

Details of Conditions:

1.0 - General Requirements

- (1) **Landscaping Maintenance & Establishment Period** - All Open Space Landscaping works (not including Waterfront Works), associated with this Consent, are to be maintained and successfully established for a period of 12 months.

The Maintenance and Establishment Period is to commence from the date of initial completion of the approved landscaping works ie. the Date of Practical Completion (DPC).

Practical Completion is taken to mean completion of all civil works, soil preparation and treatment, initial weed control and completion of all planting, erosion controls, turf installation and mulching.

The DPC will be that date when the Applicant and the Principal Certifying Authority (PCA) agree that the landscaping works have been satisfactorily completed as per the approved Landscaping Plans applying to this Consent and the Construction Certificate (CC). The agreed DPC date will trigger the commencement of the landscaping maintenance and establishment period.

It is the applicant's responsibility to arrange a site inspection with the PCA, upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the landscaping maintenance and establishment period, all areas of lawn and plantings, including any nature strip/road verge areas and garden bed areas, shall have signs of healthy and vigorous growth. Any trees, shrubs, grasses, bollards, fences, paths, cycleways, nature strip/road verge areas, garden areas or lawn areas in a state of decline, damaged or missing are to be replaced or restored to a healthy, safe and vigorous condition.

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Landscaping Plans.

Any landscaping works that require repair or replacement are to be successfully repaired or replaced prior to the completion of the maintenance and establishment period.

Public Open Space landscaped areas, applicable to this Consent, will not be considered for handover to Council responsibility, for on going maintenance, until all landscaping works are in a healthy, safe and vigorous condition at the completion of the maintenance and establishment period. Maintenance handover responsibility to Council will also be dependent upon the landscaping works complying with the approved landscaping plans at the completion of the maintenance and establishment period.

(2) **Waterfront Areas Landscaping Maintenance & Establishment Period -**

All Waterfront Landscaping works associated with this Consent are to be installed, established and maintained as per the Growth Centres Waterfront Land Strategy 2009, the approved Works Plan (WP) and Vegetation Management Plan (VMP) applicable to this Consent.

The maintenance and establishment period will be for 5 years or till such time as the Consent Authority (ie. Camden Council) is satisfied that the outcomes stated in Part 3 (3.3) of the Waterfront Land Strategy have been successfully achieved. The maintenance period can extend beyond the 5 year period, but only where the Consent Authority (ie. Camden Council) has informed the Applicant that the outcomes and requirements are not being achieved. The Consent approved VMP and relevant Development Control Plan (DCP) detail the process for the Consent Authority (i.e. Camden Council) to inform the Applicant that the outcomes and requirements are not being achieved.

The Maintenance and Establishment Period is to commence from the Date of Practical Completion (DPC).

Practical Completion is taken to mean completion of all civil works, soil preparation and treatment, initial weed control and completion of all planting, turf installation, installation of erosion controls and mulching. The DPC is that date when the Applicant and the Consent Authority (i.e. Camden Council) agree that the Waterfront Landscaping works have been satisfactorily completed, as per the approved Landscaping Plans, Waterfront Land Strategy 2009, Works Plans and Vegetation Management Plans (VMP's) applying to this Consent and Construction Certificate (CC).

It is the Applicants responsibility to arrange a site inspection with the Consent Authority (i.e. Camden Council), upon initial completion of the Waterfront works, to determine and agree upon, an appropriate DPC.

At the completion of the maintenance and establishment period, all areas of the Waterfront works shall have signs of healthy and vigorous growth. Any plantings, or any areas of revegetation or rehabilitation that are in a state of decline, damaged or missing are to be replaced or restored to a healthy, safe and vigorous condition.

At the completion of the maintenance and establishment period, the Waterfront works must comply with the approved Landscaping Plans, Works Plan and applicable VMP, for Council to consider accepting handover for the responsibility of any on-going maintenance for the subject site.

Any landscaping works that require repair or replacement are to be repaired or replaced prior to the completion of the maintenance and establishment period and prior to Council accepting handover of any immediate or on going maintenance responsibility.

- (3) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

The following procedures shall be strictly observed:

- no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval.
 - pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.
- (4) **Traffic Calming Device** – Traffic calming treatments are required at the intersection at proposed road nos. 1, 4 and 9 and the intersection at proposed road nos. 9 and 14. The traffic calming treatments are to incorporate narrowing of proposed road no. 4 with kerbside blisters. The blisters are to be designed in accordance with the principles specified in Section 2.2 of the Landcom Street Design Guidelines.
- (6) **Bush Fire Safety Authority** - A Bush Fire Safety Authority from the Rural Fire Service is attached to and forms part of this development consent. All requirements of this Bush Fire Safety Authority must be complied with.
- (7) **Compliance with Council's Engineering Specifications** - The entire development, including all facets of its design and construction, must fully comply with Council's engineering specifications.
- (8) **Noxious Weeds** - Noxious Weed control must be carried out in conjunction with the Vegetation Management Plan Gregory Hills Stage 2 (incorporating Stage 1) - prepared by EcoLogical Australia September 2010.

The abovementioned management plan listed two species of Noxious Weeds which are declared Class 4 noxious weeds in the Camden Council LGA:

- African Boxthorn (*Lycium Ferocissimum*)
- Small Leaf Privet (*Ligustrum Sinense*)

The applicant must fully and continuously suppress and destroy, by appropriate means, the abovementioned weeds and any other noxious or environmentally invasive weed infestations that occur during or after subdivision and prior to sale of new lots. New infestations must be reported to Council.

As per the requirements of the Noxious Weeds Act 1993, the applicant must also ensure at all times any machinery, vehicles or other

equipment entering or leaving the site must be cleaned and free from any noxious weed material, to prevent the spread of noxious weeds to or from property.

- (9) **Waste Disposal Areas for Residential Allotments** - A waste bin collection point must be provided for each residential allotment and must be in accordance with the following requirements:
- (a) Each residential allotment must be provided with a level area adjacent to the kerb suitable for the placement of bins for collection. This area must be on ground level; running parallel to the rear of the kerb and measured 3 metres long by 900mm wide and allow 3.9 metres clear vertical space to allow for the truck-lifting arm.
 - (b) The collection vehicle must be able to approach parallel to the collection area either directly next to or within a car width of the kerb. The designated area must also be clear from the positioning of tree plantings (or tree canopies), street lighting or other fixtures.

If this area cannot be provided in front of the lot to which the service is allocated, a more appropriate location shall be provided in front of another lot following consultation with Council. The nominated area shall not be located more than 50 metres from the lot and must be agreed to with Council's Environment Branch.

- (10) **Retaining Wall Finish** - The proposed southern boundary retaining walls must have a paint finish to match the colour of the approved side retaining walls between residential lot boundaries as approved by Development Consent 1193/2007.

