

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

The development shall operate with a maximum of eight sex workers at the premises at any one time.

2. 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.

3. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants.

4. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

5. Switchboards/Utilities

Switchboards, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

6. 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.

7. Car Parking Spaces

Ten 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).

8. Construction Certificate

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

- a. The applicant shall obtain a construction certificate for the particular works;
- b. The applicant shall appoint a principal certifying authority; and
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works

9. Surveillance

A digital CCTV system and good lighting shall be installed to cover the car parking area, entry point, ground floor reception and waiting area. The surveillance equipment shall be kept in working order and regularly maintained by a suitably qualified person.

10. Landscaping Maintenance

The landscaping adjacent to the front boundary shall be regularly maintained and trimmed to reduce concealment opportunities, increase visibility and sight lines.

11. Plan of Management

The Plan of Management submitted with the development application forms part of the development consent and shall be adhered to.

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 an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

12. 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.

13. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the Campbelltown City Council Section 94A Development Contributions Plan.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than \$100,000 but less than \$500,000, provide a Cost Summary Report by a person who, in the opinion of the Council, is suitably qualified to provide a Cost Summary Report (Cost Summary Report Template 1). All Cost Summaries will be subject to indexation on a quarterly basis relative to the Consumer Price Index - All Groups (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment; or
- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the Consumer Price Index All Group Index Number for Sydney have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site (www.campbelltown.nsw.gov.au) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

Note: This condition is only applicable where the total development value exceeds \$100,000.

14. 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.

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.

15. Erection of Construction Sign

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

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- 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 sign/s is 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.

16. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

17. 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.

18. 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.

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.

19. 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 1.00pm
Sunday and public holidays	No Work.

20. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

21. 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.

22. 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 principal certifying authority.

23. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

24. 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 either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

25. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

26. Public Utilities

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

27. 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.

HEALTH AND SAFETY CONDITIONS

The following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Regulations, *Local Government Act 1993* and associated Policies, Plans and Guides.

28. Guidelines and Best Practice

All practices and procedures must comply with Campbelltown City Council's Sex Industry Development Control Plan 2003, Workcover and NSW Health - Health and Safety Guidelines for Brothels and any other related occupational health and safety guide for best practices in the Australian Sex Industry.

29. Registration and Inspections

- a. REGISTRATION - The premise is required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. A business registration form is available on Council's website which must be submitted prior to the release of the occupation certificate.
- b. PREMISE INSPECTIONS - Council's Environmental Health Officers will inspect your premises on a regular basis. All inspections are unannounced to assess compliance with health and safety requirements. A service charge for each inspection conducted is forwarded to the proprietor of the business a short time after the inspection through Council's Invoice System.

30. Floor and Walls

All floors and walls within the premises must be provided with surfaces to enable easy cleaning.

All bathrooms and wet areas must comply with the following requirements:

WALL REQUIREMENTS – All walls must be construction and finished to a smooth, impervious surface that can be easily cleaned.

FLOOR CONSTRUCTION – The floor construction must be finished to a smooth, even non-slip surface, graded and drained to the floor waste.

FLOOR WASTE – A floor waste must be provided within all bathrooms and wet areas.

All cracked, broken or chipped tiles or surfaces must be replaced or rectified immediately to enable easy cleaning.

31. Bathrooms and Rest Facilities

All rooms must be provided with a toilet, hand basin and shower cubicle.

A soap dispenser must be provided within each shower cubicle, in addition to the soap dispenser for the hand basin.

All showers must be provided with hot and cold water through a single outlet.

A shower, hand basin and a toilet must be provided within the disable access room and designed and constructed in accordance with the Building Code of Australia.

All bathrooms, sanitary facilities, change rooms and rest facilities are to be self contained within the premises and designed and constructed in accordance with the Building Code of Australia.

32. Staff/Workers Rest Facilities

An appropriate sized bathroom, hand basin, toilet and rest facility area must be provided for the staff/workers, separate from the clientele bathrooms and other areas. (The designate Kitchen on the submitted plan is not of adequate size to accommodate a rest facility area).

33. Hand Basins

A hand basin must be installed in all working rooms, bathrooms and staff bathroom. The basins must be serviced with hot and cold water through a single outlet and fitted with a hands-off type tap set.

The hand basins must be provided with an adequate supply of soap and disposable hand towels from a dispenser at all times.

34. Toilets and Wastewater

All toilets and wastewater collection facilities must be connected to the sewer in accordance with the relevant local authorities' requirements.

35. Hot Water Service

The hot water system must be of adequate size to enable a sufficient amount of hot water to all bathrooms and washing facilities throughout the working day.

