



**Land and Environment
Court**
of New South Wales

Level 4 225 Macquarie Street SYDNEY NSW 2000
Level 4 GPO Box 3565 SYDNEY NSW 2001
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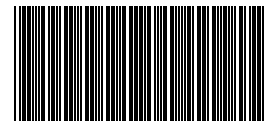
Telephone: 02 9113 8200
Facsimile:
02 91138208

Email: lecourt@justice.nsw.gov.au
Website: <https://www.lec.nsw.gov.au>

ABN: 52 659 114 436

Thomas Kwok
thomas.kwok@holdingredlich.com

Your Ref:



D0002E6N5K

23 June 2026

NOTICE OF ORDERS MADE

Case number	2025/00301430
Case title	Ingleburn Rd 149 Pty Ltd ATF Crown trust 52 v CAMDEN COUNCIL

On 23 June 2026 the following orders (and/or directions) were made:

The Court orders:

- (1) The appeal is upheld.
- (2) Development consent is granted to Development Application No. DA/2025/243/1 for the demolition of existing structures, removal of trees and vegetation, dam dewatering, remediation and staged subdivision resulting in 89 residential Torrens title lots, 100 Community title lots and 2 lots for future road dedication, with the construction of 151 attached, detached and semi-detached dwellings, road construction, drainage construction, servicing and associated site works at 100, 118, 130 Byron Road (Lots 86 and 86A in DP 8979 and Lot 1 in DP 368234), subject to the conditions at Annexure A.

For the Registrar

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA/2025/243/1

Development: Demolition of existing structures, removal of trees and vegetation, dam dewatering, remediation and staged subdivision resulting in 89 residential Torrens title lots, 100 Community title lots and 2 lots for future road dedication with the construction of 151 attached, detached and semi-detached dwellings with road construction, drainage construction, servicing and associated site works

Site: 110 Byron Road, Leppington (Lot 86 in DP 8979)
118 Byron Road, Leppington (Lot 86A in DP 8979)
130 Byron Road, Leppington (Lot 1 in DP 368234)

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

Date of determination: 23 June 2026

Date from which consent takes effect: Date of determination

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 known as 110 Byron Road, 118 Byron Road and 130 Byron Road, Leppington.

The conditions of consent are as follows:

General

1.1 - General Conditions

- (1) **Authority requirements** - The development must be carried out in accordance with the following authority requirements:

1. Endeavour Energy letter ref: 81769 dated: 20 May 2025 and EE Standard Conditions for Development Applications and Planning Proposals Version 11A – February 2026
2. Sydney Water letter ref: 224442 and 216525 dated: 10 June 2025

Condition reason: To ensure the development complies with Authority requirements.

- (2) **Approved plans and documents** - Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this development consent expressly require otherwise:

Approved plans			
Number	Title	Drawn by	Date
Architectural Plan Set (Stage 4 to 6)			
DA-000-01	Cover Sheet Rev 02	Glyde Bautovich	31/3/2026
DA-000-02	BASIX Commitments Rev 02		31/3/2026
DA-000-03	Finishes Schedule Rev 02		31/3/2026
DA-100-01	Site Masterplan		31/3/2026
DA-100-02	Stage 4 Site Plan		31/3/2026
DA-100-03	Stage 4 Site Analysis Plan		31/3/2026
DA-100-04	Stage 4 Site Areas & Development Data		31/3/2026
DA-100-05	Stage 5 Site Plan		31/3/2026
DA-100-06	Stage 5 Site Analysis Plan		31/3/2026
DA-100-07	Stage 5 Site Areas & Development Data		31/3/2026
DA-100-08	Stage 6 Site Plan		31/3/2026

DA-100-09	Stage 6 Site Analysis Plan		31/3/2026
DA-100-10	Stage 6 Site Areas & Development Data		31/3/2026
DA-110-01	Lots 2+3 Duplex Plan and Sections		31/3/2026
DA-110-02	Lots 2+3 Duplex Sections and Elevations		31/3/2026
DA-110-03	Lots 4+5 Duplex Plan and Sections		31/3/2026
DA-110-04	Lots 4+5 Duplex Sections and Elevations		31/3/2026
DA-110-05	Lots 6+7 Duplex Plan and Sections		31/3/2026
DA-110-06	Lots 6+7 Duplex Sections and Elevations		31/3/2026
DA-110-07	Lot 8 Plans and Sections		31/3/2026
DA-110-08	Lot 8 Elevations		31/3/2026
DA-110-09	Lots 9+10 Duplex Plan and Sections		31/3/2026
DA-110-10	Lots 9+10 Duplex Elevations		31/3/2026
DA-110-11	Lots 11+12 Duplex Plan and Sections		31/3/2026
DA-110-12	Lots 11+12 Duplex Elevations		31/3/2026
DA-110-13	Lots 13+14 Duplex Plan and Sections		31/3/2026
DA-110-14	Lots 13+14 Duplex Elevations		31/3/2026
DA-110-15	Lots 15+16 Duplex Plan and Sections		31/3/2026
DA-110-16	Lots 15+16 Duplex Elevations		31/3/2026
DA-110-17	Lots 17+18 Duplex Plan and Sections		31/3/2026
DA-110-18	Lots 17+18 Duplex Sections and Elevations		31/3/2026
DA-110-19	Lots 19+20 Duplex Plan and Sections		31/3/2026

DA-110-20	Lots 19+20 Duplex Elevations		31/3/2026
DA-110-21	Lots 21+22 Duplex Plan and Sections		31/3/2026
DA-110-22	Lots 21+22 Duplex Elevations		31/3/2026
DA-110-23	Lots 23+24 Plans, Sections and Elevations		31/3/2026
DA-110-24	Lots 25+26 (DDA) Plans, Sections and Elevations		31/3/2026
DA-110-25	Lots 27+28 (DDA) Plans, Sections and Elevations		31/3/2026
DA-110-01	Lot 2 Plan and Sections		31/3/2026
DA-110-02	Lots 3+4 Duplex Plan and Sections		31/3/2026
DA-110-03	Lots 3+4 Duplex Elevations		31/3/2026
DA-110-04	Lots 5+6 Duplex Plan and Sections		31/3/2026
DA-110-05	Lots 5+6 Duplex Elevations		31/3/2026
DA-110-06	Lots 7+8 Duplex Plan and Sections		31/3/2026
DA-110-07	Lots 7+8 Duplex Elevations		31/3/2026
DA-110-08	Lots 9+10 Duplex Plan and Sections		31/3/2026
DA-110-09	Lots 9+10 Duplex Elevations		31/3/2026
DA-110-10	Lots 11+12 Duplex Plan and Sections		31/3/2026
DA-110-11	Lots 11+12 Duplex Elevations		31/3/2026
DA-110-12	Lots 13+14 Duplex Plan and Sections		31/3/2026
DA-110-13	Lots 13+14 Duplex Elevations		31/3/2026
DA-110-14	Lots 15+16 Duplex Plan and Sections		31/3/2026
DA-110-15	Lots 15+16 Duplex Elevations		31/3/2026

DA-110-16	Lots 17+18 Duplex Plan and Sections		31/3/2026
DA-110-17	Lots 17+18 Duplex Elevations		31/3/2026
DA-110-18	Lots 19+20 Duplex Plan and Sections		31/3/2026
DA-110-19	Lots 19+20 Duplex Elevations		31/3/2026
DA-110-20	Lots 21+22 Duplex Plan and Sections		31/3/2026
DA-110-21	Lots 21+22 Duplex Elevations		31/3/2026
DA-110-22	Lots 23+24 Duplex Plan and Sections		31/3/2026
DA-110-23	Lots 23+24 Duplex Elevations		31/3/2026
DA-110-24	Lots 25+26 Duplex Plan and Sections		31/3/2026
DA-110-25	Lots 25+26 Duplex Elevations		31/3/2026
DA-110-26	Lots 27+28 (DDA) Duplex Plan, Sections+Elevations		31/3/2026
DA-110-27	Lots 29+30 (DDA) Duplex Plan, Sections+Elevations		31/3/2026
DA-110-28	Lots 31+32 Duplex Plan, Sections+Elevations		31/3/2026
DA-110-29	Lots 33+34 Duplex Plan, Sections+Elevations		31/3/2026
DA-110-30	Lots 35+36 Duplex Plan, Sections+Elevations		31/3/2026
DA-110-31	Lots 37+38 Duplex Plan, Sections+Elevations		31/3/2026
DA-110-32	Lots 39+40 Duplex Plan, Sections+Elevations		31/3/2026
DA-110-01	Lots 2+3 Plan and Sections		31/3/2026
DA-110-02	Lots 2+3 Elevations		31/3/2026
DA-110-03	Lots 4+5 Plan and Sections		31/3/2026

DA-110-04	Lots 4+5 Elevations		31/3/2026
DA-110-05	Lots 6+7 Plan and Sections		31/3/2026
DA-110-06	Lots 6+7 Elevations		31/3/2026
DA-110-07	Lots 8+9 Plan and Sections		31/3/2026
DA-110-08	Lots 8+9 Elevations		31/3/2026
DA-110-09	Lots 10+11 Plan and Sections		31/3/2026
DA-110-10	Lots 10+11 Elevations		31/3/2026
DA-110-11	Lots 12+13 Plan and Sections		31/3/2026
DA-110-12	Lots 12+13 Elevations		31/3/2026
DA-110-13	Lots 14+15 Plan and Sections		31/3/2026
DA-110-14	Lots 14+15 Elevations		31/3/2026
DA-110-15	Lots 16+17 Duplex Plan, Sections and Elevations		31/3/2026
DA-110-16	Lots 18+19 Duplex Plan, Sections and Elevations		31/3/2026
DA-110-17	Lots 20+21 Duplex Plan, Sections and Elevations		31/3/2026
DA-110-18	Lots 22+23 (DDA) Duplex Plan, Sections and Elevations		31/3/2026
DA-110-19	Lots 24+25 (DDA) Duplex Plan, Sections and Elevations		31/3/2026
DA-110-20	Lots 26+27 Duplex Plan, Sections and Elevations		31/3/2026
DA-110-21	Lots 28+29 Duplex Plan, Sections and Elevations		31/3/2026
DA-110-22	Lots 30+31 Duplex Plan, Sections and Elevations		31/3/2026

DA-110-23	Lot 32 Plan, Sections and Elevations		31/3/2026
DA-210-01	Stage 4 Streetscape Elevations		31/3/2026
DA-210-02	Stage 5 Streetscape Elevations		31/3/2026
DA-210-03	Stage 6 Streetscape Elevations		31/3/2026
DA-720-01	Stage 4 Shadow Diagrams - June 21		31/3/2026
DA-720-02	Stage 4 Shadow Diagrams - June 21		31/3/2026
DA-720-03	Stage 5 Shadow Diagrams - June 21		31/3/2026
DA-720-04	Stage 5 Shadow Diagrams - June 21		31/3/2026
DA-720-05	Stage 6 Shadow Diagrams - June 21		31/3/2026
Civil Engineering Plan Set (Stages 1 and 2)			
Sheet 1 of 22	Sheet Title and Locality Sketch Rev. J	YSCO Geomatic Engineering	16/4/2026
Sheet 2 of 22	Plan Sheet 1 Rev. J		16/4/2026
Sheet 3 of 22	Plan Sheet 2 Rev. J		16/4/2026
Sheet 4 of 22	Road Long Sections & Typical Sections Rev. J		16/4/2026
Sheet 5 of 22	Road Long Sections & Typical Sections Rev. J		16/4/2026
Sheet 6 of 22	Byron Road Long Section & Typical Cross Section Rev. J		16/4/2026
Sheet 7 of 22	Catchment Concept Plan Rev. J		16/4/2026
Sheet 8 of 22	Proposed Drainage Long Sections Rev. J		16/4/2026
Sheet 9 of 22	Proposed Drainage Long Sections Rev. J		16/4/2026

