN (KITCHEN)**

		PROJECT / address PROPOSED ENTERTAINMENT FACILITY at 218 Queen Street Campbelltown (LOT 10 / DP 1178627)	DRAWING FILE DETAIL PLAN	DRAWING NUMBER 19239-6
DATE 28.04.2020	NOTES AMENDED	PROJECT / address PROPOSED ENTERTAINMENT FACILITY at 218 Queen Street Campbelltown (LOT 10 / DP 1178627)	DRAWING FILE DETAIL PLAN	DRAWING NUMBER 19239-6
SCALE 1:500(A)	DATE 02.12.2019	PROJECT / address PROPOSED ENTERTAINMENT FACILITY at 218 Queen Street Campbelltown (LOT 10 / DP 1178627)	DRAWING FILE DETAIL PLAN	DRAWING NUMBER 19239-6







**FOOD PREMISES TO BE COMPLY WITH THE FOLLOWING CODES:**  
 \* National Code for the Construction and Fitout of Food Premises published by the Department of Health (2014)  
 \* Food Safety Standard 2.2.3 (Food Premises and Equipment) & A34674-2004

**FOOD PREMISES SPECIFICATION**  
 \* ALL FLOORS IN ALL FOOD PREPARATION AREAS, KITCHENS, SCULLERIES AND THE LIKE MUST BE FINISHED TO A SMOOTH EVEN COMMERCIAL GRADE VINYL OR OTHER IMPERVIOUS MATERIAL THAT IS NON-SLIP, DURABLE AND CAPABLE OF BEING EASILY CLEANED. COVERED TO A RADIUS OF AT LEAST 25mm AT THE INTERSECTIONS WITH THE SEWERAGE SYSTEM.  
 \* THE FLOORS OF ALL FOOD DISPLAY AREAS, FOOD STORAGE AREAS AND THE LIKE MUST BE FINISHED TO A SMOOTH EVEN COMMERCIAL GRADE VINYL OR OTHER IMPERVIOUS MATERIAL THAT IS NON-SLIP, DURABLE AND CAPABLE OF BEING EASILY CLEANED AND COVERED TO A RADIUS OF AT LEAST 25mm AT THE INTERSECTIONS WITH THE WALLS AND ANY EXPOSED PINTHS.  
 \* ALL FLOOR WASTES IN FOOD PREPARATION AREAS AND THE LIKE MUST BE FITTED WITH AN APPROPRIATE COLLECTION SYSTEM.  
 \* ALL FOOD PREPARATION AREAS, KITCHENS, SCULLERIES, FOOD STORAGE AREAS, DISHWASHERS AND FOOD STORAGE AREAS MUST BE PROVIDED WITH CEILING DRAINAGE MATERIAL AND PAINTED WITH A LIGHT COLOURED WASHABLE PAINT. DROP-IN PANEL CEILING ARE NOT PERMITTED OVER FOOD PREPARATION AND SERVICE AREAS.  
 \* SERVICE AREAS, FOOD DISPLAY AND FOOD STORAGE AREAS MUST BE CONSTRUCTED OF BRICK, CONCRETE BLOCKS OR SIMILAR SOLID MATERIALS.  
 \* THE WALLS OF ALL FOOD PREPARATION AREAS, KITCHENS, SCULLERIES AND THE LIKE MUST BE FINISHED TO A SMOOTH EVEN COMMERCIAL GRADE VINYL OR OTHER IMPERVIOUS MATERIAL THAT IS NON-SLIP, DURABLE AND CAPABLE OF BEING EASILY CLEANED TO THE UNDERSIDE OF ANY HOODS, WITH EVEN LAYED GLAZED TILES, STAINLESS STEEL SHEETING OR SIMILAR SMOOTH-FACED IMPERVIOUS MATERIAL ADHERED DIRECTLY TO THE WALL.

THE TOP EDGE OF THE WALL FINISH MUST BE GRAVED WITH AN IMPERVIOUS MATERIAL TO PREVENT THE FORMATION OF A LEDGE UPON WHICH DIRT OR GREASE CAN ACCUMULATE.  
 \* STAINLESS STEEL SHEETING AND SIMILAR MATERIALS MUST BE FIXED SO AS TO PREVENT THE ACCUMULATION OF DIRT OR GREASE.  
 \* CRACKS OR JOINTS THAT MAY PERMIT ACCESS FOR VERMIN OR THE COLLECTION OF REFUSE.  
 \* ALL CEILING MOUNTED LIGHT FITTINGS IN FOOD PREPARATION AREAS, KITCHENS, SCULLERIES AND FOOD STORAGE AREAS MUST BE FIXED TO THE CEILING WITH FLY-PROOF DOORS UNLESS OTHER SUITABLE MEANS ARE EMPLOYED TO KEEP THE AREAS FREE FROM VERMIN.  
 \* ALL WINDOW AND DOOR OPENINGS TO THE OUTSIDE IN FOOD PREPARATION AREAS MUST BE FITTED WITH REMOVABLE FLY-PROOF SCREENS OR SELF-CLOSING FLY-PROOF DOORS UNLESS OTHER SUITABLE MEANS ARE EMPLOYED TO KEEP THE AREAS FREE FROM VERMIN.  
 \* ALL WINDOW AND DOOR OPENINGS TO THE OUTSIDE IN FOOD PREPARATION AREAS MUST BE FITTED WITH REMOVABLE FLY-PROOF SCREENS OR SELF-CLOSING FLY-PROOF DOORS UNLESS OTHER SUITABLE MEANS ARE EMPLOYED TO KEEP THE AREAS FREE FROM VERMIN.  
 \* ALL WINDOW AND DOOR OPENINGS TO THE OUTSIDE IN FOOD PREPARATION AREAS MUST BE FITTED WITH REMOVABLE FLY-PROOF SCREENS OR SELF-CLOSING FLY-PROOF DOORS UNLESS OTHER SUITABLE MEANS ARE EMPLOYED TO KEEP THE AREAS FREE FROM VERMIN.  
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\* ALL COUNTERS AND BAR FITTINGS, COUNTERS, CABINETS, SHELVING, BENCHES AND TABLES MUST BE DESIGNED AND CONSTRUCTED TO PERMIT EASY CLEANING. ALL FINISHED SURFACES MUST BE FINISHED TO A SMOOTH, DURABLE, NON-ABSORBENT MATERIAL FREE OF CRACKS, CREVICES OR CAVITIES.  
 \* ALL EXPOSURE AREAS, KITCHENS, SCULLERIES AND THE LIKE MUST BE CONSTRUCTED OF STAINLESS STEEL.  
 \* ALL FITTINGS, FITTINGS AND APPLIANCES MUST BE SUPPORTED ON SUITABLE WHEELS, PINTHS, LEGS, BRACKETS OR FRAMEWORK.  
 \* ALL CONCRETE AT LEAST 75mm HIGH AND RECESSED UNDER FITTINGS AND APPLIANCES TO PROVIDE A TOE SPACE OF NOT LESS THAN 150mm.  
 \* EVERY APPLIANCE USED FOR THE STORAGE OF HOT OR COLD FOOD MUST BE FITTED WITH A THERMOMETER TO MONITOR THE TEMPERATURE OF THE FOOD OR AN ALARMA SYSTEM FOR CONTINUOUS MONITORING OF THE TEMPERATURE OF THE APPLIANCE AND MUST BE CAPABLE OF MAINTAINING THE TEMPERATURE OF THE FOOD AT OR ABOVE (IN THE CASE OF HOT FOOD) OR 5deg OR BELOW (IN THE CASE OF COLD FOOD).  
 \* A HAND BASK SUPPLIED WITH ADEQUATE HOT AND COLD WATER THROUGH A TAP AND A DISINFECTANT DISPENSER MUST BE PROVIDED IN THE FOOD PREPARATION AREA TOGETHER WITH AN ADEQUATE SUPPLY OF LIQUID SOAP AND CLEAN SINGLE-USE TOWELS IN SUITABLE DISPENSERS.