All inter-allotment retaining walls must have a finish that matches the finish of the inter-allotment retaining walls approved for the Gregory Hills subdivision stage 1 by Development Consent 1193/2007.

- (11) **Picnic Shelter Construction** - The design of the proposed picnic shelter must include impervious roof materials/design and have no hardwood in its construction.

- (12) **Turf Areas** – The areas on either side of the proposed pedestrian/cycle path that are shown on the approved landscaping plans as a light green colour must be turfed to maximise passive open space.

- (13) **Amendments to Approved Development** - The following amendments must be incorporated into the approved development:

1. Proposed road no. 12 must be widened and have a configuration that matches "(3) Local Road Adjacent to Open Space" as identified on the approved road cross sections plan for Gregory Hills by

Development Planning Strategies. This road must also connect into proposed road no. 1 to the north west.

The surrounding lot layout must be adjusted to facilitate this amendment however it must still achieve the minimum lot sizes and lot dimensions as required by State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and the Turner Road Development Control Plan 2007.

2. A road extension must be provided to the south east of the corner of proposed roads nos. 3 and 4 and end at the site's boundary with nos. 79 and 85 Turner Road, Gregory Hills. This road must have a configuration that matches "(3) Local Road Adjacent to Open Space" as identified on the approved road cross sections plan for Gregory Hills by Development Planning Strategies.

The surrounding lot layout must be adjusted to facilitate this amendment however it must still achieve the minimum lot sizes and lot dimensions as required by State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and the Turner Road Development Control Plan 2007.

- (14) **Approved Plans** – The development must be carried out strictly in accordance with the following approved plans or other documentation:

- Plan of proposed subdivision dwg. no. 59406 SUB_2A sheet 1 of 3 dated September 2010 by Lean Lackenby & Hayward.
- Plan of proposed subdivision dwg. no. 59406 SUB_2A sheet 2 of 3 dated September 2010 by Lean Lackenby & Hayward.
- Plan of proposed subdivision dwg. no. 59406 SUB_2A sheet 3 of 3 dated September 2010 by Lean Lackenby & Hayward.
- Plan of proposed subdivision dwg. no. 59406 SUB_2B sheet 1 of 1 dated September 2010 by Lean Lackenby & Hayward.
- Plan of proposed subdivision dwg. no. 59406 SUB_2C sheet 1 of 1 dated September 2010 by Lean Lackenby & Hayward.
- Plan of proposed subdivision dwg. no. 59406 SUB_2D sheet 1 of 1 dated September 2010 by Lean Lackenby & Hayward.
- Concept subdivision plan for Gregory Hills by Development Planning Strategies.
- Road cross sections plan for Gregory Hills by Development Planning Strategies.
- Landscape plans 1-34 (inclusive) of 34 by distinctive.
- Road and drainage design plans for Gregory Hills stage 2 drawings 000, 001, 002, 101, 102, 103, 104, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307, 208, 500, 601, 602, 603, 604, 605, and 606 (all revision 02) by Brown Consulting (NSW) Pty. Ltd.
- Sediment and erosion control plans for Gregory Hills stage 2 drawings 701 and 702 by Brown Consulting (NSW) Pty. Ltd.

- Statement of environmental effects dated October 2010 by Dart West Developments Pty. Ltd.
- Bush Fire Protection Assessment dated 20 September 2010 by ecological Australia.
- Vegetation management plan dated September 2010 by ecological Australia.
- Traffic noise assessment dated 17 March 2022 by Acoustic Logic.
- Traffic assessment dated September 2010 by Cardno.
- Phase 2 environmental site assessment dated September 2010 by Douglas Partners.
- Salinity assessment and management plan dated September 2010 by Douglas Partners.
- Engineering development report dated October 2010 by Brown Consulting.
- Letter re. onsite detention/bio-retention basin design – Stage 1 Central Hills Business Park dated 22 September 2010 by Cardno.

The development must also comply with the conditions of approval imposed by Council hereunder.

Where there is an inconsistency between the approved plans/documentation and development consent conditions, the development consent conditions override the approved plans/documentation to the extent of the inconsistency.

Amendments or modification of the approved development require the written prior approval of Camden Council.

- (15) **Roads and Traffic Authority (RTA) Requirement** - All works and regulatory signage with the proposed development is to be carried out at no cost to the RTA.
- (16) **Additional Lighting** - Additional lighting must be provided along the timber boardwalk and path that connects into the Central Hills Business Park subdivision to the north west that was previously approved by Development Consent 985/2009.

This lighting must be anti-vandal type lighting, comply with AS 4282-1996: Control of Obtrusive Effects of Outdoor Lighting and AS 1158 and be bright and even (to permit facial recognition of approaching persons at 15 metres).

- (17) **Batters** - All batters in public open space areas must have batters with a maximum gradient of 1:4.
- (18) **Bollards** – Bollards (constructed of composite materials) must be provided around the perimeter of park to prevent vehicular access.

- (19) **Maintenance Vehicle Access** – The pedestrian/cyclist path through the open space area must be designed to the following specifications to facilitate maintenance vehicle access:
- 100mm thick concrete.
 - 32mpa concrete with SL72 mesh on 50mm bedding sand.
- (20) **Subdivision Staging** – This development consent approves the proposed subdivision to be constructed and Subdivision Certificates issued in the following order: Stages 2A, 2B, 2C and 2D.
- (21) **Salinity** - all bulk earthworks, roads, buildings, detention basins and services within Stage 2 of Gregory Hills Development, 630 Camden Valley Way, Gregory Hills shall be constructed in accordance with Section 9 of the Salinity Assessment and Management plan prepared by Douglas Partners project 71913.01 dated September 2010.

2.0 - Construction Certificate Requirements

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Detailed Landscaping Plans - Prior to the issue of a Construction Certificate** (CC), detailed Landscaping Plans prepared by a qualified Landscape Architect, qualified Ecologist or qualified Landscape Designer, must be submitted with the CC application. The detailed Landscaping Plans are required for the Open Space areas as are the detailed Landscaping Plans and Works Plans for the Waterfront Areas.

The detailed Landscaping Plans and Works Plans must include (but not limited to):

1. To ensure compliance with the Growth Centres Waterfront Strategy 2009, all detailed Waterfront Landscaping and Waterfront Works Plans must be approved by the Consent Authority (ie. Camden Council) **prior to the issue of a Construction Certificate**.
2. The positioning, dimensions and construction details of the reinforced hard surface access paths and pads for maintenance vehicles must be shown, where there is any proposed or existing permanent open water bodies, rain gardens or detention basins.
3. All Waterfront Area Landscaping Plans and Works Plans must comply with the Vegetation Management Plans prepared and lodged for the Waterfront Areas, relating to this site.
4. Details of the type, number and positioning of all bollard installations. The bollards are to be of a style that matches those provided around the perimeter of Thomas Donovan Park in Gregory

Hills. However they must be constructed of composite materials as required by condition 1-18 of this development consent.

