

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 No.	Description	Prepared by	Dated
1412H	Proposed multi-unit development	Reggies	10/11/11
1412-1D	Proposed multi-unit development	Reggies	14/9/11
1412-2D	Proposed multi-unit development	Reggies	14/9/11
1412-3D	Proposed multi-unit development	Reggies	14/9/11
1412-4D	Proposed multi-unit development	Reggies	14/9/11
1412-5D	Proposed multi-unit development	Reggies	14/9/11
1412-6D	Proposed multi-unit development	Reggies	14/9/11
1412-7D	Proposed multi-unit development	Reggies	14/9/11
1412-8D	Proposed multi-unit development	Reggies	14/9/11
1412-9D	Proposed multi-unit development	Reggies	14/9/11
1412-10D	Proposed multi-unit development	Reggies	14/9/11
1412-11D	Proposed multi-unit development	Reggies	14/9/11
1412-12D	Proposed multi-unit development	Reggies	14/9/11
1412-13D	Proposed multi-unit development	Reggies	14/9/11
1412-14D	Proposed multi-unit development	Reggies	14/9/11
1412-15D	Proposed multi-unit development	Reggies	14/9/11
1412-16D	Proposed multi-unit development	Reggies	14/9/11
1412-17D	Proposed multi-unit development	Reggies	14/9/11
1412-18D	Proposed multi-unit development	Reggies	14/9/11
1412-19D	Proposed multi-unit development	Reggies	14/9/11
1412-20D	Proposed multi-unit development	Reggies	14/9/11
1412-21D	Proposed multi-unit development	Reggies	14/9/11
1412-22D	Proposed multi-unit development	Reggies	14/9/11
1412-23D	Proposed multi-unit development	Reggies	14/9/11
1412-24D	Proposed multi-unit development	Reggies	14/9/11
1412-25D	Proposed multi-unit development	Reggies	14/9/11
1412-26D	Proposed multi-unit development	Reggies	14/9/11
1412-27D	Proposed multi-unit development	Reggies	14/9/11
1412-28D	Proposed multi-unit development	Reggies	14/9/11
1412-29D	Proposed multi-unit development	Reggies	14/9/11
1412-30D	Proposed multi-unit development	Reggies	14/9/11
1412-31D	Proposed multi-unit development	Reggies	14/9/11
1412-32D	Proposed multi-unit development	Reggies	14/9/11
1412-33D	Proposed multi-unit development	Reggies	14/9/11
1412-34D	Proposed multi-unit development	Reggies	14/9/11
1412-35D	Proposed multi-unit development	Reggies	14/9/11
1412-36D	Proposed multi-unit development	Reggies	14/9/11
L-01/3B	Landscape Plan	RFA	21/3/12
L-02/3B	Landscape Plan	RFA	21/3/12
L-03/3B	Landscape Plan	RFA	21/3/12

06124DS, Sheets 2 & 3 Units 1-34, 263 Camden Valley Way, Narellan	Lot 18 DP 1010581 Millwood Avenue, Narellan Colour Schedule for Scheme 1, Scheme 2 and Scheme 3	JMD Distinguished Interiors	31/5/06 -
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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) **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 prior to the issue of a Construction Certificate:

- (a) The sitting area on the first floor of units 4,10,12,13 and 15 are to be located at the front of the dwelling and the use of the upper level sitting room in these units is to be modified to a bedroom.
- (b) The sitting area on the first floor of units 3, 6, 7 and 9 are to be located at the front of the dwelling to the north west and the use of the upper level sitting room in this unit is to be modified to a bedroom.
- (c) The study nook located within unit 16 must incorporate opaque glass.
- (d) The 8m³ storage area for units 15 and 16 are to be located outside of the drainage easement.
- (e) The 8m³ storage area for units 17, 20, 23 and 27 are to have a dimension of 3.5m x 1.5m.
- (f) The 8m³ storage area and clothes drying area for unit 23 is to be swapped around.
- (g) The proposed roof structure over the bin storage area is to be removed.
- (h) The upper storey façade of unit 31 on its south eastern elevation fronting Camden Valley Way must include further articulation through the provision of banded brick work.
- (i) Highlight windows must be provided on the south eastern elevation of unit 32 along the bedroom and family room external walls.