SYMBOL	DESCRIPTION
E01	S/STEEL WORKBENCH
E02	GAS 4 BURNER COOKTOP WITH COMMERCIAL EXHAUST HOOD OVER
E03	S/STEEL 4 DOOR UPRIGHT FREEZER/FRIDGE
E04	S/STEEL WORKBENCH WITH DOUBLE BOWL SINK UNDER
E05	BUILT-IN HAND WASH BASIN WITH SOAP AND DISPOSABLE PAPER TOWEL DISPENSER. ALLOW HANDS FREE FITTINGS TO COMPLY WITH THE CURRENT ENVIRONMENT HEALTHY ACT
E06	S/STEEL WORKBENCH WITH 2 DOOR FRIDGE UNDER
E07	GLASS DISHWASHER UNDER

**DETAIL PLAN (BAR-2)**

<p>PROJECT / ADDRESS                  PROPOSED ENTERTAINMENT FACILITY                  at 218 Queen Street Campbelltown                  (LOT 10 / DP 1178627)</p>		<p>DATE                  28.04.2020</p> <p>STATUS                  AMENDED</p>	<p>DATE                  02.12.2019</p> <p>SCALE                  1:500(A3)</p>
<p>PROJECT / ADDRESS                  PROPOSED ENTERTAINMENT FACILITY                  at 218 Queen Street Campbelltown                  (LOT 10 / DP 1178627)</p>		<p>DATE                  28.04.2020</p> <p>STATUS                  AMENDED</p>	<p>DATE                  02.12.2019</p> <p>SCALE                  1:500(A3)</p>
<p>PROJECT / ADDRESS                  PROPOSED ENTERTAINMENT FACILITY                  at 218 Queen Street Campbelltown                  (LOT 10 / DP 1178627)</p>		<p>DATE                  28.04.2020</p> <p>STATUS                  AMENDED</p>	<p>DATE                  02.12.2019</p> <p>SCALE                  1:500(A3)</p>

## Operational Plan of Management v2

### Overview

The entertainment facility at 218-226 Queen Street, Campbelltown will provide a unique venue in Campbelltown, and South West Sydney in offering a diverse and quality range of music for patrons as a place of social interest.

The goal of the entertainment facility is to create a place where the community can come together in the evenings where they can listen and dance to music produced by local artists, bands and DJs, instead of going to the city and other areas in greater Sydney. The venue wants to become at the forefront of the night economy in Campbelltown.

### Hours of Operation

Hours of operation are detailed below:

Day	PM	AM
Monday	8:00pm	Midnight
Tuesday	8:00pm	Midnight
Wednesday	8:00pm	Midnight
Thursday	8:00pm	3:00am (Friday)
Friday	8:00pm	3:00am (Saturday)
Saturday	8:00pm	3:00am (Sunday)
Sunday	8:00pm	Midnight

### Staff Numbers and Details

The total number of staff will range up to twenty (20) which consists of bartenders, RSA officers, floor staff, security guards and a site manager. All staff will be RSA (Responsible Service of Alcohol) licenced and trained. Majority of staff will be casual workers and contractors. **All crowd controller staff will always have their qualifications kept onsite along with all staff.**

### Onsite security

All security staff will be New South Wales licenced and fully briefed by Management on all aspects of the House Alcohol Management Policy. All security staff will also possess a current RSA certificate. Security staff will be present at the venue from 8pm till close on all trading days. Security staff will have access to support via radio link should circumstances require this. All security staff must enter the details of all incidents in the incident register as required by the relevant legislation. The incident register is checked on a daily basis to ensure that appropriate follow-up action is taken in relation to each incident and that the register includes all known incidents. The incident register is fully completed by outlining the following information:

- i. date and time the incident happened;
- ii. description of the place at the premises where the incident happened;
- iii. a description of each person involved in the incident, and, if known, the person's name;
- iv. details of the incident, including, for example, information about whether a patron was removed from the premises because of the incident;

- v. details of injuries sustained by persons involved in the incident;
- vi. details of action taken by a crowd controller or member of staff of the premises in response to the incident.

The premises will have electronic surveillance/monitoring consisting of 8 day/night cameras located in the entrance, floor and seating area and main bar service. Offsite monthly backups in DVD format will be kept for a minimum of 3 months. All surveillance footage will be made available to Police upon request.

#### **Patron Management**

To minimise impact on the amenity of the surrounding area, signs will be posted at the street exit requesting patrons leave the premises in a quiet and orderly manner. Venue security will monitor patrons as they leave and where necessary will inform them of this policy.

Management and staff will monitor patron numbers and inform security that the venue is operating at capacity so no additional patrons are allowed into the venue.

No minors will be allowed within the venue. All security will request personal identification of people looking under the age of 25.

The venue is close to public transport with train and bus options within 600 metres at Campbelltown Station. There is a taxi rank 20 metres away in front of the '4 Bargain Hunters'. Management, staff and security will inform patrons of these options if asked and these will also be clearly posted in the waiting area. Staff will contact Taxis if requested by patrons.

#### **Cleaning Program**

At the end of each trading night, staff will clean the entire site of food and drink spillages and cigarette butts. **Cleaning will be extended to the areas in front of the premises along Queen Street and to the rear of the premises including the car parking area. This task will also include the cleaning of graffiti.**

#### **Liquor Policy**

This Policy is to maintain the premises' obligations with respect to providing a safe environment for patrons and staff. This policy is to ensure that liquor is served, supplied and promoted in a way that is compatible with minimising harm from the consumption of liquor and preserving the peace and good order of the immediate area.

This Policy addresses ten accountabilities, along with underlying procedures to ensure that syndicate night club continues to provide a safe and friendly atmosphere for patrons to meet and socialise in a responsible environment.

#### **Acoustic Report recommendations**

All recommendations provided by Acoustic Dynamics dated 12 December 2019 will be adhered too. The recommendations have been incorporated on page 9 of the plan of management.



**Responsible Service of Alcohol***a. In support of achieving this policy, the licensee will ensure that:*

- i. staff have successfully completed a recognised Responsible Service of Alcohol program as required by the relevant legislation;
- ii. a true copy of all Responsible Service of Alcohol certificates are kept in a secure location to be produced as required;
- iii. a register is available for the recording of all incidents;
- iv. responsible Service of Alcohol signage and posters are displayed in prominent locations throughout the premises;
- v. there will be appropriate numbers of staff working behind the bar when the premises is conducting promotions involving the consumption of liquor;
- vi. the managers receive appropriate training and guidance to fulfil their obligations to staff and patrons. This will include managers being encouraged to complete the Responsible Management of Licensed Venues (RMLV) training.

