

Lean & Hayward PTY LTD  
DX 5105 Campbelltown

**NOTICE OF DETERMINATION OF DEVELOPMENT  
APPLICATION No. 4/2011**

Issued under Section 81 (1) (a) of the  
Environmental Planning and Assessment Act 1979

*(For privacy reasons, the applicant's details only appear in the notice to the applicant)*

<b>LAND TO BE DEVELOPED:</b>	Richardson Road SPRING FARM LOT: PT119 DP: 1150306
<b>PROPOSED DEVELOPMENT:</b>	Staged residential subdivision to create 277 residential lots, 1 open space lot and 4 residual lots. Associated works include bulk earth works, remediation works, road construction and landscaping

**DETERMINATION:** Consent granted subject to conditions described below.

**DATE FROM WHICH THE CONSENT OPERATES:** -

**DATE THE CONSENT EXPIRES:** -  
(unless works commenced)

**DATE OF THIS DECISION:** -

**INFORMATION ATTACHED TO THIS DECISION:**

- Advice listed in Attachment A.
- General Terms of Approval issued by Rural Fire Service's reference Ref: D11/0087 DA11012175845LC ID: 75845/699/56/5, dated 11 March 2011.
- General Terms of Approval issued by the NSW Office of Water. Reference: 10ERM2011/0265; dated 16 March 2011.
- Letter from Roads & Traffic Authority; Reference: RDC 11M170 SYD11/00061; dated 24 February, 2011.
- Department of Environment, Climate Change and Water; Reference: DOC11/13728; dated 16 March, 2011.

## Approved Development:

This development consent approves the following development subject to and specifically referred to in the Development Consent Conditions set out below:

- Bulk earth works. Part of the site already has approval for earth works however approval is being sought for the remaining part of the site.
- Remediation works.
- Residential land subdivision. The staging of the land subdivision is described as Precinct 200 (P200) and Precinct 300 (P300).

Precinct 200 involves the subdivision of land into 103 residential allotments and 1 residue lot. Residential allotments range between 390 square metres (sqm) and 600sqm.

Precinct 300 involves the subdivision of land into 174 residential allotments, 1 open space lot and 3 residue lots. Residential allotments range between 375sqm and 600sqm.

- Other works subject to the DA include:
  - a) Construction of facilities etc for local open space park
  - b) Road construction
  - c) Bush corridor edge roads
  - d) Acoustic fencing
  - e) Water quality and quantity basins
  - f) Associated landscaping.

## Details of Conditions:

### 1.0 - General Requirements

- (1) **Approved Plans** – The development must be carried out strictly in accordance with the following approved plans or other documentation:
- (a) Spring Farm - Precinct 300 - Plan of Proposed Subdivision – P301 Construction Package CP1; Drawing no: 76744.03.P07A; Amendment A; Date 22/11/2010.
  - (b) Spring Farm - Precinct 300 - Plan of Proposed Subdivision – P302 Construction Package CP2; Drawing no: 76744.03.P08A; Amendment A; Date 22/11/2010.
  - (c) Spring Farm - Precinct 200 - Plan of Proposed Subdivision - Construction Package 1; Drawing no: 76744.02.P06; Amendment A; Date 22/11/2010.
  - (d) Spring Farm - Precinct 300 - Plan of Proposed Subdivision – P303 Construction Package CP3; Drawing no. 76744.03.P09B; Amendment A; Date 22/11/2010.
  - (e) Spring Farm - Precinct 200 - Plan of Proposed Subdivision - Construction Package CP2; Drawing no. 76744.02.P07; Amendment B; Date 22/11/2010.

- (f) P300 Upper Green E1; L-200; Revision D; Date 22/12/2010.
- (g) P300 Upper Green E1; L-201; Revision C; Date 22/12/2010.
- (h) Landscape Cover Sheet & Location Plan; Plan ref: DA-P-L100 Rev D; Date 14/12/2010.
- (i) Landscape subdivision plans; Plan ref: DA-P-L101 Rev D; Date 14/12/2010.
- (j) Landscape subdivision plans; Plan ref: DA-P-L102 Rev D; Date 14/12/2010.
- (k) Landscape subdivision plans; Plan ref: DA-P-L103 Rev D; Date 14/12/2010.
- (l) Landscape subdivision plans; Plan ref: DA-P-L104 Rev D; Date 14/12/2010.
- (m) Landscape subdivision plans; Plan ref: DA-P-L105 Rev D; Date 14/12/2010.
- (n) Streetscape Image Palette; Plan ref: L-110 Rev D; Date 14/12/2010.

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 conditions of consent, the conditions of consent take precedence to the extent of the inconsistency.

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

- (2) **Landscaping Maintenance and Establishment Period** - All landscaping 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).

The DPC is 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. 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 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, 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 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.

- (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 and/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) **Sewer Access Chambers and Mains -** No sewer access chambers are to be constructed within the proposed Road Reserves, Public Reserves and Drainage Reserves without prior approval of the Principal Certifying Authority.

In addition, no sewer mains are to be constructed within both proposed and existing Public Reserves and Drainage Reserves without prior approval of the Principal Certifying Authority.

- (5) **Round-about at Nicholson Parade and Landen Street –** The round-about located at the intersections of Nicholson Parade and Landen Street shall be constructed in accordance with the approved plans and at no cost to Camden Council.

- (6) **Remediation Works -** All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, onsite and offsite disposal, cut, fill, backfilling, compaction, monitoring, validations, site management and security, health and safety of workers, must be undertaken on the site in accordance with the Remediation Action Plan titled *“Revised Remediation Action Plan Precincts 200 & 300 Spring Farm New South Wales For Landcom, Prepared by SMEC Testing Services Pty Ltd, Project No 17909/8692B, Dated June 2011.”*

Any further variation or modification to the Remediation Action Plan in terms of compliance work beyond what is contained in the final approved RAP must be requested from the Consent Authority (Camden Council) in writing prior to variation. With regard to remediation work, any proposed variation of works must be approved by the Consent Authority (Camden Council) in writing prior to the works being undertaken.

