

**Annexure A**

**DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT**

**Development Application No:** DA20/0747

**Development:** Student bush accommodation buildings and multi-purpose hall

**Site:** Lot 100 DP 1277616 (known as 51 Range Road, Mittagong)

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

**Date of determination:** 22 February 2024

**Date from which consent takes effect:** Date the consent is registered on the NSW Planning Portal.

**TERMINOLOGY**

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the "applicant" means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the "site", means the land legally identified as Lot 100 DP 1277616 and known as 51 Range Road Mittagong.

The conditions of consent are as follows:

**ADMINISTRATION CONDITIONS****1. Development Description**

Development consent has been granted for the purposes of student accommodation buildings and multi-purpose hall in bushland in association with the existing school.

**Reason:** To confirm the use of the approved development.

**1A Definition of Koala Feed Trees**

In these conditions of consent and for the purposes of implementing the development and the conditions, "Koala Feed Trees" means:

- Grey gum *Eucalyptus punctata*
- White-topped box *Eucalyptus quadrangulata*
- Camden woollybutt *Eucalyptus macarthurii*

**2. Development in Accordance with Plans and Documents**

The development shall be implemented in accordance with the approved plans and supporting documents set out in the following table, except where modified by any conditions of development consent.

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Site Plan	AR.DA.0501 Rev G	TKD Architects	21.03.2022
Floor plans	AR.DA.2101 Rev A AR.DA.2102 Rev B	TKD Architects	17.12.2019 22.04.2020
Elevations	AR.DA.3001 Rev A AR.DA.3002 Rev B AR.DA.3003 Rev C	TKD Architects	17.12.2019 22.04.2020 17.12.2019
Sections	AR.DA.3401 Rev B	TKD Architects	22.04.2020
External Materials	AR.DA.9001 Rev A	TKD Architects	17.12.2019
New Payten Street Vehicular Entry	AR.DA.0509 Rev A	TKD Architects	17.12.2019
Engineering Plans	SO1 – S03 (P1) C001 (P2), C002 (P2), C101(P2), C102 (P2), C103 (P2), C104(P2), ES01 (T6), SW01 (T3), SW02 (T8), SW03 (T7), SW04 (T1), H002 (T3),	Woolacotts Consulting Engineers	1/12/21
Tree Removal Plan	AR.DA.0506	TKD Architects	17.12.2019
Landscape Plans	L1 – L4, Rev G	Nicholas Bray Landscapes	15/12/21
Waste Management Plan	Frensham Holt Bush Accommodation	TKD Architects	undated

Statement of Environmental Effects	POO15293	Urbis	18/12/2019
Acoustic Report	S190896RP1 Rev A	Resonate	3 December 2019
Vegetation Management Plan	V1	Cumberland Ecology	16/12/21
Biodiversity Development Assessment Report	V1	Cumberland Ecology	16 December 2021
Biodiversity Management Plan	V1	Cumberland Ecology	16 December 2021
Koala Management Guidelines	V1	Cumberland Ecology	16 December 2021
Hydraulic Water Management Report	P4	Woolacotts Consulting Engineers	16 December 2021
Hydraulic Services Plan	H001 (T2), H002 (T4), H003 (T2), H101 (T2)	Woolacotts Consulting Engineers	14 September 2020 with exception of H002 (T3) dated 1 October 2021
Stormwater Management Report except where superseded and added to by Bewsher "Additional flood modelling and flood risk assessment" dated 15 December 2021, and Alluvium "Water quality investigation" dated 9 March 2022.	19-227	Woolacotts Consulting Engineers	16 December 2021
Water Quality Investigation	-	Alluvium	9 March 2022
Exterior Lighting Principles	7218	Shelmerdines Consulting Engineers	undated
Access Design Assessment Report	P219_360-2 (ACCESS) NH	Design Confidence	12 December 2019
BCA Design Assessment Report	P219_360-2 (BCA) NH	Design Confidence	12 December 2019
Report on Preliminary Site Investigation for Contaminated Land	Project 40983.11	Douglas Partners	December 2019
Traffic Report	19.467r01v03	Traffix	17 December 2019
Design Statement	Rev P2 Project No	TKD Architects	November 2019

	170146		
Bushfire Emergency Management and Evacuation Plan Holt Student Accommodation within Frensham School		Blackash	Undated

**Reason:** *To ensure the development is carried out in accordance with the approved plans and documentation.*

## 2A. Amendment to plans

Prior to the issue of a Construction Certificate:

- (a) all architectural plans (floor plans, elevations, sections and external materials) referred to in condition 2 are to be amended where necessary to be consistent with the approved site plan known as AR.DA.0501 Rev G, TKD Architects, 21.03.2022.
- (b) All references to Lot 1 DP 1133695 are to be updated to refer to Lot 100 in DP 1277616 and Lot 101 in DP 1277616 to the extent required, noting that nothing in this consent authorises or permits the carrying out of work on the land legally identified as Lot 101 in DP 1277616, which was previously part of Lot 1 in DP 1133695.

## 3. Inconsistency between documents

In the event of any inconsistency between the conditions of this consent and the drawings/documents referred to above, the conditions of this consent shall prevail to the extent of the inconsistency.

**Reason:** *To ensure that the development is undertaken in accordance with the submitted plans and documents (as amended by the conditions).*

## 3A. References to Lot 1 DP 1133695

The Site comprises all of the land previously known as Lot 1 in DP 1133695 but for a small area in the north west corner of Lot 1 in DP 1133695.

To the extent that the documents in Condition 2 refer to or purport to authorise or require works to be carried out under this Consent, any reference to Lot 1 DP 1133695 in the documents referred to in Condition 2 is to be taken to be a reference to the Site (that is Lot 100 in DP 1277616).

## 4. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.

**Reason:** *The condition is prescribed under clause 98 of the Environmental Planning and Assessment Regulation 2000.*

**5. Erection of Signs**

A sign must be erected in a prominent position on the site prior to the commencement of building work. The sign must contain the following information:

- (a) the name, address and telephone number of the Principal Certifier (PC) for the work,
- (b) 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,
- (c) a statement that unauthorised entry to the work site is prohibited,
- (d) a statement that native fauna and native fauna habitat are present on the site, and
- (e) a statement that the site is in a Drinking Water Catchment.

Any such sign 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.

**Reason:** *The condition is prescribed under clause 98A of the Environmental Planning and Assessment Regulation 2000, and protection of native fauna and location in Drinking Water Catchment.*

**6. Compliance with Disability Discrimination Act 1992**

This approval does not protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is therefore advised to investigate their liability under this Act.

**Reason:** *To inform of relevant access requirements for persons with a disability.*

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.*

**7. Monitoring of compliance with mitigation measures and vegetation clearing - Koala Management Guidelines**

Monitoring of compliance with mitigation measures and all vegetation clearing shall be undertaken in accordance with the Koala Management Guidelines prepared by Cumberland Ecology and dated 16 December 2021.

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE****8. Application for a Construction Certificate (Building Works)**

The applicant shall apply to Council or an Accredited Certifier for a Construction Certificate to carry out the relevant building works in accordance with this consent. The details to be included in the application for a Construction Certificate are:

- (a) Architectural plans and building specifications complying with the National Construction Code (NCC), relevant Australian Standards, and the development consent and conditions.