5. Detailed Street Tree installation techniques, including the installation of root guard protection to be installed to all sections fronting the kerb.
6. Universal access details for all Open Space and Waterfront areas and public facilities.
7. The detailed Landscaping Plans must comply with the Development Control Plan (DCP) for The Growth Centres applicable to this site.
8. The detailed Open Space Plans must be consistent and mirror the Consent approved Landscaping Concept Plan.
9. Clearly detail all landscape amenity elements such as boardwalks, lookouts, seating, playgrounds, picnic facilities, bubblers, signage, shade structures, paths, cycle ways, dog and litterbins and furniture elements.
10. Clearly detail any fencing, bollarding or other means of unauthorised vehicle control and access denial into and within proposed open space areas.
11. Clearly detail how controlled accessibility to all open space areas for maintenance and emergency vehicles will be achieved.
12. Detailed planting schedule, which includes positioning, species listed by botanical and common names, quantities, planting sizes and the estimated size of the plant at approximately 15yr growth maturity.
13. That the proposed landscaping is consistent with the Cultural, Ecological, Heritage and existing Amenity of the area.

(2) **Protection for existing trees and other Landscape features on site**

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The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified

and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (3) **Waterfront Area detailed Works Plans for the Growth Centres - Prior to the issue of the Construction Certificate (CC)**, detailed Works Plans for the Growth Centres Waterfront Areas, prepared by a qualified person or organisation, must be submitted with the CC application to the Consent Authority (ie. Camden Council), for approval.

The detailed Works Plan must comply with the requirements as stated for Waterfront Works Plans in the Council Engineering Specifications and the Consent approved Vegetation Management Plan applicable to these subject Waterfront Areas.

- (4) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with Camden Council's Engineering Specifications and are to be submitted for approval to the Principal Certifying Authority **prior to an Engineering Construction Certificate being issued**.

Please note that:

- under the Roads Act 1993, only the Council can issue a Construction Certificate for works within an existing road reserve.
- under section 109E of the Environmental Planning and Assessment Act 1997, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.

Note: The developer must obtain a Construction Certificate prior to commencement of any physical site works.

- (5) **Environmental Management Plan** - An Environmental Site Management Plan must be submitted to the Principal Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 - 2005 and must address, but not be limited to, the following issues:

- (a) All matters associated with Council's Erosion and Sediment Control Policy.
- (b) All matters associated with Occupational Health and Safety.
- (c) All matters associated with Traffic Management/Control during construction, which should address issues of access of

construction traffic, storage of material, location of site office, and parking for workers, use of equipment and other matters which has an impact on the road network or immediate environment.

- (d) All other environmental matters associated with the site works such as noise control, dust suppression, waste management and the like.
 - (e) Any construction work which involves access to a public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by a RTA accredited Certifier.
- (6) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.
The survey must include descriptions of each photo and the date when each individual photo was taken.
- (7) **Performance Bond - Prior to the issue of a Construction Certificate** a performance bond of 10% of the value of civil works must be lodged with Camden Council. Should any of Council's property sustain damage or the development place the environment or public at risk, Council will perform any works necessary on behalf of the applicant to rectify these works. This bond will be refunded once all works have been completed to the satisfaction of Council. The applicant must be responsible for any damage caused to existing public utilities, footpaths or public roads during construction works.
- (8) **Design and Construction Standards** - All civil engineering work associated with the development must be carried out strictly in accordance with Camden Council's Engineering Specifications for roadworks, drainage and other works associated with subdivisions and other developments.
- (9) **Pavement Design** - A pavement design prepared by a suitably qualified Geotechnical Engineer for all proposed roads and accessways based upon Council's Pavement Design specification must be submitted and approved by the Principal Certifying Authority **prior to roadworks proceeding past subgrade level**.
- (10) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS1742.3 1985 and to the requirements and approval of Council (and the Roads and Traffic Authority). Plans and proposals must be approved by Council (and the Roads and Traffic Authority) **prior to a Construction Certificate being issued**.

- (11) **Public Risk Insurance Policy - Prior to the issue of a Construction Certificate**, the owner or contractor is to take out Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve. The Policy is to note Council as an interested party and a certificate of currency from the insurer of such policy must be submitted to the Council as evidence of such policy. Where the coverage of such policy expires during the period of construction of the works, the policy must be renewed prior to the expiration of the policy and a Certificate of Currency from the insurer provided.

Failure to keep the works insured shall be reason for Council to make the works safe and all costs associated with making the works safe shall be a cost to the owner of the land.

- (12) **Drainage Design** - A stormwater management plan is to be prepared **prior to the issue of a Construction Certificate** to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (13) **Stormwater Disposal** - Stormwater run-off from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.
- (14) **Destination** - Pit lintels must be labelled with permanent stencilled signs to identify the watercourse into which the pit drains.
- (15) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary an on site detention system must be provided to restrict stormwater discharges from the site to pre-development flows. The system is to provide for all storms up to and including the 1% AEP event. Engineering details and supporting calculations must be prepared by a qualified Hydrology Engineer and submitted to the PCA for approval with the Construction Certificate.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council **prior to the issue of a Subdivision Certificate**. The plans are to be certified by the designer and are to clearly make reference to:

- the works having been constructed in accordance with the approved plans,
- actual storage volume and orifice provided,
- the anticipated performance of the system with regard to the design intent.

The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (ie Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (i) view the state of repair of the basin;
- (ii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
- (iii) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.

- (16) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with the Consent Authority's (ie. Camden Council) "Soil Erosion and Sediment Control Policy."

Control measures must be maintained during the entire development procedure and can only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised.

Plans containing a minimum of four (4) sets of the undermentioned information must be prepared and submitted to the Principal Certifying Authority for approval **prior to a Construction Certificate being issued:**

- (a) existing and final contours
- (b) the location of all earthworks including roads, areas of cut and fill and re-grading

- (c) location of impervious areas other than roads
 - (d) location and design criteria of erosion and sediment control structures
 - (e) location and description of existing vegetation
 - (f) site access (to be minimised)
 - (g) proposed vegetated buffer strips
 - (h) catchment area boundaries
 - (i) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
 - (j) location of topsoil or other stockpiles
 - (k) signposting
 - (l) diversion of uncontaminated upper catchment around areas to be disturbed
 - (m) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
 - (n) procedures for maintenance of erosion and sediment controls
 - (o) details for staging of works
 - (p) details and procedures for dust control.
- (17) **Location of the “Construction” On-site Detention/Sediment Control Basin** - A “construction” on-site detention/ sediment control basin must be provided for within the site.
- (18) **Location of Temporary Water Quality Facilities** - A temporary water quality facility must be provided for the site. The facility may be provided in the following locations:
- i) within any proposed public road and/or drainage reserve contained within the site,
 - ii) within any proposed residue lot contained within the site,
 - iii) within any adjoining property that is privately owned. In this regard appropriate easements, pursuant to s.88B of the *Conveyancing Act 1919*, must be registered by the Department of Lands – Land and Property Information, prior to the issue of any Construction Certificate.
- (19) **Location of Permanent Water Quality Facilities** - A permanent water quality facility must be provided for the site. Such a facility must be located within proposed and/or existing public land.
- (20) **Design of “Construction” On-site Detention/Sediment Control Basin** - The design of the “construction” on-site detention/ sediment control basin and water quality facility must be prepared in accordance with the requirements of:
- a) For sediment control, generally, *Managing Urban Stormwater – Soils and Construction*, Volume 1, 4th Edition, March 2004 as produced by Landcom,

b)Camden Council's Current Engineering Design Specification.

and must not concentrate final discharge flows from the facility.