- (7) **Salinity Management Plan -** All proposed construction works that includes earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan under “Section 9” in the report titled *“Salinity Assessment And Management Plan Precincts 200 & 300 Spring Farm New South Wales: Final*

*Report For Landcom, Prepared by SMEC Testing Services Pty Ltd, Project No 17909/8519B & 17910/8520B, Dated July 2011."*

- (8) **Acoustic Fencing, Location and Construction Materials** – For Construction materials for both acoustic fences should be lapped timber with 20mm thick planks with a minimum 35mm overlap of planks and three horizontal support rails. No gaps are to be underneath the fence.
- (9) **Requirements for a noise barrier** – Notwithstanding any other condition of this consent, Lots 3339 and 3340 will require a 2.4 metre high solid acoustic fence to be constructed along the entire north-eastern site boundary adjoining of the future Liz Kernohan Drive. For Lots 3343 and 3344 a 2.1m high solid acoustic fence shall be constructed along the northeast and northwestern boundaries. The barrier shall be constructed as part of works subject to this development application and in accordance with the following requirements:
- (a) The acoustic barrier shall be located 1m from the residential property boundary and shall be consistent with "Appendix B – Figure 1 – Ground Level Noise Contour Map" from the report "*Spring Farm Precinct 200 & 300 Traffic Noise Assessment: Prepared for Landcom, Ref TB705-32FO2 (REV 2) Spring Farm Precinct 200 & 300 Traffic Noise Assessment, Dated 21/12/2010.*"
  - (b) The barrier must have no gaps in the completed structure, including or at the base of the barrier where the barrier meets any retaining wall structure.
  - (c) The colour scheme for the external materials of the barrier shall be in accordance with the colour scheme of the acoustic barrier approved by Notice of Determination No. 330/2009. Any variation to the colour scheme must be approved by Council.
  - (d) The landscaping shall be constructed in front of the barrier and in accordance with the Landscape Plan (as approved by Councils Landscape Officer). The approved landscaping must be constructed in conjunction with the construction of the acoustic barrier.
  - (e) On completion of the fence/barrier and prior to the Subdivision Certificate being issued a Works-As-Executed plan must be submitted to Camden Council verifying that the barrier has been constructed wholly within the boundary of the residential allotment (including footings).
- (10) **Construction requirements of noise attenuation barrier** – Notwithstanding any other condition of this consent, the acoustic barrier shall:
- (a) be contained wholly within the residential allotment (including footings and piers); and
  - (b) be lapped timber with 20mm thick planks with a minimum 35mm overlap of planks and three horizontal support rails.
  - (c) the timber barrier must be a minimum of H5 grade; and
  - (d) be constructed so that all horizontal timber supports do not face the future Liz Kernohan Drive (Link Road) and

Note 1 - Camden Council will not be responsible for the structural integrity of the noise barrier at any time.

Note 2 - All work associated with the proposed noise attenuation treatments shall be at no cost to Camden Council.

- (11) **Approvals from Other Authorities** – It is the applicant's responsibility to acquire all other necessary approvals/permits from all other approval authorities as required.
- (12) **Planning for Bush Fire** – The development must comply with the NSW Rural Fire Service Planning for Bushfire Protection and AS 3959. For the purpose of this condition, AS 3959 means the Australian Standard: Construction of Buildings in Bushfire Prone Areas (AS3959) 2009. The Asset Protection Zones shall be in accordance with Schedule 1 Bushfire Protection Methods; Drawing No: A10076; Dated 9 August 2010; contained in the documents Bushfire Constraint Analysis produced by Travers Bushfire and Ecology (ref: A10076; dated December 2010).
- (13) **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 900millimetres 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.
- (14) **Placement of Transmission Cabling Under the Road Pavement** – Transmission electricity easements are to be incorporated in public road reserves and shall not burden residential lots and shall be relocated underground in accordance with the following:
- (a) All the standards applied by Integral Energy or other utilities are complied with for safety purposes;
  - (b) The crossing over (above) the trench by other services needs to be avoided (to facilitate any road reconstruction without needing to deal with shallowly laid services);
  - (c) Services need to run parallel to the transmission cable trench, which may require services to run on both sides of the road;
  - (d) Where crossings are required, these should be laid to go under the transmission cable trench, preferably in conduits;
  - (e) Service crossings should be minimised, and be well recorded and marked;

- (f) Design of transmission route and trenching, as well as other services and road levels, should be cohesively so that the interactions are understood and clear
  - (g) Joint bays should be in parking bays / lanes to minimise the traffic lane deterioration likely to occur due to the shallower 'top of side wall' impact on the pavement;
  - (h) Specific Quality Assurance should be applied during construction, with preference for certification of construction/compliance with Integral specifications.
- (15) **Residential Lot Threshold** - Council has identified the current road capacity in Spring Farm is 1226 lots. Once this threshold is reached it will be necessary to provide alternate road access. This will require the provision of a signal controlled intersection at the Camden Bypass and construction of the associated connecting road linking Richardson Road to the Camden Bypass. In this regard the Principal Certifying Authority will not release any linen plan of subdivision until the required roadworks are complete and operational.
- (16) **Right of Carriageway** – The limit of works for the subdivision application shall not interfere or impact on any existing Right of Carriageway including those referred to as restriction "R" in Deposited Plan 1139217 (VIDE 1139217). The right of carriageway shall be made available for vehicle crossing at all times.
- (17) **Sydney Regional Development Advisory Committee (SRDAC)** – The following requirements shall be complied with in accordance with the SRDAC requirements listed in letter reference: RDC 11M170 SYD11/00061; dated 24 February, 2011:
- (a) All the internal roads shall be designed and constructed to Council's requirements; and
  - (b) All works/regulatory signposting associated with the proposed development are to be at no cost to the Roads and Traffic Authority or their successors.

## **2.0 - Construction Certificate Requirements**

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

- (1) **Construction Certificate before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (2) **Waterfront Construction Works** - A Construction Certificate (CC) for any works within Precinct 200 Construction Package 1, shall not be issued until a Controlled Activity Approval (CAA) is issued by NSW Office of Water (NOW) until a copy of the CAA has been provided to the Consent Authority (i.e., Camden Council) and the Principal Certifying Authority.