- (b) Engineering details for all structural elements including, but not limited to, piers, footings, reinforced concrete slabs, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.
- (c) Essential services plan outlining the existing and proposed fire safety measures.
- (d) Disabled access provisions to common and public areas in accordance with AS1428 Design for Access and Mobility and the Premises Code.
- (e) BCA Section J Compliance Report.
- (f) NCC Compliance Report prepared by an A1 Accredited Certifier demonstrating compliance with the relevant provisions of the BCA and associated standards. If an alternative solution to the "deemed to satisfy" provisions of National Construction Code is proposed, the following details must be lodged:
  - Performance requirements that the alternative solution intends to meet.
  - Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
  - A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body

**Reason:** *A requirement under the provisions of the Environmental Planning and Assessment Act 1979.*

**Note:** *Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier (PC), and lodgement of Notice of Commencement.*

**Note:** *Please note that if demolition works forms part of the extent of works approved in the same application, then demolition must not commence prior to the issue of a Construction Certificate.*

#### **9. Appointment of Principal Certifier (PC)**

No work shall commence in connection with this Development Consent until:

- (a) A Construction Certificate for the building work has been issued by:
  - (i) the consent authority; or
  - (ii) an accredited certifier; and
- (b) the person having the benefit of the development consent has:
  - (i) appointed a Principal Certifier (**PC**) for the building work, and
  - (ii) notified the PC that the person will carry out the building work as an owner-builder, if that is the case, and

- (c) the PC has, no later than 2 days before the building work commences:
  - (i) notified the Council of his or her appointment, and
  - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (d) the person having the benefit of the development consent, if not carrying out the work as an owner builder, has:
  - (i) appointed a principal contractor for the building work, who must be the holder of a contractor licence if any residential building work is involved, and
  - (ii) a project ecologist to supervise all works and compliance with conditions of consent; and
  - (iii) notified the PC of such appointment, and
  - (iv) unless that person is the principal contractor in consultation with the project ecologist, notified the PC of any critical stage inspections and other inspections that are to be carried out in respect of the building work and/or fauna work, and
- (e) the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

**Reason:** *To ensure that there is certainty as to the consent applying to the land.*

#### 10. Access for People with Disabilities

Access for people with disabilities shall be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992*.

Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.*

**Reason:** *To inform of relevant access requirements for persons with a disability.*

#### 11. Disabled Toilets

Plans and details of the disabled toilet/s shall comply with the relevant Australian Standards, the Building Code of Australia, and with regard to the *Disability Discrimination Act 1992*.

Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992. The plans must be approved by the Accredited Certifier prior to issue of a Construction Certificate.*

**Reason:** *To inform of relevant access requirements for persons with a disability.*

**12. Section 68 Local Government Act 1993 Approvals**

Prior to the issue of a Construction Certificate, an application under section 68 of the *Local Government Act 1993* shall be made to, and issued by, Wingecarribee Shire Council, for the following approvals:

- Carry out Sewerage Works
- Carry out Stormwater Works
- Carry out Water Supply Works

**Reason:** *A requirement under the provisions of the Local Government Act 1993.*

**13. Building Materials & Colour Scheme**

The use of Zinalume, galvanised iron, stainless steel, unetched zinc, or copper is not permitted.

New external building materials and colours shall be recessive in the surrounding landscape as required by Council's Development Control Plan.

**Reason:** *To ensure that the new building is visually compatible with the existing environment.*

**14. Structural Engineer's Details**

Structural engineering plans are to be prepared by an experienced professional chartered practicing Structural Engineer for the bridge on the internal driveway, lodged with the Principal Certifier, and approved prior to commencing the works in accordance with a Construction Certificate.

**Advice:** *The name, address and qualifications of the practising Structural Engineer certifying the design shall be clearly indicated on the plans and any accompanying documentation. Such engineer is to hold qualifications appropriate to the project as defined in the Building Code of Australia. The design shall relate to the particular site.*

**Advice:** *Any such Certificate is to set forth the extent to which the Engineer has relied on relevant Specifications, Rules, Codes of Practice or Publications in respect of the construction.*

**Reason:** *To ensure the structural integrity of the building is achieved.*

**15. Construction Management Plan**

To undertake development works, including clearing of vegetation for construction, demolition, earthworks, and construction, a Construction Management Plan (**CMP**) is required to be submitted and approved by the Council prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:



- (a) A Construction Environmental Management Plan (**CEMP**), which must include:
- (i) the mitigation measures identified in Section 8.5 and Table 20 of the approved Biodiversity Management Plan prepared by Cumberland Ecology dated 16 December 2021, including (without limitation):
    - (1) Inductions
    - (2) Access controls
    - (3) Driving Protocols as per the approved Biodiversity Management Plan prepared by Cumberland Ecology dated 16 December 2021 (**BMP**);
    - (4) Delineation of clearing limits as per the approved BMP;
    - (5) Pre-clearance surveys as per the approved BMP;
    - (6) Wombat management as per the approved BMP;
    - (7) Clearing process, including clearing protocols for koalas, staging, and fauna capture protocols, as per the approved BMP;
    - (8) Nest box installation in accordance with the approved BMP;
    - (9) Weed management in accordance with the approved Vegetation Management Plan prepared by Cumberland Ecology dated 16 December 2021 (**VMP**);
    - (10) Erosion and sedimentation controls

And
  - (ii) the following specific mitigation measures required by the consent authority:
    - (1) Areas to be cleared for the purposes of construction or thinned for the establishment of APZs will be surveyed for transient koalas as part of pre-clearance surveys prior to any clearance works taking place and clearing will occur after a minimum period of 24 hours to enable natural dispersal. As habitat is progressively cleared, the project will conduct further pre-clearance surveys to ensure that all animals are dispersing from the project area. The underlying aims of these protocols will be to:
      - a) Ensure no individual koalas are present in any areas immediately prior to the commencement of any clearing of preferred koala habitat; and
      - b) Ensure that all appropriate steps will be undertaken to avoid harm to any animal and minimise stress.
    - (2) If construction personnel encounter a koala, they should alert the construction manager immediately and all work should cease. The project ecologist should then make an inspection of the area to confirm koala absence before re-commencing construction. The construction manager is to report the sighting to the Koala Hotline (02 4868 0888), the Southern Highlands Facebook Page, or to [citizen.science.wsc.nsw.gov.au](http://citizen.science.wsc.nsw.gov.au).
    - (3) signage to indicate that dogs (even if on a leash) are strictly prohibited from the site (except to the extent that those dogs are required to detect koala scats for survey purposes).
- (b) Details of site security.
  - (c) Arrangements for off-street parking for employees, contractors and sub-contractors.
  - (d) Details regarding site access for construction vehicles and equipment purposes.
  - (e) Measures to ensure public safety in the use of roads and footpaths where development activities adjoin such facilities.
  - (f) Arrangements for the storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
  - (g) Provision for loading and unloading materials.
  - (h) Location of all building materials, structures, plant and equipment to be stored or placed within the construction site.
  - (i) Details regarding how materials are to be loaded/unloaded and potential impact on

- (j) Council infrastructure (including but not limited to footpaths and street trees)
- (j) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- (k) Details of external lighting and security alarms proposed for the construction site.
- (l) Firefighting measures to be available on site during development and construction.
- (m) Sanitary amenities proposed on site during development and construction.
- (n) Measures to ensure the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site.
- (o) Details of management of the quantity and quality of stormwater run-off during construction and operational phases, and the proposed sediment and erosion control measures including the location of any rubble grids, outlet protection works (including detailed sizing) to ensure no scouring, erosion or instability of downslope receiving environment shall occur as a result of stormwater discharge from the development.
- (p) Details of any air and dust management.
- (q) Details of noise and vibration controls.
- (r) Anticipated staging and duration of works.
- (s) A Traffic Management Plan and Traffic Control Plans.

**Reason:** *To ensure the protection of the environment and associated habitats, safety, amenity, and public infrastructure.*

#### 15A. Protection of Platypus habitats

Prior to any engineering designs being finalised, an inspection by the project ecologist is required to be undertaken along waterways that occur within 20m of the development for platypus burrow entries. Suspected burrows are to be surveyed using a motion-sensor camera to confirm use by platypus. Confirmed burrows are to be tagged with survey tape and marked on a map.

Where feasible, the following activities are not to occur within 20m from any confirmed burrows, including:

- Mechanical excavation including trenching;
- Alteration of soil levels and soil structure;
- Excavation for site fencing;
- Installation of pits or utilities; or
- Disposal or preparation of chemicals and liquids (including cement products).

If these activities cannot be excluded from within 20m of a confirmed burrow, they can only be undertaken as follows:

- Outside of the breeding season for platypus (October to March), without supervision by an ecologist; or
- During the breeding season under supervision by the project ecologist.

**Reason:** *To protect fauna on the site*

#### 15B. Protection of Wombat habitats

Mitigation measures for wombats shall be undertaken in accordance with the Biodiversity Management Plan prepared by Cumberland Ecology and dated 16 December 2021. Mitigation measures shall also include:

- The Stage 1 inspection is to include any works areas such as roadworks, services (underground pipes and services) installations, building and associated structures footings and foundations, stormwater management structures including basins and underground tanks water and any excavations associated with the development;
- Any injured wombats captured during clearing are to be taken to the nearest veterinary clinic for treatment, or if the animal is unlikely to survive, it will be humanely euthanized. Following treatment, wombats are to be housed and introduced back to the site by a registered and appropriately qualified wildlife carer(s).