*b. In support of achieving this policy, the management will ensure that:*

- i. they constantly reinforce Responsible Service of Alcohol principles and practices in every day trade;
- ii. they support staff that enforce Responsible Service of Alcohol practices;
- iii. the incident register be kept in a secure location and made available to staff at all times;
- iv. all staff members (especially crowd controllers) enter the details of all incidents in the incident register as required by the relevant legislation;
- v. the incident register is checked on a daily basis to ensure that appropriate follow-up action is taken in relation to each incident and that the register includes all known incidents.

*c. In support of achieving this policy, the staff will ensure that:*

- i. they have successfully completed an accredited Responsible Service of Alcohol program as required by the relevant legislation;
- ii. a true copy of their Responsible Service of Alcohol certificate is on file with management;
- iii. liquor is served in a responsible manner in full compliance with the Liquor Act 2007 and the Liquor Regulation 2008;
- iv. Responsible Service of Alcohol practices are adhered to at all times;
- v. the incident register is fully completed by outlining the following information:
  - date and time the incident happened;

- description of the place at the premises where the incident happened;
- a description of each person involved in the incident, and, if known, the person's name;
- details of the incident, including, for example, information about whether a patron was removed from the premises because of the incident;
- details of injuries sustained by persons involved in the incident;
- details of action taken by a crowd controller or member of staff of the premises in response to the incident.

#### **Unduly Intoxicated and Disorderly Patrons**

All staff employed by syndicate night club will ensure that liquor is not served or supplied to unduly intoxicated or disorderly patrons in full compliance with the Liquor Act 2007 and the Liquor Regulation 2008.

##### *a. In support of achieving this policy, the licensee will ensure:*

- i. all staff are trained in identifying signs of undue intoxication and/or disorderly behaviour;
- ii. a full dining menu and is available at all times;
- iii. competitively priced non-alcohol and low alcohol beverages are on offer;
- iv. free non-alcohol drinks are offered to all patrons that identify themselves as the designated driver;
- v. the managers receive appropriate training and guidance to fulfil their obligations to staff and patrons.

##### *b. In support of achieving this policy, the management will ensure that:*

- i. they discourage all drinking practices which foster a culture of irresponsible drinking, that may lead to the rapid or excessive consumption of liquor;
- ii. staff do not serve or supply liquor to unduly intoxicated or disorderly patrons;
- iii. they support staff who do not serve unduly intoxicated or disorderly patrons;
- iv. all relevant staff members are advised of incidences of refusal of service to ensure that refused patrons do not:
  - obtain liquor from a different bar attendant;
  - obtain liquor in a different bar area; or
  - obtain liquor from a friend.
- v. they monitor levels of undue intoxication and the conduct of all patrons;
- vi. they consider imposing indefinite bans on patrons that have committed serious acts of a disorderly nature whilst on premises and/or whether police should be advised;
- vii. consideration is given to resolving any disturbance in a passive manner, for instance;

- consider increasing lighting in areas where patrons are becoming unruly;
- consider the placement of security personnel to monitor and effect patron behaviour through security presence alone; and
- consider a change in music tempo to impact on patron behaviour
- they supervise all removals of patrons from the premises;

viii. the incident register is checked on a daily basis to ensure that appropriate follow-up action is taken in relation to each incident and to check that the register includes all known incidents and appropriate details.

c. In support of achieving this policy, the staff will ensure that:

- i. intoxicated and/or disorderly persons be refused entry;
- ii. patrons involved in disorderly behaviour will be brought to the attention of the manager who may ask the patron to leave the premises. (Disorderly behaviour can include dancing on the top of tables, vandalism, fighting, selling/using drugs, sexual harassment, racial statements, physical or verbal abuse, belligerence or other similar behaviours);
- iii. prior to entering the premises the details of the patron is checked against a list of barred patrons (including those patrons with a history of being riotous, quarrelsome, violent or disorderly on the premises or who have consumed or sold illegal substances on the premises). Where a patron has been recorded, the patron is to be refused entry and the management advised;
- iv. when denying entry, they use appropriate tact and be polite at all times;
- v. if the situation escalates, that is, the patron denied entry becomes belligerent or aggressive, they contact the manager immediately;
- vi. patrons are actively monitored for their levels of undue intoxication and behaviour;
- vii. patrons are not served or supplied liquor who are unduly intoxicated or disorderly. Staff should speak with the patron and watch for and observe signs of intoxication;
  - be polite, and avoid any value judgement about the patron;
  - if necessary, ask the manager on duty for back up and support;
- viii. they politely require any patron that becomes unduly intoxicated that is a disruption to other patrons to leave the premises. The manager is to be advised immediately.
- ix. they will politely require any patron that becomes disorderly to leave the premises;
- x. where an unduly intoxicated patron is not being a disruption to other patrons, the unduly intoxicated patron can remain on premises and is to be offered specially labelled bottles of water free until the safety of the patron is appropriately addressed. The following is recommended:

- make suitable arrangements if appropriate for the patron to get home safely (for example offer the patron access to a telephone to call a taxi or ring for someone responsible to come and get the patron);
- seat the patron in clear view of security personnel;
- offer water;
- ensure the patron is aware that they will not be served or supplied liquor again during their visit and if found in possession of liquor they will be required to leave the premises immediately; and
- although it is legal to use physical force to eject a patron that has refused to leave the premises as required, such force must not be excessive. Force that exceeds what is minimally necessary to quell a disturbance or remove a patron is strictly prohibited. In fact, force is a last resort after every reasonable effort has been made in the first instance to use reason & polite language when intervening or removing a patron;

xi. a patron is not removed from the premises if doing so violates their civil and human rights. These rights protect the patron from discrimination associated with a patron's age, gender, sexual orientation, disability, religion and racial background;

xii. in all cases where an unduly intoxicated patron is required to leave the premises or where the service of alcohol has been discontinued due to intoxication, the following will occur:

- staff will make appropriate inquiries to locate a responsible person known to the patron to take charge of the patrons safety;
- if a responsible person cannot be located, staff are to offer the patron access to a telephone to call a taxi or friend to come and get the patron;
- the patron is to be accompanied to the taxi ranks located directly opposite the premises where appropriate, enquiring firstly that the patron has sufficient funds for the taxi fare to arrive at their intended destination;
- consider the possibility of drink spiking, and if identified comply with the procedures for drink spiking outlined in this document: and
- finally, staff will seek to meet its duty of care obligations to all patrons and endeavour to comply with all reasonable requests from the patron with regards to that patron's safety.

xiii. they record the events of the removal in the incident register;

xiv. they report all potential problems to the manager or crowd controllers;

xv. they do not allow patrons behind the bar at any time.