- (3) **Landscaping Maintenance and Establishment Period** – Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 24 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, softscape elements such as plantings and lawn, hardscape elements including paths, walls, bins, seats, BBQ's, shelters, playground equipment, softfall treatments, associated water usage and electrical usage etc.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

Prior to Council accepting the maintenance responsibility, at the completion of the 24 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards) must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

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

- (4) **Building Code of Australia** – All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (5) **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

- (6) **Access In and Out of the Site** – Access / egress to the development must be limited to left in/left out movements facilitated through appropriate signage and a concrete median island in the access road. The measures must be designed in accordance with Austroads, Australian Standards RMS Supplements and are subject to the concurrence of the Camden Local Traffic Committee. Any loss of proposed off street parking spaces in this vicinity as a result of these measures must be provided adjacent to visitor space No. 9. Additionally, No Stopping and Bus Zone restrictions must be installed along the frontage of the property on Camden Valley Way, subject to the concurrence of the Camden Local Traffic Committee.
- (7) **Signposting** – All works/regulatory signposting associated with the proposed development is to be at no cost to RMS.
- (8) **Waste Storage and Collection** – This development must incorporate communal bin storage areas within the site adjacent to Unit 32 as shown on Drawing No: 1412 issue G. The bins provided for this development must be communal for the entire development.

The waste collection point for bin pick up on Camden Valley Way must be level and adjacent to the kerb. This area must run parallel to the rear of the kerb and measure 3m long by 900mm wide and allow 3.9m clear vertical space to allow for the truck-lifting arm.

A waste 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 and other fixtures.

2.0 - Construction Certificate Requirements

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

- (1) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land must 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.

- (2) **Provision of Fire Hydrant Coverage** – All buildings within the proposed development must be provided with fire hydrant coverage, in accordance with the requirements of AS2419.2005 and NSW Fire Brigades. Details demonstrating compliance must be provided to the Certifying Authority prior to the issue of a Construction Certificate for the residential development.
- (3) **Section 94 Contributions** – Pursuant to **Contributions Plan No 3** amended in February 1998, a contribution must be paid to Council of \$26,120 per hectare, total \$17,632, for **Trunk Drainage, Water Quality Facilities and Professional Services**.

The contribution must be indexed to the Road Cost Index, and paid prior to the issue of a Construction Certificate.

The monetary contribution for Trunk Drainage and Water Quality Facilities may 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.

- (4) **Section 94 Contributions** – Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$4,587 per additional lot or dwelling, total \$142,197, for **Open Space, Recreation & Community land**.

The contribution must be indexed by the methods set out in Paragraph 2.15.2 of the plan and 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 release of a Construction Certificate.

- (5) **Section 94 Contributions** – Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$6,118 per additional lot or dwelling, total \$189,658, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services**.

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid Prior to the issue of a Construction Certificate.

- (6) **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 Construction Certificate being issued.

Note:

- (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.
- (7) **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 acoustic mound, fence, trees, other vegetation, drainage pits, pipes, kerb and gutter, underground services and any other improvement in the drainage easement up to Millwood Avenue from the subject property.

- (8) **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; and

- (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (9) **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.
- (10) **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.
- (11) **Public Risk Insurance Policy** – Prior to the issue of the Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (12) **Drainage Design** – A Stormwater Management Plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (13) **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 or 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 shall be designed and constructed to comply with AS 2980.6.

- (14) **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 be kept in good order with regular removal of pollutants and maintenance.

- (15) **Right of Carriageway** – The proposed access way to the development must be contained within the existing right of way, and the design of the right of way must be carried out to Council's Standard to cater for a Traffic loading of 5×10^5 ESA either to requirements of a rigid or flexible pavement.
- (16) **Detailed Engineering Plan** – A detailed engineering plan must be prepared for the proposed drainage system located within the drainage easement in Lot 18, DP 1010581 for the approval by the Principal Certifying Authority. The drainage system and construction process must address the following matters:
 - (a) Any retaining wall proposed must be designed and constructed in accordance with the Structural Engineers recommendations and all retaining walls must be masonry and / or concrete;
 - (b) The reinstatement of the acoustic batter, with fill, should be compacted to 95% of the Standard Density;
 - (c) The acoustic fence must be retained with adequate support to address the noise impact on the adjoining residences;
 - (d) All exposed areas and any affected vegetation must be reinstated to satisfaction of the Council;
 - (e) Any impact on the existing drainage system, buildings or improvements should be addressed in consultation with the Council's Assets Section; and
 - (f) Any adjustment or impact on existing underground and overhead cable must be addressed in consultation with the relevant Service Authority.
- (17) **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. Alternative methods to address the overland flow path must comply with the Design Specifications including the blockage factor.
- (18) **Road Design** – The internal road designed must be carried out in accordance with Council's design specifications. A gate must be located at the northern boundary with a minimum width of 4.0m, which opens to the right of way. A lock must be provided to Council, which can be opened from Council's depot using Council's Master Key system.