36. Laundry Facilities and Cleaning Linen

At least two receptacles must be provided in the laundry for the separate storage of clean and used linen.

The washing machine must be provided with hot and cold water at all times. All linen (towels, sheets, blankets, covers and the like) must be washed with warm water.

An antibacterial detergent must be used to wash all linen (towels, sheets, blankets, covers and the like).

All linen (towels, sheets, blankets, covers and the like) must be thoroughly dried before reuse.

37. Cleaner's Sink

A cleaner's sink serviced with hot and cold water through taps fitted with hose connectors must be provided and located outside of the working areas.

38. Surface Materials

All surfaces of cabinets/cupboards within all working rooms and bathrooms must be finished in a smooth impervious material that is capable of being easily cleaned.

39. Waste

General waste must be placed in plastic lined receptacles at the site of generation. Waste bags and containers must be tied and sealed and left in a secure waste bin to be collected by an approved waste disposal facilitator.

All clinical waste must be placed into an approved yellow sharps container immediately after use. All sharps containers must comply with AS 4261:1994 or AS 4031:1992. Sharps containers must be collected and disposed of appropriately by a waste transporter and treatment facility licensed by the EPA (Protection of the Environment Operations (Waste) Regulation 1996).

40. Cleanliness

The premises must be kept in a clean condition at all times.

All bathrooms (toilets, showers, basins, walls and floors) must be cleaned with a hospital grade disinfectant after each client.

All bed linen and towels must be changed after each client. All soiled and dirty linen must be washed properly after each client.

41. Eating and drinking utensil Wash Sink

If drinks or food are to be provided to clients, using reusable utensils, the kitchen must be constructed in accordance with AS4674-2004 'Design, construction and fit out of food premises'.

Alternatively, disposable cups and plates may be used for the service of drinks and food (packaged, non perishable food only) for the clients. (Food Safety Standards 3.2.2)

42. Animals

Animals are not permitted to be on the premises at any time.

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 80A 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 certifying authority 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. 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

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

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

Advice 5. 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.