The construction of the on-site detention/sediment control basin must contain an impervious layer to provide water harvesting.

The design must be prepared and certified by an accredited certifier and must be submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.

- (21) **Construction of the “Construction” On-site Detention/Sediment Control Basin** - Prior to the commencement of any other subdivision work the “construction” on-site detention/sediment control basin and the associated immediate stormwater drainage system must be constructed: -

- i) in accordance with the approved plans, and
- ii) to the requirements of the Principal Certifying Authority.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (22) **Retaining Walls** – Retaining walls must be designed and certified by a practising structural engineer. Retaining walls shall incorporate easements for support and maintenance or be designed to transfer loads so that no adjoining easement, public road/reserve or property is burdened or restricted by the presence of the retaining wall. Provision must be made for surface and sub-surface water to be collected and connected to a stormwater disposal system within the site.

Retaining walls shall also be designed to accommodate future regrading of adjoining land, considering both filling and excavation. The maximum height of any wall (in fill) must not exceed 1.2 metres.

Retaining wall 2 from chainage 80 – 120 (inclusive) must be a minimum of 500mm deep (below finished surface level) to support future lot regrading.

- (23) **Bushfire Safety - Prior to the Issue of a Construction Certificate**, the applicant must provide to the Certifying Authority, written confirmation that the development proposal is compliant with all requirements of the Rural Fire Service.

This written confirmation may be by way of either:

- (a) written advice from the Rural Fire Service that the development is compliant with the current Planning for Bushfire Protection document, or

- (b) written advice from an suitably qualified person or appropriately qualified Bushfire Risk Assessor that the proposed development is compliant with the current Planning for Bushfire Protection document.

In any event, the written confirmation must include specific advice that:

- (a) All access roads have sufficient carriageway width.
 - (b) Verge widths are sufficient.
 - (c) Longitudinal grades are not too great.
 - (d) Horizontal geometry provides for appropriate access.
 - (e) Turning/manoeuvring is achievable.
 - (f) Kerb types are appropriate.
 - (g) On street parking (kerbside and indented) is not expected to be problematic for fire fighting vehicles to gain access.
 - (h) On street parking restrictions / signage is not expected to be problematic for fire fighting vehicles to gain access.
 - (i) Access requirements with regards to perimeter roads have been achieved.
 - (j) The required Asset Protection Zones have been achieved.
 - (k) All requirements of the Rural Fire Service's bushy Fire Safety Authority attached to Development Consent 1546/2010 have been met.
- (24) **Water Supply** - Water services must be provided to the proposed development. Application for water supply must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92.
- Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.
- (25) **Integral Energy** - All proposed works within or directly adjacent to Integral Energy's existing electricity transmission line infrastructure and easement must be approved by Integral Energy **prior to the issue of a Construction Certificate**.
- (26) **Emergency Vehicle Access** - Access to the open space area for emergency vehicles must be provided. This may involve the use of removable bollards. Details of this must be submitted to and approved by the Certifying Authority **prior to the issue of a Construction Certificate**.

- (27) **Site Perimeter Retaining Walls** – Site perimeter retaining walls RW01, RW02 and RW03 shall be designed to accommodate future regrading of the adjoining land. Retaining wall plans, elevations and typical sections for a Construction Certificate must include an indicative future design surface of the adjoining Gregory Hills development land (properties fronting Turner Road).

The maximum height of retaining walls above the indicative future design surface shall not exceed 1.2 metres. Where retaining walls are located in cut, the wall shall extend to a depth of 0.5 metres below the finished surface level within the subject site. Provision must also be made for surface and sub-surface water to be collected and transferred to a stormwater disposal system within the site.

3.0 - Prior To Works Commencing

The following conditions of consent shall be complied with prior to any works commencing on the construction site.

- (1) **Pollution Warning Sign** – A sign must be erected at all entrances to the subdivision site prior to work commencing and maintained until the subdivision has reached 80% occupancy. The sign must be constructed of durable materials and be a minimum of 1200 x 900mm. The wording of the sign must be as follows:-

“WARNING - UP TO \$1,500 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. The Council of Camden (02 4654 7777) - Solution to Pollution.”

The warning and fine statement wording must be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

The location and details of the signage shall be shown on the soil and water management plan prior to the release of the construction certificate.

- (2) **Stabilised Access Point** - A single Stabilised Access Point incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point.
- (3) **Construction of the “Construction” On-site Detention/Sediment Control Basin** - Prior to the commencement of any other subdivision work the “construction” on-site detention/sediment control basin and

the associated immediate stormwater drainage system must be constructed: -

- i) in accordance with the approved plans, and
- iii) to the requirements of the Principal Certifying Authority.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (4) **Hoarding and Ancillary Requirements** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by the Consent Authority (ie Camden Council). An application must be lodged with and approved by Council prior to the erection of any hoarding or fence.

Note 1 No site or demolition works must commence before the hoarding or fence is erected and a Construction Certificate, if applicable, granted by a Certifying Authority.

Note 2 Public thoroughfares must not be obstructed in any manner whatsoever during demolition works.

- (5) **Traffic Committee Approval** – Designs for line marking, regulatory signage and traffic management associated with all proposed public roads within this subdivision MUST be submitted to and approved by the Roads Authority, Camden Council, **prior to works commencing**. If any changes to the proposed designs are required an amended Construction Certificate may be required.

- (6) **Transport** - All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to provide the shortest travel distance (or most appropriate) from the site to a State road. Applicants may consult Council prior to selecting the most suitable transport route. All remediation work shall ensure that:

- All soil, materials, equipment or machinery are delivered to or removed from the site shall be transported within the hours of operation specified in the development consent. All loads entering or leaving the site are securely covered.
- All vehicles exiting the site are securely covered.
- All vehicles exiting the site do so in a forward direction.
- All vehicles exiting the site shall not track soil, mud or sediment onto the road.