Sheet 10 of 22	Proposed Drainage Long Sections Rev. J		16/4/2026
Sheet 11 of 22	Proposed Drainage Long Sections Rev. J		16/4/2026
Sheet 12 of 22	Proposed Drainage Long Sections Rev. J		16/4/2026
Sheet 13 of 22	General Cut and Fill Works Rev. J		16/4/2026
Sheet 14 of 22	Stormwater Detention and Soil Management Concept		16/2/2026
Sheet 15 of 22	Benching Plan		16/2/2026
Sheet 16 of 22	Demolition Plan Rev. J		16/4/2026
Sheet 17 of 22	Typical Treatment Details Rev. J		16/4/2026
Sheet 18 of 22	12.5m Bus Turning Movement Plan Rev. J		16/4/2026
Sheet 19 of 22	19m Semi-Trailer Turning Movement Plan Rev. J		16/4/2026
Sheet 20 of 22	Council Road Layout Plan Rev. J		16/4/2026
Sheet 21 of 22	Byron Road Cross Sections Rev. J		16/4/2026
Sheet 22 of 22	Ingleburn Road Cross Sections Rev. J		16/4/2026
Civil Engineering Plan Set (Stage 4)			
Sheet 1 of 7	Title Sheet and Locality Sketch Rev. D	YSCO Geomatic Engineering	21/4/2026
Sheet 2 of 7	Plan Sheet Rev. D		21/4/2026
Sheet 3 of 7	Road Long Sections & Typical Sections Rev. D		21/4/2026
Sheet 4 of 7	Catchment Concept Plan Rev. D		21/4/2026
Sheet 5 of 7	Soil Management Concept Rev. D		21/4/2026

Sheet 6 of 7	Turning Paths Rev. D		21/4/2026
Sheet 7 of 7	Benching Plan Rev. D		21/4/2026
Civil Engineering Plan Set (Stage 5)			
Sheet 1 of 7	Title Sheet and Locality Sketch Rev. E	YSCO Geomatic Engineering	21/04/2026
Sheet 2 of 7	Plan Sheet Rev. E		21/04/2026
Sheet 3 of 7	Road Long Sections & Typical Sections Rev. E		21/04/2026
Sheet 4 of 7	Catchment Concept Plan Rev. E		21/04/2026
Sheet 5 of 7	Soil Management Concept Rev. E		21/04/2026
Sheet 6 of 6	Turning Paths – 12.5m Single Unit Vehicle		21/02/2025
Sheet 7 of 7	Benching Plan Rev. E		21/04/2026
Civil Engineering Plan Set (Stage 6)			
Sheet 1 of 7	Title Sheet and Locality Sketch Rev. J	YSCO Geomatic Engineering	16/4/2026
Sheet 2 of 7	Plan Sheet Rev. J		16/4/2026
Sheet 3 of 7	Road Long Sections & Typical Sections Rev. J		16/4/2026
Sheet 4 of 7	Catchment Concept Plan Rev. J		16/4/2026
Sheet 5 of 7	Soil Management Concept Rev. J		16/4/2026
Sheet 6 of 6	Turning Paths Rev. J		16/4/2026
Sheet 7 of 7	Bench Plan Rev. J		16/4/2026
Staging Plan			
Sheet 1 of 3	Staging Plan over Lots 86 & 86A D.P.8979 and Lot 1 D.P.368234 Rev. D	YSCO Geomatic Engineering	20/3/2026

Sheet 2 of 3	Staging Plan over Lots 86 & 86A D.P.8979 and Lot 1 D.P.368234 Rev. D		20/3/2026
Sheet 3 of 3	Staging Plan over Lots 86 & 86A D.P.8979 and Lot 1 D.P.368234 Rev. D		20/3/2026
Plan of Proposed Subdivision			
Sheet 1 of 2	Plan of Subdivision over Lots 86 & 86A D.P.8979 and Lot 1 D.P.368234	YSCO Geomatic Engineering	10/02/2026
Sheet 2 of 2	Plan of Subdivision over Lots 86 & 86A D.P.8979 and Lot 1 D.P.368234		26/09/2025
Sheet 1 of 1	Stage 3 Subdivision of Superlots 101, 103 & 106		18/03/2026
Sheet 1 of 1	Stage 4 Community Title Subdivision of Lot 355		18/03/2026
Sheet 1 of 1	Stage 5 Community Title Subdivision of Lot 356		18/03/2026
Sheet 1 of 1	Stage 6 Community Title Subdivision of Lot 108		18/03/2026
Landscape Plans			
Stage 1 – 6 Public Domain Plan			
LDA-002	Master Legend Rev. C		19/03/2026
LDA-101	Landscape Masterplan Rev. D		19/03/2026
LDA-201	Detailed Landscape Plan 1 Rev. C		19/03/2026
LDA-202	Detailed Landscape Plan 2 Rev. C		19/03/2026
LDA-203	Detailed Landscape Plan 3 Rev. C		19/03/2026
LDA-204	Detailed Landscape Plan 4 Rev. C		19/03/2026
LDA-205	Detailed Landscape Plan 5 Rev. C		19/03/2026

LDA-206	Detailed Landscape Plan 6 Rev. C		19/03/2026
LDA-301	Landscape Details Rev. B		19/03/2026
LDA-001	Cover Sheet Rev. B		26/03/2026
Stage 4 Works			
LDA-001	Cover Sheet Rev, B		26/03/2026
LDA-101	Landscape Masterplan Rev. B		26/03/2026
LDA-102	Proposed Tree and Fencing Plan Rev. B		26/03/2026
LDA-201	Detailed Landscape Typology Plans 1 Rev. B		26/03/2026
LDA-202	Detailed Landscape Typology Plans 2 Rev. B		26/03/2026
LDA-203	Common Landscape Area Plan Rev. B		26/03/2026
LDA-301	Planting Palette Rev. B		26/03/2026
LDA-401	Landscape Details Rev. B		26/03/2026
Stage 5 Works			
LDA-001	Cover Sheet Rev. B		26/03/2026
LDA-101	Landscape Masterplan Rev. B		26/03/2026
LDA-102	Proposed Tree and Fencing Plan Rev. B		26/03/2026
LDA-201	Detailed Landscape Typology Plans 1 Rev. B		26/03/2026
LDA-202	Detailed Landscape Typology Plans 2 Rev. B		26/03/2026
LDA-301	Planting Palette Rev. B		26/03/2026
LDA-401	Landscape Details Rev. B		26/03/2026

Stage 6 Works			
LDA-001	Cover Sheet Rev. B		26/03/2026
LDA-101	Landscape Masterplan Rev. B		26/03/2026
LDA-102	Proposed Tree and Fence Plan Rev. B		26/03/2026
LDA-201	Detailed Landscape Typology Plans 1 Rev. B		26/03/2026
LDA-202	Detailed Landscape Typology Plans 2 Rev. B		26/03/2026
LDA-203	Common Landscape Area Plan Rev. B		26/03/2026
LDA-301	Planting Palette Rev. B		26/03/2026
LDA-401	Landscape Details Rev. B		26/03/2026
Stage 3 - NatHERS and BASIX Plans prepared by Crownland Developments			
Sheet 1 of 34	Site & Substage Concept Plan	Firststyle Homes	19/03/2026
Sheet 2 of 34	Calculations		19/03/2026
Sheet 3 of 34	Site Analysis Plans Block A		19/03/2026
Sheet 4 of 34	Site Analysis Plans Blocks B and C		19/03/2026
Sheet 5 of 34	Stage 3 Block A Site Plan and Dwelling Types		19/03/2026
Sheet 6 of 34	Stage 3 Block B Site Plan and Dwelling Types		19/03/2026
Sheet 7 of 34	Stage 3 Block C Site Plan and Dwelling Types		19/03/2026
Sheet 8 of 34	Stage 3 Block A Ground & First Floor Plan		19/03/2026
Sheet 9 of 34	Stage 3 Block B Ground & First Floor Plan		19/03/2026
Sheet 10 of 34	Stage 3 Block C Ground & First Floor Plan		19/03/2026

Sheet 11 of 34	Landscape Concept Plan Block A		19/03/2026
Sheet 12 of 34	Landscape Concept Plan Block B		19/03/2026
Sheet 13 of 34	Landscape Concept Plan Block C		19/03/2026
Sheet 14 of 34	Colour Scheme		19/03/2026
Sheet 15 of 34	Elevations Block A		19/03/2026
Sheet 16 of 34	Elevations Block A		19/03/2026
Sheet 17 of 34	Elevations Block B		19/03/2026
Sheet 18 of 34	Elevations Block B		19/03/2026
Sheet 19 of 34	Elevations Block C		19/03/2026
Sheet 20 of 34	Streetscape Elevations		19/03/2026
Sheet 21 of 34	Sections 1		19/03/2026
Sheet 22 of 34	Sections 2		19/03/2026
Sheet 23 of 34	Dwelling Types		19/03/2026
Sheet 24 of 34	Typical Plan Layouts		19/03/2026
Sheet 25 of 34	Shadow Diagram		19/03/2026
Sheet 26 of 34	Benching Block A		19/03/2026
Sheet 27 of 34	Benching Block B		19/03/2026
Sheet 28 of 34	Benching Block C		19/03/2026
Sheet 29 of 34	Waste Management Plan Stage 3 Block A, C		19/03/2026
Sheet 30 of 34	Waste Management Plan Stage 3 Block B		19/03/2026
Sheet 31 of 34	Stormwater Plan Stage 3 Block A, C		19/03/2026

Sheet 32 of 34	Stormwater Plan Stage 3 Block B		19/03/2026
Sheet 33 of 34	Proposed Easement Plan		19/03/2026
Sheet 34 of 34	Garage Driveway Gradients		19/03/2026
BASIX Certificates dated 12 June 2026			
Certificate Number	Address	Prepared by	Date
1850989S	Lot 301 Araucaria Avenue Leppington	Firststyle Homes Pty Ltd	12/06/2026
1850990S	Lot 302 Araucaria Avenue Leppington		12/06/2026
1850992S	Lot 303 Araucaria Avenue Leppington		12/06/2026
1850756S_02	Lot 304 Araucaria Avenue Leppington_02		12/06/2026
1850754S_02	Lot 305 Araucaria Avenue Leppington_02		12/06/2026
1850749S_02	Lot 306 Araucaria Avenue Leppington_02		12/06/2026
1850745S_02	Lot 307 Araucaria Avenue Leppington_02		12/06/2026
1850741S_02	Lot 308 Araucaria Avenue Leppington_02		12/06/2026
1850737S_02	Lot 309 Araucaria Avenue Leppington_02		12/06/2026
1850736S_02	Lot 310 Araucaria Avenue Leppington_02		12/06/2026
1850733S_02	Lot 311 Heise Lane Leppington_02		12/06/2026
1850730S_02	Lot 312 Heise Lane Leppington_02		12/06/2026
1850727S_02	Lot 313 Heise Lane Leppington_02		12/06/2026
1850725S_02	Lot 314 Heise Lane Leppington_02		12/06/2026
1850723S_02	Lot 315 Heise Lane Leppington_02		12/06/2026

1850719S_02	Lot 316 Heise Lane Leppington_02		12/06/2026
1850777S_02	Lot 317 Heise Lane Leppington_02		12/06/2026
1850775S_02	Lot 318 Heise Lane Leppington_02		12/06/2026
1850770S_02	Lot 319 Heise Lane Leppington_02		12/06/2026
1850769S_02	Lot 320 Heise Lane Leppington_02		12/06/2026
1850766S_02	Lot 321 Heise Lane Leppington_02		12/06/2026
1850764S_02	Lot 322 Heise Lane Leppington_02		12/06/2026
1850760S_02	Lot 323 Araucaria Avenue Leppington_02		12/06/2026
1850758S_02	Lot 324 Araucaria Avenue Leppington_02		12/06/2026
1850683S_02	Lot 325 Araucaria Avenue Leppington_02		12/06/2026
1850680S_02	Lot 326 Araucaria Avenue Leppington_02		12/06/2026
1850678S	Lot 327 Araucaria Avenue Leppington		11/06/2026
1850676S_02	Lot 328 Araucaria Avenue Leppington_02		12/06/2026
1850675S_02	Lot 329 Araucaria Avenue Leppington_02		12/06/2026
1850674S_02	Lot 330 Araucaria Avenue Leppington_02		12/06/2026
1850639S_02	Lot 331 Araucaria Avenue Leppington_02		12/06/2026
1850637S	Lot 332 Araucaria Avenue Leppington		10/06/2026
1850635S_02	Lot 333 Araucaria Avenue Leppington_02		12/06/2026
1850631S_02	Lot 334 Araucaria Avenue Leppington_02		12/06/2026