END OF CONDITIONS

ATTACHMENT 2



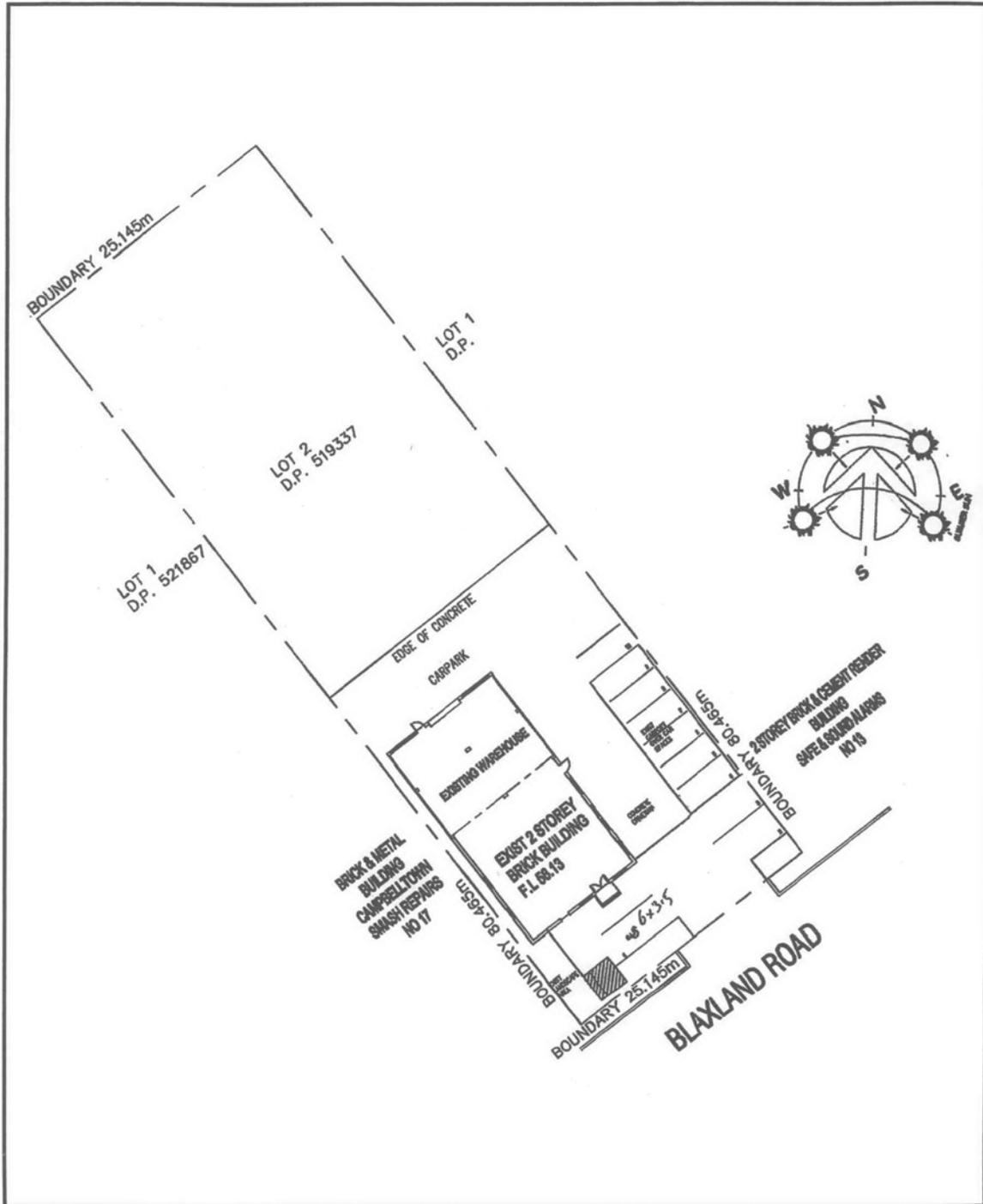
LOCALITY PLAN



SUBJECT: CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO EXISTING BROTHEL.

LOT 2 DP 519337 - No. 15 BLAXLAND ROAD, CAMPBELLTOWN.