**Reason:** *To protect fauna on the site*

**16. Stormwater - Control of Peak Discharge**

Adequate and suitable infrastructure shall be provided to ensure the peak discharge from the site is no greater than the pre-developed peak discharge. This infrastructure shall be designed in accordance with Council's Engineering Policies. Calculations to demonstrate that the post-development peak discharge will not exceed the pre-development peak discharge shall be provided with the application for a Construction Certificate.

Any stormwater temporarily stored onsite shall be done in a manner that does not jeopardise public safety. In this regard the development shall provide a risk assessment with the Construction Certificate documentation.

**Reason:** *To ensure the peak discharge from the site is no greater than the pre-developed peak discharge.*

**17. Stormwater - Control of Water Quality**

Adequate and suitable infrastructure shall be provided to ensure the management of the quality of water released from the site (from buildings, roads and modified landscapes and surfaces associated with the development) such that NorBE (Neutral or Beneficial Effect) is achieved in accordance with *Using MUSIC in Sydney Drinking Water Catchment Guidelines* (WaterNSW). Stormwater treatment measures and management are to be consistent with those outlined within the Alluvium Water Quality Investigation letter dated 9 March 2022. The plans approved pursuant to the Construction Certificate must demonstrate compliance with this condition.

**Reason:** *To ensure NorBE on water quality released from the site.*

**18. Detailed Stormwater Drainage System Design**

Prior to the issue of the Construction Certificate, a detailed storm water hydraulic drainage plan for the disposal of storm water from the site, prepared in accordance with Council's Design Standards shall be submitted to Council and approved by Council's Development Engineer and ecologists (see specific details for burrowing fauna, including Platypus and Wombats outlined in these conditions).

Should any changes be required to the approved storm water drainage plan, the amended design shall achieve equivalent performance standards in accordance with Design Specifications.

**Note:** *Construction Certificate Approval does not include approval for works external to the property or civil works.*

Where the proposed design extends beyond the boundaries of the site, separate approval under Section 138 of the *Roads Act 1993*, must be obtained from Council prior to the

commencement of works.

The applicant is advised to contact Council if the applicant requires clarification of whether proposed works are works for which approval under Section 138 of the *Roads Act 1993* is required.

**Reason:** *To ensure adequate storm water management.*

**19. Carpark Design - Site Servicing**

The car park shall be designed to accommodate the turning movements of the largest vehicle servicing the development.

**Reason:** *To ensure that the car parking area is constructed to Council requirements.*

**20. Accessible Car Parking Spaces**

One of the car parking spaces provided in the car park shall be reserved for disabled persons.

These spaces shall be constructed and identified in accordance with Volume 1 of the National Construction Code and AS/NZS 2890.6 - Parking Facilities, Off-street parking for people with disabilities, and with regard to the *Disability Discrimination Act 1992* and the Premises Code.

Details to demonstrate compliance shall be submitted to and approved by the Principal Certifier prior to the issue of the Construction Certificate.

**Reason:** *To inform of relevant access requirements for persons with a disability.*

**21. Off Street Parking Provision - General**

A maximum of five off-street car parking spaces are to be provided, including one accessible space as identified in Condition 20 above. Car parking is to:

- (a) Be suitably marked in accordance with the approved plans;
- (b) Have minimum dimensions in accordance with Australian Standard AS2890.1 Off Street Car Parking;
- (c) Designate and signpost 4 of the 5 spaces for staff parking only.
- (d) Designate and signpost 1 of the 5 spaces as an accessible space.
- (e) Prohibit parking for visitors. Parking for visitors is to be located within the main school campus car park.
- (f) Prohibit parking for students. Students are to be dropped-off and picked-up within the main school campus car park.

Details shall be submitted to the Principal Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

**Reason:** *To ensure adequate parking and access.*

**22. Erosion and Sediment Control Plan**

An Erosion and Sediment Control Plan shall be prepared in accordance with "Landcom's Blue Book" for sedimentation and erosion control plan by a suitably qualified person, and approved by Council prior to issue of the Construction Certificate.

The Erosion and Sediment Control Plan shall include scaled drawings and detailed

specifications, which can be referred to by the principal contractor, project management staff, or project construction supervisor. The Plan must contain the following information:

- (a) The locality of the site, with a north point and scale.
- (b) Existing contours of the site, including catchment area boundaries and indications of direction of fall.
- (c) Location of existing vegetation, with a basic description of same.
- (d) Diversion of uncontaminated up-slope run-off around the disturbed areas of the site.
- (e) Location of significant natural areas requiring special planning or management including waters, floodplains, seasonally wet areas, areas prone to ponding/water logging, unstable slopes, potential fauna habitats, and existing fauna habitats.
- (f) Nature and extent of earthworks, including cut and fill roadworks.
- (g) Location of all soil and material stockpiles.
- (h) Location of site access, proposed roads and other impervious areas.
- (i) Existing and proposed drainage patterns.
- (j) Location and type of proposed erosion and sediment control measures.
- (k) Site rehabilitation proposals, including final contours.
- (l) Time of placement of sediment controls.
- (m) Staging of works and how the plan is to be implemented for each stage or activity on site.
- (n) Maintenance schedule.

**Reason:** *To minimise soil erosion and sediment movement and damage to fauna habitats during construction.*

### 23. Erosion and Sediment Control Plan

To minimise soil erosion and sediment movement during construction, the following measures shall be implemented:

- (a) Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside the construction site.
- (b) Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping. Soil is to be retained within the property.
- (c) Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are protected from erosion and do not encroach upon any footpath, nature strip or roadway.
- (d) Final site spoil shall be disposed of to conform to the specifications and standards quoted and to any conditions of approval of those measures and must comply with any relevant NSW Department of Planning and Environment requirements.
- (e) Trenches shall be backfilled, capped with topsoil, and compacted to a level at least 75mm above adjoining ground level.
- (f) Vehicular access shall be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where sediment is deposited on adjoining roadways the same shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.
- (g) All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for more than 14 days or such other period as may be approved after earthworks cease. All driveways and parking areas shall be stabilised with compacted sub-grade as soon as possible after their formation.
- (h) Sediment control devices shall be installed prior to any site works being carried out

and prior to construction work commencing and remain in position until the disturbed soils are turfed, 70% vegetated or otherwise stabilised.

**Reason:** *To minimise soil erosion and sediment movement during construction.*

#### **24. Landscape Plan**

A Landscape Plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent shall be submitted to Council for approval prior to the issue of the Construction Certificate.

The plan shall include the following information:

- The Location of all existing and proposed landscape features including materials to be used;
- The location and identity all trees to be retained, removed or transplanted;
- Existing and proposed finished ground levels;
- Top and bottom wall levels for both existing and proposed retaining and free standing walls and
- A detailed plant schedule, which includes proposed species listed by botanical names (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity.
- Detailed planting requirements for the bio-retention basins, consistent with the required nutrient stripping capabilities utilised in the water quality management designs / plan for the development.
- Details of any soil treatment prior to planting out, fertilizing and water maintenance schedule. Care needs to be exercise to minimise risk of nutrient or pathogen movements to the Nattai River. If any additions to soil are to be used, monitoring is required to ensure risks to the water quality in the Sydney Drinking Water supply are minimised.
- To compensate for the removal of any native trees from Lot 1, revegetation works are to be carried out in accordance with Section 8 of the approved VMP, with the species and densities set out in section 8.3.1 and 8.3.2 respectively.
- Compliance with Condition 69(1) of this consent, which details the Asset Protection Zones.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access, bushfire protection, and privacy for neighbouring development.

**Reason:** *To ensure appropriate landscaping treatments are applied to facilitate amenity and bushfire protection.*

#### **25. Protection of Existing Trees and Native Vegetation**

##### **(a) Prior to the issue of any Construction Certificate:**

- (i) An Arboricultural Impact Assessment Report is to be prepared which includes a Tree Protection Plan (**TPP**), prepared in accordance with AS4970-2009 – Protection of Trees on Development Sites for the Construction Area.