1850628S	Lot 335 Araucaria Avenue Leppington		10/06/2026
1850625S_02	Lot 336 Araucaria Avenue Leppington_02		12/06/2026
1850603S_02	LOT 337 ARAUCARIA AVENUE LEPPINGTON NSW 2179_02		12/06/2026
1850622S_02	Lot 338 Araucaria Avenue Leppington_02		12/06/2026
1850621S_02	Lot 339 Araucaria Avenue Leppington_02		12/06/2026
1850618S_02	Lot 340 Basden Crescent Leppington_02		12/06/2026
1850615S_02	Lot 341 Basden Crescent Leppington_02		12/06/2026
1850612S_02	Lot 342 Basden Crescent Leppington_02		12/06/2026
1850608S_02	Lot 343 Basden Crescent Leppington_02		12/06/2026
1850716S_02	Lot 344 Araucaria Avenue Leppington_02		12/06/2026
1850712S_02	Lot 345 Araucaria Avenue Leppington_02		12/06/2026
1850708S_02	Lot 346 Araucaria Avenue Leppington_02		12/06/2026
1850707S_02	Lot 347 Araucaria Avenue Leppington_02		12/06/2026
1850702S_02	Lot 348 Araucaria Avenue Leppington_02		12/06/2026
1850698S_02	Lot 349 Araucaria Avenue Leppington_02		12/06/2026
1850697S	Lot 350 Araucaria Avenue Leppington		11/06/2026
1850696S	Lot 351 Araucaria Avenue Leppington		11/06/2026

1850693S	Lot 352 Araucaria Avenue Leppington		11/06/2026
1850689S_02	Lot 353 Araucaria Avenue Leppington_02		12/06/2026
1850686S_02	Lot 354 Araucaria Avenue Leppington_02		12/06/2026
Stage 4			
1790581M_02	100-130 Byron Rd Leppington Stage 4_02	ESD Synergy Pty Ltd	12/06/2026
Stage 5			
1790610M_02	100-130 Byron Rd Leppington Stg 5_02		12/06/2026
Stage 6			
1790649M_02	100-130 Byron Rd Leppington Stg 6_02		12/06/2026

Approved documents		
Title	Prepared by	Date
Typical Corner Lot House	-	05/05/2026
Stage 3		
Firstrate 5 Report – Lot 301	-	17/03/2026
Firstrate 5 Report – Lot 302	-	17/03/2026
Firstrate 5 Report – Lot 303	-	17/03/2026
NAThers Certificate – Lot 301	-	19/03/2026
NAThers Certificate – Lot 302	-	19/03/2026
NAThers Certificate – Lot 303	-	19/03/2026
Road Traffic Noise Intrusion Assessment (7925-1.1R Rev C) for Stages 1-3	Day Design Pty Ltd	20/03/2026
Road Traffic Noise Intrusion Assessment (7925-2.1R Rev A) for Stages 4-6	Day Design Pty Ltd	20/03/2026

Stage 1 and 2 Waste Management Plan	Crownland Developments	Undated
Stage 4 Waste Management Plan	Crownland Developments	Undated
Stage 5 Waste Management Plan	Crownland Developments	Undated
Stage 6 Waste Management Plan	Crownland Developments	Undated
Geotechnical and Salinity Investigation Report r2	GeoEnviro Consultancy Pty Ltd	19 January 2024
Remediation Action Plan r3	GeoEnviro Consultancy Pty Ltd	25 January 2024
Arboricultural Impact Appraisal and Method Statement	Naturally Trees	9 February 2024
Archaeological Due Diligence Assessment	McCardle Cultural Heritage	16 October 2023
Dam Dewatering Plan Draft v1.0	Narla Environmental	26 February 2024
Dam Decommissioning Plan r5	GeoEnviro Consultancy Pty Ltd	29 January 2024
Detailed Site Investigation Report r1	GeoEnviro Consultancy Pty Ltd	19 January 2024
Salinity Management Plan r4	GeoEnviro Consultancy Pty Ltd	29 January 2024
Stormwater Management Report	YSCO Geomatics	24 February 2025
Traffic and Parking Assessment Issue B	Transport & Traffic Planning Associates	April 2025

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(3) **Approved development stages and sequence** - The development must be carried out in the following stages and sequence:

1. Stage 1 – Subdivision to create 8 residue lots (Lots 101 to 108) and 2 road widening lots and the construction of public roads.
2. Stage 2 – Subdivision of residue lots 102, 104, 105 and 107 to create 35 residential lots (Lots 201-235).
3. Stage 3 – Subdivision of residue Lots 101, 103 and 106 to create 54 residential lots (Lots 301 – 354) and two residue lots (Lot 355 and Lot 356), and the construction of 5 dwelling houses, 31 attached dwellings and 18 semi-detached dwellings.
4. Stage 4 – Subdivision of residue Lot 355 to create 27 community title residential Lots (Lots 2 – 28) and one road lot (Lot 1), and the construction of one dwelling house and 26 semi-detached dwellings.

5. Stage 5 – Subdivision of residue Lot 356 to create 39 community title residential Lots (Lots 2 – 40) and one road lot (Lot 1), and the construction of one dwelling house and 38 semi-detached dwellings.
6. Stage 6 – Subdivision of residue Lot 108 to create 31 community title residential Lots (Lots 2 – 32) and one road lot (Lot 1), and the construction of one dwelling house and 30 semi-detached dwellings.

Condition reason: To detail the approved staging and sequencing for the development.

- (4) **Fulfillment of BASIX commitments** - Each commitment listed in an approved BASIX certificates referred to at condition 1 for the development must be fulfilled.

Condition reason: Prescribed condition under section 75 of the *Environmental Planning and Assessment Regulation 2021*.

- (5) **Engineering specifications** - The development must be designed and constructed in accordance with Council's engineering specifications.

Condition reason: To ensure the development complies with Council's engineering specifications.

- (6) **Plan amendments** – Before the appointment of a Principal Certifying Authority (PCA), the approved documents and plans are to be amended to address the following matters, to the satisfaction of Camden Council (as confirmed in writing):

1. Updated architectural and landscaping plans that demonstrate the following fencing outcomes:
 - a) Any fencing to Byron Road and Ingleburn Road including any fencing between the front boundary and the building line are to have a height not more than 1.2m above the finished footpath level.
 - b) For Stage 4-6, front boundary fencing is to be of palisade or picket style (with a minimum aperture of 25mm). All fencing within the front setback must satisfy this condition.
 - c) Fencing that encloses the private open space on any corner / end lots is to have acoustic fencing in accordance with the specification in the approved acoustic report referred to at condition 1. If the fence is timber, it is to be painted or stained. On corner sites, the fence is not to comprise more than 50% of the secondary street frontage unless required by the approved acoustic report.
 - d) Stage 4 - Lots 9 - 22: An automatic sliding gate is to be provided to ensure a secure vehicle space and private open space is provided. The width of the gate is to be at least 2.7m wide.
 - e) The side fences of the Lots in stages 4 – 6 are to return to meet the side wall of the building with an access gate installed to provide security to the private open space.
2. Updated engineering plans shall be provided, which include:
 - a) Detailed cut and fill plan to clarify the scope of proposed earthworks.

- b) Details of proposed retaining walls, including maximum heights, top and bottom of wall spot levels, and cross sections showing the location of the retaining walls relative to existing or proposed lot boundaries. The applicant must seek Council's confirmation as to whether any easements will be required and must be shown on plans.
- c) Updated long section for Driveway 51 ensuring the grade from CH5 to CH10 suitably ties into the approved verge levels of Basden Crescent (Road 105 under the Stage 3 plan). The updated plans should target a typical verge grade of 4%.
- d) Tree pits shall be removed from Driveway 62 and updated indicative lot driveway locations shall be provided on plans, including for Lot 16.
- e) Detailed design of the OSD and WSUD facilities, including but not limited to:
 - i. Floor surface area for all basins.
 - ii. Floor levels for all basins.
 - iii. Embankment levels for all basins.
 - iv. Emergency spillway levels for all basins.
 - v. Details of staged OSD discharge for all basins, ensuring all storms up to and including the 1% AEP are suitably attenuated in accordance with Camden Council Engineering Specifications (refer to DRAINS model requirement below).
 - vi. Filtered outlet point for 'sedimentation basin' component of the OSD basins, separate to the staged OSD outlet (noting that sedimentation basin extended detention depth is not considered to contribute to OSD storage).
 - vii. Details for construction of "Stormfilter chambers" containing Psorb Cartridges (as shown at each basin outlet in the 'Optional Treatment' scenario contained within the MUSIC Model provided to Council during DA assessment).
 - viii. Details of basin access ramps including exact locations, long sections, and swept paths for 8.8m MRV maintenance vehicles.
 - ix. Detailed catchment plan showing breakdown of pervious and impervious areas to verify the data used within the MUSIC model provided to Council during DA assessment.
- 3. Updated DRAINS model shall be provided, ensuring all storms up to and including the 1% AEP are suitably attenuated in accordance with Camden Council Engineering Specifications. The model must demonstrate that the 50% AEP is suitably attenuated across the site with post development flows not exceeding pre development flows).

4. Updated plans (including but not limited to engineering plans) shall be provided to ensure access to Lot 15 in stage 6. An amended design must be provided that ensures driveway access is achievable.

Note: The plans and documents referred to at condition 1 demonstrate that the lintel for the stormwater pit at Driveway 61 CH45 is blocking access to Lot 15 in stage 6. Given it is a sag pit, it is required to be a lintel and cannot be amended to a trafficable butterfly grate.

5. Updated engineering plans in both 'pdf' and 'cad' formats demonstrating the following:
 - a. interface design of the proposed development is compatible with the interim and ultimate road designs of Ingleburn Road and Byron Road.
 - b. The proposed design matches Ingleburn Road and Byron Road stormwater design.
 - c. Town Centre Road No. 105 is designed so that it matches AECOM's intersection design with Byron Road and the approved DA/2022/82/1 at 36 Ingleburn Road to the east.
 - d. Town Centre Road No.105 matches AECOM's cross-section design.
6. Updated plans with amended accessways to the north and south of the Town Centre Road No.105.

Note: The design shown in the plans referred to at condition 1 is not supported as it will disrupt operational efficiency of the intersection of Byron Road & Town Centre Road and is located too close to the Byron Road intersection conflicting with future turning lanes. The accessways must be amended to ensure no conflicts.

7. Amended plans and/or documents must be provided to demonstrate how the utility services along the frontage of Byron Road and Ingleburn Road will be coordinated between the interim and ultimate scenarios of road design and the applicant must also demonstrate how the future levels of ultimate utility services/assets will be achieved in accordance with the ultimate design of these major roads up to the satisfaction of Camden Council.

Condition reason: To ensure that required amendments are made to the satisfaction of Council.

- (7) **Approved tree work** - This development consent approves the following tree(s) to be removed:

1. Trees specified for removal in Landscape Masterplan prepared by "Ground Ink" dated 19 March 2026 Issue D.

No trees are permitted by this development consent to be removed on adjoining properties.

Condition reason: To detail approved tree work and any replacement landscaping.

Demolition Work

2.1 - Before Demolition Work Commences

- (1) **Site security and fencing** - Before any demolition work commences, the site is to be secured and fenced.

Condition reason: To ensure that access to the site is managed before works commence.

- (2) **Dilapidation report** - Before any demolition work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of Council. The report must include:

1. A photographic survey of the following properties:
 - a. 36 Ingleburn Road, Leppington (Lot: 85 DP: 8979)
 - b. 1453 Camden Valley Way, Leppington (Lot: 41 DP: 1177254)
 - c. 1461 Camden Valley Way Leppington (Lot: 42 DP: 1177254)
 - d. 142 Byron Road, Leppington (Lot: Y DP: 399114)
2. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
 - a. Road carriageways.
 - b. Kerbs.
 - c. Footpaths.
 - d. Drainage structures.
 - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written approval must be obtained from Council in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer's damages bond.

The report must be submitted to Council 2 days before any demolition work commences. The development must comply with all conditions that the report imposes.