- (3) **Aboriginal Heritage Impact Permit** – The appropriate Aboriginal Heritage Impact Permits (AHIPs) are required to be obtained from the NSW Department of Environment, Climate Change and Water (DEECW) and submitted to Council and the Principal Certifying Authority **prior to the issue of any Construction Certificate** for Precinct 300 Construction Packages 1 and 2 and Precinct 200 Construction Package 1.
- (4) **Amendments to Approved Plans** - The amendments indicated and described below must be incorporated in the overall development and must be reflected in any plans prepared for the purpose of obtaining a Construction Certificate:
- (a) all road names shall be removed and replaced with road numbers on the development plans.
  - (b) proposed lots 2172 and 2174 to be consolidated into one lot and remain a residual lot subject to a future development application being lodged.
  - (c) the road profile marked as 30.0m Boulevard (Type A) on Drawing No. 76744.03.M02 & 76744.02.M02; Dated December 2010 shall be amended to include street trees within the 2m wide parking lane.
  - (d) The engineering plans shall be amended to replace enviropads in lieu of the GPT's.
- (5) **Amendments to P300 Upper Green** – To minimise visual impact and provide greater variety of activity, the following amendments to the P300 Upper Green Park landscape plans for the Park, shall be made:
- (a) The apparatus equipment shall be replaced with equipment to the equal value;
  - (b) The amount of rubber located on the soft-fall mound shall be reduced in size and replaced with an alternative treatment;
  - (c) Provision and construction of a water bubbler; and
  - (d) The proposed retaining wall shall incorporate 'anti skate' edging.
- The above shall be submitted and approved by the Consent Authority prior to the issue of the Construction Certificate for the park.
- (6) **Deed of Agreement** – Prior to the issue of a Construction Certificate for civil works for Precinct 200, a Deed of Agreement between Landcom and the operator of Nepean Transmission Substation is to be submitted to the Principal Certifying Authority which provides an undertaking outlining the delivery strategy and timeframes to complete either of the following noise attenuation options:
- (a) Replacement of transformers referenced within the report "*Spring Farm Precinct 200 & 300 Substation Noise Assessment: Prepared for Landcom, Ref TB705-32FO2 (REV 1) Spring Farm Precinct 200 & 300 Substation Noise, Dated 23/12/2010*" as T3, T4 and T5 transformers to achieve noise criteria in accordance with Councils Noise Policy; or



- (b) Construction of a 5 metre high three sided noise wall around the T3, T4 and T5 transformers.

These noise walls must be three (3) sided in shape and be constructed of concrete and contain no gaps and be located around the transformers consistent with "Option 1" in "Appendix B – Noise Wall Options, Figure 1- Substation Noise Wall Options" from the report "Spring Farm Precinct 200 & 300 Substation Noise Assessment: Prepared for Landcom, Ref TB705-32FO2 (REV 1) Spring Farm Precinct 200 & 300 Substation Noise, Dated 23/12/2010."

- (7) **Completed in Stages** - Where the development must be completed in stages, a plan must be submitted showing details of subdivision boundaries for each stage and their relationship to adjoining buildings, together with details as to site works, landscaping works, road and drainage works and erosion and sediment control works to be undertaken in conjunction with each stage, and the expected timing of such development.

The above details must be submitted to the Consent Authority (i.e. Camden Council) **prior to the Construction Certificate** being issued for each stage of the development.

- (8) **Bushfire Safety - Prior to the Issue of a Construction Certificate**, the applicant must provide to the Certifying Authority, written confirmation that the development design 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 has been achieved.
- (j) The required Asset Protection Zones have been achieved.

- (k) All requirements of the Rural Fire Service's General Terms of Approval reference Ref: D11/0087 DA11012175845LC ID: 75845/699/56/5, dated 11 March 2011.

- (9) **Detailed Landscaping Plans - Prior to the issue of the Construction Certificate (CC)**, detailed Landscaping Plans prepared by a qualified Landscape Architect or qualified Landscape Designer, must be submitted with the CC application.

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

- (a) All universal access details for all open space areas and public facilities.
- (b) The detailed Landscaping Plans must comply with the Development Control Plan (DCP) applicable to this site.
- (c) The detailed Landscaping Plans must be consistent and mirror the Consent approved Landscaping Concept Plan.
- (d) The detailed Landscaping Plans shall provide details on landscaping methods for any acoustic barriers to be constructed as part of this application.
- (e) 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.
- (f) Clearly detail any fencing, bollarding or other means of unauthorised vehicle control and access denial into and within proposed open space areas.
- (g) Clearly detail how controlled accessibility to all open space areas for maintenance and emergency vehicles will be achieved.
- (h) Detailed planting schedule, which includes positioning, species listed by botanical and common names, quantities, planting sizes and the estimated size of the plant at maturity.
- (i) That the proposed landscaping is consistent with the Cultural, Ecological, Heritage and existing Amenity of the area.

- (10) **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.

- (11) **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.

- (12) **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 Roads & Traffic Authority or their successors accredited Certifier.

- (13) **Fill Management Plan – Prior to the issue of a Construction Certificate** a Fill Management Plan (FMP) must be submitted to the PCA for review and written

approval. Where the PCA is Camden Council the FMP must be reviewed and approved by an Officer of the Environment and Health Branch and be approved in writing by the relevant Officer prior to release of the Construction Certificate. The FMP shall include procedures and controls for the managing of imported fill (VENM only) to facilitate earth and construction works as part of the site development. In particular the FMP is required to facilitate compliance with Camden Council's Standard Fill Condition (see below):

"OC Fill Material For Residential Subdivision - Prior to the importation and/or placement of any fill material (VENM permitted only) 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 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 of the fill material identified in the report and is consistent with the level of salinity (Ece) and aggressiveness of salts to concrete and steel with the approved "Salinity Management Plan" titled *"Salinity Assessment And Management Plan Precincts 200 & 300 Spring Farm New South Wales: Final Report For Landcom, Prepared by SMEC Testing Services Pty Ltd, Project No 17909/8519B & 17910/8520B, Dated July 2011."*
  - d) is suitable for its intended purpose and land use, and
  - e) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes: -

- v) less than 6000m<sup>3</sup> - 3 sampling locations,
- vi) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For (v) and (vi) a minimum of 1 sample from each sampling location must be provided for assessment.