**Staff Training**

All staff employed by syndicate night club will have the necessary qualifications (as required by law) and receive the necessary training in order to undertake their duties and fulfil their obligations to the best of their abilities.

a. In support of achieving this policy, the licensee will ensure that:

- i. staff are Responsible Service of Alcohol trained;
- ii. crowd controllers employed at the premises have specialist training in order to maintain and certify required standards of competency;
- iii. a training register is supplied for use by staff and management;
- iv. managers receive appropriate training and guidance to fulfil their obligations to staff and patrons.

b. In support of achieving this policy, the management will ensure that:

- i. the licence document of the premises will be shown to and read by all staff, ensuring that staff sign an acknowledgement in the register as required;
- ii. staff are informed of their responsibilities, obligations and penalties under the Liquor Act 2007 and the Liquor Regulation 2008.
- iii. the policies and procedures contained in this House Policy Document are reinforced on a day to day basis and at staff meetings;
- iv. the training register is properly maintained and contains:
  - copies of all Responsible Service of Alcohol certificates for staff currently employed;
  - a log of those certificates and respective expiry dates;
  - information to show whether each member of staff has read the House Policy for the premises; and
  - matters relating to the training of persons involved in the service or supply of liquor.
- v. staff meetings will be conducted as necessary (but at least once a month) to ensure that:
  - incidents that have occurred can be discussed so that staff have an opportunity to raise any concerns they have;
  - responsible Service practices are reinforced; and
  - staff are kept informed of changes in the industry;
- vi. records are kept of all staff attending and the topics discussed at all staff meetings and this information is appropriately recorded in the training register;
- vii. they encourage staff to be trained efficiently and effectively for their job;

*c) In support of achieving this policy, the staff will ensure that:*

- i. all front of house staff submit their RSA before the commencement of employment
- ii. if a crowd controller, they complete the Responsible Service of Alcohol program prior to being employed as a crowd controller;
- iii. prior to the commencement of duties, they have signed to acknowledge that they agree with the licensee/nominee to work according to this House Policy;
- iv. they comply with all of the conditions stated on the licence document;
- v. where an incident occurs that may have caused concern to any staff member or patron on the premises, the events are to be noted and raised for discussion at the next staff meeting;
- vi. they attend regular staff meetings to ensure they are kept informed of changes in the industry and other important matters raised.

## Acoustic Report recommendations

### 7 RECOMMENDATIONS & ADVICE

Acoustic Dynamics' analysis and prediction calculations indicate the subject premise achieves compliance with the relevant noise emission criteria, however, Acoustic Dynamics recommends the incorporation of the following management plan to protect the acoustic amenity of the surrounding area.

#### 7.1 MANAGEMENT PLAN

The following management plan outlines procedures to ensure noise emission from activities associated with the proposed extension of trading hours are kept to a minimum, including:

- 1) Ensuring patrons leave the premises in a quiet and sensible manner to minimise any potential impacts on the surrounding amenity, including signage reminding patrons to be aware of their neighbours and to leave in a quiet manner;
- 2) Ensuring patrons queuing along Queen Street are behaving in a quiet and sensible manner to minimise any potential impacts on the surrounding amenity;
- 3) Preventing patron ingress and egress via the rear of the building, located to the southeast;
- 4) Noise generating activities such as placing empty glass bottles in bottles bins are conducted during the day time hours only;
- 5) Deliveries to be received during the day time hours only (7am to 6pm Monday to Saturday, 8am to 6pm Sundays and Public Holidays);
- 6) Amplified music (including live music) must not exceed a maximum reverberant noise level of **90 dB(A)** within the area;

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ACOUSTIC DYNAMICS – EXCELLENCE IN ACOUSTICS

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- 7) Mechanical equipment should be regularly maintained and serviced to maintain low mechanical noise emission levels;
- 8) At the cessation of trade, staff and security should actively discourage loitering near the venue to minimise any potential impacts on the surrounding amenity.

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## Development Application Review

**DA Reference No:** 3989/2019/DA-U

**Council:** Campbelltown City Council

**Developer/Applicant:** RDP Consultancy / Alex Petkovic (Director)

**Property address:** 218-226 Queen Street, Campbelltown (Endeavour Square)

**Proposed development/use of space:** Entertainment facility which is proposed to operate from 9pm to 4am Monday to Sunday with a maximum patronage of 500 at any given time.

### 1. Introduction

On Thursday the 23rd of January 2020, Campbelltown City Police Crime Prevention Officer Senior Constable David Blom reviewed the above Development Application (DA). In line with section 4.15 of the New South Wales Planning & Assessment Act 1979 and the New South Wales Planning Guidelines, the below report has been conducted on Development Application 3989/2019/DA-U. Some of the below content was obtained in the Statement of Environmental Effects compiled by RDP Consultancy.

If the application is requesting a liquor licence, they must apply to Liquor and Gaming NSW for approval.

Campbelltown City Police Licensing Unit must be informed and requested for comment on the liquor licence request. This report is for the built environment and structures in relation to the DA only, with Crime Prevention Through Environmental Design (CPTED) principles applied. This can be requested through Campbelltown City Police Licensing Sergeant Carol Ray via 46201172 or 46201103.

### 2.1 Current environment

There are currently no similar facilities in the near proximity of the proposed development with only retail stores operating. The 7-11 across the street from the proposed development is the only premises that operating late trading hours.

The surrounding development is as follows:

- North: Immediately adjoining the site to the north is a retail premises known as Salvos;
- South: Immediately adjoining the site to the south is a retail premises known as 3 Star Spices & Groceries;

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- West: Immediately west of the site is Queen Street, Campbelltown. Over the other side of the street are multiple retail shops; and
- East: Immediately adjoining the site to the east is the car parking which is provided for the entire retail site occupying 218-226 Queen Street.

As shown above, the locality is characterised by a mix of commercial development. No residential properties are located in close vicinity to the site.

In the greater vicinity there is the Campbelltown Catholic Club, Macarthur Tavern and Wests Leagues Club that operate as entertainment venues for the local community.

## **2.2 Proposed development**

It is proposed to use the existing shop tenancy at 218-226 Queen Street, Campbelltown for the purposes of an entertainment facility which is proposed to operate from 9pm to 4am Monday to Sunday with a maximum patronage of 500 at any given time.

## **3. Crime risks and identified issues**

### **3.1.**

Current/trending crimes that impact the local area that should be considered within the design and building process.

Alcohol related assault, Break and enter, steal from motor vehicle, domestic violence assault and malicious damage offences are current crimes that are impacting the local area. As such, recommendations for the development have been made and are listed below.

### **3.2.**

Crimes that the current proposed development application will introduce or facilitate within this space.

Antisocial behaviour is often associated with these types of establishments. This in combination with those crimes (among others) outlined above could potentially increase if this proposed development was implemented. Alcohol related crime would inevitably increase due to alcohol being purchased/consumed on the premises. Additionally, there is the high likelihood of alcohol being consumed within the immediate precinct of the proposed development.

The increased crime rates could be quite substantial for the local area. Firstly, as there are no premises that operate purely as an entertainment venue this would encourage the consumption of alcohol for their target demographic of persons aged 18-25 years, which would increase the risk of

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alcohol related crime. This can be minimised with the strategies recommended below, however would pose a greater risk to community safety than can be justified in proceeding with the proposed development.

Secondly, this potential for alcohol related crime is in line with the previous entertainment venue or "Night Club" at 209 Queen Street, that caused considerable anti-social behaviour issues and crime within the immediate Campbelltown CBD. This development would also have a considerable impact on law enforcement resources policing the facility.

### **3.3.**

Developments can introduce or facilitate certain issues that are not necessarily a crime, but impact on the ability to police a space.

Whilst consuming alcohol is not a crime, intoxication due to the consumption of alcohol can lead to anti-social behaviour which is a factor to perception of public safety and fear of crime. If anti-social behaviour can go undeterred or unchallenged (or the potential thereof) than this can lead to crime being committed.

The proposed development is approximately 500 metres from Campbelltown Railway Station and designated Taxi stand area. The development would see cohorts of intoxicated persons converging on public transport walking along a number of major arterial roadways. Historically, these routes attract antisocial behaviour between the development and transport hub. This would result in a conglomerate of intoxicated persons converging at these public transport locations. This will further impact on policing resources requiring them to maintaining law and order at these public locations.