Condition reason: To ensure that any damage caused by works can be identified and rectified.

(3) **Demolition work** - Before any demolition work commences, the following requirements must be complied with:

1. The developer must notify adjoining property occupiers of the demolition works 7 working days prior to demolition. The notification must be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every apartment, unit or the like) either side, immediately at the rear of and directly opposite the demolition site.
2. The developer must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
3. The developer must erect a 1.8m high temporary fence and hoarding between the site and any public property (footpaths, roads, reserves, etc.). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or when the site is unoccupied.
4. The developer must consult with the relevant utility owner(s) regarding any requirements for the disconnection of services.
5. Erosion and sediment control measures must be installed.
6. A work plan must be prepared by a suitably qualified person. The plan must:
 - a. Demonstrate compliance with AS 2601 - The Demolition of Structures.
 - b. The NSW Government's Code of Practice for Demolition Work.
 - c. Identify hazardous materials including surfaces coated with lead paint.
 - d. Detail the method(s) of demolition.
 - e. Identify the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - f. Note that the burning of any demolished material on site is not permitted and that offenders will be prosecuted.
7. If the property was built prior to 1987, an asbestos survey must be carried out by a suitably qualified person. If asbestos is found, a SafeWork NSW licensed asbestos removalist must remove all asbestos in accordance with SafeWork NSW requirements and include notification to adjoining property occupiers of the asbestos removal.

Condition reason: To ensure that demolition works are carried out to appropriate standards.

(4) **Hazardous building materials assessment (preparation)** - Before any demolition work commences, a hazardous building materials assessment (HBMA) must be prepared by a suitably qualified person. The report must demonstrate that:

1. The HBMA has assessed all building and structures to be demolished.
2. All hazardous components on the site have been identified.

Condition reason: To ensure hazardous building materials are identified before any works commence.

- (5) **Site management plan (preparation)** - Before any demolition work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate that the following site work matters will be managed to protect the amenity of the surrounding area:
1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
 2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
 3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
 4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
 5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
 6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
 7. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
 8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
 9. Hazardous materials management.
 10. Work health and safety.
 11. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

- (6) **Erection of signs** - Before any demolition work commences, a sign must be erected in a prominent position on the site:

1. Showing the name of the principal contractor, if any, for the work and a telephone number on which the contractor may be contacted outside working hours.
2. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work has been completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

- (7) **Tree survey plan, hollow bearing trees and active nests** - Before any demolition work commences, a tree survey plan must be prepared by a suitably qualified person and demonstrate, to the satisfaction of Council, the following requirements:

1. The location, type and condition of trees approved to be removed.
2. Whether tree hollows or active nests are present in any trees approved to be removed.
3. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan. The nest box installation and active nest relocation plan must provide fauna with short-term habitat during approved vegetation clearance and restoration works. Each tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.

Condition reason: To ensure that fauna habitat approved for removal is replaced by nest boxes and/or by relocating active nests.

- (8) **On-site sewage management system decommissioning** - Before any demolition work commences, the site's on-site sewage management system(s) must be decommissioned in accordance with the following requirements, to the satisfaction of Council:

Option 1 - Removal of System From Site

1. The tank(s) and grease trap(s) must be emptied by a liquid wastewater contractor and the contents disposed of at a wastewater facility. A copy of the disposal receipt must be submitted to Council.
2. The sides, lid, baffle (if fitted) and square junctions of the tank(s) must be hosed down as the waste is being removed.
3. The inlets and outlets must be plugged. The tank(s) must then be filled with clean water and disinfected to a minimum level of 5mg/l of free residual chlorine with a half hour contact time. The lid(s) must be exposed to the chlorine solution. The chlorine must be allowed to dissipate naturally and not be neutralised. The tank(s) contents must then be emptied by a liquid wastewater contractor.
4. The tank(s), any associated drainage and/or disposal field(s) including materials and drainage pipes used in the construction and connection of redundant transpiration beds, absorption trenches and/or irrigation fields must be removed and disposed of at a waste facility. This must include aggregates, rubble, sand, concrete slabs and the like. A copy of the disposal receipt materials must be provided to Council.
5. The tank(s) excavation(s), transpiration beds and/or absorption trenches must be backfilled with clean fill material and finished to the adjoining ground level.

Option 2- Decommissioning on Site

1. The tank(s) and grease trap must be emptied by a liquid wastewater contractor and the contents disposed of at a wastewater facility. A copy of the disposal receipt must be submitted to Council.
2. The tank(s) must be thoroughly dusted with commercial grade agricultural lime.
3. The base of the tank(s) must be punctured (to prevent future holding of water), the lid(s) broken in and the top edges broken down 300mm below ground level.
4. The tank(s) must be backfilled with clean fill material and finished to the adjoining ground level.

Condition reason: To ensure that redundant on-site sewage management system(s) are decommissioned to appropriate standards.

- (9) **Dam and/or watercourse beds desilting** - Before any demolition work commences, a geotechnical report must be prepared by a suitably qualified geotechnical engineer and detail, to the satisfaction of the certifier, the works required to desilt the dam or watercourse beds.

Condition reason: To ensure that the works required to desilt dam and/or watercourse beds are documented.

- (10) **Traffic management plan for dam dewatering activities** - Before any demolition work commences, a traffic management plan for dam dewatering activities shall be provided prior to these activities being undertaken.

Note: The applicant shall provide Council with a current Public Liability Policy to a value of \$20m prior to the dam-dewatering activities being undertaken.

Condition reason: To ensure that traffic management plans are provided to include activities such as dam dewatering.

2.2 - During Demolition Work

- (1) **Priority (noxious) weeds management (during work)** - While demolition work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (2) **Work hours** - While demolition work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

Condition reason: To protect the amenity of the surrounding area.

- (3) **Work noise** - While demolition work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

Condition reason: To protect the amenity of the surrounding area.

- (4) **Hazardous building materials assessment (during work)** - While demolition work is being carried out, the approved hazardous building materials assessment must be complied with.

All site personnel and occupants of adjoining properties must be protected from risk of exposure to hazardous building materials in accordance with SafeWork NSW requirements and the NSW Government's Code of Practice for Demolition Work.

All materials not suitable for reuse or recycling must be disposed of at a waste facility.

Condition reason: To ensure hazardous building materials are appropriately managed during work.

- (5) **Site management plan (during work)** - While demolition work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

Condition reason: To protect the amenity of the surrounding area.

- (6)

Unexpected contamination finds contingency (remediation action plan)

While remediation work is being carried out, if any additional contamination and/or hazardous materials is encountered, the work in the vicinity of the contamination and/or hazardous materials must cease immediately and the contingency recommendations of the approved remediation action plan must be complied with.

Condition reason: To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (7) **Fauna management** - While demolition work is being carried out, all waterbodies, hollow bearing trees and active nests or burrows identified to be removed from the site must be inspected prior to removal by a suitably qualified ecologist. Appropriate measures must be taken to ensure that fauna inhabiting waterbodies, tree hollows and active nests or burrows is treated humanely and relocated before site works commence consistent with the *National Parks and Wildlife Act 1974*. A suitably qualified ecologist must be present throughout vegetation clearing works to relocate fauna or take fauna into care where appropriate (i.e., juvenile or nocturnal fauna). Nesting animals must be left in situ until young have fledged and/or left the nest.

Condition reason: To ensure that any required fauna management occurs humanely.

- (8) **Work near or involving vegetation** - While demolition work is being carried out, the following requirements must be complied with:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.

4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

Condition reason: To ensure that work near or involving vegetation is carried out to industry standards.

- (9) **Archaeological discovery** - While demolition work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance:

1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

- (10) **Shoring and adequacy of adjoining property** - While demolition work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

- (11) **Redundant driveway laybacks** - While demolition work is being carried out, all redundant driveway laybacks along all of the site's road frontages must be sealed and restored to match the existing standards along those roads, to the satisfaction of Council.

Condition reason: To ensure that road frontages are provided with consistent conditions.

- (12) **Dam dewatering** - While demolition work is being carried out, dam(s) must not be breached for the purpose of water removal. All surplus dam water must be irrigated onto and contained within the property. Dam water must not be allowed to discharge or flow directly into any stream, creek, river or other waterbody unless the water complies with the water quality discharge criteria in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018).

Condition reason: To prevent water pollution.

2.3 - On Completion of Demolition Work

- (1) **Occupational hygienist certificate** - On completion of demolition work, a certificate from an occupational hygienist must be provided to Council. The certificate must certify that the site is free of hazardous building materials and asbestos.

Condition reason: To ensure that the site is free of hazardous building materials and asbestos.

- (2) **Dam Decommissioning** - That the decommissioning of the dam shall be carried out in accordance with Section 5 of the report titled "Dam Decommissioning Plan proposed residential subdivision development lots Lots 86 & 86A DP8979 and Lot1 DP368234 No.100, 118 and 130 Byron road, Leppington prepared by Geo Enviro Consultancy Pty ref: JC23468A-r5 January 2024, and referred to at condition 1.

Condition reason: To ensure the dam dewatering is carried out in accordance with the approved report.

Remediation Work

3.1 - Before Remediation Work Commences

- (1) **Site security and fencing** - Before any remediation work commences, the site is to be secured and fenced.

Condition reason: To ensure that access to the site is managed before works commence.

- (2) **Site management plan (preparation)** - Before any remediation work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

- (3) **Fill management plan (preparation)** - Before any remediation work commences, a fill management plan must be prepared by a suitably qualified person. The plan must demonstrate that all fill material imported into the site will be virgin excavated natural material or excavated natural fill material.

Condition reason: To ensure that only virgin excavated natural fill material or excavated natural fill material is imported into the site.

- (4) **Utility services protection** - Before any remediation work commences, the developer must demonstrate that the following requirements have been met:

1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.
2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.

Condition reason: To ensure that utilities are not adversely affected by development.

- (5) **Tree survey plan, hollow bearing trees and active nests** - Before any remediation work commences, a tree survey plan must be prepared by a suitably qualified person and demonstrate, to the satisfaction of Council, the following requirements:

1. The location, type and condition of trees approved to be removed.
2. Whether tree hollows or active nests are present in any trees approved to be removed.
3. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan. The nest box installation and active nest relocation plan must provide fauna with short-term habitat during approved vegetation clearance and restoration works. Each tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.

Condition reason: To ensure that fauna habitat approved for removal is replaced by nest boxes and/or by relocating active nests.

3.2 - During Remediation Work

- (1) **Priority (noxious) weeds management (during work)** - While remediation work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (2) **Work hours** - While remediation work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

Condition reason: To protect the amenity of the surrounding area.

- (3) **Work noise** - While remediation work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

Condition reason: To protect the amenity of the surrounding area.

- (4) **Pollution warning sign** - While remediation work is being carried out, a sign must be displayed at all site entrances. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:

'WARNING UP TO \$30,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (13 22 63) - Solution to Pollution.'

The wording must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.

The sign(s) must be maintained until the works have been completed.

Condition reason: To ensure that potential fines for pollution are clearly advertised.

- (5) **Site management plan (during work)** - While remediation work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

Condition reason: To protect the amenity of the surrounding area.

- (6) **Fill management plan (during work)** - While remediation work is being carried out, the approved fill management plan must be complied with.

Condition reason: To ensure that only virgin excavated natural fill material is imported into the site.

- (7) **Fill assessment report** - While remediation work is being carried out, a fill assessment report must be prepared by a suitably qualified person each month. The report must

facilitate, to the satisfaction of Council, a monthly audit of compliance with the approved fill management plan.

Condition reason: To confirm that only virgin excavated natural fill material or excavated natural fill material is imported into the site.

- (8) **Fill delivery register** - Once remediation work is completed, the delivery register for the site work must be submitted to Council.

Condition reason: To ensure that Council has a record of all fill deliveries to the site.