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

<b>Classification of Fill Material</b>	<b>No of Samples Per Volume</b>	<b>Volume of Fill (m<sup>3</sup>)</b>
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.*

The sourcing and assessment of fill for the development site must only be undertaken by a qualified environmental consultant who has read and agreed to comply with the approved FMP. The placement of approved fill must be undertaken by contractors who have agreed to comply with the FMP.

- (14) **Weed Eradication and Management Plan** – A Weed Eradication and Management Plan shall be produced by a suitably qualified consultant prior to the issue of a Construction Certificate being issued and shall include the following;

- (a) An assessment of all noxious and environmental weed infestations currently on the proposed site.
- (b) The degree of the infestations, outlining the area infested and density of the infestations.
- (c) The processes which will be engaged throughout the subdivision, to continually suppress and destroy and declared noxious weeds on the site.
- (d) The ongoing management of noxious weeds, including the processes used for the decontamination of machinery prior to the movement on and off the site to prevent the spread of weed material.
- (e) The Management Plan must also outline the details of disposal and transport methods of any noxious weed material.

- (15) **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.

- (16) **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.

- (17) **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.**

- (18) **Temporary Turning Head** - A temporary sealed turning head must be provided at the end of all staged roadworks where residential lots front the section of road. The pavement must be constructed to the ultimate road levels and pavement depth. Any additional land required for such works must be provided for the ultimate road alignment by way of a Right of Way to be extinguished upon extension of the road.
- (19) **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.**
- (20) **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.
- (21) **Inter-Allotment Drainage Construction** – Inter-allotment drainage lines minimum 150mm in diameter must be constructed to service all lots that do not grade naturally to the road drainage system in the road fronting the property. The maximum number of lots served by a common drainage line must not be more than (8) eight. Where necessary at any time up to the release of the approved plan of subdivision, Council may require drainage works, not necessarily shown in the approved drawings, to be constructed to protect the lots being created or land downstream from flooding as a result of overland flow. Inter-allotment drains must be installed after Sydney Water sewerage lines have been installed where sewer is proposed adjacent to inter-allotment drains.
- (22) **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.
- (23) **Destination** - Pit lintels must be labelled with permanent stencilled signs to identify the watercourse into which the pit drains.
- (24) **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:

- (a) view the state of repair of the basin;
- (b) 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.
- (c) 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.

- (25) **Drainage Patterns Not to be Affected** – All proposed works must be undertaken in accordance with the approved plans and in such a manner that the drainage patterns to other properties are not altered.
- (26) **Overland Flow Path** - A depression must be formed over the full width and length of the drainage easement to provide a stormwater escape route. The escape route must be designed to have a capacity to carry the difference between a 1:100 year flow and the flow in the pipe. A Restriction as to User must be created on the title of lot/s prohibiting the alteration of the surface levels within the drainage easement and limiting permissible fencing across the easement to an open form fence to allow overland flow to be contained within the easement.
- (27) **Desilting Dams or Creeks** - A geotechnical report must be submitted detailing works required to desilt any existing dams or creek beds in conjunction with the engineering drawings **prior to a Construction Certificate being issued**. Such

report must be prepared by a suitably qualified and experienced Geotechnical Engineer.

- (28) **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.

- (29) **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:

- (a) within any proposed public road and/or drainage reserve contained within the site,
- (b) within any proposed residue lot contained within the site,
- (c) 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.

- (30) **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.

**Note:** The location of the permanent water quality facility will be subject to a separate Development Application for works within the bush corridor.

- (31) **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, 4<sup>th</sup> 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**.

- (32) **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: -

- (a) in accordance with the approved plans, and
- (b) 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.

- (32) **Toilet Facilities** - Toilet facilities must be provided at the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- (33) **Water Quality Monitoring Plan– Prior to the issue of a Construction Certificate** a water quality monitoring plan (WQMP) must be submitted to the PCA for review and written approval. Where the PCA is Camden Council the WQMP must be reviewed and approved by an Officer of the Environment and Health Branch and be approved in writing by the Branch prior to release of the Construction Certificate. The WQMP shall include monitoring (this extends to water quality sampling and laboratory analysis) for all completed water quality treatment systems that provide water quality treatment to service the development both during the construction and post development stages. Only relevant water quality treatment systems that drain the subdivision should be included in the WQMP.

The WQMP should be consistent with the requirements of Council's Standard Water Quality conditions with respect to water sampling and will need to include as a minimum: quarterly water sampling, reference to an approved sampling methodology, location of sampling, frequency of reporting of results to the Consent Authority and, nomination of suitable water quality criteria (i.e., concentration values for pollutants expressed in mg/L) for the purpose of determining compliance.

Ideally and depending on the type of WSUD system approved the period of time for water sampling, as a minimum, should begin or include a period when the permanent WSUD system becomes operational and extend for a minimum of period of two years.

- (34) **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.

- (35) **Performance Bond - Prior to the issue of a Construction Certificate** a performance bond in the form of an unconditional Bank Guarantee or cash bond

being 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.

In accordance with Council's Fees and Charges a non refundable administration fee of \$110 for cash/cheque bonds and \$220 for bank guarantees must be paid to Council upon lodgement of such bond.

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

- (36) **Long Service Levy** - Prior to the issue of any Construction Certificate, documentary evidence must be submitted to the Principal Certifying Authority verifying that the Long Service Levy has been paid.

### **3.0 - Prior To Works Commencing**

The following conditions of consent shall be complied with for each applicable stage 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: -

- ii) 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.

Note 3 All demolition works must comply with the requirements of AS 2601 - 1991.

- (5) **Traffic Committee Approval** – Designs for linemarking, 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) **Licenses** – It is the responsibility of the applicant / land owner / site operator to ensure that all relevant licenses are obtained from all appropriate authorities in accordance with relevant legislation requirements prior to the commencement of remediation works.

- (8) **Sedimentation and Erosion Control** - Sedimentation and erosion control measures are to be installed prior to any soil remediation or excavation activity and maintained for the full period of works.