- (7) **Signs to be Erected on Building and Demolition Sites** – Under Clause 98A of the *Environmental Planning and Assessment Regulation 2000*, a sign must be erected in a prominent position on any site on

which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, and
- (b) showing the name of the 'principal contractor' (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

Note: The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.

4.0 - During Construction

The following conditions of consent shall be complied with during the construction phase.

- (1) **Street Trees, Tree Protective Guards and the Road Verge Areas** - Any street trees, tree guards, protective bollards or any area of the nature strip/road verge, which are disturbed, relocated, removed, or damaged during the development, construction, maintenance and establishment periods, must be successfully repaired, relocated or replaced.
Any repairs, relocations or replacements needed to the tree/s, lawn areas, bollards, tree guards, nature strip/road verge areas are to be completed with the same type, species and maturity and the works carried out successfully prior to the completion of the maintenance and establishment period.
- (2) **Survey Marks** - Permanent survey co-ordination marks must be placed within the subdivision in accordance with the Surveyors Act and Regulations.
- (3) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:
 - (a) prior to installation of sediment and erosion control measures;
 - (b) prior to backfilling pipelines and subsoil drains;

- (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
- (d) proof roller test of subgrade and sub-base;
- (e) roller test of completed pavement prior to placement of wearing course;
- (f) prior to backfilling public utility crossings in road reserves;
- (g) prior to placement of asphaltic concrete;
- (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates, stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications must be submitted to Council **prior to the issue of a Subdivision Certificate**.

- (4) **Compaction (Roads)** - All filling on roadways must be compacted at 100% standard compaction and tested in accordance with Camden Council's Engineering Works Development Control Plan and associated guidelines and AS1289 by a NATA registered laboratory.
- (5) **Compaction (Allotments)** - Those proposed allotments which are subject to filling must be compacted to 95% standard compaction. The applicant's Geotechnical Engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798-1990.
- (6) **Fencing of the "Construction" On-site Detention/Sediment Control Basin** – Any "construction" on-site detention/ sediment control basin must be enclosed by a 2.1m high security fence of a type approved by the Consent Authority (Camden Council). Any such fence is to be continually maintained and is to remain in place until this facility is removed or reconstructed to a temporary/permanent water quality facility.
- (7) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
 - (a) the delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
 - (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.

- (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - (d) waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - (e) a waste control container shall be located on the development site.
- (8) **Hours of Work** – The hours for all works are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (9) **Fill Material – Prior to the importation and/or placement of any fill material on the subject site** a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must: -

- i) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- ii) be endorsed by a practicing engineer with National Professional Engineering Registration and with a Specific Area of Practice in Subdivisional Geotechnics, and
- iii) be 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 (Second Edition) – Soil Investigation Levels for Urban Development Sites in NSW".
- iv) confirm that the fill material: -
 - a) provides no unacceptable risk to human health and the environment;
 - b) is free of contaminants;
 - c) has had salinity characteristics identified in the report;
 - d) is suitable for its intended purpose and land use, and

e) has been lawfully obtained.

Sampling for salinity of fill volumes: -

v) less than 6000m³ - 3 sampling locations,

vi) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

A minimum of 1 sample from each sampling location must be provided for assessment.

Sampling for Contamination should be undertaken in accordance with the following table:-

Classification of Fill Material	No. of samples per volume	Volume of fill (m ³)
Virgin Excavated Natural Material	1 (see note 1)	1000

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (10) **Potential For Contamination** – Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earthworks / site preparation / construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

Where remediation work is required the applicant will be required to comply fully with Council's Policy – Management of Contaminated Lands with regard to obtaining consent for the remediation works.

- (11) **Removal Of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer www.environment.nsw.gov.au/waste/envguidlms/index.htm) Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.

- (12) **Construction Noise** - Noise Levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends:

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (13) **Dust Control** - Any dust resulting from any construction activities must be continually suppressed to avoid discharge across the site's boundaries.

5.0 - Subdivision Certificate

The following conditions of consent shall be complied with prior to the Council or an Accredited Certifier issuing a Subdivision Certificate.

- (1) **Adjoining Stormwater Infrastructure** – A Subdivision Certificate must be issued for Development Consent 985/2009 (Stage 1) and Development Consent 1193/2007 (Stage 1B) **prior to the issue of a Subdivision Certificate** for this development.
- (2) **Maintenance Bond** - A maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, must be lodged with Council **prior to the issue of a Subdivision Certificate**. This bond is to cover the maintenance of civil works constructed during subdivision works and any damage to existing roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be for twelve (12) months or such longer period as determined by Council's engineer, and shall commence on the date of release of the linen plan in the case of subdivision works or the date of the issue of the compliance certificate in the case of development works.

Note 1: In accordance with Council's current Fees and Charges an administration fee for processing of bonds in the form of cash or bank guarantees is applicable.

Note 2: It should be noted that Council will not refund/release the maintenance bond unless a suitable replacement bond is submitted.

- (3) **Road Surfacing Bond - Prior to the issue of a Subdivision Certificate**, the applicant is to lodge a monetary bond with the consent authority (ie. Camden Council) for the placement of the final layer of asphaltic concrete wearing course for any proposed Public Road within this subdivision.

The bond is to be in the form of cash or unconditional bank guarantee in favour of the consent authority (ie. Camden Council), and must be equivalent to 130% of the value of the works including the cost of all reinstatement works. The bond amount will be determined by reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and the work is required to be held for 5 years from completion or upon at least 80% of the subdivision occupancy.

Camden Council reserves the right to claim against the bond at any time.

Note 1: In accordance with Council's current Fees and Charges an administration fee for processing of bonds in the form of cash/cheque or bank guarantees is applicable.

Note 2: It should be noted that Council will not refund/release the maintenance bond, unless a suitable replacement bond is submitted.

- (4) **Value of Works - Prior to the issue of a Subdivision Certificate** the applicant must submit an itemised value of civil works for the inclusion in Council's Asset Management System. The applicant can obtain a valuation sheet from Council upon request.

- (5) **Lot Numbers and Street Names - Prior to the issue of a Subdivision Certificate**, lot numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

The stencil medium must be of a good quality UV stabilised paint and applied to the kerb accordingly:

- 1 Lot numbers:

White number on Brunswick Blue background located on the prolongation of both common boundaries of each lot.

2. Street names:

White lettering on Brunswick Blue background at kerb and gutter tangent points or at such locations as directed by the Principal Certifying Authority.

- (6) **Soil Classification** - A geotechnical report must be submitted detailing the classification of soil type generally found within the subdivision. A general classification for each lot within the subdivision must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of SAA AS 2870 "Residential Slabs and Footings". The classification reports must be submitted to Council **prior to issue of a Subdivision Certificate**.