- (9) **Fill material (virgin excavated natural material and/or excavated natural material)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate that:

1. For virgin excavated natural material, the report and plan have been prepared in accordance with:
 - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'.
 - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
2. For excavated natural material, the report and plan have been prepared in accordance with:
 - a. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
 - b. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
 - c. The Excavated Natural Material Order and Exemption 2014.
3. The fill material:
 - a. Provides no unacceptable risk to human health and the environment.
 - b. Is free of contaminants.
 - c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').
 - d. Is suitable for its intended purpose and land use.
 - e. Has been lawfully obtained.
4. The sampling of the material for salinity complies with:

- a. Less than 6,000m³ - 3 sampling locations.
 - b. Greater than 6,000m³ - 3 sampling locations with 1 extra location for each additional 2,000m³ or part thereof.
 - c. A minimum of 1 sample from each sampling location must have been provided for assessment.
5. The sampling of the material for contamination must comply with:
- a. Virgin excavated natural material (1,000m³ or part thereof) - 1 sampling location. For volumes less than 1,000m³, a minimum of 2 separate samples from different locations must be taken.
 - b. Excavated natural material - Refer to the Resource Recovery Exemption.
6. The sampling of the material for contamination must comply with:
- a. Virgin excavated natural material (1,000m³ or part thereof) - 1 sampling location. For volumes less than 1,000m³, a minimum of 2 separate samples from different locations must be taken.
 - b. Excavated natural material - Refer to the Resource Recovery Exemption.

Condition reason: To ensure that fill material has been adequately assessed before placement on the site.

- (10) **Remediated/validated fill material or soils reuse** - While remediation work is being carried out, remediated/validated fill material or soils to be reused on the site must be placed (where practical) in the same location that the contaminated material was originally identified. The reused material must be placed at a minimum depth of 300mm below finished ground level.

Condition reason: To ensure that validated material is not displaced by weathering.

- (11) **Remediation work inspections** - While remediation work is being carried out, a certified contaminated land consultant must frequently inspect the remediation work to confirm compliance with the approved remediation action plan, including all health and safety requirements.

Condition reason: To ensure that the approved remediation action plan is complied with.

- (12) **Work near or involving vegetation** - While remediation work is being carried out, the following requirements must be complied with:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.

3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

Condition reason: To ensure that work near or involving vegetation is carried out to industry standards.

- (13) **Archaeological discovery** - While remediation work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance:

1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

- (14) **Shoring and adequacy of adjoining property** - While remediation work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

- (15) **Remedial Action Plan** – All approved remediation works that include excavation, stockpiling, on-site and off-site disposal, cut, backfilling, compaction, monitoring, validation, site management and security and work health and safety must be carried out in accordance with the approved remediation action plan titled Remediation Action Plan Proposed residential Subdivision development Lots 86 & 86A DP8979 and Lot1 DP368234 No.100, 118 and 130 Byron road, Leppington prepared by Geo Enviro Consultancy Pty Ltd ref: JC23468A-r3 January 2024 except where amended by other conditions of this development consent.

Any variation to the approved remediation action plan will require this development consent to be modified or a separate development consent to be obtained.

Condition reason: To ensure that the development is carried out in accordance with the remediation action plan.

- (16) **Variation to the RAP's Contingency Plan** - The contingency plan contained in "section 9.8" of the RAP is not approved. The burying of contaminated soil or materials that contain contaminants is not permitted on-site. All contamination that requires remediation must be removed off site to a licensed facility following excavation and separating of materials (if required) and relevant waste classification testing.

Condition reason: To ensure that the development is carried out in accordance with the remediation action plan.

- (17) **Variation to Validation Areas and Areas of uncertainty - Raking and Emu picking** - Council does not support the raking and picking of potential asbestos as a remediation option unless endorsed by an NSW EPA Accredited Site Auditor. As such, Soil sampling and removal from site is the only approved process, unless endorsed by a NSW EPA accredited site Auditor.

Condition reason: To ensure the remediation works are carried out in accordance with the approved process.

3.3 - On Completion of Remediation Work

- (1) **Validation report** - On completion of remediation work and prior to any subdivision or building work commencing, a validation report endorsed by a certified contaminated land consultant must be provided to Council within 30 days following completion of the remediation work. The report must demonstrate, to the satisfaction of Council, that:

1. Compliance with the approved remediation action plan (RAP) has been achieved.
2. The remediation acceptance criteria (in the approved RAP) has been fully complied with.
3. All completed remediation work comply with the *Contaminated Lands Management Act* 1997, the contaminated land planning guidelines, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council's Management of Contaminated Lands Policy.

The report must include the following information, to the satisfaction of Council:

1. Works as-executed plans prepared by a registered surveyor that identify the extent of the completed remediation work (including any encapsulation work).
2. A notice of completion of remediation work as required by State Environmental Planning Policy (Resilience and Hazards) 2021.
3. A statement confirming that following the remediation work the site is suitable for the proposed use.

Condition reason: To ensure site remediation is validated.

- (2) **Remediated land delineation** - On completion of remediation work, a map that delineates the extent of the remediated land, as identified in the validation report and/or the site audit statement required by this development consent, must be provided to Council for integration into Council's mapping system. The map must be provided in digital GIS format (ESRI shape, .dxf or .dwg) and the data projection coordinate must be in GDA94/MGA Zone 56.

Condition reason: To ensure that Council's mapping system contains current records of remediated land.

Building Work

2.1 - Before Issue of a Construction Certificate

- (1) **Design amendments** - Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:
1. The updated architectural, subdivision, civil engineering and landscape plans required by Condition 1.1 (6) of this consent are to be confirmed satisfactory (in writing) by Camden Council before the issue of any construction certificate.
 2. **Design Changes – Corner Lots** - Prior to the issue of the construction certificate, the architectural drawings must be amended so that the house on lots 2 in Stage 6, Lots 2 and 26 in Stage 5, and Lot 22 in Stage 4 are consistent with the drawing labelled "Typical Corner Lot House" and dated 05-05-2026 referred to at condition 1, with respect to the front veranda and the location of windows and sun hoods.
 3. **Design Changes – Car Park Landscaping** – All secondary car spaces that are noted on the landscape plans proposed to be finished with "Concrete Turf Cell" must be a permeable reinforced paver that are of a similar style to the 'Open form Pavers' made by Brickworks with a grass or gravel infill.

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

- (2) **Public infrastructure alterations** - Before the issue of a construction certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

Condition reason: To clarify the timing and need for approval under the *Roads Act 1993*.

- (3) **Driveway design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the approved driveway(s) will comply with AS 2890 - Parking Facilities and Council's Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).

A driveway crossing approval must be obtained from Council before the issue of a construction certificate. Evidence of the approval must be provided to the certifier.

Condition reason: To ensure that driveways are designed to appropriate standards.

- (4) **Engineering specifications** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

Condition reason: To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

- (5) **Structural engineer certificate** - Before the issue of a construction certificate, a certificate must be prepared by a suitably qualified structural engineer and certify, to the certifier's satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved plans and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer's current professional indemnity insurance.

Condition reason: To ensure that building elements are designed for the site conditions.

- (6) **Long service levy** - Before the issue of a construction certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

Condition reason: To ensure the long service levy is paid.

- (7) **Performance bond** - Before the issue of a construction certificate, a performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.

- (8) **Damages bond** - Before the issue of a construction certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that any damage to existing public infrastructure is rectified.

- (9) **Civil engineering plans and information** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Earthworks.
3. Water quantity and quality facilities:
 - a. A detailed on-site detention and water quality report.
 - b. An electronic stormwater model.
 - c. A validated Camden Council MUSIC-link report with electronic model.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
5. For roads and car parks:
 - a. Pavement design.
 - b. Traffic management devices.
 - c. Line marking.
6. Clearly delineate the extent/location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such (only if the site is flood affected). The FPL is defined in Council's Flood Risk Management Policy.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.

Condition reason: To ensure that civil works are designed to appropriate standards.

- (10) **Detailed landscaping plan** - Before the issue of a construction certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.

3. To provide increased canopy cover, trees with a mature height of at least 15m and broad canopy spread (such as Eucalyptus Maculata or Cormbyia Citriodora) are to be planted in the following locations to substitute the following smaller trees:

- a) Stage 4 - replace the trees between the visitor car parking, and replacement for the Pyrus Calleryana where provided along Driveway 41.
- b) Stage 5 - the street tree planting in front of lots 27-30 and trees on either side of the visitor parking adjacent lot 343.
- c) Stage 6 - replace Corymbia Citriodora 'Scentous', replace the Cupaniopsis between the visitor parking along the eastern boundary, provide additional trees along the pathway on the eastern boundary.

Condition reason: To ensure that detailed landscaping requirements are documented.

- (11) **Contributions payment** - Before the issue of a construction certificate for Stages 3-6, the contributions stated in the contribution charge notice attached to this development consent, including any required indexation, must be paid to Council. Evidence of the payment must be provided to the certifier.

Condition reason: To ensure that development make contributions towards services identified in the applicable contributions plan.

2.2 - Before Building Work Commences

- (1) **Site security and fencing** - Before any building work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

Condition reason: To ensure that access to the site is managed before works commence.

- (2) **Sydney Water approval** - Before any building work commences within the zone of influence of a Sydney Water asset (undertake a 'Before You Dig Australia' services search), the approved construction certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit www.sydneywater.com.au/tapin to apply. The Sydney Water approval must be provided to the principal certifier.

For subdivision works certificates, stamped water servicing coordinator plans must be provided to the principal certifier.

Condition reason: To ensure that any impacts upon Sydney Water infrastructure have been approved.

- (3) **Site management plan (preparation)** - Before any building work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:

- 1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of

Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).

2. Providing portable workplace toilet(s) in accordance with the SafeWork NSW publication 'Portable workplace toilets in construction factsheet'.
3. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
4. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
5. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
6. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
7. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
8. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
9. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
10. Hazardous materials management.
11. Work health and safety.
12. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

- (4) **Residential building work insurance** - Before any residential building work commences for which a contract of insurance is required under Part 6 of the *Home Building Act 1989*, a contract of insurance must be in force.

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

Condition reason: Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

- (5) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:

1. Showing the name, address and telephone number of the principal certifier for the work.
2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work is being completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

- (6) **Notification of Home Building Act 1989 requirements** - Before any residential building work commences, the principal certifier must give Council written notice of the following:

1. For work that requires a principal contractor to be appointed:
 - a. The name and licence number of the principal contractor.
 - b. The name of the insurer of the work under Part 6 of the *Home Building Act 1989*.
2. For work to be carried out by an owner-builder:
 - a. The name of the owner-builder.

- b. If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the information required by this condition is no longer correct, work must not be carried out unless the principal certifier gives Council written notice of the updated information.

This condition does not apply in relation to Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: Prescribed condition under section 71 of the *Environmental Planning and Assessment Regulation 2021*.

2.3 - During Building Work

- (1) **Work hours** - While building work is being carried out, all work (including the delivery of materials) must be:
 1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
 2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

Condition reason: To protect the amenity of the surrounding area.

- (2) **Fill material (dwellings)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a person with experience in both contamination and geotechnical assessments. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:
 1. For virgin excavated natural material, the report and plan have been prepared in accordance with:
 - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity', and
 - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
 - c. A minimum of 2 samples from different locations is required.
 2. For excavated natural material, the report and plan have been prepared in accordance with:
 - a. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

- b. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
 - c. The Excavated Natural Material Order and Exemption 2014.
3. The fill material has had its salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'), and that it is compatible with any salinity management plans approved for the site.

Condition reason: To ensure that fill material has been adequately assessed before placement on the site.

- (3) **Stormwater collection and discharge** - While building work is being carried out, the roof of the approved building work must be provided with guttering and downpipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, must be conveyed in accordance with the approved stormwater plan(s).

All roof water must be connected to the approved roof water disposal system immediately after the roofing material has been fixed to the framing members. The principal certifier must not permit construction works beyond the frame inspection stage until this work has been carried out.

Connection to the street gutter or drainage easement must only occur at the designated connection point for the site. New connections that require work to an easement pipe or kerb must only occur with Council's approval.

Condition reason: To ensure that stormwater is properly collected and discharged.

- (4) **Finished floor level** - Before the development proceeds beyond floor level stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the finished floor level complies with the approved plans and this development consent.

Condition reason: To ensure that the finished floor level complies with the approved plans and this development consent.

- (5) **Survey report** - Before concrete is poured, the building(s) must be set out by a registered surveyor and a peg out survey must be prepared. The survey must confirm, to the satisfaction of the principal certifier, that the building will be sited in accordance with the approved plans and this development consent.