#### **4.0 - During Construction**

The following conditions of consent shall be complied with during the construction phase for each applicable stage.

- (1) **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.

- (2) **Remediation and Construction Noise Levels** – Noise levels emitted during remediation 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).

- (3) **Offensive Noise, Dust, Odour, Vibration** - Remediation and construction work shall not give rise to offensive noise or give rise to dust, odour, vibration as defined in the Protection of the Environment Operations Act 1997" when measured at the property boundary.
- (4) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.
- (5) **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.

- (6) **Survey Marks** - Permanent survey co-ordination marks must be placed within the subdivision in accordance with the Surveyors Act and Regulations.
- (7) **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 2010 and Engineering Specifications must be submitted to Council prior to the issue of a Subdivision Certificate.

- (8) **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.
- (9) **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.
- (10) **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.
- (11) **Remediation Works Inspections** – A qualified environmental consultant or scientist will be required to inspect the remediation works to confirm compliance with the RAP that includes all health and safety requirements.
- (12) **Compliance Of Remediation Work** - All remediation work must also comply with the following requirements:

- (a) Contaminated Land Management Act 1997;
  - (b) Department of Urban Affairs and Planning – Contaminated Land Planning Guidelines 1998;
  - (c) SEPP55 – Remediation of Land;
  - (d) Sydney Regional Plan No. 20 Hawkesbury Nepean River (No.2 –1997); and,
  - (e) Camden Council's Adopted Policy for the Management Of Contaminated lands.
- (13) **Unexpected findings Contingency** – Should the identification of additional contamination or hazardous materials occur at any stage of the remediation or other construction processes all remediation / construction works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for written approval prior to the removal or treatment of such findings contamination / hazardous materials.
- (14) **Workcover Authority** - All construction and remediation work must comply with relevant requirements of NSW WorkCover Authority.
- (15) **Removal Of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos / contamination, then 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](http://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 the Consent Authority (Camden Council).
- (16) **Fill Assessment Reporting Requirements** – All fill assessment reports (including those where material is considered not suitable for importation onto the development site) assessed under the "Approved Fill Management Plan" must be provided to the Consent Authority (Camden Council) on a monthly basis to facilitate an audit for compliance with the FMP.
- (17) **Location of Stockpiles** - Stockpiles of soil should not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies.
- (18) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (19) **Refuelling** – All plant, vehicles and equipment required for the proposal would be refuelled offsite or within a compound site, within a bunded area that has an impervious surface and is located away from drainage lines.

- (21) **Storage & Water Quality Controls** – Prior to the establishment of stockpile and compound sites, temporary stormwater and water quality control devices and sediment controls must be implemented.
- (22) **Air Quality** – Vehicles and equipment used on site must be maintained in good working order and be switched off when not operating. The burning of any waste material is prohibited.
- (23) **Bund Capacities** – Impervious bunds of sufficient capacity to contain at least 120% of the stored chemical, fuel and lubricant volumes must be constructed around all chemical, fuel and lubricant storage areas.
- (24) **General Requirement** - All activities associated with the development must be carried out within the unit, and must be carried out in an environmentally satisfactory manner as defined under section 95 of the Protection of the Environment Operation Act 1997.

## 5.0 - Subdivision Certificate

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

- (1) **Subdivision Certificate Release** - The issue of a Subdivision Certificate is not to occur until:
  - (a) all conditions of this consent have been satisfactorily addressed applicable to the relevant subdivision stage;
  - (b) all engineering works applicable to the relevant subdivision stage are complete;
  - (c) the acoustic attenuation barrier and associated landscaping along the future Liz Kerohan Drive has been constructed; and
  - (d) a report must be provided to the Principal Certifying Authority detailing the bush fire attack levels for each lot the subject of the Subdivision Certificate. The report must be prepared by an appropriately qualified Bushfire Risk Assessor and certify that the bush fire attack levels for each lot comply with Planning for Bush Fire 2006 and AS 3959.
- (2) **Subdivision Certificate Release** – The issue of Subdivision Certificate is not to occur until such time that documentary evidence is to be provided to the Principal Certifying Authority verifying that the noise attenuation measures have been achieved in accordance with condition no. 2.6. Such evidence shall be by way of Compliance Certificate produced by a suitably qualified acoustic consultant verifying that the noise levels emanating from the Nepean Substation has achieved compliance with Council's Noise Policy.
- (3) **Services** - Prior to the issue of any Subdivision Certificate the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:

- 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.

- (5) **Special Infrastructure Contribution** – Prior to the issue of any Subdivision Certificate, the applicant must submit to the Consent Authority written evidence from the Department of Planning that a special infrastructure contribution has been made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2001 (as in force when this consent becomes operative).

Information on the Special Infrastructure Contribution can be found on the Department of Planning's website: [www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/language/en-US/Default.aspx](http://www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/language/en-US/Default.aspx)

- (6) **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.

- (7) **Road Surfacing Bond - Prior to the issue of a Subdivision Certificate** the applicant is to lodge a monetary bond with the consent authority (i.e. 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 (i.e. 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.

- (8) **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.
- (9) **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.
- (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) **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:

- (a) Lot numbers: White number on Brunswick Blue background located on the prolongation of both common boundaries of each lot.
- (b) 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.
- (12) **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.

- (13) **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**.
- (14) **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:
- (a) that the stormwater drainage and finished ground levels have been constructed as approved; and
  - (b) identifying the location of where the remediation works was undertaken on the site.
- (15) **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.
- (16) **Sydney Water Hydrants** – Prior to the issue of any Subdivision Certificate all Sydney Water hydrants are to be clearly identifiable by appropriate kerb markings and blue coloured raised reflective pavement markers placed at the centreline of the road opposite the hydrant. These pavement markers are to be reinstated after placement of the final layer of asphaltic concrete and prior to the release of the road surfacing bond
- (17) **Drawing File** – Council requires the Applicant to submit with their Subdivision Certificate application, an electronic version of the proposed subdivision plan in either .dxf or .dwg format, in the following co-ordinates AGD66.ISG Zone 56/1 for integration into Council's mapping system.