ATTACHMENT 3

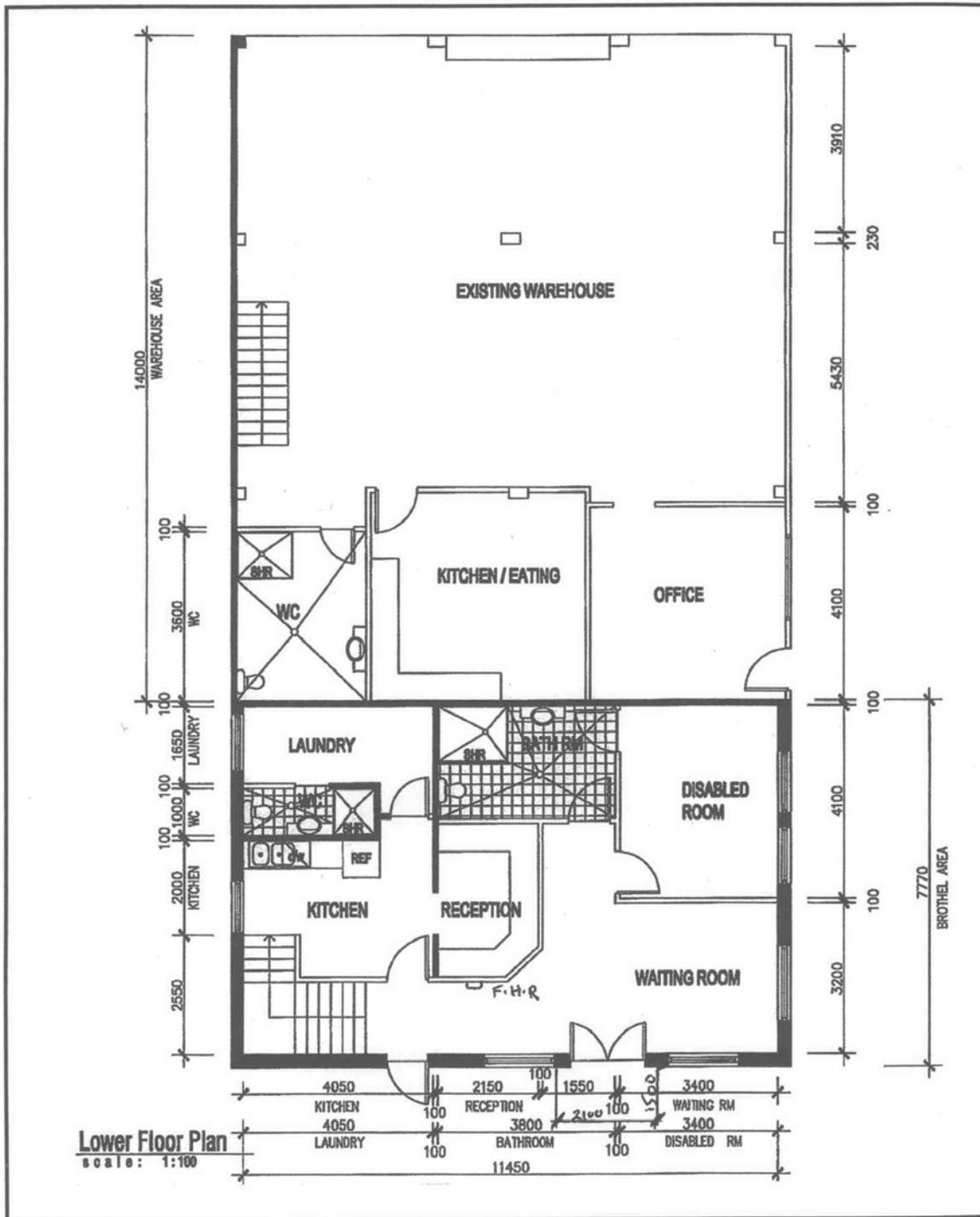


SITE PLAN

SUBJECT: CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO EXISTING BROTHEL.

LOT 2 DP 519337 - No. 15 BLAXLAND ROAD, CAMPBELLTOWN.

ATTACHMENT 4

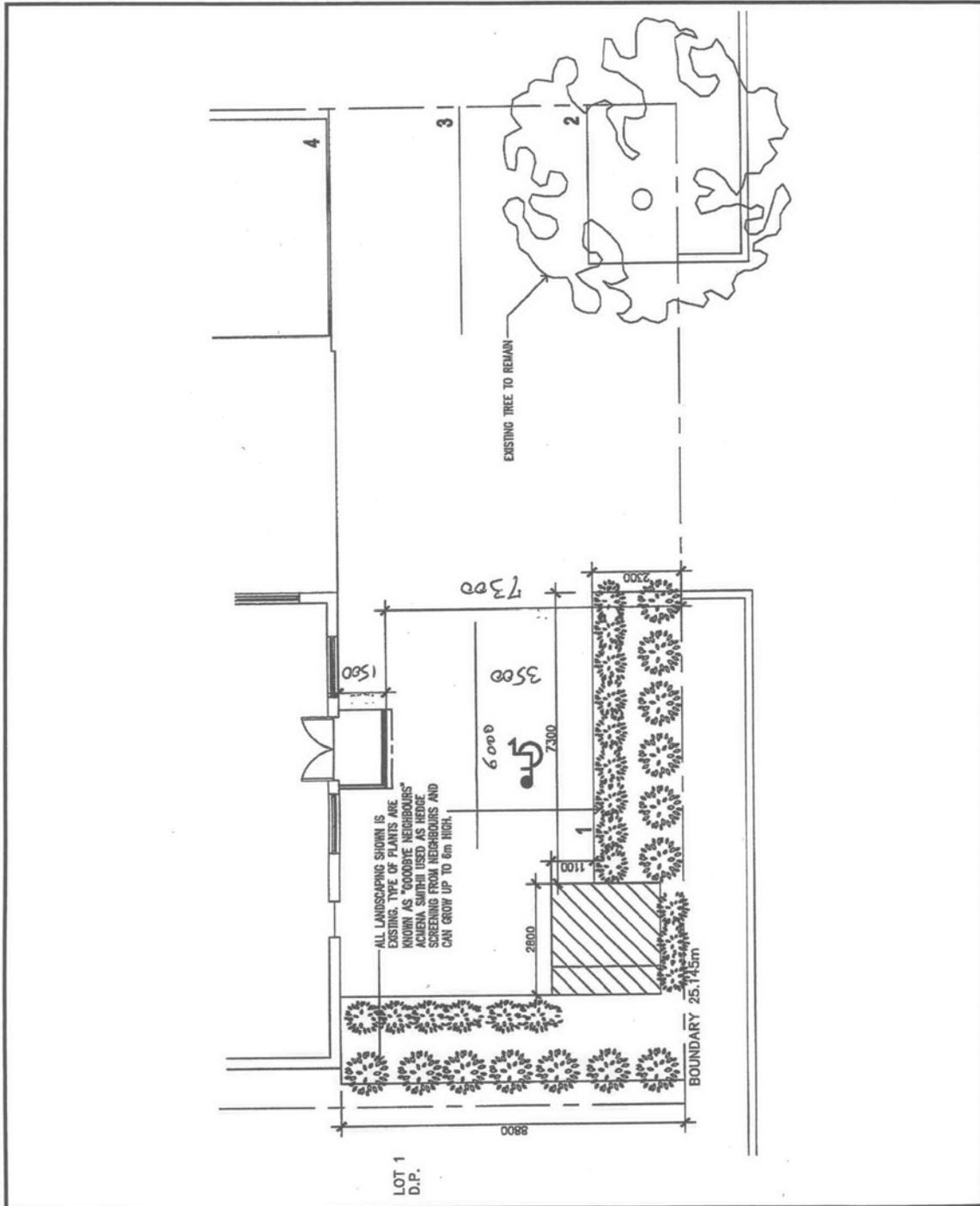


LOWER FLOOR PLAN

SUBJECT: CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO EXISTING BROTHEL.

