

1.0 - General Requirements

The following conditions of consent are general conditions applying to the development.

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
DA02 Revision F	Site Plan	De Angelis Taylor Associates	2 November 2011
DA03 Revision F	Ground Floor Plan – Part A	De Angelis Taylor Associates	2 November 2011
DA04 Revision F	Ground Floor Plan – Part B	De Angelis Taylor Associates	2 November 2011
DA05 Revision D	Level 1 Floor Plan – Part A	De Angelis Taylor Associates	1 July 2011
DA06 Revision D	Level 1 Floor Plan – Part B	De Angelis Taylor Associates	1 July 2011
DA07 Revision D	Roof Plan – Part A	De Angelis Taylor Associates	1 July 2011
DA08 Revision D	Roof Plan – Part B	De Angelis Taylor Associates	1 July 2011
DA09 Revision D	Site Analysis, Sediment Control & Waste Management Plan	De Angelis Taylor Associates	1 July 2011
DA10 Revision D	Unit Plans	De Angelis Taylor Associates	1 July 2011
DA11 Revision D	Elevations	De Angelis Taylor Associates	1 July 2011
DA 12 Revision D	Sections	De Angelis Taylor Associates	1 July 2011
DA13 Revision D	Sections	De Angelis Taylor Associates	1 July 2011
DA14 Revision D	Shadow Diagram 9am	De Angelis Taylor Associates	1 July 2011
DA15 Revision D	Shadow Diagram 12 Noon	De Angelis Taylor Associates	1 July 2011
DA16 Revision D	Shadow Diagram 3pm	De Angelis Taylor Associates	1 July 2011
-	Plan of Detail & Contour Survey Sheets 1-4	JMD Group	1 October 2010

L-01/3 Issue A	Landscape Lower Ground	RFA Landscape Architects	9 May 2011
L-02/3 Issue A	Landscape Lower Ground	RFA Landscape Architects	9 May 2011
L-03/3 Issue A	Landscape Lower Ground	RFA Landscape Architects	9 May 2011
Sheet 1 Revision F	Drainage Concept Plan	JMD Group	29 October 2012
Sheet 2 Revision D	Catchment Plan	JMD Group	16 October 2011
610.07939.05455 Revision 2	Noise Assessment Report	SLR	13 November 2012
201296	Phase 1 & 2 Contamination Assessment	Harvest Scientific Services Pty Ltd	20 July 2011
201296	Salinity Assessment	Harvest Scientific Services Pty Ltd	20 July 2011
P211_019-1ME	Design Assessment Report	Design Confidence	14 May 2011
10078	External Finishes Schedule	De Angelis Taylor Associates	May 2011

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

- (2) **Public Safety** – The security fence along the eastern border of the subject site must be regularly maintained in a complete condition (and its condition monitored on a regular basis) to prevent illegal access to the Sydney Catchment Authority's upper canal.
- (3) **East-West Internal Access Carriageway** – The existing pavement width at the western end of the east-west access road must be widened to a minimum of 7m. Details of this must be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.
- (4) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (5) **Design Assessment Report** – The development must comply with the Design Assessment Report P211_019-1ME dated 14 May 2011 and prepared by Design Confidence.

- (6) **Private Open Space Gradients** – All private open space areas must have gradients no greater than 1:14.

2.0 - Construction Certificate Requirements

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

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

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

The works and procedures involved with the protection of existing trees and other landscape features are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

- (2) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications and are to be submitted For Approval To The Principal Certifying Authority Prior To The Engineering Construction Certificate Being Issued.

(a) under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.

(b) 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.

- (3) **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. This report must give details of the existing conditions of the access from Narellan Road, internal access to the C3 Church school. The survey must also include land where

existing OSD is located including the general contours of Lot 2, DP 1019708 and any drainage structures located in this property.

- (4) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the 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:
 - (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.
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (5) **Performance Bond** - Prior to the issue of the Construction Certificate a performance bond of \$20,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (6) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -
 - (a) Camden Council's current Engineering Specifications, and
 - (b) Camden Council's Development Control Plan 2011

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services, Camden Council prior to the issue of any Construction Certificate
- (7) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (8) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (9) **Car Parking Design** - The design, construction details of the parking spaces, access thereto and all other external hardpaved areas must conform to the Consent Authority's (i.e. Camden Council) standard, and documentary evidence of compliance of above condition must be

submitted by an Accredited Certifier/suitably qualified person/Council or the Principal Certifying Authority prior to the Construction Certificate being issued.

A work-as-executed plan and/or documentary evidence of compliance with the above conditions must be provided by an Accredited Certifier or Council prior to the Occupation Certificate being issued.

For the purpose of this condition a parking space must only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

All disabled parking must be designed and constructed to comply with AS2890.6.

- (10) **Pre-Treatment of Surface Water** - The external ground surface of the site must be graded to a collection system and covered with a suitable hard surface. The drainage system must flow to a suitable pre-treatment device prior to discharge. The applicant is advised to contact the Appropriate Regulatory Authority for the design criteria.

Such pre-treatment devices must prohibit the discharge of hydrocarbons and heavy metals to Council's stormwater system and also must be kept in good working order with regular maintenance and removal of pollutants.