- (7) **Footpath Construction Bond** - A footpath construction bond in the form of an unconditional bank guarantee or cash bond, being 200% of the cost of the works, must be lodged with Council **prior to the issue of a Subdivision Certificate**.

This bond is to cover the construction of the footpath associated with the development/subdivision. The footpath construction will generally be delayed for a period of twelve (12) months or until the majority (approx 80%) of development has been erected within the development/ subdivision. This bond can be released once a satisfactory inspection has been undertaken by Council.

Note 1: In accordance with Council's current Fees and Charges an administration fee for processing of bonds into form of cash/cheque or bank guarantees is applicable.

Note 2: It should be noted that Council will not refund/release the maintenance bond unless a suitable replacement bond is submitted.

- (8) **Works as Executed Plan - Prior to a Subdivision Certificate being issued**, a works-as-executed drawing signed by a registered surveyor must be submitted to the Principal Certifying Authority showing that the stormwater drainage and finished ground levels have been constructed as approved.

- (9) **Surveyor's Report - Prior to the issue of a Subdivision Certificate** a certificate from a registered surveyor must be submitted to the Certifying Authority certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

- (10) **Street Lighting** - Street lighting must be provided within the subdivision in accordance with the relevant Australian standards,

Integral Energy approval and the satisfaction of Council. All physical works must be complete **prior to the issue of a Subdivision Certificate**.

- (11) **Services** - All services (water, sewer, electricity, telephone and gas including the provision of service conduits and stub mains) are to be installed within the proposed public roads before final inspection of the engineering works.

Prior to the issue of a Subdivision Certificate the following service authority clearances must be obtained and submitted to the Principal Certifying Authority:

- A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water Corporation.
 - A letter from Integral Energy stating that all its requirements and any conditions of this consent have been satisfied.
 - A letter from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the development.
- (12) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (13) **Show Restrictions on the Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.
- (14) **Plot Watercourses** - The developer must chart the natural watercourse on the plan of subdivision.
- (15) **Plot Piped Watercourse** - The developer must chart the piped natural watercourse on the plan of subdivision.
- (16) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
- (a) Easement for services.
 - (b) Easement to drain water.
 - (c) Drainage easement over overland flow paths.
 - (d) Easement for on-site detention.
 - (e) Easement for water quality.

- (f) Restriction as to user over any lots adjacent to a public reserve stipulating dividing fence type.
- (g) Restriction as to user 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.
- (h) Restriction as to user on all lots specifying that all works must be constructed in accordance with Section 9 of the Salinity Assessment and Management plan prepared by Douglas Partners project 71913.01 dated September 2010.
- (i) Restriction as to user on lots 2332, 2334, 2351, 2355, 2361, 2404, 2447, 2448 and 2457 specifying that window glazing, acoustic seals, external walls, roof / ceiling construction and doors shall be in accordance with Table 5 – Zone B of the “Gregory Hills Stage 2 Traffic Noise Assessment” prepared by Acoustic logic revision 7 dated 17 March 2011 Ref 2010894/1509A/R7/TT.” For the above lots the internal noise levels contained within the Turner Road Development Control Plan 2007 must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
- (j) Restriction as to user on lots 2302, 2205, 2239 and 2272 specifying that window glazing, acoustic seals, external walls, roof / ceiling construction and doors shall be in accordance with Table 4 – Zone A of the “Gregory Hills Stage 2 Traffic Noise Assessment” prepared by Acoustic logic revision 7 dated 17 March 2011 Ref 2010894/1509A/R7/TT.” For the above lots the internal noise levels contained within the Turner Road Development Control Plan 2007 must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
- (k) Restriction as to user on lots 2300, 2174, 2170, 2141, 2142 and 2107-2109 (inclusive) specifying that window glazing, acoustic seals, external walls, roof / ceiling construction and doors shall be in accordance with Table 6 – Zone C of the “Gregory Hills Stage 2 Traffic Noise Assessment” prepared by Acoustic logic revision 7 dated 17 March 2011 Ref 2010894/1509A/R7/TT.” For the above lots the internal noise levels contained within the Turner Road Development Control Plan 2007 must be achieved for each dwelling. Compliance with the above is to be demonstrated for each dwelling application.
- (l) Restriction as to user on lots 2332, 2334, 2351, 2355, 2361, 2404, 2447, 2448, 2457, 2302, 2205, 2239, 2272, 2300, 2174, 2170, 2141, 2142, and 2107-2109 (inclusive) specifying that

acoustic fencing must be provided as nominated by the Gregory Hills Stage 2 Traffic Noise Assessment” prepared by Acoustic logic revision 7 dated 17 March 2011 Ref 2010894/1509A/R7/TT. The fences are to consist of a solid material without holes (lapped and capped timber or colour bond) and be at least 1.8m high.

- (m) Restriction as to user on lots 2332, 2334, 2351, 2355, 2361, 2404, 2447, 2448, 2457, 2302, 2205, 2239 and 2272 specifying that windows facing Donovan Boulevard, or windows on the side façade, need to be kept closed to meet internal noise goals and that mechanical ventilation shall be required in accordance with the minimum standards prescribed by the Building Code of Australia.
 - (n) Restriction as to user on lots 2300, 2174, 2170, 2141, 2142 and 2107-2109 (inclusive) specifying that windows facing the Collector Road, or windows on the side façade, need to be kept closed to meet internal noise goals and that mechanical ventilation shall be required in accordance with the minimum standards prescribed by the Building Code of Australia.
- (17) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (18) **Construction of Permanent Water Quality Facilities** – A permanent water quality facility must be constructed: -
- a) in accordance with the approved plans,
 - b) to the requirements of Camden Council,
 - c) when Occupation Certificates for dwellings associated with 70-80% of the lots have been issued.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (19) **Modified “Construction” On-site Detention/Sediment Control Basin and Water Quality Facility, Operation, Maintenance and Monitoring Manual** - Prior to the completion of the modified “construction” on-site detention/sediment control basin and water quality facility, an Operation, Maintenance and Monitoring Manual must be submitted to the Principal Certifying Authority for approval.

The manual must be prepared by a suitably qualified professional in accordance with the requirements of Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004 as

produced by Landcom and must provide detailed information regarding the following:

- iii) method of desilting;
- iv) method of removal of sediment and gross pollutants; and
- v) method of removal of noxious weeds.

Water quality sampling should be undertaken for all relevant water quality parameters contained within the approved "Water Cycle Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility".

The frequency of sampling for each facility must include quarterly sampling. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months between sampling periods.

Water quality sampling and monitoring results/reports are required and must be submitted to the Council within one (1) month after each complete quarterly sampling period.