The surrounding venues of Campbelltown Catholic Club, Macarthur Tavern and Wests Leagues Club, all trade late, and provide entertainment for the developments target demographic. Additionally, these three types of venues are registered clubs or pubs, which makes them highly regulated by liquor and gaming authorities. In summary, Police are of the opinion that the local area does not require the type of venue that is being proposed.

## **4. Recommendations**

CPTED is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximize risk to offenders (increasing the likelihood of detection, challenge and apprehension).
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)

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- Minimise the actual and perceived benefits of crime (removing, minimizing or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalization of inappropriate behaviour)

CPTED employs four key strategies. These are surveillance, access control, territorial re-enforcement and space/activity management.

**If the development was to be approved, it is essential that all the below recommendations are implemented into the development consent.**

**Due to the nature of the development, identified crime risks and issues, we recommend the following:**

- The development applicant submits a Crime Prevention Through Environmental Design report.
- The development applicant submit a security and plan of management.
- The development applicant provides a Closed Circuit Television report.

Further recommendations are listed below taking CPTED principals and strategies into consideration.

### Surveillance

*Natural surveillance* is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. *Natural surveillance* is a by-product of well-planned, well-designed and well-used space. *Technical/mechanical Surveillance* is achieved through mechanical/electronic measures such as CCTV, help points and mirrored building panels. *Technical/mechanical surveillance* is commonly used as a 'patch' to supervise isolated, higher risk locations. *Formal (or Organised) Surveillance* is achieved through the tactical positioning of guardians. An example would be the use of on-site supervisors at higher risk locations.

- Buildings facing 'outward' towards public and semi-public areas provide natural surveillance and informal supervision (eyes on the street).
- Entry points should be designed so as to maximize surveillance opportunities to and from these areas from both inside as well as outside.
- The placement and orientation of common entry areas should maximize opportunities for natural supervision by staff and other guardians.
- Laminated glass walls and windows facilitate supervision of common entry areas.

### Recommendations:

- Ensure that CCTV cameras are installed effectively around the premises, in accordance to Australian Standards. Suitably trained staff in the operation of the CCTV system should always be working.

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- Extensive CCTV camera coverage should cover all entry and exit points which adequate light to be used in conjunction with the cameras.

**Lighting**

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity (Painter, 1997). Good lighting can assist in increasing the usage of an area. There is no information with the plans, which were reviewed to indicate the lighting proposals for the development.

**Recommendations:**

- Lighting should be designed to the Australian and New Zealand Lighting Standards or higher.
- Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- Adequate lighting should be used when operating CCTV cameras during times of low light and darkness.

**Territorial Re-enforcement**

Criminals rarely commit crime in areas where the risk of detection and challenge are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. *Territorial Re-enforcement* uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/not be and what activities are appropriate.

- The boundaries of the development are reasonably well defined.
- Effective signage and directions will provide guidance to visitors/customers in locating main areas and keep them away from restricted areas.
- Signs can also assist in controlling activities and movements throughout the premises.

**Recommendations:**

- Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas.
- Post warning signs around the perimeter of the business to warn intruders of what security treatments have been implemented to reduce opportunities for crime, such as, *Warning. This property is under electronic surveillance.*  
*Warning. No large amounts of cash are kept on these premises.*
- The street number must be prominently displayed at the front of the complex to comply with the Local Government Act, 1973.

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**NSW Police Force****Landscaping**

Landscaping can be used to enhance the appearance of the development and assist in reducing opportunities for vandalism. However, landscaping can also provide concealment or entrapment areas for people involved in criminal behaviour.

**Recommendations**

- Remove obstacles and rubbish from property boundaries, footpaths, driveways, car parks and buildings to restrict concealment of offenders (including the construction phase).
- Any new landscaping should be designed so that it does not provide concealment or entrapment areas and should be maintained regularly

**Environmental Maintenance**

All space, even well planned and well-designed areas need to be effectively used and maintained to maximize community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

**Recommendations:**

- As malicious damage (graffiti) is often an offence caused to such developments, strong consideration must be given to the use of graffiti resistant materials, particularly on the fences, ground floor, carparks and areas which are accessible by other structures to reduce such attacks or assist in the quick removal of such attacks.
- A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally within a forty-eight-hour period

**Space/Activity Management**

Space/Activity management strategies are an important way to develop and maintain *natural* community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximize community safety. Places that are infrequently used are commonly abused. It is important to reiterate, there is a high correlation between urban decay, fear of crime and avoidance behaviour.

**Recommendations:**

- Entrances to toilets within the premises always need to be covered by CCTV and monitored by security. Regularly cleaning should be undertaken.

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**Campbelltown City Police Area Command**

65 Queen Street, Campbelltown

T 02 46201199 F 02 46201242 W [www.police.nsw.gov.au](http://www.police.nsw.gov.au)

TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

**TRIPLE ZERO (000)**

Emergency only

**POLICE ASSISTANCE LINE (131 444)**

For non emergencies

**CRIME STOPPERS (1800 333 000)**

Report crime anonymously

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## NSW Police Force

- Furniture should pose no threat to being used as a weapon or used to cause malicious damage. This includes chairs and tables, planter boxes and potential inclusion of garden rocks, garden statues, etc.
- Any Automated Teller Machines (ATM) should be placed in a position where vehicles cannot potentially reach (i.e. elevated area of the club). ATM's positioning should consider privacy for the uses but maximize safety. As such they should be placed in common areas, away from main entries and exits, in easy view of staff and under CCTV surveillance at all time.

### Access Control

Access control treatments restrict, channel and encourage people and vehicles into, out of and around the development. Way-finding, desire-lines and formal/informal routes are important crime prevention considerations.

Access control is used to increase the time and effort required to commit crime and to increase the risk to criminals. *Natural access control* includes the tactical use of landforms and waterways features, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens. *Technical/Mechanical access control* includes the employment of security hardware and *Formal (or Organised) access control* includes on-site guardians such as employed security officers.

### Recommendations:

- The rear doors that lead to the carpark should be used for emergency exit only and not for use for general patronage. This will minimize entry and exit points which allows for staff to more effectively and efficiently monitor the premises and control access.
- Emergency evacuation plans should be updated and maintained to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed.
- Staff should be suitably trained in evacuation procedures.
- It is recommended that the premise be fitted with an Intruder alarm system as this will enhance the security of the development. Ensure that the system has been designed and installed to the Australian Standard (Domestic and Commercial Alarm Systems).
- All "Staff Only" spaces should always be secure and kept locked while not in use.

## 5. Conclusion

In conclusion, Police would not support the proposed development due to the reasons outlined in section 3, 'Crime risks and identified issues'.

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**NSW Police Force****Disclaimer**

The New South Wales Police Force has a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this assessment, any person who does so acknowledges that:

- It is not possible to make all areas evaluated by the NSWPF entirely safe for members of the community or the security of their property.
- It is based upon the information provided to the NSWPF at the time the assessment was made.
- This assessment is a confidential document and is for use of the consent authority unless otherwise agreed.
- The contents of this assessment are not to be copied or circulated otherwise than for the purposes of the consent authority, unless otherwise agreed.