LOT 2 DP 519337 - No. 15 BLAXLAND ROAD, CAMPBELLTOWN.

ATTACHMENT 6

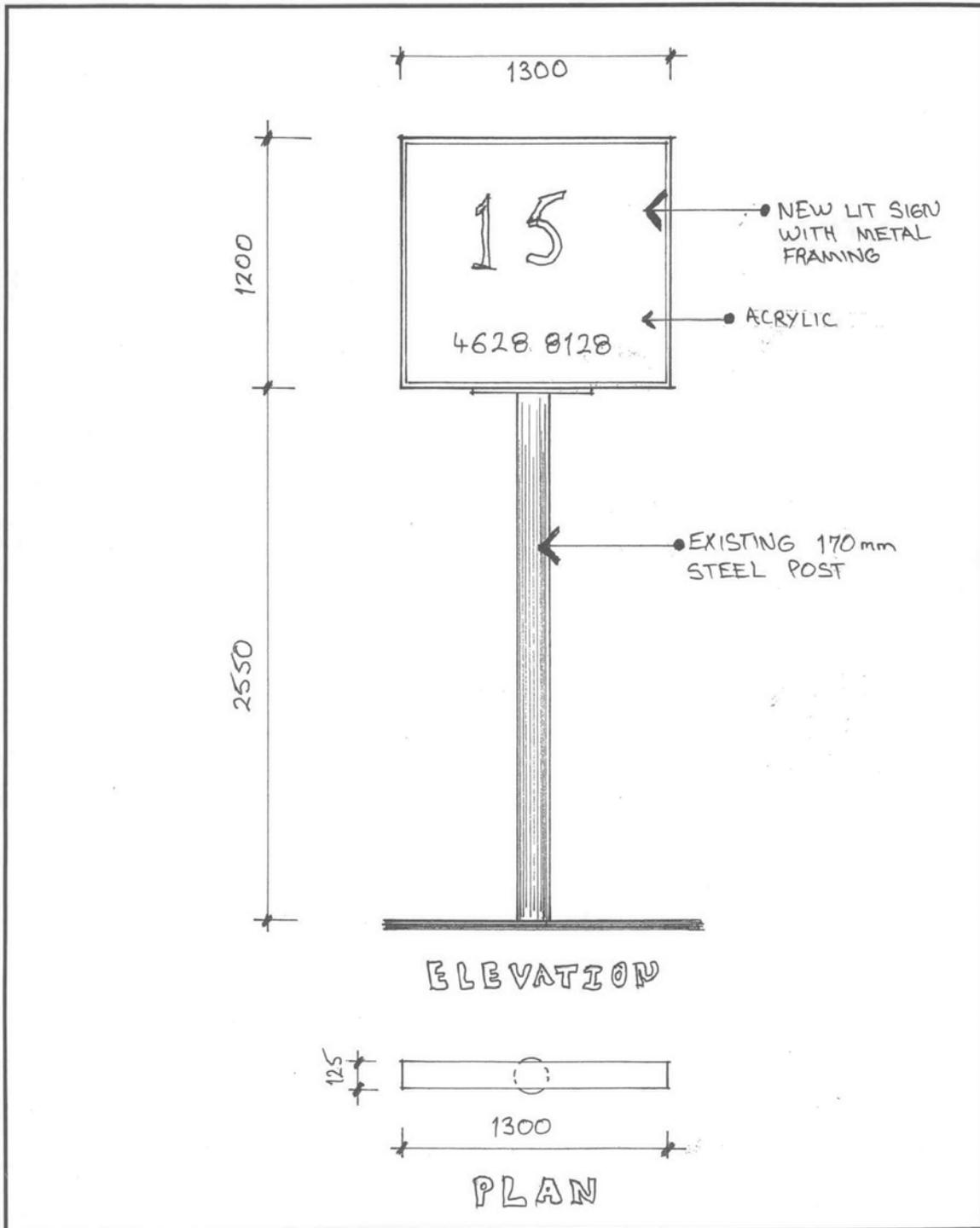


LANDSCAPE PLAN

SUBJECT: CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO EXISTING BROTHEL.

LOT 2 DP 519337 - No. 15 BLAXLAND ROAD, CAMPBELLTOWN.

ATTACHMENT 7



SIGNAGE PLAN

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