- (20) **Bond for the Decommissioning of the Modified "Construction" On-site Detention/ Sediment Control Basin and Water Quality Facility - Prior to the issue of any Subdivision Certificate** a bond for: -

- a) the conversion of the modified "construction" on-site detention/sediment control basin and water quality facility to a temporary/permanent water quality facility, and/or
- b) the removal of the modified "construction" on-site detention/sediment control basin and water quality facility and reinstatement of the area in accordance with the approved plan

must be lodged with Camden Council.

The bond:

- a) applies only where such a facility is located in existing and/or proposed public land,
- b) has been determined at an amount of \$50,000, and
- c) will be retained by Council until: -
 - i) such works have been completed in accordance with the approved plans and to the requirements of Council,
 - ii) a permanent water quality facility has been provided in a public

infrastructure location approved by Council, and

iii) the completion of such work has been confirmed, in writing, by Council.

- (21) **Permanent Water Quality Facility Operation, Maintenance and Monitoring Manual/s** - Prior to the issue of any Subdivision Certificate, Operation and Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to the Principal Certifying Authority for approval.

The manuals must be prepared by a suitably qualified professional in accordance with the requirements of the water quality criteria contained within the approved Water Cycle Master Plan and must provide detailed information regarding the following:

- vi) vegetation management
- vii) removal of noxious weeds
- viii) replacement of filter medium
- ix) water quality

Sampling - water quality sampling must be undertaken for all relevant Water quality parameters contained within the approved "Water Cycle Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility".

Frequency- The frequency of sampling for each facility must include quarterly sampling. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months between sampling periods.

Methodology for attainment of the required water quality discharge parameters.

Discussion of sampling results. A comparison of results with respect to the level of compliance with water quality targets/ criteria will be required and include recommendations for corrective action where non-compliance is determined.

In that regard the manual must indicate that water quality sampling and monitoring report/s must be submitted to Camden Council at the commencement of monitoring and six (6) months after the initial sampling.

Methodology for attainment of the required water quality discharge parameters. Methodology/measures are required to ensure that the subject temporary facilities remain functional/operational until such time as they are decommissioned and replaced/reconstructed as a

permanent water quality facility.

- (22) **Demolition of Temporary Water Quality Facilities** – Any temporary water quality facility will be made redundant upon the provision of an approved permanent water quality facility. In that regard the temporary water quality facility must be demolished and the area containing the facility reinstated. Any resulting impediment to existing permanent infrastructure, as a result of the removal of the associated stormwater drainage system is to be rectified to the requirements of Camden Council.

Prior to the commencement of any such demolition all contributing stormwater flows to the facility must be diverted to the permanent water quality facility by way of a stormwater drainage system approved by Camden Council.

- (23) **Modification of the “Construction” On-site Detention/ Sediment Control Basin** – After three (3) months of the registration of the Subdivision Certificate/Plan of Subdivision by the Department of Lands – Land and Property Information, the “construction” on-site detention/sediment control basin must be modified to include a water quality component, .

The water quality component must have the following: -

- a) a filter medium must be included in the design.
 - b) 50% of the total number of “macrophyte” type plants, the details of which are noted on the approved plans, must be planted within the filter medium area.
- (24) **Fill Plan** - A separate fill plan must be submitted to Council **prior to the issue of a Subdivision Certificate**. The fill plan must show allotment boundaries, road reserves and street names only and include details of fill, boundaries, depth of such filling in maximums of 0.5m increments and overall finished contours.
- (25) **Flood Line Identification** - The 1:100 year flood line (1% AEP) and PMF (Probable Maximum Flood) must be marked on the works as executed plans.
- (26) **Special Infrastructure Contribution** – The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 94EE of that Act that is in force on the date of this consent, and must obtain a certificate to that effect from the Growth Centres Commission before a Subdivision Certificate is issued in relation to any part of the development to which this development consent relates.

Information on the Special Infrastructure Contribution can be found at the Growth Centre Commission's website www.gcc.nsw.gov.au. To obtain an estimate of the Special Infrastructure Contribution that may be payable for the application, please email infrastructurecontribution@gcc.nsw.gov.au.

- (27) **Section 94 Contributions for Subdivision Stage 2A – Prior to the issue of a Subdivision Certificate for Subdivision Stage 2A** and pursuant to **Oran Park and Turner Road Precincts Section 94 Contributions Plan** adopted in February 2008, contributions shown in the following table (showing the infrastructure type and respective amount) must be paid to Council.

Infrastructure Type	Monetary Amount (a)	Land Area (m ²) (b)	Additional Land Area (sqm) (c)
Open space and recreation - land	\$82,670.70	6,160m ²	-
Open space and recreation – works	\$691,342.86	-	-
Open space and recreation – project management	\$15,152.28	-	-
Open Space and recreation – sub total	\$789,165.84	6,160m²	-
Community facilities – land	\$8,112	-	-
Community facilities – works	\$118,172.34	-	-
Community facilities – project management	\$2,623.92	-	-
Community facilities – sub total	\$128,908.26	0m²	-
Transport management – works	\$69,735.83	-	-
Transport management – project management	\$1,590.70	-	-
Transport management – sub total	\$71,326.53	0m²	-
Water cycle management – land	-	193.12m ²	-
Water cycle management – works	\$303,609.96	-	-
Water cycle management – project management	\$7,381.78	-	-
Water cycle management – sub total	\$310,991.74	193.12m²	-
Total	\$1,300,392.37	6,353.12m²	0m²

- (a) **Monetary Amount.** The monetary contribution specified in the Monetary Amount column of the above table must be paid to Council prior to the issue of a Subdivision Certificate. The monetary contributions must be indexed by the methods set out in clause 2.14 of the Contributions Plan at the date of payment.

At the sole discretion of Council the monetary contributions may be offset by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such agreement is to be undertaken, it must be signed **prior to the issue of a Subdivision Certificate.**

- (b) **Land Area.** The amount of land specified in the Land Area column of the above table must be dedicated to Council free of cost.

- (c) **Additional Land Area.** The Indicative Layout Plan in the Oran Park Development Control Plan and the Oran Park and Turner

Roads Precincts Section 94 Contributions Plan requires additional land for a public purpose associated with this development area. The amount of land specified in the Additional Land Area column of the above table must be dedicated to Council, with compensation to be agreed in writing between Council and the developer, such as through a Works In Kind Agreement.

Note: Any other land proposed by the applicant to be dedicated to Council, that is not land required to be dedicated to Council by the condition of consent relating to development contributions (ie. not land identified).

- (28) **Section 94 Contributions for Subdivision Stage 2B – Prior to the issue of a Subdivision Certificate for Subdivision Stage 2B** and pursuant to **Oran Park and Turner Road Precincts Section 94 Contributions Plan** adopted in February 2008, contributions shown in the following table (showing the infrastructure type and respective amount) must be paid to Council.