The identification of tree species in the Arboricultural Impact Assessment Report must be verified by a suitably qualified botanist.

The Arboricultural Impact Assessment Report (AIA Report) must:

- (a) Identify the species of all native trees that are affected by the proposed development as shown on the approved plans in condition 2 (and modified by the conditions of consent);
- (b) Prescribe tree protection measures which maximise the retention of native trees and Koala Feed Trees on the subject land.

The TPP must:

- (a) require trees and vegetation marked for retention to be fenced off as "no go" zones where the trees and vegetation are in vicinity of potentially impacted areas associated with the development;
  - (b) including a detailed assessment of the potential impacts of construction of underground services, excavations, and road construction works on trees and native vegetation proposed to be retained;
  - (c) assessment of tree structural root zones and tree protection zones for trees in the vicinity of all potentially impacted areas associated with the development
- (ii) A plan must be prepared which clearly identifies trees and native vegetation to be retained and to be removed pursuant to this consent. This plan must indicate tree protection areas to be fenced in accordance with the Arboricultural Impact Assessment in Condition 25(a)(i).
  - (iii) The documents required to be prepared by Condition 25(a)(i) and 25(a)(ii) are to be approved by the Council.

**(b) Prior to commencement of any tree removal or Construction works in each of the works areas**

- (i) The Applicant must appoint a project arborist, who is a Qualified Level 5 Arborist or higher to oversee tree management on the site during the works;
- (ii) The project arborist must inspect and confirm in writing the adequacy of all tree protection measures proposed in the TPP including, but not limited to, the fenced "no go" tree protection areas;
- (iii) Tree protection areas must be marked as "no go" areas on all plans.

**(c) During construction**

The project arborist is to oversee tree management on the site by:

- (a) ensuring that trees to be retained and removed are retained/removed in accordance with the plans approved in Condition 25(a)(iii);
- (b) documenting the ongoing adequacy of tree protection measures;
- (c) ensuring all pruning and tree removal work is carried out in accordance with AS4373-2007 'Pruning of Amenity Trees' and the Draft Code of Practice for Amenity Tree Work 2013 and undertaken by a suitably qualified (minimum AQF3) and insured arborist.

**Reason:** To clearly articulate trees and vegetation to be removed and retained and to minimise risk to trees and native vegetation and native fauna.

**26. Flood Emergency Response Plan**

Prior to the issue of any Construction Certificate, the applicant must prepare and submit to Council and obtain approval for a Flood Emergency Response Plan (FERP).

The FERP is to be prepared in accordance with the *Outline of the Flood Emergency Response Plan* that forms Attachment B within Bewsher's *Additional Flood Risk Assessment* dated 15 December 2021, including as a minimum the *Preparation, Response and Recover* items noted within the Outline of the Flood Emergency Response Plan, as well as:

- Clear definitions
- Identification of all actions, roles and responsibilities of key personnel in monitoring, responding and managing all flood risk management scenarios.
- Design and operational specifications of all elements of the site flood warning alarm system and related signage, including monitoring and maintenance requirements.
- Details of plans, manuals and signage to be implemented.
- Flood risk awareness and flood risk safety mitigation information for use of the facilities, to be incorporated into school curriculum.
- Signposting, depth level gauges, and key locations and road edge/culvert crossing indicators along the full length of the southern and western access routes from Range Road to the cabins site.
- Clear identification of the emergency services evacuation route

The details of the emergency services evacuation route as set out in the approved FERP is to be provided by the School to key Emergency Services including SES and NSW Ambulance.

**27. Draft s88B Instrument**

A draft instrument that is to be registered on title for the site pursuant to Section 88B of the *Conveyancing Act 1919*, requiring the site to be protected, managed and maintained in accordance with the approved Vegetation Management Plan, shall be submitted to and approved by Council prior to the issue of a construction certificate. The instrument shall provide that only Council is empowered to modify or extinguish the 88B Instrument.

**28. Ecosystem credit retirement**

Prior to the issue of a construction certificate, the class and number of ecosystem credits in Table 25 of the Biodiversity Development Assessment Report prepared by Cumberland Ecology dated 16 December 2021 approved pursuant to this consent must be retired to offset the residual biodiversity impacts of the development.



Table 25 Summary of ecosystem credit liability and like for like options

PCT # and Name	PCT	TEC Status	Area (ha)	Credits	Like for Like Options			
					Class	Trading Group	Hollow-bearing Trees?	IBRA Region
1254: Sydney Peppermint White Stringybark Moist Forest	-	Not a TEC	1.66	29	Southern Escarpment Wet Sclerophyll Forests This includes PCT's: 743, 968, 969, 1254	Southern Escarpment Wet Sclerophyll Forests - $\geq 70\%$ - $<90\%$ cleared group (including Tier 2 or higher threat status),	Yes	Moss Vale, Burrigorang, Ettrema, Illawarra and Sydney Cataract. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.
1254: Sydney Peppermint White Stringybark Moist Forest	-	Not a TEC	1.13	16	Southern Escarpment Wet Sclerophyll Forests This includes PCT's: 743, 968, 969, 1254	Southern Escarpment Wet Sclerophyll Forests - $\geq 70\%$ - $<90\%$ cleared group (including Tier 2 or higher threat status),	Yes	Moss Vale, Burrigorang, Ettrema, Illawarra and Sydney Cataract. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.
1107: Peppermint Narrow-leaved Peppermint Open Forest	River	Not a TEC	1.13	14	Southern Escarpment Wet Sclerophyll Forests This includes PCT's: 706, 742, 743, 744, 878, 929, 943, 963, 968, 969, 1107, 1144, 1254, 1301, 1615, 1616	Southern Escarpment Wet Sclerophyll Forests - $< 50\%$ cleared group (including Tier 4 or higher threat status),	Yes	Moss Vale, Burrigorang, Ettrema, Illawarra and Sydney Cataract. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.
1107: Peppermint Narrow-leaved Peppermint Open Forest	River	Not a TEC	0.26	3	Southern Escarpment Wet Sclerophyll Forests This includes PCT's: 706, 742, 743, 744, 878, 929, 943, 963, 968, 969, 1107, 1144, 1254, 1301, 1615, 1616	Southern Escarpment Wet Sclerophyll Forests - $< 50\%$ cleared group (including Tier 4 or higher threat status),	No	Moss Vale, Burrigorang, Ettrema, Illawarra and Sydney Cataract. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the consent authority prior to issue of a construction certificate.

**Reason:** Statutory requirement.

## 29. Species credit retirement

Prior to the issue of a construction certificate, the class and number of species credits in Table 26 of the Biodiversity Development Assessment Report prepared by Cumberland Ecology dated 16 December 2021 must be retired to offset the residual biodiversity impacts of the development.

Table 26 Summary of species credit liability and like for like options

Scientific Name	Common Name	Area (ha)	Credits	Like for Like Options	
				Species	IBRA Region
<i>Phascolarctos cinereus</i>	Koala	4.19	69	<i>Phascolarctos cinereus</i> / Koala	Any IBRA region in NSW

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the consent authority prior to issue of a construction certificate.

**Reason:** Statutory requirement.

#### **29A. Utilities Trenches**

Utilities servicing the cabins and the multi-purpose hall are to be laid out under the suspended boardwalk where possible. For the crossing of the drain immediately to the south-west of the cabins, the utilities are to be suspended below the deck of the new bridge. The route of the utilities and any trenching required is to be designed by the engineer, and assessed by the project ecologist and project arborist to confirm that the route and proposed implementation minimises potential impacts on any Tree Protection Zones (TPZs) of trees on the site and on the fauna habitat, particularly the Wombat burrow network and Koala trees on the site [Note: trees onsite are to be appropriately assessed by the project arborist]. Plans which identify the location of the utilities servicing the cabins and any supporting assessment, prepared in accordance with the requirements of this condition, are to be submitted to and approved by Council prior to implementing the works.

The works associated with the installation of the utilities servicing the cabins are to be designed to ensure the least impact, or potential impact, on the TPZs of trees on the site and on the fauna habitat, particularly the Wombat burrow network on the site. During the implementation of the works, any trenching and installation of services are to be carefully carried out under the direction of the project arborist and project ecologist. A report prepared by the project arborist and project ecologist is to be submitted to and approved by Council prior to the issue of an Occupation Certificate which demonstrates that all environmental impacts associated with the installation have been minimised.