- (11) **External Footpath Provision** – A level footpath in accordance with AS1428.1 must be provided within the frontage of the lot between the bus stop on the northern side of Narellan Road and the existing footpath on the north side of the east-west access road.

- (12) **On site Detention and Over Land Flow Path** - The detail engineering plan must be prepared for proposed On-site detention drainage system and overland flow path including all calculation and be submitted for the approval of the Principle Certifying Authority. The drainage system and construction process must address the following requirements.

- a. Any retaining wall proposed in the subject land must be designed and constructed in accordance with the Structural Engineers recommendations.
- b. The stormwater discharges from the existing upstream rural catchment must be maintained at current discharge levels at the existing point of charge to the Council's System. Any increase in discharge of stormwater to Council system must only be allowed after checking the downstream drainage system for its capacity and after confirmation that there is no potential to cause flooding in downstream catchment.

- c. The pipe flows with an appropriate over land flow paths for the upstream rural catchment must be designed, constructed and maintained for storms up to 1% AEP with a freeboard of minimum 300mm to finished floors of the proposed developments.
 - d. The outlet pipe and the overland flow path from the proposed basin in stage 2 must be relocated to cause no impact on the existing basin constructed for stage 1 to accommodate the proposed pipe and overland flow path.
 - e. All overland flow discharges must be checked to make sure that they comply with the Council's safety criteria for pedestrian access in path ways and public roads.
 - f. All exposed areas and any affected vegetation must be reinstated to satisfaction of the Council.
 - g. Any work to modify or reconstruct the existing drainage system, to the overland flow path or improvements in Council land or downstream drainage easements must be carried out only with a separate approval in consultation with the Council's Assets Section.
 - h. A design Compliance Certificate must be obtained by the Principle Certifying Authority, from a hydraulic engineer/Consultant prior to the Construction Certificate being issued. This certificate must confirm that the proposed drainage design complies with the Council's Design Specification and Conditions and that the downstream drainage system has sufficient capacity to accept the stormwater from the proposed development (including both stage 1 & 2).
- (13) **Disposal of Stormwater** - Provision must be made for the collection and disposal of stormwater draining to the basement from the ramp and any potential seepage in to the basement by incorporating a sump and a pump with automatic controls to discharge to the drainage system provided.
- (14) **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 in accordance with Camden Council's current Engineering Design Specifications.

Additionally, 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.

On completion of the on-site detention system, Works-as-Executed plans must 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 the Occupation Certificate. The plans are to be certified by the designer and are to clearly make reference to:

- (a) the works having been constructed in accordance with the approved plans,
- (b) actual storage volume and orifice provided,
- (c) 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 (i.e. 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.
- (15) **Works on Public Road** - Any work on Public Road or Public Property must be subject to an approval under the Roads Act and inspection by the Road Authority (Council).
- (16) **Section 94 Contributions** - Pursuant to **Contributions Plan No. 20** adopted in October 1996, a contribution must be paid to Council of \$28 per additional lot or dwelling, total \$1,484, for **Fire and Other Emergency Facilities and Equipment**.

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

- (17) **Section 94 Contributions** - Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$4,316 per additional lot or dwelling, total \$228,748, for **Community Facilities.**

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

- (18) **Section 94 Contributions** - Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$397 per additional lot or dwelling, total \$21,041 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 the issue of a Construction Certificate.**

- (19) **Section 94 Contributions** - Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of \$7,359 per additional lot or dwelling, total \$390,027 for **s.94 Open Space Land Acquisition and Community Land Acquisition.**

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

- (20) **Bin Pads** - Each waste bin collection point must be on level ground, running parallel to the rear of the kerb and measure 3 metres long x 0.9 metres wide and allow 3.9 metres clear vertical space to allow for the truck-lifting arm.

- (21) **Garbage Truck Turning Paths** - The garbage truck turning path must accommodate heavy rigid vehicles and must comply with Australian Standard 2890.2 2002/Planning Facilities — off street commercial vehicles.

- (22) **Rectification of Existing Structures On Site (Stage 1)** – The finalisation of the existing buildings on site (referred to as stage 1) must be completed (either through rectification of all outstanding issues or

demolition) prior to the issue of a Construction Certificate for the current proposal (referred to as stage 2).

- (23) **Additional Landscape Provision** – Additional landscaping must be provided to compensate for the loss of landscaping incurred as a result of Condition 1.0(4) within the existing landscaped area at the front of the site. Replication of existing plant species and planting densities present along this section must occur.

3.0 - Prior To Works Commencing

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

- (1) **Stabilised Access Point** - A Stabilised Access Point (SAP) 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.
- (2) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (3) **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.

- (4) **Removal of Waste** – Prior to the commencement of any earthworks, all domestic refuse, foreign material, building materials and dumped materials are to be removed off-site and disposed of at an appropriate waste facility as outlined in Section 6.0 of the report titled *Phase 1 and 2 Contamination Assessment, Proposed Seniors Living Development, No. 359 (Lot 1 DP 1019708) Narellan Road, Currans Hill*, job reference 201296, prepared by Harvest Scientific Services Pty Ltd, dated 20 July 2011. Tipping receipts must be provided to Council.
- (5) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:
 - (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (6) **Notice Of Commencement Of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (7) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.