Infrastructure Type	Monetary Amount (a)	Land Area (m ²) (b)	Additional Land Area (sqm) (c)
Open space and recreation - land	\$306,816.35	4,208m ²	-
Open space and recreation – works	\$744,532.08	-	-
Open space and recreation – project management	\$16,317.84	-	-
Open Space and recreation – sub total	\$1,067,657.27	4,208m²	-
Community facilities – land	\$8,736	85.68m ²	-
Community facilities – works	\$127,262.52	-	-
Community facilities – project management	\$2,825.76	-	-
Community facilities – sub total	\$138,824.28	0m²	-
Transport management – works	\$68,704.59	-	-
Transport management – project management	\$1,567.18	-	-
Transport management – sub total	\$70,271.77	0m²	-
Water cycle management – land	-	2,960.05m ²	-
Water cycle management – works	\$299,708.52	-	-
Water cycle management – project management	\$7,288.33	-	-
Water cycle management – sub total	\$306,996.85	2,960.05m²	-
Total	\$1,583,750.17	7,168.05m²	0m²

- (a) **Monetary Amount.** The monetary contribution specified in the Monetary Amount column of the above table must be paid to Council prior to the issue of a Subdivision Certificate. The monetary contributions must be indexed by the methods set out in clause 2.14 of the Contributions Plan at the date of payment.

At the sole discretion of Council the monetary contributions may be offset by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such agreement is to be undertaken, it must be signed **prior to the issue of a Subdivision Certificate.**

(b) Land Area. The amount of land specified in the Land Area column of the above table must be dedicated to Council free of cost.

(c) Additional Land Area. The Indicative Layout Plan in the Oran Park Development Control Plan and the Oran Park and Turner Roads Precincts Section 94 Contributions Plan requires additional land for a public purpose associated with this development area. The amount of land specified in the Additional Land Area column of the above table must be dedicated to Council, with compensation to be agreed in writing between Council and the developer, such as through a Works In Kind Agreement.

Note: Any other land proposed by the applicant to be dedicated to Council, that is not land required to be dedicated to Council by the condition of consent relating to development contributions (ie. not land identified).

- (29) **Section 94 Contributions for Subdivision Stage 2C – Prior to the issue of a Subdivision Certificate for Subdivision Stage 2C** and pursuant to **Oran Park and Turner Road Precincts Section 94 Contributions Plan** adopted in February 2008, contributions shown in the following table (showing the infrastructure type and respective amount) must be paid to Council.

Infrastructure Type	Monetary Amount (a)	Land Area (m ²) (b)	Additional Land Area (sqm) (c)
Open space and recreation - land	\$537,900	-	-
Open space and recreation – works	\$584,982.42	-	-
Open space and recreation – project management	\$12,821.16	-	-
Open Space and recreation – sub total	\$1,135,703.58	0m²	-
Community facilities – land	\$6,864	-	-
Community facilities – works	\$99,991.98	-	-
Community facilities – project management	\$2,220.24	-	-
Community facilities – sub total	\$109,076.22	0m²	-
Transport management – works	\$58,683.40	-	-
Transport management – project management	\$1,338.59	-	-
Transport management – sub total	\$60,021.99	0m²	-
Water cycle management – land	\$222,918.67	188.80m ²	-
Water cycle management – works	\$257,203.56	-	-
Water cycle management – project management	\$6,257.59	-	-
Water cycle management – sub total	\$486,379.82	188.80m²	-
Total	\$1,791,181.61	188.80m²	0m²

(a) Monetary Amount. The monetary contribution specified in the Monetary Amount column of the above table must be paid to Council prior to the issue of a Subdivision Certificate. The monetary contributions must be indexed by the methods set out in clause 2.14 of the Contributions Plan at the date of payment.

At the sole discretion of Council the monetary contributions may be offset by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such agreement is to be undertaken, it must be signed **prior to the issue of a Subdivision Certificate.**

(b) Land Area. The amount of land specified in the Land Area column of the above table must be dedicated to Council free of cost.

(c) Additional Land Area. The Indicative Layout Plan in the Oran Park Development Control Plan and the Oran Park and Turner Roads Precincts Section 94 Contributions Plan requires additional land for a public purpose associated with this development area. The amount of land specified in the Additional Land Area column of the above table must be dedicated to Council, with compensation to be agreed in writing between Council and the developer, such as through a Works In Kind Agreement.

Note: Any other land proposed by the applicant to be dedicated to Council, that is not land required to be dedicated to Council by the condition of consent relating to development contributions (ie. not land identified).

(30) **Section 94 Contributions for Subdivision Stage 2D – Prior to the issue of a Subdivision Certificate for Subdivision Stage 2D** and pursuant to **Oran Park and Turner Road Precincts Section 94 Contributions Plan** adopted in February 2008, contributions shown in the following table (showing the infrastructure type and respective amount) must be paid to Council.

Infrastructure Type	Monetary Amount (a)	Land Area (m ²) (b)	Additional Land Area (sqm) (c)
Open space and recreation - land	\$464,550	-	-
Open space and recreation – works	\$505,212.09	-	-
Open space and recreation – project management	\$11,072.82	-	-
Open Space and recreation – sub total	\$980,834.91	0m²	-
Community facilities – land	\$5,928	-	-
Community facilities – works	\$86,356.71	-	-
Community facilities – project management	\$1,917.48	-	-
Community facilities – sub total	\$94,202.19	0m²	-
Transport management – works	\$53,927.58	-	-
Transport management – project management	\$1,230.11	-	-
Transport management – sub total	\$55,157.69	0m²	-
Water cycle management – land	\$216,053.67	-	-
Water cycle management – works	\$238,156.52	-	-
Water cycle management – project management	\$5,798.46	-	-
Water cycle management – sub total	\$460,008.65	0m²	-
Total	\$1,590,203.44	0m²	0m²

(a) Monetary Amount. The monetary contribution specified in the Monetary Amount column of the above table must be paid to Council prior to the issue of a Subdivision Certificate. The monetary contributions must be indexed by the methods set out in clause 2.14 of the Contributions Plan at the date of payment.

At the sole discretion of Council the monetary contributions may be offset by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such agreement is to be undertaken, it must be signed **prior to the issue of a Subdivision Certificate.**

(b) Land Area. The amount of land specified in the Land Area column of the above table must be dedicated to Council free of cost.

(c) Additional Land Area. The Indicative Layout Plan in the Oran Park Development Control Plan and the Oran Park and Turner Roads Precincts Section 94 Contributions Plan requires additional land for a public purpose associated with this development area. The amount of land specified in the Additional Land Area column of the above table must be dedicated to Council, with compensation to be agreed in writing between Council and the developer, such as through a Works In Kind Agreement.

Note: Any other land proposed by the applicant to be dedicated to Council, that is not land required to be dedicated to Council by the condition of consent relating to development contributions (ie. not land identified).