### **CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK**

#### **30. Notice of Commencement**

No work shall commence until a notice of commencement form has been submitted , giving the Principal Certifier (PC):

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a PC (either Wingecarribee Council or an accredited certifier).
- (c) Details of the PC or Owner Builder:
  - (i) Name
  - (ii) Builders Licence Number or Owner Builder Permit Number
  - (iii) Principal Contractor Company Name
  - (iv) Principal Contractor ABN
  - (v) Address of Principal Contractor or Owner Builder
  - (vi) Email Address
- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit.
- (e) Details of the project ecologist, including:

- (i) Name
  - (ii) Qualification and experience
  - (iii) Address
  - (iv) Email Address
  - (v) Insurance details
- (f) Details demonstrating that compliance with development consent conditions relevant prior to commencement of the development been satisfied.

The notice of commencement form will be attached to the Construction Certificate or available from Council's website.

**Reason:** Statutory requirement.

**Advice:** Attached Notice of Commencement form to be completed.

### 31. Construction Certificate

No work shall commence until:

- (a) a Construction Certificate is obtained from either the Wingecarribee Shire Council or an Accredited Certifier; and
- (b) a Construction Certificate is lodged with Council if the construction certificate was obtained from an Accredited Certifier (together with associated plans and documents) (note: a fee applies for this service).

**Reason** Statutory requirement.

### 32. Developers Representative during Construction of Works

A minimum of 48 hours prior to commencement of any construction works on site the Developer shall nominate to Council in writing a representative (known as the "Construction Supervisor") who will be responsible for all aspects of construction and site control, including Traffic Control, Sediment and Erosion Control, and liaison with Council Officers and all other Authorities.

The document in which the Applicant nominates the Construction Supervisor is to include the following details:

- (a) Name,
- (b) Company,
- (c) Position,
- (d) Contact phone,
- (e) Contact fax, and
- (f) After Hours Contact.

This document is to be signed by the Construction Supervisor and by the Applicant.

Note: Council requires that the nominated Construction Supervisor either hold qualifications acceptable for Corporate Membership of the Institute of Engineers, Australia, or be Approved by the Director and/or has proven experience and suitable relevant qualifications for the control, supervision and management of civil engineering works as required for carrying land development.

Prior to commencing any works on site the Construction Representative shall:

- (a) Inform Council in writing of their intention to commence work 7 days before works are intended to commence.
- (b) Submit to Council a proposed Schedule of Works.

The Applicant may be required to arrange for Council to peruse all other contract documentation prior to the contractor arriving on site to commence work (such as the Schedule of Works, Specifications Bill of Quantity, traffic control plan and Soil and water management plan).

Failure to comply with the requirements as set out above will result in an immediate stop work order.

**Reason:** *Statutory requirement.*

**33. Erosion and Sediment Control**

Erosion and sediment control measures (as per the approved Erosion and Sediment Control Plan) shall be installed prior to the commencement of works.

**Reason:** *To ensure that sediment does not leave the site as a result of the construction of the development.*

**34. Aboriginal objects**

If aboriginal objects are found during works then all works must stop and NSW Office of Environment and Heritage must be contacted immediately by calling 131 555. An Aboriginal Heritage Impact Permit under s.90 of the *National Parks and Wildlife Act 1974* will be required if harm to Aboriginal objects cannot be avoided.

**Reason:** *To ensure protection of Aboriginal objects.*

**34A. Bio Basins and Swales**

Two bio-basins and various roadside bio-swales are to be constructed as described in Alluvium's report dated 9 March 2022, and as located indicatively on TKDA's plan AR.DA.0501 (Rev G). The final location of the bio-basins and the bio-swales will be determined in consultation with the project arborist and project ecologist to minimise impacts on the Tree Protection Zones of trees on the site and on the fauna habitat, particularly the Wombat burrow network and Koala Feed trees.

The dimensions of the basins and swales are to be consistent with the MUSIC modelling assumptions in Alluvium's report. In particular, irrespective of the final number of bio-swales selected, the total length of the swales is to be not less than 200m.

Excavation that is carried out to install the bio-basins and bio-swales will be selected so it is located in areas that minimise impacts on the TPZs of the trees and on the fauna habitat, particularly the Wombat burrow network and Koala Feed trees (the latter as defined in this consent). No Koala Feed trees are to be cleared or significantly impacted by the proposed excavations for these basins and swales. Plans that identify the final locations for the basins and swales that have been verified by the project arborist and project ecologist must be submitted to and approved by Council prior to construction commencing. The project arborist

and project ecologist will also supervise any excavation carried out for the installation of basins and swales.

#### **CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE**

**35. Approved Plans to be available on site**

Endorsed Council approved plans, specifications, documentation and the consent shall be made available on site at all times during construction.

**Reason:** *To ensure compliance with approved plans.*

**36. Site induction**

A signed site induction for environmental awareness and regular tool box talks on the importance of water quality, fauna conservation, and habitat protection as well as awareness of NO GO conservation areas must be utilised as part of approved the ongoing operation at the site.

**37. Excavations and Backfilling**

All excavations and backfilling associated with the erection or demolition of a building shall be executed safely and in accordance with appropriate professional standards and properly guarded and protected to prevent them from being dangerous to life or property, or to native flora and fauna and associated habitats.

**Reason:** *To ensure the safety of life and property and environment.*

**38. Stormwater - Construction**

The applicant shall provide adequate storm water quality management, quantity management and conveyance infrastructure (such as pits, pipes, open channels, detention storage, water quality treatment infrastructure) for the management of stormwater passing through the site from upstream, and sourced from the development to an appropriately designed discharge outlet with outlet protection works to prevent scour and bed and bank instability in the downslope receiving environment, to be approved by Council. The point of discharge shall be clearly depicted and the legal right to discharge at that point to be justified. Status of the point of discharge is to be made clear (i.e. provision of drainage easements).

**Reason:** *To ensure the appropriate management of stormwater associated with the development including the prevention of pollution, sedimentation, erosion, scour and bank instabilities of the downslope receiving environment.*

**39. Earthworks, retaining walls and structural support**

Any earthworks (including any structural support or other related structure for the purposes of the development) must meet the following requirements:

- (a) The works must not cause a danger to life or property, or to native flora and native fauna and associated habitats, or damage to any adjoining building or structure on the site or to any building or structure on any adjoining lot.
- (b) The works must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property.

- (c) Any material that is fill brought to the site must contain only virgin excavated natural material as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
- (d) Any material that is excavated soil to be removed from the site must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.
- (e) Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in October 2013 by Safe Work Australia.

**Reason:** *Structural safety.*

**40. Erosion and Sediment Control Plan Compliance**

All site works shall be carried out in accordance with the approved Erosion and Sediment Control Plan. Implementation of the Erosion and Sediment Control Plan shall be supervised by personnel with appropriate qualifications and experience in erosion and sediment control.

**Note:** *In the event of non-compliance with the approved plan, Council Officers have the ability to issue Penalty Notices, being an on the spot fine and/ or orders.*

**Reason:** *To ensure that the environment is protected.*

**41. Approved hours of Construction/Demolition**

Construction/demolition activities shall be limited to the following hours:

DAY	HOURS
Monday to Saturday	7:00am to 5:00pm
Sunday	Nil
Public Holidays	Nil

**Reason:** *To ensure that the amenity of the surrounding area is not compromised as a result of the construction of the proposal.*

**Note:** *Any variation to these hours shall require Council consent via the lodgment of an application under section 4.55 of the Environmental Planning and Assessment Act 1979.*

**42. Construction Management Plan (including Construction Environmental Management Plan)**

All development activities and traffic movements shall be carried out in accordance with the approved Construction Management Plan (including the Construction Environmental Management Plan which forms part of the Construction Management Plan).

All controls in the Plan shall be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the Principal Certifier or the Council on request.

**Reason:** *Compliance with condition of consent.*

**43. Maintenance of the site**

All materials and equipment shall be stored wholly within the work site.

Waste materials (including excavation, demolition and construction waste materials) shall be managed on the site and then disposed of at a waste management facility.

Any run-off and erosion control measures required shall be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- (a) all vehicles entering or leaving the site shall have their loads covered, and
- (b) all vehicles, before leaving the site, shall be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site shall be left clear of waste and debris.