4.0 - During Construction

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

- (1) **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 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (2) **Hours of Work** – The hours for all construction and demolition work 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 are prohibited.

- (3) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land shall be protected from damage during construction works.

Public infrastructure includes roadways, kerb and guttering, footpaths, service authority infrastructure (such as light poles, electricity pillar boxes, telecommunication pits, sewer and water infrastructure), street trees and drainage systems.

The applicant must advise Council, in writing, of any existing damage to Council property before commencement of the development. Where existing damage is present, a dilapidation survey of Council's assets, including photographs (with evidence of date) and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of construction works.

The applicant must bear the cost of all restoration works to public property damaged during the course of this development. Any damage to public infrastructure will be required to be reinstated to Council's satisfaction prior to the issue of a Final Occupation Certificate

- (4) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
 - (b) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
 - (c) Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - (d) Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - (e) A waste control container shall be located on the development site.
- (5) **Compaction** - Any filling greater than 1.0m on the site must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (6) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practicing engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - (ii) 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".
- (d) confirm that the fill material:

- (i) provides no unacceptable risk to human health and the environment;
- (ii) is free of contaminants;
- (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,
- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

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

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

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.

- (7) **Site Management - No Nuisance Creation** - The developer must carry out work at all times in a manner which will not cause a nuisance by the generation of unreasonable noise dust or other activity, to owners and occupiers of adjacent properties.
- (8) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discoloration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earth works/ site preparation/ construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

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

- (9) **Salinity Management Plan** - All proposed earthworks that includes imported fill and 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 report titled *Salinity Assessment, Proposed Seniors Living Development, No. 359 (Lot 1 DP 1019708) Narellan Road, Currans Hill*, job reference 201296, prepared by Harvest Scientific Services Pty Ltd, dated 21 November 2011.
- (10) **Construction Noise Levels** – Noise Levels emitted during construction works must be restricted to comply with the DECCW's Interim Noise Construction Guidelines dated July 2009.
- (11) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- (12) **BASIX Certificate** – Under clause 97A of the *Environmental Planning & Assessment Regulation 2000*, it is a condition of this development consent that all the commitments listed in the BASIX Certificate for the development are fulfilled.

In this condition:

- (a) relevant BASIX Certificate means:
- (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or

- (ii) if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
 - (b) BASIX Certificate has the meaning given to that term in the *Environmental Planning & Assessment Regulation 2000*.
- (13) **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.

5.0 - Prior To Issue Of Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Works as Executed Plan** - prior to the Occupation Certificate being issued, a works-as-executed drawing must be submitted in accordance with Camden Council's current Engineering Construction Specifications to the Principal Certifying Authority.
- (2) **Acoustic Fence Compliance** - Documentary evidence from a suitably qualified acoustical engineer or scientist must be obtained verifying that the following works have been installed in accordance with their respective Australian Standards and performance standards and presented to the Consent Authority (i.e. Camden Council) prior to the Occupation Certificate being issued:
 - (a) The acoustic fence as detailed in section 6 of the report titled *Noise Assessment Report, Stage 2 Development, Currans Hill Seniors Village, Narellan, NSW 2567*, prepared by SLR Consulting Australia Pty Ltd, Report Number 610.07939, dated 13 November 2012.
- (3) **Seniors Living Covenant** - A covenant prepared pursuant to Section 88E of the Conveyancing Act must be placed on the title of the land occupied by the seniors living development to prohibit the occupation of the premises by residents other than:
 - a. seniors or people who have a disability;
 - b. people who live within the same household with seniors or people who have a disability; and/or
 - c. staff employed to assist in the administration of and provision of services to housing provided under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- (4) **Street Trees, Tree Protective Guards, Root Barrier Installation and Road Verge Areas** - Any nature strip street trees, tree guards, protective bollards, root barrier installation, or any area of the road

verge, which are disturbed, relocated, removed, or damaged during the development and construction periods, applicable to this Consent, must be successfully restored at the Applicants cost.

Any repairs, relocations or replacements needed are to be completed with the same type, species, initial installation standards and maturity and the works carried out successfully prior to the issue of the Subdivision/Occupation Certificate.

- (5) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (6) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
- (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

- (7) **East-West Internal Access Carriageway** – The widening of the western end of the east-west internal access carriageway to a

minimum of 7m must be fully completed and operational prior to the issue of an Occupation Certificate.

- (8) **Indemnity Agreement** - An Indemnity Agreement that fully indemnifies Council is required for Council's waste vehicles to enter the premises. This Indemnity Agreement must be signed prior to the release of an Occupational Certificate.
- (9) **Safety Signage** - "Caution Trucks" or similar signage must be installed at the entrance to access ways where vision is impaired by a building and/or landscaping (or the like) to alert pedestrians and other motorists of trucks' presence/movements.
- (10) **General Waste Service Contract** - The business proprietor must enter into a commercial contract for the collection of waste. A copy of this agreement shall be held on the premises at all times