The NSW Police Force hopes that by using the recommendations contained in this assessment, criminal activity will be reduced and the safety of members of the community and the security of their property will increase. However, it does not guarantee that all risks have been identified, or that the area assessed will be free from criminal activity if its recommendations are followed.

Should you have any questions in relation to the evaluation contact Senior Constable David Blom, Crime Prevention Officer, Campbelltown City PAC, via 4620 1293 or [blom1dav@police.nsw.gov.au](mailto:blom1dav@police.nsw.gov.au)

Yours sincerely,

David Blom  
Senior Constable  
Crime Prevention Officer  
Campbelltown City Police Area Command

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## RDP Consultancy

Monday, 9 November 2020

Michelle Penna  
91 Queen Street  
Campbelltown NSW 2560

**RE: DA 3989/2019/DA-U - Use of the premises at 218 Queen Street, Campbelltown**

Dear Michelle,

In response to your email regarding the abovementioned site, I can confirm the use of the premises will be for the purpose of a night club which would be defined as an entertainment facility under the Campbelltown Local Environmental Plan 2015.

A nightclub is generally distinguished from regular bars, pubs, or taverns by the inclusion of a stage for live music, one or more dance floor areas and a DJ booth, where a DJ plays recorded music. As part of the DA, a dance floor and a DJ booth have been provided.

The primary purpose of the use as a nightclub is not the selling of alcohol. The selling of alcoholic beverages at the venue can be considered secondary to the fact that the primary focus of the use is to have people socialise in a setting where you can party, dance, listen to music as well as eat and drink in the seated lounge areas.

It is noted that the dance floor area marked out on the plan dated 28.06.2020, drawing number 19239-3 can also be expanded. The overflow of people dancing can occur to the area not marked out adjacent to the dance floor. The tables within seating area A and B can also be removed and can expand the dance floor further if required. This can create a dance floor larger than 120sqm.

A pub setting would not include such a dance floor and would be more of a casual environment.

Roughly 500sqm of the site is used for the bar areas, the plant room, powder room, kitchen, staff room, stairs, and toilets. Making the rest of the 500sqm usable space for the purposes of the DJ booth, dance floor, and seated areas.

The hours of operation of the proposed use are not appropriate to pubs. Pubs tend to close prior to midnight and are open throughout the day. The hours of the proposed night club are strictly evening hours to the earlier mornings of the next day. In this case, this would be 8:00pm to midnight (Monday, Tuesday, Wednesday and Sunday) and 8:00pm to 3:00am (Thursday to Friday, Friday to Saturday and Saturday to Sunday).

Pubs generally allow minors within their venues, if/if not accompanied by their parent, guardian and/or someone over the age of 18. At the proposed night club, no minors will be allowed within the venue. All persons looking under the age of 25 will be requested to provide personal identification. In addition, the proposed night club will have a particular dress code. Pubs do not have dress codes.

**RDP Consultancy M: 0434 482 960 E: [rdpconsultancy@outlook.com](mailto:rdpconsultancy@outlook.com)**



## RDP Consultancy

The proposed night club also has no gambling slot machines, keno and betting such as pubs. The proposed night club will not provide any such short-term accommodation onsite as is the case at some pub venues, notably the Crossroads Hotel. The proposed night club will also not sell take away alcoholic beverages for the purpose of a retail store such as a bottle shop.

In conclusion, it has been demonstrated that the proposed use is for the purpose of a nightclub, rather than a pub. It has been proven that the proposed use as a nightclub has clear differences to a pub by the way of its operating hours, no minors, no gambling, no accommodation, no selling of take away alcohol, a dance area and a DJ booth. The primary objective of the proposed nightclub is for people to gather in a safe environment within a space to socialise whilst dancing to live music, meeting new people and having a drink. The selling of alcohol is not the primary objective of the proposed nightclub.

If there is any additional information needed, please get in touch with me and I will provide it to you ASAP.

Best regards,

Alex Petkovic  
Managing Director, RDP Consultancy

**RDP Consultancy M: 0434 482 960 E: [rdpconsultancy@outlook.com](mailto:rdpconsultancy@outlook.com)**

## ATTACHMENT 1

### Recommended Conditions of Consent

#### GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

#### 1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Plan Detail	Job Number	Prepared by	Date
Site Plan	19239-1	Space Plus Architecture and Interior Design	2 December 2019
Existing Ground and First Floor Plan	19239-2	Space Plus Architecture and Interior Design	2 December 2019
Proposed Ground Floor and First Floor Plan	19239-3, Revision A	Space Plus Architecture and Interior Design	28 June 2020
CCTV & Lighting Plan	19239-4, Revision A	Space Plus Architecture and Interior Design	28 June 2020
Elevations and Section Plan	19239-5	Space Plus Architecture and Interior Design	2 December 2019
Kitchen Detail Plan	19239-6, Revision A	Space Plus Architecture and Interior Design	28 June 2020
Bar 1 Detail Plan	19239-7, Revision A	Space Plus Architecture and Interior Design	28 June 2020
Bar 2 Detail Plan	19239-8, Revision A	Space Plus Architecture and Interior Design	28 June 2020

- BCA/ Fire Safety Report, prepared by NSW Building Approvals and dated 9 December 2019.
- Operational Noise Emission Assessment, prepared by Acoustic Dynamics and dated 12 December 2019.
- Plan of Management, Version 2.
- DDA & Access Assessment Report, prepared by Knisco and dated 2 August 2020.
- Accessibility Performance Solution Report, prepared by Knisco and dated 2 August 2020.

## 2. Hours of Operation

The hours of operation are as follows except where otherwise advised in this consent:

- a) Except where otherwise allowed by this consent, the hours of operation must be restricted to between 8pm and 12am (midnight) Monday to Sunday, inclusive.
- b) Notwithstanding (a) above, the use may operate between 12am (midnight) and 3am Thursday to Saturday, inclusive for a trial period of 12 months from the date of the Occupation Certificate. Council is to be notified in writing of the date of commencement of the trial hours within 14 days prior to the commencement. The trial period is not to extend beyond 12 months from the issue of the occupation certificate and commencement of the use of the premises as an entertainment venue.
- c) A further application may be lodged to continue the operating hours outlined in (b) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.

## 3. Maximum Capacity of Persons

- a) The maximum number of patrons permitted in the premises at any one time is 500 persons subject to any limits imposed by other relevant legislative requirements.
- b) The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above.
- c) A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building. Details are to be provided to the satisfaction of the appointed Principal Certifier prior to the issue of an Occupation Certificate.
- d) Note: Clause 98D of the *Environmental Planning and Assessment Regulation 2000* requires a sign specifying the maximum number of persons permitted in the building to be displayed in a prominent position for the following types of premises:
  - i. entertainment venue,
  - ii. function centre,
  - iii. pub,
  - iv. registered club,
  - v. restaurant.

## 4. Sale of Alcohol

Prior to the sale of alcohol on the premises, an on-premises liquor licence is required to be approved by the appropriate authority.

## 5. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to

that Code as in force on the date the application for the relevant construction certificate is made.

**6. Advertising Signs – Separate DA Required**

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

**7. Trial Period of Consent**

This consent will lapse twenty (24) months from the release of the occupation certificate and commencement of the use of the premises as an entertainment facility. Written notification shall be provided to Council of the commencement date within 14 days of commencement.