**Reason:** *Environmental amenity.*

#### **44. Temporary Onsite Toilet**

Toilet facilities shall be available or provided at the work site prior to the commencement of works and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet shall:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

**Reason:** *To ensure that there are appropriate facilities on-site for construction workers.*

#### **45. Waste Management**

A metal waste skip with a self-closing lid or a secure covering must be provided on the site for the duration of construction to ensure that all wastes are contained on the site. The receptacle shall be emptied periodically to reduce the potential for rubbish to leave the site.

Sorting of waste materials shall occur on site in accordance with the approved Waste Management Plan.

**Reason:** *To ensure that all wastes generated from the construction of the development are contained on the site.*

### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN INTERIM OR FINAL OCCUPATION CERTIFICATE**

#### **46. Occupation Certificate**

In accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*, an

application for an Occupation Certificate, shall be made on completion of the works and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifier is required to be satisfied, amongst other things, that:

- All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- Any preconditions to the issue of the certificate required by a development consent have been met.

**Reason:** *To comply with the provisions of the Environmental Planning and Assessment Act 1979.*

**Note:** *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of Section 6.10 of the Environmental Planning and Assessment Act 1979 unless an Occupation Certificate has been issued in relation to the building or part.*

**Note:** *The applicant is to ensure that works associated with the Section 138 (Roads Act) approval and Section 68 (Local Government Act) approval are completed and inspected by Council.*

#### **47. Section 68 Local Government Act Final**

The applicant is to ensure that the works associated with the Section 68 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

**Reason:** *To ensure that the development is completed as per this consent and the approved plans.*

#### **48. Council Property**

The applicant shall rectify any damage to Council property (including footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter, road pavement and the like) as a result of the development, prior to the issue of any Occupation Certificate at no cost to Council.

**Reason:** *To ensure that Councils assets are protected.*

#### **49. Civil Engineering works and services**

All civil engineering works and services are to be constructed in accordance with the Wingecarribee Shire Council Engineering Plans and Specifications, relevant Standards and approved engineering plans prior to the issue of the Occupation Certificate.

**Reason:** *To ensure that the works and services are constructed in accordance with the approved plans.*

#### **50. Certification of Internal Civil Works**

On completion of the works and prior to the issue of the Occupation Certificate, certification from a practicing appropriately qualified engineer, shall be submitted to Council detailing that



all the internal civil works (i.e. internal driveways, bridge, paths and stormwater drainage system including any onsite detention) are in accordance with the approved plans and specifications.

**Reason:** *Asset management.*

**51. Landscaping Plan**

Landscaping as per the approved Landscaping Plan shall be established prior to the issue of the Occupation Certificate.

**Reason:** *To ensure that the landscaping is completed prior to occupation.*

**52. Landscape Certification**

Certification is to be provided to the Principal Certifier (**PC**) from the project ecologist for the conservation work and from the designer of the landscape plan that all tree planting/landscape works have been carried out in accordance with the approved Landscaping Plan. If Council **is** the Principal Certifier PC, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council **is not** the PC, a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

**Reason:** *To ensure that the landscaping has been carried out in accordance with the Council endorsed landscape plan being of conservation value for native fauna.*

**53. Fire Safety Certificate**

A final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the *Environmental Planning and Assessment (Amendment) Regulation 2000*, prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and Fire Safety Schedule shall be:

- Forwarded to Wingecarribee Shire Council;
- Forwarded to the Fire Commissioner; and
- Prominently displayed in the building.

**Reason:** *To ensure the safety of the building.*

**54. National Plumbing and Drainage Code**

All plumbing and drainage shall comply with the requirements of Australian Standard AS3500 "National Plumbing and Drainage Code" and the relevant New South Wales Amendments. Advice from the project ecologist is to be sought as required to minimise risk to native flora and native fauna, and associated habitats. All contractors are to be inducted and made aware in tool box talks of environmental constraints on site, including native flora and native fauna, and associated habitats, and conservation NO GO areas.

**Reason:** *To comply with legislation and protection of the environment.*

**55. Construction of Sewer Sidelines**

A sideline and junction shall be installed for sewer connection to the development by Council

at the Applicant's cost prior to the issue of the Occupation Certificate. The connection should either be undertaken to existing Council Sewer at 21-23 Payten St Mittagong, or existing Council sewer within 51 Range Rd Mittagong. If a sewer connection is required to another gravity system, modelling will be required to confirm capacity. Council's application form shall be completed by the Applicant and the appropriate fee paid. If the sideline is to be extended from a sewer main in adjoining property, written permission of the affected landowner allowing work to be undertaken, shall be submitted with the application form.

**Reason:** *To ensure that the development is serviced.*

**56. Construction of Water Service**

A water service shall be installed to the development by Council at the applicant's cost prior to the issue of the Occupation Certificate. Connection should be made in accordance with the Cardno Water and Wastewater Development Impact Assessment dated 29/6/2020.

Council's application form shall be completed by the Developer and the appropriate fee paid.

**Advice:** *A water meter should be installed prior to construction commencing.*

**Reason:** *To ensure that the development is serviced.*

**57. Safety Measures**

While the safety of students within the grounds of the school is largely a private matter for consideration by the school, details of safety measures for students living in the bushland setting away from the main school shall be provided within a Plan of Management, to be submitted to the satisfaction of the Council, prior to issue of Occupation Certificate. The Plan of Management must include, at a minimum, details of:

- (a) Student and staff pedestrian and vehicle access arrangements.
- (b) Movement of staff and students between the main school campus and the accommodation.
- (c) The use and hours of facilities and activities at the accommodation.
- (d) Information on access to School handbooks.
- (e) School's expectations of student behaviour.
- (f) Student safety measures.
- (g) Security management, including security guard times and duties.
- (h) Complaints handling, including requirement to establish a complaints register, contact details for complaints, approach to handling of complaints.
- (i) Requirements for ongoing environmental management as identified in Condition 66.

The Plan of Management is to be reviewed and updated as necessary by the School after the first 12 months of operation and every 5 years thereafter.

**Reason:** *To ensure safety due to location of student accommodation.*

**58. 88B Instrument**

Prior to the issue of an Occupation Certificate an instrument shall be registered on title pursuant to Section 88B of the *Conveyancing Act 1919* requiring the subject land to be protected, managed and maintained in accordance with the approved Vegetation Management Plan prepared by Cumberland Ecology dated 16 December 2021. The s88B

Instrument is to be in accordance with the terms approved Council pursuant to the conditions of this consent.

## CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT

### 59. Use of the Premises

The buildings the subject of this consent are to be used only in conjunction with the existing education facility (Frensham School) by students and staff of the school. The maximum number of students permitted to use the buildings the subject of this consent at any one time is 72 students enrolled with the school. For the avoidance of doubt this condition does not prevent incidental attendance by other persons including external speakers, cleaners, support staff, and maintenance staff, provided that such persons do not reside in the buildings the subject of this consent overnight.

### 60. Conservation protection

Inductions for contractors working within the project area during the construction phase of the Project will be conducted to make them aware of the ecological issues present within the project area and adjoining land. The induction will inform contractors of the requirements of the VMP, BMP and BDAR, and the mitigation measures being implemented to protect biodiversity values within the Lower Holt. It will also outline their responsibilities for the minimisation of impacts to biodiversity values.

Additional inductions will be provided for contractors directly involved in clearing of native vegetation in relation to the exclusion zones and two-staged clearing protocols.

The following information will be documented:

- The name of the person conducting the induction;
- The name of the person receiving the induction; and
- The date the induction was conducted.

Induction documentation will be maintained for a period of one year following completion of construction works for the Project.

**Reason:** *To ensure biodiversity conservation.*

### 61. Lighting

All external lighting shall:

- (a) Comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting, and
- (b) Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining residential lots or public places.
- (c) Be generally in accordance with the Exterior Lighting Principles prepared by Shelmerdines Consulting Engineers as approved in Condition 2

**Reason:** *To ensure that the amenity of neighbouring properties is not compromised.*

### 62. Landscaped area (planting and maintenance)

Any tree or shrub that fails to establish within 2 years of the initial planting date shall be replaced with the same species of tree or shrub, except where presence of pathogens is suspected when planting of a different species of tree or shrub with similar form and predicted maximum height is to occur.