Condition reason: To ensure that the building(s) will be sited in accordance with the approved plans and this development consent.

- (6) **Site management plan (during work)** - While building work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

Condition reason: To protect the amenity of the surrounding area.

- (7) **Remediated/validated fill material or soils reuse** - While building work is being carried out, remediated/validated fill material or soils to be reused on the site must be placed (where practical) in the same location that the contaminated material was originally identified, to the satisfaction of the principal certifier. The reused material must be placed at a minimum depth of 300mm below finished ground level.

Condition reason: To ensure that validated material is not displaced by weathering.

- (8) **Fauna management** - While building work is being carried out, all waterbodies, hollow bearing trees and active nests or burrows identified to be removed from the site must be inspected prior to removal by a suitably qualified ecologist. Appropriate measures must be taken to ensure that fauna inhabiting waterbodies, tree hollows and active nests or burrows is treated humanely and relocated before site works commence consistent with the *National Parks and Wildlife Act 1974*, to the satisfaction of the principal certifier. A suitably qualified ecologist must be present throughout vegetation clearing works to relocate fauna or take fauna into care where appropriate (i.e., juvenile or nocturnal fauna). Nesting animals must be left in situ until young have fledged and/or left the nest.

Condition reason: To ensure that any required fauna management occurs humanely.

- (9) **Work near or involving vegetation** - While building work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

Condition reason: To ensure that work near or involving vegetation is carried out to industry standards.

- (10) **Compliance with *Building Code of Australia*** - While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

Condition reason: Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

- (11) **Shoring and adequacy of adjoining property** - While building work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

- (12) **Priority (noxious) weeds management (during work)** - While building work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (13) **Work noise** - While building work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

Condition reason: To protect the amenity of the surrounding area.

- (14) **Pollution warning sign** - While building work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:

'WARNING UP TO \$30,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (12 22 63) - Solution to Pollution.'

The wording must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.

The sign(s) must be maintained until the works have been completed.

Condition reason: To ensure that potential fines for pollution are clearly advertised.

- (15) **Salinity Management Plan** – All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the approved salinity management plan titled Salinity Management Plan Proposed residential subdivision development Lot 86 and 86A DP8979 and lot 1 DP 368234 No 100, 118 and 130 Byron Road, Leppington prepared by Geo Envior Consultancy Pty Ltd Ref: JC23468A-r4 January 2024, and referred to at condition 1.

Condition reason: To ensure the development is carried out in accordance with the approved salinity management plan.

2.4 - Before Issue of an Occupation Certificate

- (1) **House numbering** - Before the issue of an occupation certificate, the dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the adjoining road by displaying their Council allocated house numbers, to the satisfaction of the principal certifier. E-mail Council at sis.mailbox@camden.nsw.gov.au to obtain the allocated house numbers.

Condition reason: To ensure the dwellings on the site are officially and clearly numbered.

- (2) **Survey certificate** - Before the issue of an occupation certificate, a survey certificate must be prepared by a registered surveyor and demonstrate, to the principal certifier's satisfaction, that the siting of the building(s) complies with the approved plans and this development consent.

Condition reason: To ensure that the building(s) are sited in accordance with the approved plans and this development consent.

- (3) **Driveway crossing construction** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a driveway crossing has been constructed in accordance with this development consent and the driveway crossing approval.

Condition reason: To ensure that the building(s) is provided with vehicular access.

- (4) **Verge reconstruction** - Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species listed in Council's engineering specifications.

Condition reason: To ensure that road verges are reconstructed with grass following building works.

- (5) **Lot registration** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that the approved lots have been registered with NSW Land Registry Services.

Condition reason: To ensure that the approved lots have gained legal title before the approved building(s) thereon are occupied.

- (6) **Services** - Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:

1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the Sydney Water website or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Condition reason: To ensure that energy, water and wastewater services are provided for the development.

- (7) **Landscaping works completion** - Before the issue of an occupation certificate, all of the landscaping works approved by this development consent and the construction certificate must be completed to the satisfaction of the principal certifier. This must include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use.

Condition reason: To ensure that all approved landscaping works have been completed to an appropriate standard.

- (8) **Existing street trees inspection** - Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the satisfaction of Council. Evidence of the inspection and Council's satisfaction of any required rectification works must be provided to the principal certifier.

Condition reason: To ensure that existing street trees are inspected for damage and rectified where required.

2.5 - Occupation and Ongoing Use

- (1) **Priority (noxious) weeds management (ongoing)** - During occupation and ongoing use of the development, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (2) **Landscaping works maintenance** - During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

Condition reason: To ensure that approved landscaping works are perpetually maintained to an appropriate standard.

- (3) **Public domain landscaping works establishment period** - Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.

Condition reason: To ensure that approved public domain landscaping works are established to an appropriate standard.

Subdivision Work

5.1 - Before Issue of a Subdivision Works Certificate

- (1) **Subdivision works certificate information** - Before the issue of a subdivision works certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:

1. Updated engineering plans shall be provided demonstrating the following:
 - a. Updated stormwater drainage long sections ensuring all pits and pipes are shown, and all pipe grades and cover comply with the requirements of

- Camden Council Engineering Specifications (i.e. minimum 1% grade and minimum 600mm cover within the road reserve).
- b. Amended stormwater layout for Line 182, to remove the change of direction of flows greater than 90-degrees occurring at Pit 182 for flows approaching from Pit 182A and discharging toward Pit 183.
 - c. Lot 311 shall be locally regraded to ensure the proposed Interallotment Drainage Pit is located at the lowest point of the lot.
 - d. All driveways and vehicle crossovers / laybacks shall have a minimum of 1m clearance from any pit lintels.
 - e. Pram ramps shall be provided at all intersections and comply with Camden Council Standard Drawings (including suitable clearance from pit lintels).
 - f. Reference in notes to concrete paths and shareways being deferred for construction "after substantial completion of housing under separate contract" shall be removed.
2. Detailed plans demonstrating that any proposed retaining walls are to be wholly within the site boundaries and not within any future Council road reserve or adjoining private properties.
 3. Details of the interim footpath needs to be provided along Byron Road & Ingleburn Road frontages connecting with Town Centre Road No. 105 and other local roads approved by this consent.
 4. A Section 138 Roads Act 1993 (NSW) approval is required before the issue of a construction certificate or subdivision works certificate.
 5. The applicant to provide evidence in writing of consultation with utility authorities ensuring future capacity have been allowed for to ensure adequate services are available to the site.
 6. An updated Arboricultural Impact Assessment for trees impacted along Byron Road and Ingleburn Road must be submitted to the Principal Certifying Authority to certify that trees not specified for removal can be retained in a healthy and stable condition.
 7. Prior to the issuing of a Subdivision Certification the applicant must provide to Council an inventory of all trees planted in the public domain as GIS features. These must be provided in .shp or .csv format. The following attributes must be recorded:
 - a) Latitude
 - b) Longitude
 - c) Botanic Name
 - d) Date Planted

Condition reason: To ensure that required information is provided to the certifier.

- (2) **Design amendments** - Before the issue of a subdivision works certificate, the certifier must ensure the subdivision works certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. The updated architectural, subdivision, civil engineering and landscape plans required by Condition 1.1 (6) of this consent are to be confirmed satisfactory (in writing) by Camden Council before the issue of any construction certificate.

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

- (3) **Public infrastructure alterations** - Before the issue of a subdivision works certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

Condition reason: To clarify the timing and need for approval under the *Roads Act 1993*.

- (4) **Engineering specifications** - Before the issue of a subdivision works certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

Condition reason: To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

- (5) **Long service levy** - Before the issue of a subdivision works certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

Condition reason: To ensure the long service levy is paid.

- (6) **Street lighting** - Before the issue of a subdivision works certificate, a design brief for the development's detailed street lighting design must be obtained from Council. E-mail Council at mail@camden.nsw.gov.au to request the design brief. The design brief must be provided to the certifier.

Condition reason: To ensure that the safety and amenity of road users is protected.

- (7) **Performance bond** - Before the issue of a subdivision works certificate, a performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.

- (8) **Damages bond** - Before the issue of a subdivision works certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that any damage to existing public infrastructure is rectified.

- (9) **Structural engineer certificate** - Before the issue of a subdivision works certificate, a certificate must be prepared by a suitably qualified structural engineer and demonstrate, to the certifier's satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved plans and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer's current professional indemnity insurance.

Condition reason: To ensure that infrastructure elements are designed for the site conditions.

- (10) **Civil engineering plans and information** - Before the issue of a subdivision works certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Earthworks.
3. Water quantity and quality facilities:
 - a. A detailed on-site detention and water quality report.
 - b. An electronic stormwater model
 - c. A validated Camden Council MUSIC-link report with electronic model.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
5. Kerb outlets or street pit stubs must be provided where lots drain to public roads.
 - a. The outlets must be located within 2m of the prolongation of the lot corner with the lowest reduced level.
 - b. Outlets must be extended under the road verge and capped within the lot boundaries with surface identifier markers.
6. Where lots drain to an inter-allotment drainage pit a stub for future connection must be provided within the pit.
7. For roads and car parks:
 - a. Pavement design.
 - b. Traffic management devices.
 - c. Line marking.

8. Temporary turning facilities at the end of all temporary or staged dead-end roads (including the provision of reflective guideposts spaced 1.5m apart and 'No Stopping' regulatory signage around the turning head).
9. Clearly delineate the extent/location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such (only if the site is flood affected). The FPL is defined in Council's Flood Risk Management Policy.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.

Condition reason: To ensure that civil works are designed to appropriate standards.

- (11) **Construction on-site detention/sediment control basins** - Before the issue of a subdivision works certificate, information detailing the location and design of construction on-site detention/sediment control basins within the site must be prepared by a suitably qualified person, to the certifier's satisfaction.

Condition reason: To ensure that on-site detention and sediment control measures are provided.

- (12) **Pavement design report** - Before the issue of a subdivision works certificate, a pavement design report in accordance with Council's engineering specifications must be prepared by a suitably qualified person, to the certifier's satisfaction.

Condition reason: To ensure that pavement designs are in accordance with Council's engineering specifications.

- (13) **Detailed landscaping plans** - Before the issue of a subdivision works certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. Street Tree planting specification is to be updated to be in accordance with the Camden Standard Landscape Details.
4. Street trees must be sourced in accordance with the tests and measurements contained within AS 2303 - Tree Stock for Landscape Use with compliance certificate to be supplied to Council prior to the issuing of any Subdivision Certificate or associated bond.

Condition reason: To ensure that detailed landscaping requirements are documented.

5.2 - Before Subdivision Work Commences

- (1) **Site security and fencing** - Before any subdivision work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

Condition reason: To ensure that access to the site is managed before works commence.

- (2) **Sydney Water approval** - Before any subdivision work commences within the zone of influence of a Sydney Water asset (undertake a 'Before You Dig Australia' services search), the approved subdivision works certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit www.sydneywater.com.au/tapin to apply. The Sydney Water approval must be provided to the principal certifier.

For subdivision works certificates, stamped water servicing coordinator plans must be provided to the principal certifier.

Condition reason: To ensure that any impacts upon Sydney Water infrastructure have been approved.

- (3) **Site management plan (preparation)** - Before any subdivision work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.

- b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
 9. Hazardous materials management.
 10. Work health and safety.
 11. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

- (4) **Erection of signs** - Before any subdivision work commences, a sign must be erected in a prominent position on the site:

1. Showing the name, address and telephone number of the principal certifier for the work.
2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work has been completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

- (5) **Utility services protection** - Before any subdivision work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:

1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.

2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.

Condition reason: To ensure that utilities are not adversely affected by development.

5.3 - During Subdivision Work

- (1) **Work hours** - While subdivision work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

Condition reason: To protect the amenity of the surrounding area.

- (2) **Site management plan (during work)** - While subdivision work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

Condition reason: To protect the amenity of the surrounding area.