**8. Storage of Goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

**9. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

**10. Nightclub**

The operation of the premises shall be carried out in accordance with the following requirements:

- a. The operation of the premises shall be carried out in accordance with the plan of management approved with this consent and any other Police requirements;
- b. The installation of CCTV surveillance cameras in and around the premises, placed in strategic places such as the external entrance and exit doors. The surveillance tapes shall be kept for a minimum period of 14 days for viewing by the Police upon request.
- c. Footpath lighting shall be provided along the front entrance for the full frontage of the site. The location, design and illumination of such lighting shall ensure pedestrian safety and shall be at a minimum level of 10 lux in the horizontal and vertical plane.
- d. The management / licensee shall ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise, loitering and litter generated by patrons of the premises and shall ensure that people leave the premises and area in an orderly manner. If so directed by the Police or Council, the management is to employ private security staff to ensure that this condition is complied with to the satisfaction of Council.
- e. The management / licensee shall prevent patrons removing glasses, opened cans, bottles or alcohol from the premises (except from any approved Bottle Shop area).
- f. Signs shall be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

- g. In addition to the sign showing the licensee's name, there shall be affixed alongside, details of the maximum number of persons permitted in the premises, in letters not less than 25mm, displayed at the main front entrance of the premises. The overall size of both signs shall not exceed 600mm in height or width in total.
- h. A public telephone and a breathalyser shall be installed inside the premises for patrons to use at all times.
- i. The use of the premises shall not give rise to any one or more of the following:
  - i. Transmission of vibration to any place of different occupancy greater than specified in Australian Standard 2670 (as amended).
  - ii. An indoor sound pressure level in any place of different occupancy (and/or public place) greater than 3dB above the L90 background level or greater than 5dB at the boundary of any affected property in any octave band from 31.5 Hz to 8,000 Hz centre frequencies inclusive between the hours of 8.00 a.m. to 10.00 p.m. daily and 0dB above the L90 background between 10.00 p.m. and 8.00 a.m. the following morning.
  - iii. A sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055 (as amended). Acoustics - Description and Measurement of Environmental Noise.
  - iv. The "emission of an offensive noise" specified under the Protection of the Environment (Operations) Act 1997.
  - v. The emission into the surrounding environment of gases, vapours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health.
  - vi. The method of measurement of vibration in i. and sound levels in ii., iii. and iv. shall be carried out in accordance with Australian Standard 2973 (as amended) for vibration measurements. Australian Standard 1055 (as amended) for outdoor sound level measurements, and Australian Standard 2107 (as amended) for indoor sound level measurements.
- j. The applicant shall appoint a suitably qualified acoustic engineer to measure and verify that noise emanating from the premises, at the nearest residential boundary, is not above the ambient background noise level (with such measurement being made between 8.00pm and midnight), while entertainment is being provided on the first 3 occasions and shall make recommendations to ensure the entertainment is inaudible at the nearest residential property. The results of such measurements shall be submitted to Council, and no further public entertainment shall take place until such time as any necessary recommendations of the acoustic consultant of other matters considered appropriate by Council have been satisfactorily implemented.

## 11. Car Parking Spaces

Twenty seven car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended). Disabled car parking spaces are to be provided at the rate as specified within the relevant Australian Standards and/or Building Code of Australia, whichever is the greatest.

The car park shall be maintained in a good state of repair with the surface deformations and potholes repaired and line marking maintained to ensure car park capacity is retained and trip hazards are minimised.

**12. Public Liability Insurance**

A copy of valid public liability insurance cover for the value of \$20,000,000 (twenty million dollars) or as adjusted by Council, indemnifying Council from all and any claims arising from an incident caused or associated with operations or activities carried out within the public domain in accordance with the approved use shall be sent annually to Council's Property Services Section within seven days of the commencement of the period of insurance, or insurance renewal.

The value of the public liability insurance cover will be reviewed by Council on an annual basis and where Council deem it necessary to vary the amount of cover required, any subsequent policy taken out will need to be of an equal or greater amount to that set by Council following its review. In this regard, prior to the applicant applying for an annual renewal of the public liability insurance cover, the applicant is to contact the Council's Property Services Section to confirm the current value of the public liability insurance cover required for the continued use of the premises.

**13. Rubbish/Recycling Bin Storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

**14. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall appoint a Principal Certifier;
- a. the applicant shall obtain a construction certificate for the particular works; and
- b. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

**15. Pollution and Waste Management Conditions**

The following conditions have been applied to ensure that all activities involving the operation of the facility are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2015 and associated technical standards:

**AMENITY OF THE NEIGHBOURHOOD** – The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

**OFFENSIVE NOISE** – The development must be design so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
  - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

NSW INDUSTRIAL NOISE POLICY –The use of the premises must not exceed the noise criteria outlined in the NSW Industrial Noise Policy.

UNREASONABLE NOISE, ODOUR, DUST AND VIBRATION - In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

WASTE MANAGEMENT - Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer.

The business operator must enter into a commercial waste contract agreement for regular waste & recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

#### **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

#### **16. Waste Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the relevant provisions of Council's *Waste Management Plan* is to be completed to the satisfaction of Council.

**17. Design for Access and Mobility**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

**18. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed Principal Certifier prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

**19. Erection of Construction Sign**

Prior to the commencement of any works on the land, signs must be erected in prominent positions 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 may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such signs 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.

**20. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

**21. Public Property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.



**22. Demolition Works**

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

**23. Hoarding / Fence**

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 *Work Cover* requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

**DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

**24. Construction Work Hours**

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

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

**25. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

**26. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/ regularly watered to the satisfaction of the appointed Principal Certifier.

**27. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

**28. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

**29. Demolition Work/Plan**

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of *Australian Standard A52601-2001 The Demolition of Structures*.

**30. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

**31. Building Upgrade**

Pursuant to Clause 94 of the Environmental Planning & Assessment Regulation 2000, the existing building shall be brought into conformity with the Building Code of Australia (BCA).

In this regard, the building shall be upgraded in accordance with the recommendations of a BCA Compliance Report issued by the Principal Certifying Authority.

Details demonstrating compliance with this report and the BCA shall be submitted to Council or an accredited certifier prior to the issue of an occupation certificate.

**32. Carpark Area**

Prior to the release of the occupation certificate and prior to the use of the premises as an entertainment venue, the surface deformations and potholes within the car parking area shall be repaired to ensure that there are no trip hazards and the line marking for the car parking spaces shall be refreshed so that car parking spaces are clearly delineated to ensure maximum capacity of the car parking area is achieved.

**33. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

**FOOD CONSTRUCTION CONDITIONS**

The following conditions have been applied to ensure that all construction and fit-out of the food premises complies with the *Food Act 2003*, *Food Regulation 2015* Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.

**34. Construction**

The construction, fit-out and finishes of the food premises must be constructed in accordance with the *Food Act 2003*, *Food Regulation 2015*, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004 Design, construction and fit-out of food premises.

**35. Registration**

The premise is required to be registered with Council. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

**36. Food Premises Fit-Out Pre-Construction Meeting and Inspection**

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this Consent, the *Food Act 2003*, *Food Regulation 2015*, Food Standards Code Australia and New Zealand and AS 4674-2004.

**37. Food Safety Supervisor**

Food businesses selling ready-to-eat potentially hazardous foods are required by law to appoint a Food Safety Supervisor that has undertaken food safety training at a registered training organisation approved by the NSW Food Authority.

**38. Floor Construction**

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

**39. Floor Waste**

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates (AS 4674-2004, Section 4.1.8).