All landscaped areas on the site shall be maintained on an on-going basis.

**Reason:** *To ensure the ongoing maintenance of landscaped areas.*

**63. Operational Noise Levels**

The Applicant shall ensure operational noise levels (LAeq) for the development do not exceed rating background level by more than 5dB(A) when measured at the boundary of the nearest affected residence. Without limiting the above, operational noise levels must also fall within the requirements of the acceptable noise level amenity of the area as specified by the Office of Environment and Heritage's Industrial Noise Policy. In the event that operational noise is identified as exceeding the requirements of this condition, the Applicant will be required to undertake such works as is necessary to remedy such exceedance within a period determined by Council.

**Reason:** *To prevent loss of amenity to the area.*

**64. Operational Noise Levels**

Noise emission from outdoor mechanical plant and operational noise from the Holt Bush Accommodation shall comply with the approved Acoustic Report S190896RP1 Rev A prepared by Resonate dated 3 December 2019, including compliance with the following requirements:

- (a) There are not to be more than 72 children in the facility;
- (b) activities are restricted to daytime and evening periods only;
- (c) Any mechanical services plant is designed to produce a sound power level of not more than 78 dB(A) for each unit;
- (d) The rainwater filtration pump should have a sound power level of not more than 95 dB(A), and must be housed in an enclosure which would provide a sound attenuation of at least 10 dB(A).

**65. Annual Fire Safety Statement**

Each year, the owner of a building to which an essential fire safety measure is applicable shall cause the Council to be given an annual fire safety statement for the building. Such a fire safety statement:

- (a) shall deal with each essential fire safety measure in the building; and
- (b) shall be given within twelve months after the last such statement was given, or if no such statement was given, within twelve months after a final fire safety certificate was first issued for the building.

As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:

- (a) shall cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
- (b) shall cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be permanently displayed in the building.

**Reason:** *To ensure compliance with fire safety requirements.*

**66. Ongoing Environmental Management**

The site shall be managed in accordance with the requirements and ongoing measures to be implemented to protect the environment as identified in the approved Biodiversity Development Assessment Report prepared by Cumberland Ecology dated 16 December 2021 (**BDAR**), the Vegetation Management Plan prepared by Cumberland Ecology dated 16 December 2021 (**VMP**) and the Biodiversity Management Plan prepared by Cumberland Ecology (**BMP**), specifically:

- (a) Monitoring and reporting obligations identified in Section 5 and Section 6 of the BDAR;
- (b) Monitoring and reporting obligations identified in Section 5 of the Koala Management Guidelines, at Appendix A of the BMP; and
- (c) Monitoring and reporting obligations identified in Section 10 of the approved VMP.

**67. Payten Street Access**

The Payten Street gate must be locked at all times and to only be used for emergency services vehicles. The lock/key system for the gate must be authorised by the local district RFS office, as per the General Terms of Approval dated 10 July 2020

**INTEGRATED DEVELOPMENT CONDITIONS**

**68. General Terms of Approval – Natural Resources Access Regulator**

General Terms of Approval have been granted by the NSW Natural Resources Access Regulator for the development pursuant to section 89, 90, 91 of the *Water Management Act 2000*. The conditions provided by the NSW Office of Water are provided below and form part of the conditions of consent.



**Natural Resources  
Access Regulator**

## General Terms of Approval

for proposed development requiring approval  
under s89, 90 or 91 of the Water Management Act 2000

<b>Reference Number:</b>	IDAS1122881
<b>Issue date of GTA:</b>	07 May 2020
<b>Type of Approval:</b>	Controlled Activity
<b>Description:</b>	Student and Staff Accommodation, Multi-purpose Hall and Carpark
<b>Location of work/activity:</b>	51 RANGE ROAD MITTAGONG 2575
<b>DA Number:</b>	DA20/0747
<b>LGA:</b>	Wingecarribee Shire Council
<b>Water Sharing Plan Area:</b>	Greater Metropolitan Region Unregulated River Water Sources

The GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for the relevant approval after development consent has been issued by Council and before the commencement of any work or activity.

Condition Number	Details
<b>Design of works and structures</b>	
GT0008-00010	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the <i>Water Management Act 2000</i> .
<b>Erosion and sediment controls</b>	
GT0008-00004	The following plan(s): - Erosion and Sediment Control Plan must be: A. prepared in accordance with <i>Managing Urban Stormwater: Soils and Construction, Volume 1 (Landcom, 2004)</i> , as amended or replaced from time to time, and B. submitted with an application for a controlled activity approval.
GT0014-00012	A. The consent holder must ensure that any proposed materials or cleared vegetation, which may: i. obstruct water flow, or ii. wash into the water body, or iii. cause damage to river banks, are not stored on waterfront land, unless in accordance with a plan held by Natural Resources Access Regulator as part of a controlled activity approval. B. When the carry out of the controlled activity has been completed, surplus materials must be removed from waterfront land.
<b>Plans, standards and guidelines</b>	
GT0002-00837	A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application 20.0747 provided by Council to Natural Resources Access Regulator. B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.
GT0005-00358	A. The application for a controlled activity approval must include the following plan(s): - 1. Stormwater management plans including outlet design in accordance with CAA guidelines; 2. Detailed culvert crossing designs; 3. Sediment and Erosion control plan; 4. Civil construction plans; 5. Vegetation Management Plan/Landscape plans detailing the offset averaging within the development site regarding the APZ infringement. B. The plan(s) must be prepared in accordance with Natural Resources Access Regulator's guidelines located on the website <a href="https://www.industry.nsw.gov.au/water/licensing-">https://www.industry.nsw.gov.au/water/licensing-</a>

**69. General Terms of Approval - NSW Rural Fire Service**

The Land and Environment Court in Proceedings 2021/88697 has amended the General Terms of approval issued by the NSW RFS and the following conditions apply:

**(1) Asset Protection Zones**

At the commencement of building works and in perpetuity the property around the development footprint shall be managed as follows:

- North and West for a distance of 50 metres as an Inner Protection Area (IPA) and a further 19 metres as an Outer Protection Area (OPA);
- West for a distance of 33 metres as an IPA;
- South and east for a distance of 50 metres as an IPA and a further 25 metres as an OPA;
- South-west for a distance of 50 metres as an IPA and a further 29 metres as an OPA;
- Land within the site to the west of the Nattai River riparian corridor as an OPA.

The IPA must be managed in accordance with Appendix 4 of *Planning for Bush Fire Protection 2019 (PBFP 2019)*, and shall comprise:

- Minimal fine fuel at ground level (leaves and debris should be removed) in conjunction with mowing;
- Grass, mowed to provide no more than 100mm in height at regular intervals and as required (weekly from 1 September until 30 April each year)
- Trees and shrubs may be retained as clumps or islands, which do not take up more than 20% of the area
- Tree canopy cover (projected) shall be less than 15% at maturity;
- Trees at maturity should not touch or overhang the building;
- Lower limbs should be removed up to a height of 2 metres above the ground;
- Tree canopies should be separated by 2 to 5 metres;
- Preference should be given to smooth barked and evergreen trees; and
- Shrubs should only create large discontinuities or gaps in the vegetation, should not be located under trees or tree canopies, should not form more than 10% of the ground cover, and clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the shrubs at maturity.

The OPA where proposed shall comprise:

- Tree canopy cover of not more than 30% (projected); and
- Understorey grasses managed and mown to a height of less than 25mm on an annual basis (during September each year); and
- Shrubs may be permitted but shall be maintained to create large discontinuities or gaps in the vegetation, not to be located under trees or tree canopies and should not form more than 10% of the ground cover.

**(2) Construction Standards.**

New construction must comply with sections 3 and 5 (BAL 12.5) of Australian Standard AS3959-where proposed 2018 Construction of Buildings in Bushfire Prone Areas; and

- Section 7.5 of PBFP 2019;
- Sarking shall be non-combustible;
- Gutter guards and valley guards are to be installed to free flush leaves and debris from the roof.