- (18) **Updated Flood Maps** – Maps based upon the final completed subdivision layout as a separate layer in .dxf or .dwg format showing 1% and 5% AEP levels, should be provided for integration into Council's mapping system.
- (19) **Updated Bushfire Risk Maps** – Maps based upon the final completed subdivision layout as a separate layer in .dxf or .dwg format showing Asset Protection Zone and Bushfire prone land, shall be provided for integration into Council's mapping system. The maps shall also specifically identify the managed and unmanaged areas of the required Asset Protection Zones.
- (20) **Plot Watercourses** - The developer must chart the natural watercourse on the plan of subdivision.
- (21) **Plot Piped Watercourse** - The developer must chart the piped natural watercourse on the plan of subdivision.
- (22) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (23) **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.
- (24) **Fill Plan** - A separate fill plan on plastic (sepia) film 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 for Stage 200 Construction Package 1.
- (26) **Site Validation Report** – A validation report incorporating a notice of completion must be submitted to the Consent Authority in accordance with the requirements of clause 7.2.4 (a) - (d) and clause 9.1.1 of Council's adopted policy and clause 17 & 18 of SEPP 55 for the completed remediation works. The notice/s or report/s must confirm that all decontamination and remediation works have been carried out in accordance with the remediation plan and must be submitted to the Consent Authority within 30 days following the completion of the works. The validation report must be reviewed by an Officer of the Environment and Health Branch and be approved in writing by the relevant Officer prior to the issue of a subdivision certificate.
- (27) **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 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.
- (g) Restriction as to user on those lots adjacent to the overland flow paths to ensure that the floor level of any habitable room is not less than 600mm above the 1% AEP level, such levels to be detailed on the Section 88B Instrument and related to AHD.
- (h) Restriction as to user detailing that no person must alter, remove or destroy any soil, planting or any part of a fence which forms part of a acoustic barrier without the prior approval of Camden Council and that the landowners or their assigns must maintain the acoustic barrier in good order at all times. If the acoustic barrier is not maintained to the satisfaction of Camden Council, Council may enter upon the land and carry out the necessary work at full cost to the land owner.
- (i) Restriction as to user that all proposed construction works that includes earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan under "Section 9" in the report titled *"Salinity Assessment And Management Plan Precincts 200 & 300 Spring Farm New South Wales: Final Report For Landcom, Prepared by SMEC Testing Services Pty Ltd, Project No 17909/8519B & 17910/8520B, Dated July 2011."*
- (j) Restriction as to user on lots 3337-3344 requiring building treatments, House Design and Layout are to be consistent with *"Table 3 – Façade Treatment Recommendations"* and the design and layout of dwellings should consider the advice provided in *"Section 5.3 – House design and Layout"* as contained within the report *"Spring Farm Precinct 200 & 300 Traffic Noise Assessment: Prepared for Landcom, Ref TB705-32FO2 (REV 2) Spring Farm Precinct 200 & 300 Traffic Noise Assessment, Dated 21/12/2010."* Compliance with the above is to be demonstrated for each dwelling application.
- (k) Notation on title on lots 3337-3344 requiring alternative ventilation for habitable rooms 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) may need to be provided to rooms identified in *"Table 3 – Façade Treatment Recommendations"* contained within the report *"Spring Farm Precinct 200 & 300 Traffic Noise Assessment: Prepared for Landcom, Ref TB705-32FO2 (REV 2) Spring Farm Precinct 200 & 300 Traffic Noise Assessment, Dated 21/12/2010."* 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.
- (l) Restriction as to user that no building may be erected on any lot burdened by bush fire risk unless that building has been designed to meet the construction standards (and any other measures) required by NSW RFS Planning for Bushfire Protection and AS 3959. For the purpose of this restriction, AS 3959

means the Australian Standard: Construction of Buildings in Bushfire Prone Areas (AS3959) 2009.

- (m) Restriction as to user on all lots burdened by an Asset Protection Zone identifying the width of the zone on the Deposited Plan. The restriction shall state that the setback area of each lot that forms part of a bushfire Asset Protection Zone, must be provided in accordance with the Bushfire Protection Measures proposed by Travers Bushfire and Ecology Schedule 1 Bushfire Protection Methods; Drawing No: A10076; Dated 9 August 2010; contained in the documents Bushfire Constraint Analysis produced by Travers Bushfire and Ecology (ref: A10076; dated December 2010). No residential dwelling is permitted within land burdened by an Asset Protection Zone. Landscaping and other ancillary development in this area must not increase the bushfire risk. The maintenance of this area must be to the standard of an Inner Protection Area of an Asset Protection Zone and is the sole responsibility of the land owner.

The instrument must indicate that Camden Council is the only authority permitted to modify, vary or extinguish such easements and restrictions as to user.

- (28) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (29) **Construction of Permanent Water Quality Facilities** – A permanent water quality facility must be constructed: -
- ii) in accordance with the approved plans,
  - iii) to the requirements of Camden Council,
  - iv) when Occupation Certificates for dwellings associated with 70-80% of the lots have been issued.

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

- (30) **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, 4<sup>th</sup> Edition, March 2004 as produced by Landcom and must provide detailed information regarding the following:

- (i) method of desilting
- (ii) method of removal of sediment and gross pollutants
- (iii) 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.

(31) **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 \$25,000, 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.

(32) **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:

- (a) vegetation management
- (b) removal of noxious weeds
- (c) replacement of filter medium

(d) 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.

- (33) **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.

- (34) **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.

- (35) **Section 94 Contributions** - Prior to the Subdivision Certificate being issued for each stage of the development, the following Section 94 Contributions must be paid as prescribed hereunder:

<b>Stage 1 – Precinct 300 Construction Package 301</b>
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- (a) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$39,020.00 per additional lot or dwelling, total \$39,020.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate**.

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

- (b) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8.00 per additional lot or dwelling, total \$64.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed by the Road Cost Index, **paid prior to issue of the Subdivision Certificate**.

- (c) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$27.00 per additional lot or dwelling, total \$2,160.00, for **Fire and Other Emergency Facilities and Equipment**.

The contribution must be indexed by the Consumer Price Index, **paid prior to issue of the Subdivision Certificate**.