**40. Coving**

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas. All coving must:

- a. Have a minimum concave radius of 25mm; or
- b. Be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the Australian Standard (AS 4674-2004, Section 3.1.5).

**41. Penetrations/Service Lines**

**INTEGRAL PENETRATIONS/SERVICE LINES** - All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

**EXTERNAL PENETRATIONS/SERVICE LINES** - External service pipes and electrical conduit must be fixed on brackets so to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

**42. Wall Requirements**

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

**43. Window Sills**

Window sills located within a food preparation area or food service area must be located 450mm above the top of any bench or sink and tiled at a splayed angle of 45°.

**44. Ceiling Construction**

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

**45. Light Fittings**

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. Recessed so that the diffuser is flush with ceiling; or
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

**46. Hand Wash Basins**

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible from no further than 5 metres away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

**47. Dishwashing Machines**

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for two minutes or 75°C for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

**48. Equipment Wash Sinks**

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand wash basin.

or

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

**49. Food Preparation Sink**

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

**50. Cleaner's Sink**

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

**51. Tap Fittings**

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600mm above the floor in a convenient and accessible location within the food preparation area and adjacent to the floor waste (AS 4674-2004, Section 4.1.8).

**52. Fittings and Fixtures**

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 and 4.3).

**53. Food Preparation Benches**

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

**54. Benches**

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices (AS 4674-2004, Section 4.2).

**55. Shelving**

All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150mm from the floor level (AS 4674-2004, Section 4.2).

**56. Food Display Units**

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Standards Code 3.2.2).

**57. Food Storage**

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

**58. Cool Room and Freezer Room**

The cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the cool room and freezer room adjacent to the door.

All metal work in the cool room and freezer room must be treated to resist corrosion.

Condensation from the refrigeration units/cool room/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The cool room and freezer room must be provided with:

- a. A door which can at all times be opened internally without a key; and
- b. An approved alarm device located outside the room, but controllable only from the inside.

**59. Condensation Collection**

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

**60. Mechanical Exhaust Ventilation**

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings, where:

- a. Any cooking apparatus has:
  - i. A total maximum electrical power input exceeding 8 kW; or
  - ii. A total gas power input exceeding 29 MJ/h; or
- b. The total maximum power input to more than one apparatus exceeds:
  - i. 0.5 kW electrical power; or
  - ii. 1.8 MJ gas per m<sup>2</sup> of floor area of the room or enclosure; or
- c. Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

**61. Pest Protection**

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between cool room walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as cool rooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

#### **62. Toilet Facilities and Hand Basins**

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors; or
- b. Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

#### **63. Locker Storage for Staff Belongings and Equipment**

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

#### **64. Meter Box**

Where a meter box is situated within a food preparation area, an approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45° to the wall at the top and made tight fitting to the wall surfaces.

#### **65. Roller Door**

Where a roller door is situated in the food preparation area it must be enclosed in a frame, sheeted with compressed cement with a smooth and sealed finish. The enclosure must be accessible for pest control inspection and maintenance (AS 4674-2004, Section 2.1.5).

#### **66. Hot Water Service**

The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

#### **67. Smoke Free Areas**

Any enclosed eating area must be smoke free. Smoking is not permitted in all outdoor eating areas. "No Smoking" signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website for further information <http://www.health.nsw.gov.au>



**68. Office Materials**

Facilities for storing paperwork and other materials associated with the administration of the business must be in a designated room for office use or in an enclosed cupboard or drawer dedicated for that use (AS 4674-2004, Section 5.1.3).

**69. Waste and Recycling Storage, Collection and Disposal**

The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00pm and must be removed by 8.00am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay by the food business operator.

Where a Waste Storage area /room must be provided it must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas shall be paved with impervious material and shall be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply shall be provided (AS4674-2004 – Section 2.4).

**70. Grease Arrestors**

All grease arrestors must be located outside of where food and equipment is handled or kept. Access to grease arrestors for emptying shall not be through area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS4674-2004 Section 2.3).

The person with the benefit of this consent must obtain and submit to Council details of a Trade Waste Agreement with Sydney Water before the issue of the Construction Certificate. If no trade waste agreement or grease trap is required, a letter from Sydney Water is to be submitted to the accredited certifier to this effect.

Please contact Sydney Water for information and requirements for grease arrestors by calling 132092.

**NSW POLICE****71. Surveillance**

Ensure that CCTV cameras are installed effectively around the premises, in accordance to Australian Standards. Suitably trained staff in the operation of CCTV system should always be working.

Extensive CCTV camera coverage should cover all entry and exit points which adequate light to be used in conjunction with the cameras.

**72. Lighting**

Lighting should be designed to the Australian and New Zealand Lighting Standards or higher.

Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.

Adequate lighting should be used when operating CCTV cameras during times of low light and darkness.

**73. Territorial Re-enforcement**

Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas.

Post warning signs around the perimeter of the business to warn intruders of what security treatments have been implemented to reduce opportunities for crime, such as:

- *Warning. This property is under electronic surveillance.*
- *Warning. No large amounts of cash are kept on these premises*

The street number must be prominently displayed at the front of the complex to comply with the Local Government Act, 1973.

**74. Landscaping**

Remove obstacles and rubbish from property boundaries, footpaths, driveways, car parks and buildings to restrict concealment of offenders (including the construction phase).

Any new landscaping should be designed so that it does not provide concealment or entrapment areas should be maintained regularly.

**75. Environmental Maintenance**

As malicious damage (graffiti) is often an offence caused to such developments, strong consideration must be given to the use of graffiti resistant materials, particularly on the fences, ground floor, carparks and areas which are accessible by other structures to reduce such attacks or assist in the removal of such attacks.

A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally within a forty-eight hour period.

**76. Space/Activity Management**

Entrances to toilets within the premises always need to be covered by CCTV and monitored by security. Regularly cleaning should be undertaken.

Furniture should pose no threat to being used as a weapon or used to cause malicious damage. This includes chairs and tables, planter boxes and potential inclusion of garden rocks, garden statues etc.

Any Automated Teller Machines (ATM) should be placed in a position where vehicles cannot potentially reach (i.e elevated area of the club). ATM's positioning should consider privacy for the uses but maximise safety. As such they should be placed in common areas, away from main entries and exists, in easy view of staff and under CCTV surveillance at all.

## 77. Access Control

The rear doors that lead to the carpark should be used for emergency exit only and not for use for general patronage. This will minimize entry and exit points which allows for staff to more effectively and efficiently monitor the premises and control access.

Emergency evacuation plans should be updated and maintained to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed.

Staff should be suitably trained in evacuation procedures.

It is recommended that the premise be fitted with an Intruder Alarm System as this will enhance the security of the development. Ensure that the system has been designed and installed to the Australian Standard (Domestic and Commercial Alarm Systems).

All "Staff Only" spaces should always be secure and kept locked while not in use.

## ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

### Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

### Advice 2. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

**Advice 3. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

**Advice 4. Inspection within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

**Advice 5. Adjustment to Public Utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

**Advice 6. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

**Advice 7. Smoke Free Environment Act**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

**Advice 8. Bonds and Bank Guarantees**

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution. Bonds will not be accepted in any other form or from any other institution.

**END OF CONDITIONS**

## **5. CONFIDENTIAL ITEMS**

### **5.1 Planning Proposal - Leumeah**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(f) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

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