**(3) Access – internal vehicular access (roads).**

Prior to the issue of an occupation certificate, the internal (on-site) vehicular access (roads)

from the intersection of Range Road to the Multi-use hall building shall demonstrate compliance with the following requirements of Table 6.8b of PBFP 2019;

- Vehicular access roads shall be two-wheel drive with a trafficable, all-weather surface;
- Vehicular access for car parking is provided;
- Traffic management devices are not to be constructed;
- Internal vehicular access road widths shall be maintained to allow a 2-way traffic (5.5 m wide) in all passing locations shown in red clouds on the plan within the additional information prepared by Building Code & Bushfire Hazard Solutions dated 23/6/2020 ref: 200229B
- Incorporate a suitable turning area for a category 1 fire appliance within 10 metres of the multi-purpose hall building;
- Internal vehicular access road curves have a minimum radius of 6 metres and allow for rapid access and egress;
- A minimum vertical clearance of 4 metres to any overhanging obstructions within the vehicular access, including tree branches, is provided and maintained;
- Vehicular access road entrances are clearly sign posted and bridges clearly indicate load rating; and
- The internal vehicular access road surfaces and bridges have a capacity of 23 tonnes.

**(4) Access - Internal vehicular access - trail**

Prior to the issue of an occupation certificate the internal one-way access trail which provides a loop around the development site shall be upgraded and certified as meeting the Rural Fire Service Fire Trail Standards for a Category 1 fire tanker, being (for use at any time to carry a load of 23 tonnes), four metres wide with a one metre slash on each verge, and with a minimum vertical clearance of four metres to any overhanging obstructions including tree branches.

**(5) Emergency access/egress**

Prior to the use of the development, the proposed emergency access/egress route to Payten Street must meet the following requirements:

- The route must be load rated and certified as suitable for use at any time for a fully loaded fire fighting vehicle (up to 23 tonnes);
- Signage must be provided at the intersection with Payten Road and the site boundary;
- If the route is gated at any point, the lock/key system (if any is used on the gate) is authorised by the local district office of the NSW Rural Fire Service.

**(6) Water and Electricity**

Prior to the issue of an occupation certificate, water and electricity services shall meet the following requirements:

- The development must be connected to the reticulated supply of the local water supply authority, or have a minimum of 20,000 litres dedicated static water supply for firefighting purposes near the hall which is accessible for fire fighters
- If connected to a reticulated supply:
  - fire hydrant spacing, design and sizing shall comply with the relevant clauses of AS2419.1: 2005;
  - water supply will be via a ring main system around the buildings and be sited underground outside of the internal road and/or emergency access/egress roads;
  - Fire hydrant flows and pressures shall be certified by the local water supply authority as complying with the relevant clauses of AS2419.1: 2005.
- If not connected to reticulated supply, the dedicated water supply:
  - Shall be a non-combustible tank,
  - shall incorporate a metal 65mm Storz outlet with ball and gate valve fitted to the outlet,



- shall incorporate a hardened ground surface for truck access within 4 metres of the tank with unobstructed access at all times.
- Electrical transmission lines are to be underground
- Reticulate or bottled gas is not to be connected with any building.

**(7) Landscaping**

Landscaping around the proposed building and forming part of the VMP and within the asset protection zone shall comply with Appendix 4 of PBFP 2019 and the conditions of this consent.

**(8) Bush Fire Emergency and Evacuation Planning Plan**

Prior to the issue of an occupation certificate:

- (a) a draft Bush Fire Emergency Management and Evacuation Plan shall be prepared/updated consistent with "*Development Planning: A guide to developing a Bush Fire Emergency Management and Evacuation Plan*" and the associated template. The plan shall include, but not limited to the following and be implemented and complied with at all times:
  - A mechanism to ensure the buildings are not used on days of 'Total Fire Bans', Extreme or Catastrophic fire danger rating or when the school is not operating with on-site staffing; and
  - Procedures to ensure effective and safe management of children, including children with a disability, staff and vehicle to/and from the site;
  - Procedures for the training of students and staff in the evacuation routes and means of leaving the site for safe refuge (including unlocking gates in fencing); and
  - A communication strategy and location for parents to collect students at a safe location; and
- (b) the draft Bush Fire Emergency Management and Evacuation Plan shall be subject to a 'peer review' by an independent and qualified bushfire consultant appointed by the Council. The Council will have the peer review completed within 28 days from the date of submission of the draft Bush Fire Emergency Management and Evacuation Plan (**the Plan**). The Plan is to be revised and finalised in the light of the peer review and consultation with council's bushfire consultant. The reasonable cost of the peer review and consultation is to be met by the Applicant. The final Plan shall be subsequently revised annually prior to the commencement of the Bush Fire Danger Period to ensure procedures, contact lists and roles are current.

**(9) Internal wire fencing.**

All internal wire fencing bordering the western side of the Existing Bush Pitch or where otherwise located within the site is to be removed to ensure safe access and egress of students, staff and firefighters/emergency services during a bush fire or flooding event. No new internal fencing is to be installed within the site unless it provides a barrier for the safety of vehicles driving off the carriageway into the Nattai River or other on-site streams.

**CONCURRENCE CONDITIONS**

**70. Concurrence - Water NSW**

Concurrence has been granted by Water NSW for the development pursuant to *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*. The conditions provided by Water NSW are provided below and form part of the conditions of consent.

**Water NSW's Amended Concurrence Conditions  
DA No 20/0747; Lot 1 DP 1133695; 51 Range Road, Mittagong**

**General**

1. The layout and works of the development shall be as specified in Statement of Environmental Effects (Ref: P0015293, Report No. Final, dated 18 December 2019) prepared by Urbis Pty Ltd and shown on the Site Plan (Job No. 170146, Dwg No. AR.DA.0501, Revision D, dated 05.07.2021) prepared by TKD Architects. No revisions to layout and works that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

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

**Stormwater Management**

2. All stormwater management measures as shown on the Stormwater Management Plans (Job No.19-227, Dwg Nos. SW02 and SW03, Amendment T2, dated 29.06.21) prepared by Woolacotts Consulting Engineers shall be incorporated to a final stormwater drainage plan. The final stormwater drainage plans shall:
  - include a cross-section of the bioretention basin that is consistent with MUSIC Stormwater Quality Modelling, and
  - ensure the run-off from new bush tracks, as appropriate, is directed to the bioretention basin via grassed swales, and/or on stabilised grassed surface via mitre drains.
3. The bioretention shall:
  - be located above the 2% Annual Exceedance Probability (1 in 50 year) flood level and/or protected from damage by flooding
  - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
  - also incorporate the following:
    - have a filter depth (excluding transition layers) of 400 mm above the underdrain
    - have a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 800 mg/kg
    - be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
  - be accessible from the access track by machinery to facilitate cleaning, monitoring and maintenance of the structures
  - ensure the discharge outlets are consistent with the requirements of any Controlled Activity Approval under the *Water Management Act (2000)* from the Natural Resources Access Regulator (NRAR)
  - be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and

- be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised.
4. No changes to stormwater treatment and management that will have any impact on water quality, shall be permitted without the agreement of Water NSW.
  5. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council prior to the issuance of an Occupation Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.
  6. An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. OEMP shall be prepared prior to the issuance of an Occupation Certificate. The OEMP shall:
    - include details on the location, description, and function of stormwater management structures such as pits, pipes, bioretention basin, rainwater tank, and any other stormwater structures and drainage works
    - outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
    - identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
    - include checklists for recording inspections and maintenance activities, particularly for bioretention basin.
  7. All stormwater treatment devices shall be monitored, maintained, and managed as per the Operational Environmental Management Plan.

*Reason for Conditions 2 to 7 – To ensure that the stormwater quality management measures and structures for the proposed development have a sustainable neutral or beneficial impact on water quality over the longer term.*

#### **Construction Activities**

8. The Erosion and Sediment Control Plans (Job No.19-227, Dwg Nos. ES01 and SW03, Amendment T2, dated 29.06.21) prepared by Woolacotts Consulting Engineers shall be finalised for all works required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall:
  - meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)
  - be prepared prior to the issuance of a Construction Certificate, and be to the satisfaction of Council, and
  - include controls to prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain.
9. The Erosion and Sediment Control Plans shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained, and retained until works have been completed and groundcover established.

*Reason for Conditions 8 & 9 – To manage adverse environmental and water quality impacts during the construction phase of the development to minimise the risk of erosion, sedimentation, and pollution within or from the site during this phase.*