- (3) **Fill material (virgin excavated natural material and/or excavated natural material)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. The report and plan have been endorsed by a practising engineer with specific area of practice in subdivisional geotechnics.
2. For virgin excavated natural material, the report and plan have been prepared in accordance with:
 - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'.
 - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
3. For excavated natural material, the report and plan have been prepared in accordance with:
 - a. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

- b. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
 - c. The Excavated Natural Material Order and Exemption 2014.
4. The fill material:
- a. Provides no unacceptable risk to human health and the environment.
 - b. Is free of contaminants.
 - c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').
 - d. Is suitable for its intended purpose and land use.
 - e. Has been lawfully obtained.
5. The sampling of the material for salinity complies with:
- a. Less than 6,000m³ - 3 sampling locations.
 - b. Greater than 6,000m³ - 3 sampling locations with 1 extra location for each additional 2,000m³ or part thereof.
 - c. A minimum of 1 sample from each sampling location must have been provided for assessment.
6. The sampling of the material for contamination must comply with:
- a. Virgin excavated natural material (1,000m³ or part thereof) - 1 sampling location. For volumes less than 1,000m³, a minimum of 2 separate samples from different locations must be taken.
 - b. Excavated natural material - Refer to the Resource Recovery Exemption.

Condition reason: To ensure that fill material has been adequately assessed before placement on the site.

- (4) **Unexpected contamination finds contingency (general)** - While subdivision work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of the principal certifier.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

Condition reason: To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (5) **Pavement layer thickness** – While site work is being carried out and at the completion of each pavement layer, a site survey plan must be prepared by a registered surveyor and demonstrate, to the satisfaction of the principal certifier, the following information:

1. The reduced level (to Australian height datum level) of the finished surface layer after trimming and before the next course material is laid.
2. Survey readings at the lip of gutter (two sides) and the centre line of the road at least every 50m of road chainage or part thereof, with a minimum of two chainage locations per continuous length of pavement design profile along a single road.
3. The variation from the design level and whether the points are within Council's acceptable tolerances. The tolerances for each layer are specified in the table below:

Layer	Tolerance
Subgrade (surface layer)	-30mm / +10mm
Subbase Course (thickness)	-10mm / +20mm
Base Course (thickness)	-0mm - +20mm
Finished Surface Level	-15mm / +12mm

The construction of the next pavement layer must not commence until written approval is given by the principal certifier.

Condition reason: To ensure that pavement layer thickness complies with Council's engineering specifications.

- (6) **Work near or involving vegetation** - While subdivision work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework

(AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

Condition reason: To ensure that work near or involving vegetation is carried out to industry standards.

- (7) **Shoring and adequacy of adjoining property** - While subdivision work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

- (8) **Priority (noxious) weeds management (during work)** - While subdivision work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (9) **Work noise** - While subdivision work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).

3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

Condition reason: To protect the amenity of the surrounding area.

- (10) **Pollution warning sign** - While subdivision work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:

'WARNING UP TO \$30,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (13 22 63) - Solution to Pollution.'

The wording must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.

The sign(s) must be maintained until the works have been completed.

Condition reason: To ensure that potential fines for pollution are clearly advertised.

- (11) **Fill assessment report** - While subdivision work is being carried out, a fill assessment report must be prepared by a suitably qualified person each month. The report must facilitate, to the satisfaction of the principal certifier, a monthly audit of compliance with the approved fill management plan.

Condition reason: To confirm that only virgin excavated natural fill material is imported into the site.

- (12) **Fill management plan (during work)** - While subdivision work is being carried out, the approved fill management plan must be complied with.

Condition reason: To ensure that only virgin excavated natural fill material is imported into the site.

- (13) **Fill delivery register** - Once subdivision work is completed, the delivery register for the site work must be submitted to Council.

Condition reason: To ensure that Council has a record of all fill deliveries to the site.

- (14) **Fill compaction (subdivision)** - While subdivision work is being carried out, a suitably qualified geotechnical engineer must supervise the placement of all fill material and certify that the work has, to the satisfaction of the principal certifier, been:

4. Carried out to level 1 inspection and testing responsibility in accordance with Appendix B of AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments.

5. Compacted in accordance with Council's engineering specifications.

Condition reason: To ensure that fill is compacted to appropriate standards.

- (15) **Material sampling and testing** - While subdivision work is being carried out and before any material is delivered to the site, sampling and testing of all material in accordance with Council's engineering specifications must be completed by a suitably qualified testing organisation, to the satisfaction of the principal certifier. The testing results must include a certificate from the testing organisation that certifies compliance with the criteria in Council's engineering specifications. The testing results must be updated every 3 months or when the material source changes.

Condition reason: To ensure that material used in construction complies with Council's engineering specifications.

- (16) **Archaeological discovery** - While subdivision work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of the principal certifier:

1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

- (17) **Local transport forum approval** - Before the installation of or any changes to regulatory road signage, line marking and/or devices, approval must be obtained from Council via the Local Transport Forum for the installation of or any changes to regulatory road signage, line marking and/or devices. Evidence of the approval must be provided to the principal certifier.

Condition reason: To ensure that regulatory road elements are formally approved.

- (18) **Salinity Management Plan** – All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the approved salinity management plan titled Salinity Management Plan Proposed residential subdivision development Lot 86 and 86A DP8979 and lot 1 DP 368234 No 100, 118 and 130 Byron Road, Leppington prepared by Geo Envior Consultancy Pty Ltd Ref: JC23468A-r4 January 2024, referred to at condition 1.

Condition reason: To ensure the development is carried out in accordance with the approved salinity management plan.

5.4 - Before Issue of a Subdivision Certificate

- (1) **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a subdivision certificate, written evidence from the carrier must be obtained that demonstrates, to the principal certifier's satisfaction, that arrangements have been made for:

1. The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Written confirmation that the carrier is satisfied that the fibre ready facilities are fit for purpose is also required.
2. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

Condition reason: To ensure fibre-ready telecommunications facilities are installed for new development.

- (2) **Electricity notice of arrangement** - Before the issue of a subdivision certificate, a notice of arrangement for the provision of electricity from Endeavour Energy must be provided to the principal certifier's satisfaction. The arrangement must include the provision of electricity for street lighting in accordance with the electrical design approved by Council.

Condition reason: To ensure that electricity is provided for the development.

- (3) **Section 73 compliance certificate** - Before the issue of a subdivision certificate, a section 73 compliance certificate demonstrating that satisfactory arrangements have been made with Sydney Water for the supply of water and sewer services must be provided to the principal certifier's satisfaction. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the Sydney Water website or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Condition reason: To ensure that water and sewer services are provided for the development.

- (4) **Existing and identified easements, restrictions and/or covenants** - Before the issue of a subdivision certificate, the final plan of subdivision must detail the following elements to the satisfaction of the principal certifier:

1. All existing easements and covenants.
2. Any required easements and covenants identified following approval of the development application.

Condition reason: To ensure that all existing and identified easements, restrictions and/or covenants are detailed on the final plan of subdivision.

- (5) **New easements, restrictions and/or covenants** - Before the issue of a subdivision certificate, the developer must prepare the following easements, restrictions and/or covenants to the satisfaction of the principal certifier:

1. Easements for services.
2. Easements to drain water including over overland flow paths.
3. Easements for on-site detention facilities.

4. Easements for water quality facilities.
5. Positive covenants over the on-site detention/water quality facilities for the maintenance, repair and insurance of the facilities.
6. Restrictive covenant on lots containing temporary on-site detention/water quality facilities to prevent the further development of those lots until the facilities have either been converted into permanent facilities or have been decommissioned and the lots filled and compacted in accordance with Council's engineering specifications.
7. Restriction as to user on all lots containing a temporary detention basin that restricts the decommissioning of any temporary detention basin, without the prior written consent of Camden Council.
8. Positive covenants and restrictions for retaining wall maintenance and support.
9. Reciprocal right of carriageway.
10. Access denial for lots with frontage to Byron Road and Ingleburn Road.
11. Restriction as to user on all lots adjoining pram ramps or other road related infrastructure prohibiting the construction of a driveway within 1m of the pram ramps or in locations where it would conflict with other road related infrastructure.
12. Restriction as to user on lots preventing the alteration of the final overland flow path shape and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council.
13. Restriction as to user on lot which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
14. Restriction as to user stipulating that no buildings are permitted outside the boundaries of the approved building envelopes (Stages 3-6).
15. Restriction as to user directing that the lot must not be developed other than in accordance with the approved plans.
16. Restriction as to user lots burdened or benefitted by zero lot lines are to create the relevant easement for maintenance and support 900mm to ground level and 1.5m to upper level wide adjoining the 'zero' lot line wall.
17. Positive covenant relating to dwellings on lots that are identified in the approved acoustic report as requiring windows to be kept closed to meet internal noise criteria. These dwellings must provide alternative ventilation (possibly mechanical provided there is fresh air intake) that meets the standards of the Building Code of Australia (BCA) to habitable rooms on those facades to ensure fresh airflow inside the dwellings when windows are closed. Consultation with a mechanical engineer to ensure that compliance with the BCA and AS 1668 - The Use of Ventilation and Air Conditioning in Buildings is achieved may be required. Compliance with this requirement must be demonstrated for each dwelling application on the affected lots.

18. All lots in Stages 4-6 are to achieve ongoing compliance with Community Title Scheme management plan.
19. Positive covenants requiring development on the following lots to comply with the recommendations of the following approved reports:
 - a. Salinity Management Plan Proposed residential subdivision development Lot 86 and 86A DP8979 and lot 1 DP 368234 No 100, 118 and 130 Byron Road, Leppington prepared by Geo Enviro Consultancy Pty Ltd Ref: JC23468A-r4 January 2024.
 - b. *Road Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage1-3 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.1R Rev C dated 20 March 2026.*
 - c. *Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage4-6 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-2.1 1R Rev A dated 20 March 2026 prepared by Day Design Pty Ltd.*
20. All lots in Stages 4, 5 and 6 are subject to a community title scheme and are to be managed in accordance with the approved community management statement.
21. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For lots 201 construction requirements and window and door treatments are to be consistent with “Section 5 – Noise Control Recommendations” and “Table 9– Schedule of glazed windows and door constructions” contained within the “ Road Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage1-3 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.1R Rev C dated 20 March 2026. For the above lots, the internal noise levels contained within the current Camden Growth Centres DCP must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
22. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For lots 202-205, 301-309, 315-316, 322 and 343 inclusive construction requirements and window and door treatments are to be consistent with “Section 5– Noise Control Recommendations” and “Table10 – Schedule of glazed windows and door constructions” contained within the “ *Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage1-3 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.1R Rev C dated 20 March 2026 prepared by Day Design Pty Ltd.* For the above lots, the internal noise levels contained within the current Camden Growth Centres DCP must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
23. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For lots 206-217, 310-314, 317-321, 323-342, 344-354 inclusive construction requirements and window and door treatments are to be consistent with “Section 5– Noise Control Recommendations” and “Table11 – Schedule of glazed windows and door constructions” contained within the “ *Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage1-3 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.1R Rev C dated 20 March 2026 prepared by Day Design Pty Ltd.* For the above lots, the

internal noise levels contained within the current Camden Growth Centres DCP must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.

24. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For lots 218-235 inclusive construction requirements and window and door treatments are to be consistent with “*Section 5– Noise Control Recommendations*” and “*Table12 – Schedule of glazed windows and door constructions*” contained within the “*Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage1-3 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.1R Rev C dated 20 March 2026 prepared by Day Design Pty Ltd.*” For the above lots, the internal noise levels contained within the current Camden Growth Centres DCP must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
25. **Fences Between Dwellings** – a 1.8 metre high acoustic rated fence is required for lots 201-206 ,301-310, 316, 322 and 343. The fence/s should be located as illustrated in appendix D contained within the “*Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage1-3 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.1R Rev C dated 20 March 2026 prepared by Day Design Pty Ltd.*”
26. **Alternative Ventilation for Habitable Rooms** - For lots identified in the report that may require windows to be closed (but not necessarily sealed) to meet internal noise criteria. As a result, the provision of alternative ventilation (possibly mechanical provided there is a fresh air intake) that meets the requirements of the Building Code of Australia (BCA) will need to be provided to habitable rooms on these facades to ensure fresh airflow inside the dwellings when windows are closed. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required. Compliance with the above ventilation requirement is to be demonstrated for each dwelling application on the affected lots.
27. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For stage 4-lots 2-22, stage 5-lots 3-25 and stage 6- lots 3-15 inclusive, construction requirements and window and door treatments are to be consistent with “*Section 5 – Noise Control Recommendations*” and “*Table 9– Schedule of glazed windows and door constructions*” contained within the “*Road Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage 4-6, 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-2.1R Rev A dated 20 March 2026.*” For the above lots, the internal noise levels contained within the current Camden Growth Centres DCP must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
28. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For lots Stage 5- lot 2 and 26, Stage 6 lot 2 inclusive construction requirements and window and door treatments are to be consistent with “*Section 5– Noise Control Recommendations*” and “*Table10 – Schedule of glazed windows and door constructions*” contained within the “*Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage4-6 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-2.1R Rev A dated 20 March 2026 prepared by Day Design Pty Ltd.*” For the above lots, the internal noise levels contained within the current Camden Growth Centres DCP must be achieved for

each dwelling. Compliance with the above is to be demonstrated for each dwelling application.