- (d) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$30,640.00 per additional lot or dwelling, total \$383.00, for **s.94 Administration and Management**.

The contribution must be indexed by the methods set out in paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate**.

- (e) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84sqm per additional lot or dwelling, total 9,027.20sqm, for **s.94 Open Space Land Acquisition**, and 3.68sqm per additional lot or dwelling, total 294.40sqm, for **s.94 Community Land Acquisition**.



The land must be dedicated free of charge in accordance with paragraph 5.1.6 of the plan and clearly identified on the plan of subdivision.

Alternatively, a contribution must be paid to Council of \$15,209.00 per additional lot or dwelling, total \$1,216,720.00.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate**.

- (f) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,623.00 per additional lot or dwelling, total \$689,840.00, for **Community Facilities**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan paid **prior to issue of the Subdivision Certificate**.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind at the discretion of Camden Council. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

<b>Stage 2 – Precinct 300 Constriction Package 302</b>
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- (g) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$39,020.00 per additional lot or dwelling, total \$1,951,000.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate**.

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

- (h) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8.00 per additional lot or dwelling, total \$400.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed by the Road Cost Index, **paid prior to issue of the Subdivision Certificate**.

- (i) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$27.00 per additional lot or dwelling, total \$1,350.00, for **Fire and Other Emergency Facilities and Equipment**.

The contribution must be indexed by the Consumer Price Index, **paid prior to issue of the Subdivision Certificate.**

- (j) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$383.00 per additional lot or dwelling, total \$19,150.00, for **s.94 Administration and Management.**

The contribution must be indexed by the methods set out in paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate.**

- (k) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84sqm per additional lot or dwelling, total 5,642.00sqm, for **s.94 Open Space Land Acquisition**, and 3.68sqm per additional lot or dwelling, total 184sqm, for **s.94 Community Land Acquisition.**

The land must be dedicated free of charge in accordance with paragraph 5.1.6 of the plan and clearly identified on the plan of subdivision.

Alternatively, a contribution must be paid to Council of \$15,209.00 per additional lot or dwelling, total \$760,450.00.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate.**

- (l) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,623.00 per additional lot or dwelling, total \$431,150.00, for **Community Facilities.**

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan paid **prior to issue of the Subdivision Certificate.**

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind at the discretion of Camden Council. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate.**

<b>Stage 3 – Precinct 200 Construction Package 201</b>
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- (m) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$39,020.00 per additional lot or dwelling, total \$2,809,440.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan.**

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate.**

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by

works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

- (n) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8.00 per additional lot or dwelling, total \$576.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed by the Road Cost Index, **paid prior to issue of the Subdivision Certificate**.

- (o) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$27.00 per additional lot or dwelling, total \$1,944.00, for **Fire and Other Emergency Facilities and Equipment**.

The contribution must be indexed by the Consumer Price Index, **paid prior to issue of the Subdivision Certificate**.

- (p) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$383.00 per additional lot or dwelling, total \$27,576.00, for **s.94 Administration and Management**.

The contribution must be indexed by the methods set out in paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate**.

- (q) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84sqm per additional lot or dwelling, total 8,124.48sqm, for **s.94 Open Space Land Acquisition**, and 3.68sqm per additional lot or dwelling, total 264.96sqm, for **s.94 Community Land Acquisition**.

The land must be dedicated free of charge in accordance with paragraph 5.1.6 of the plan and clearly identified on the plan of subdivision.

Alternatively, a contribution must be paid to Council of \$15,209.00 per additional lot or dwelling, total \$1,095,048.00.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate**.

- (r) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,623.00 per additional lot or dwelling, total \$620,856.00, for **Community Facilities**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan **paid prior to issue of the Subdivision Certificate**.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind at the discretion of Camden Council. Such works cannot commence until an agreement is made with

Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

<b>Stage 4 – Precinct 300 Construction Package 3</b>
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- (s) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$39,020.00 per additional lot or dwelling, total \$1,716,880.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate**.

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

- (t) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8.00 per additional lot or dwelling, total \$352.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed by the Road Cost Index, **paid prior to issue of the Subdivision Certificate**.

- (u) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$27.00 per additional lot or dwelling, total \$1,188.00, for **Fire and Other Emergency Facilities and Equipment**.

The contribution must be indexed by the Consumer Price Index, **paid prior to issue of the Subdivision Certificate**.

- (v) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$383.00 per additional lot or dwelling, total \$16,852.00, for **s.94 Administration and Management**.

The contribution must be indexed by the methods set out in paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate**.

- (w) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84sqm per additional lot or dwelling, total 4,964.96sqm, for **s.94 Open Space Land Acquisition**, and 3.68sqm per additional lot or dwelling, total 161.92sqm, for **s.94 Community Land Acquisition**.

The land must be dedicated free of charge in accordance with paragraph 5.1.6 of the plan and clearly identified on the plan of subdivision.

Alternatively, a contribution must be paid to Council of \$15,209.00 per additional lot or dwelling, total \$669,196.00.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate**.

- (x) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,623.00 per additional lot or dwelling, total \$379,412.00, for **Community Facilities**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan paid **prior to issue of the Subdivision Certificate**.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind at the discretion of Camden Council. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

<b>Stage 5 – Precinct 200 Construction Package 202</b>
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- (y) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$39,020.00 per additional lot or dwelling, total \$1,326,680.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid **prior to issue of the Subdivision Certificate**.

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

- (z) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8.00 per additional lot or dwelling, total \$272.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed by the Road Cost Index, **paid prior to issue of the Subdivision Certificate**.

- (aa) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$27.00 per additional lot or dwelling, total \$918.00, for **Fire and Other Emergency Facilities and Equipment**.

The contribution must be indexed by the Consumer Price Index, **paid prior to issue of the Subdivision Certificate**.

- (bb) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$383.00 per additional lot or dwelling, total \$13,022.00, for **s.94 Administration and Management**.

The contribution must be indexed by the methods set out in paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate**.

- (cc) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84sqm per additional lot or dwelling, total 3,836.56sqm, for **s.94 Open Space Land Acquisition**, and 3.68sqm per additional lot or dwelling, total 125.12sqm, for **s.94 Community Land Acquisition**.

The land must be dedicated free of charge in accordance with paragraph 5.1.6 of the plan and clearly identified on the plan of subdivision.

Alternatively, a contribution must be paid to Council of \$15,209.00 per additional lot or dwelling, total \$517,106.00.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and **paid prior to issue of the Subdivision Certificate**.

- (dd) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,623.00 per additional lot or dwelling, total \$293,182.00, for **Community Facilities**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan **paid prior to issue of the Subdivision Certificate**.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind at the discretion of Camden Council. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed **prior to the release of a Subdivision Certificate**.

## **Reasons for Conditions:**

- (1) To ensure that the proposed development complies with the requirements of the *Environmental Planning and Assessment Act, 1979* and *Regulations* made thereto.
- (2) To control clearing activities and to protect the integrity of the land and minimise sedimentation of waterbodies and Council's drainage system.
- (3) To ensure that stormwater drainage from and/or passing through the site has been collected and conveyed to a controlled system.
- (4) To ensure all new roads within the Council area meet appropriate design and construction standards.

- (5) To ensure that adequate infrastructure and utility services are provided for the development.
- (6) To ensure that the building complies with the *Local Government Act, 1993* and *Regulations*.
- (7) To ensure that adequate provision has been made for the landscaping of the site.
- (8) To ensure that the development meets the aims, objectives and requirements of Camden Council's *Local Environmental Plan* and *Camden Development Control Plan 2006* which relate to the subject land.
- (9) To ensure that the development complies with the submitted plans and supporting documentation.
- (10) To ensure that the development contributes towards the cost and provision of community facilities, public works, open space and recreation facilities in accordance with Sections 94 and 94a of the *Environmental Planning and Assessment Act, 1979*.

### **Advice:**

- (1) **Water Quality Nomenclature** – For the purposes of applying the development consent conditions relating to water quality facilities, the following nomenclature shall apply:
  - i) A “construction” facility is a facility functioning from the commencement of the civil works associated with creation of individual lots, through to the completion of the subdivision works.
  - ii) A “modified construction” facility is a facility functioning from (at the latest), the completion of the civil works associated with creation of individual lots, through to a time when 80% of the individual lots have been subsequently developed.
  - iii) A “permanent” facility is a facility functioning from (at the latest), the time that 80% of the individual lots have been subsequently developed.
- (1) **Offences** - 125 of the Environmental Planning and Assessment Act provides that any person who contravenes or causes or permits to be contravened the conditions of this consent is guilty of an offence against this Act.
- (2) **Penalties** - Section 126 of the Environmental Planning and Assessment Act provides that a person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed and if no penalty is so imposed to a penalty not exceeding \$100,000 and to a further daily penalty not exceeding \$10,000.
- (3) **Tree Preservation** - Under the provision of “Local Environmental Plan (LEP) 97”, a person must not ringbark, cut down, top, lop, remove, injure or willfully destroy any living tree, or cause such a tree to be ringbarked, cut down, removed, willfully

destroyed or clear land, without prior development Consent having been obtained from the Consent Authority (ie Camden Council).

Further information in this regard can be obtained from Camden Council during office hours.

- (4) **Section 94 Contributions** - The contributions required under Section 94 of the Act are set out in the Contributions Plan relevant to this property which can be obtained from the customer service section at Council Chambers, 37 John Street, Camden during normal business hours.

Immediately prior to payment of s.94 contributions, contact Council for the amount of the indexed contribution payable.

- (5) **No Refuse Burning** - Where building, trees and/or shrubs are required to be removed as part of the construction process, such materials must be removed from site and be recycled or an approved waste/refuse receiving depot disposed of to Council's satisfaction. The burning of materials on site is not permitted.

- (6) **Long Service Levy** - Pursuant to the requirement of the Building and Construction Industry Long Service Payments Act, 1986, all building and construction work costing \$25,000 or more incurs the payment of a Long Service Levy. The levy, currently set at 0.35% of the cost of the work must be paid prior to the issue of Construction Certificate. Where it will assist applicants Council will act as a payment collection agency on behalf of the Long Service Payments Corporation.

#### **RIGHTS OF APPEAL      If you are the applicant:**

You can appeal against this decision in the Land and Environment Court within 12 months of the date of this notice. You cannot appeal, however, if a Commission of Inquiry is or is to be held and the development is designated development or state significant development.

#### **DETERMINATION REVIEW**

**If you are an applicant** and you are dissatisfied with the determination, you may within 12 months from the date of determination, request Council, in writing, to review the determination.

**SIGNED** on behalf of  
Camden Council

\_\_\_\_\_  
**Jasmina Djuric**  
**SENIOR TOWN PLANNER**  
(Development Branch)



## ATTACHMENT A

The following matters are included as advice as relative to this application.

1. Section 82A of the EP&A Act 1979 provides that the applicant may request a review of this determination within 12 months of the date of the determination, following the payment of the prescribed fee.
2. Section 125 of the EP&A Act, 1979 provides that any person who contravenes or causes or permits to be contravened the conditions of this consent shall be guilty of an offence.
3. Section 125 of the EP&A Act, 1979 provides that any person who contravenes or causes or permits to be contravened the requirements of Council's Tree Preservation Policy shall be guilty of an offence.
4. Section 126 of the EP&A Act, 1979 provides that a person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed and if no penalty is so imposed to a penalty not exceeding 1000 penalty units and to a further daily penalty not exceeding 100 penalty units.
5. The contributions required under Section 94 of the EP &A Act, 1979 are set out in the stated Contribution Plans which can be viewed at Council's Customer Service during normal business hours.
6. This consent does not allow site, building or demolition works to commence. Such works shall only take place after a Construction Certificate has been applied for and been issued.
7. **SYDNEY WATER** requires the submission of stamped approved plans to their office prior to commencement of work.
8. **INTEGRAL ENERGY** requires electrical installations to be in accordance with their standards. All enquiries relating to electrical installations should be directed to that Authority.
9. **TELSTRA** requests that prior to any excavation commencing in connection with the approved work, contact should be made with Telstra "Cable Locations", Telephone 1100. Calls to this number are free.