29. **Construction Requirements, window and Door treatments, Internal Noise Levels** – For lots Stage 4 -Lots 23-28, Stage 5- lots 27-40, and Stage 6- lots 6-32 inclusive construction requirements and window and door treatments are to be consistent with “Section 5– Noise Control Recommendations” and “Table 11 – Schedule of glazed windows and door constructions” contained within the “*Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage 4-6 100-130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.2R Rev A dated 20 March 2026 prepared by Day Design Pty Ltd.* For the above lots, the internal noise levels contained within the current Camden Growth Centres DCP must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
30. **Alternative Ventilation for Habitable Rooms** - For lots identified in the report that may require windows to be closed (but not necessarily sealed) to meet internal noise criteria. As a result, the provision of alternative ventilation (possibly mechanical provided there is a fresh air intake) that meets the requirements of the Building Code of Australia (BCA) will need to be provided to habitable rooms on these facades to ensure fresh airflow inside the dwellings when windows are closed. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required. Compliance with the above ventilation requirement is to be demonstrated for each dwelling application on the affected lots.
31. **Fences to the rear of Dwellings** – a 1.8 metre high acoustic rated fence is required to the rear for lots Stage 4 lot 2, Stage 4 lot 22, stage 5 lot 2, stage 5 lot 26, stage 6 lot 2 and stage 6 lot 15. The fence/s should be located as illustrated in appendix D contained within the “*Traffic Noise Intrusion Assessment: Proposed Residential subdivision Stage 4-6, 100- 130 Byron Road, Leppington prepared by Day Design Pty Ltd report no. 7925-1.2R Rev A dated 20 March 2026 prepared by Day Design Pty Ltd.*”

Condition reason: To ensure that necessary easements, restrictions and or/covenants are imposed on land.

- (6) **Contributions payment** - Before the issue of a subdivision certificate for Stages 1 and 2, the contributions stated in the contribution charge notice attached to this development consent, including any required indexation, must be paid to Council. Evidence of the payment must be provided to the principal certifier.

Condition reason: To ensure that development make contributions towards services identified in the applicable contributions plan.

- (7) **Special infrastructure contribution payment** - Before the issue of a subdivision certificate, a special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Evidence of payment of the SIC shall be provided to Council and the principal certifier.

Alternatively, the applicant must obtain written confirmation from the Department of Planning, Housing and Infrastructure that the SIC is not required to be paid for the approved development.

More information

A request for assessment by the Department of Planning, Housing and Infrastructure of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to SIContributions@planning.nsw.gov.au.

Condition reason: To require a special infrastructure contribution to be paid.

- (8) **Incomplete works bond** - Before the issue of a subdivision certificate, and where the developer proposes work to be deferred in accordance with Council's engineering specifications, an incomplete works bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

Condition reason: To ensure that the cost to rectify incomplete public infrastructure works is captured.

- (9) **Defects and liability bond** - Before the issue of a subdivision certificate, a defects and liability bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

Condition reason: To ensure that the cost to rectify defects and liabilities in new public infrastructure works is captured.

- (10) **Water quality basins/facilities bond** - Before the issue of a subdivision certificate, a water quality basins/facilities bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

Condition reason: To ensure that water quality facilities are constructed in accordance with the development consent and to appropriate standards.

- (11) **Fill plan** - Before the issue of a subdivision certificate, a fill plan (in .pdf format) must be prepared by a suitably qualified person and detail, to the principal certifier's satisfaction, the following information:

1. Lot boundaries.
2. Road, drainage and public reserves.
3. Street names.
4. Final fill contours and boundaries.
5. Total filling depth in maximum 0.5m increments.

The plan must cover the full extent of the development and include all residue lots and reserves. The plan must also include all basins, swales and dams filled during works.

Condition reason: To ensure that site filling has been adequately documented.

- (12) **Surveyor's certificate** - Before the issue of a subdivision certificate, a certificate must be prepared by a registered surveyor and certify, to the principal certifier's satisfaction, that:

1. All drainage lines, services, retaining walls, accessways and basins have been laid within their proposed easements.
2. No services or accessways encroach over the proposed boundaries other than those provided for by easements as created by the final plan of subdivision.

Condition reason: To ensure that infrastructure is located within an easement.

- (13) **Value of works** - Before the issue of a subdivision certificate, itemised data and values of civil works must be prepared by a suitably qualified person, to the satisfaction of the principal certifier, for inclusion in Council's asset management system.

Condition reason: To ensure that the value of new civil works is recorded.

- (14) **Soil classification report** - Before the issue of a subdivision certificate, a soil classification report in accordance with AS 2870 - Residential Slabs and Footings must be prepared by a suitably qualified person and detail, to the principal certifier's satisfaction, the classification of soil types found within the subdivision. The report must include a soil type classification for each lot.

Condition reason: To ensure that the development's soil types are recorded.

- (15) **Compaction report** - Before the issue of a subdivision certificate, a compaction report must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the results of field testing and that all roads and lots have been compacted in accordance with Council's engineering specifications.

Condition reason: To ensure that roads and lots have been compacted to an appropriate standard.

- (16) **Water quality facility manuals** - Before the issue of a subdivision certificate, operating, maintenance and monitoring manual(s) for water quality facilities must be prepared in accordance with Council's engineering specifications by a suitably qualified person to the satisfaction of the principal certifier.

Condition reason: To ensure that the operation, maintenance and monitoring requirements for water quality facilities is documented.

- (17) **Works as executed plans** - Before the issue of a subdivision certificate, works as executed plans in accordance with Council's engineering specifications must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:

1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:
 - a. Levels and dimensions to verify the storage volume of any water management facilities.
 - b. Levels and other relevant dimensions of:
 - i. Internal drainage pipes.
 - ii. Orifice plates.
 - iii. Outlet control devices and pits.
 - iv. Weirs (including widths).
 - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
 - d. Verification that trash screens are installed.
3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

Condition reason: To ensure that the completed works are recorded.

- (18) **Stencilling** - Before the issue of a subdivision certificate, stencilling must occur as described below to the satisfaction of the principal certifier:

1. Lot numbers and street names on the face of kerb or in alternative locations as directed by the principal certifier. The stencil medium must be of a good quality UV stabilised paint and comply with the following requirements:
 - a. Lot numbers must have a white number on a brunswick green background and be located on the prolongation of both common lot boundaries.
 - b. Street names must have white lettering on a brunswick green background and be located at kerb and gutter tangent points.
2. Pit lintels must be labelled with permanent stencilled signs in accordance with Council's engineering specifications.

Condition reason: To ensure that lot numbers, street names and pit lintels can be identified.

- (19) **Water management basins certificate** - Before the issue of a subdivision certificate, a certificate must be prepared by a suitably qualified person and demonstrate, to the

satisfaction of the principal certifier, that the water management basins comply with the following requirements:

1. The basins have been completed in accordance with the approved subdivision works certificate plans or that any variations that have been made will not impair the performance of the basins.
2. The basins will function in accordance with the design intent approved by the subdivision works certificate.

Condition reason: To ensure that water management basins will comply with the subdivision works certificate.

(20) **Stormwater pipe CCTV camera reports** - Before the issue of a subdivision certificate, a minimum of two CCTV camera reports of all stormwater drainage pipes must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, the following requirements:

1. Hard copy reports and electronic reports in a format directed by the principal certifier.
2. The CCTV inspection must be carried out in accordance with the Water Services Association of Australia publications 'Sewer Inspection Report Code of Australia' and the 'Sewerage Code of Australia' (Sydney Water Edition).
3. CCTV field assessors must have National Association of Testing Authorities accreditation under the Sydney Water Field Testing Services Program for CCTV inspections and have adequate professional indemnity insurance to cover the value of the works they are inspecting.
4. A minimum of two CCTV reports must be undertaken. The first report must be completed after the placement of AC pavement layer and not more than 2 weeks before the final inspection date. The second report must be completed at the end of the defects and liability period.
5. As a minimum, stormwater pipes must be inspected and the following must be reported on:
 - a. Horizontal alignment.
 - b. Vertical alignment.
 - c. Cracks and defects.
 - d. Pipe joints.
 - e. Joints in manholes and other pipes (including both existing and new).
 - f. Ovality.
6. The camera must stop perpendicular to all cracks, defects, intrusions, joints and manholes and pan 360 degrees. The camera speed must not exceed 0.2m/sec (or as agreed by the principal certifier).

7. The reports and camera footage must be in colour.

Condition reason: To record the state of all stormwater drainage pipes for the development.

- (21) **Gross pollutant trap certification** - Before the issue of a subdivision certificate, a suitably qualified gross pollutant trap inspector must complete a comprehensive inspection of all gross pollutant traps and provide a certification report to the satisfaction of Council. The inspection and report must be completed in accordance with Council's 'Technical Specification for Gross Pollutant Trap Comprehensive Inspection' (available at <https://www.camden.nsw.gov.au/assets/Uploads/GPT-Comprehensive-Inspection-Specification-for-Condition-Consent.pdf>).

Condition reason: To ensure that all gross pollutant traps have been constructed in accordance with Council's technical specification for gross pollutant trap comprehensive inspections.

- (22) **Landscaping works completion** - Before the issue of a subdivision certificate, all of the landscaping works approved by this development consent and the subdivision works certificate must be completed to the satisfaction of the principal certifier. This must include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use.

Condition reason: To ensure that all approved landscaping works have been completed to an appropriate standard.

- (23) **Community title management plan** – A community management plan is to be created for all dwellings and lots in Stages 4, 5 and 6. All lots within the scheme must be entitled to utilise the association lot / common property and share in the costs associate with its ongoing maintenance and upkeep.

A community manager and community association is to be appointed, and Council be notified in writing.

Condition reason: To ensure ongoing management of Stages 4-6 are in accordance with the approved community management plan.

- (24) **Land dedication for road widening** - Upon the issue of the Stage 1 subdivision certificate, the SP2 zoned land identified in the road widening plan fronting Ingleburn and Byron Road identified for local road widening upgrades is to be dedicated to Council. Section 7.11 contribution credits are to apply for the road dedication.

Condition reason: To ensure that land identified for local road widening is dedicated to Council.

5.5 - Ongoing Use

- (1) **Demolition of temporary water quantity and quality facilities** - During occupation and ongoing use of the development, temporary water quantity and quality facilities must be demolished in accordance with the following requirements:

1. Upon the provision of approved permanent facilities.

2. All stormwater flows to the temporary facilities must be diverted to the permanent facilities via a Council approved stormwater drainage system.
3. The temporary facilities must be demolished and the area that contained them reinstated. This includes any tail out swales and diversion bunds.
4. Any impediments to the provision of approved permanent facilities resulting from the demolition of the temporary water quality facilities must be rectified in accordance with Council's engineering specifications.

Condition reason: To ensure that temporary water quality facilities are removed in a manner that facilitates permanent water quality facilities.

- (2) **On-site detention / water quality facility manuals (ongoing)** - During occupation and ongoing use of the development (until such time as the temporary facilities are decommissioned) the on-site detention and water quality facility operating, maintenance and monitoring manual(s) required by this development must be complied with.

Condition reason: To provide a management regime for on-site detention and water quality facilities.

- (3) **Public domain landscaping works establishment period** - Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.

Condition reason: To ensure that approved public domain landscaping works are established to an appropriate standard.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: advisory notes*. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent. Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