- (19) **Construction Management Plan** – The developer must prepare a Construction Management Plan for the work associated with the down stream drainage system in the Lot 18, DP 1010581 and this construction management plan must be submitted to the Principal Certifying Authority for approval and a copy must be submitted to Council (Asset Manager). The construction management plan must address the following matters:
- (a) The plan must identify the work method proposed;
 - (b) The work hours, and access arrangement to the work site;
 - (c) The method of providing stability to the existing acoustic fence on the mound while the batter of the acoustic mound is being excavated for drainage works;
 - (d) The method of dealing with existing drainage systems and underground utilities;
 - (e) The potential impact on security of the adjoining residences and the Council's Works Depot;
 - (f) The Construction access requirements. If access is required from the Council's depot, a prior arrangement must be made with a minimum period of 7 days notice to the Works Branch of Council;
 - (g) Any damage to the roots of the tree must be assessed as to the viability of survival of trees and should it be damaged to such an extent that it will not survive then such trees must be removed at no cost to Council and subject to Development Approval from the Council;
 - (h) Method of controlling any sediment transfer due to the excavations and exposed ground;
 - (i) Traffic Management details in order to provide minimum impact on the operation of the depot, if the access or parking is affected by the proposed work; and
 - (j) Method of restoration of the Council's road, kerb and gutter, drainage pits, etc.
- (20) **Alternative Ventilation for Habitable Rooms** – For units 1, 2, 3, 10, 11, 12, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, all facades identified 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 habitable rooms on these facades to ensure fresh airflow inside the dwellings when windows are closed. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required. Compliance with the above ventilation requirement is to be demonstrated for each dwelling application on the lot prior to the issue of a construction certificate.
- (21) **Location and Construction of 4.0 Metre High Acoustic Barrier** – To reduce noise from the Council Depot and Steel Fabrication yard, a 4.0

metre high acoustic barrier must be constructed on the property boundaries shown in the plan "Appendix A" contained within *"Noise Assessment Report: 263 Camden Valley Way Narellan NSW 2567: Prepared by SLR Global Environmental Solutions, Report No. 610.07939.05313 Revision 3, Dated 5 April 2011."* The 4.0 metre high barrier is to be a composite barrier with the lower 2.0 metres to be constructed of double insulated colour-bond and the upper 2.0 metre section being constructed with a transparent barrier material.

The section of this barrier which is in line with the 6m wide right of way is to be a gate that swings inward towards the residential development, and to be locked at all times with the exception of emergency uses. The master key is to be kept on site at the Council dept, with a copy of the key provided to either the nominated social housing provider or nominated resident on site.

- (22) **Location and Construction of 2.0 Metre High Acoustic Fence** – To reduce noise from the adjoining properties, a 2.0 metre high acoustic fence must be constructed on the property boundaries shown in the plan "Appendix A" contained within *"Noise Assessment Report: 263 Camden Valley Way Narellan NSW 2567: Prepared by SLR Global Environmental Solutions, Report No. 610.07939.05313 Revision 3, Dated 5 April 2011."* The 2.0 metre fence must be constructed with colour-bond material.

- (23) **Roof Ceiling Construction Requirements** – For units 1, 2, 19, and 20 roof and ceiling construction requirements are to be consistent with "section 6 Acoustic Control" within the *"Noise Assessment Report: 263 Camden Valley Way Narellan NSW 2567: Prepared by SLR Global Environmental Solutions, Report No. 610.07939.05313 Revision 3, Dated 5 April 2011."*

- (24) **Window Construction Requirements** – For all first floor bedroom windows/glass doors, except bathrooms and toilets and laundry doors in units 1, 2, 3, 10, 11, 12, 30, 31, and 32, these identified units must be fitted with 10.38mm thick laminated glass in sealed heavy duty frames of Rw rating of at least 34.

All first floor bedroom windows in unit 24, and north east facing windows in units 25, 26, 27, 28, and 29 must be fitted with 10.38mm thick laminated glass in sealed heavy duty frames of Rw rating of at least 34.

All other windows /glass doors, except bathrooms and toilets and laundry doors, must be fitted with 4 mm thick laminated glass in well sealed heavy duty frames of Rw rating of at least 22.

- (25) **Double Glazing Requirements** – North west facing first floor bedroom windows/glass doors of units 16, 17, 18, 19, 20, 21, 22 are required to have a Rw rating of at least 42. This should be double glazing with a

10.38mm laminated glass and a 6.38mm laminated glass separated by a 50mm air gap.

- (26) **Concrete Footpath** – A concrete footpath must be constructed along the frontage of the development in Camden Valley Way to link up with the bus stop in accordance with the Council's Engineering Specifications.
- (27) **Registration of Re-Located Carriageway Location** – The relevant documentation for the amendment to the s88B instrument and Deposited Plan is to be approved by Council and then registered with Land and Property Information prior to the issue of a Construction Certificate.

A covenant is to be included to state that during the life of this agreement, only vehicles in an emergency situation can use this carriageway to access Council's Works Depot located on 5 Millwood Avenue at the rear of the site.

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) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Erection of Signs** – Erection of signs must be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (3) **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*.
- (4) **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.

- (5) **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.
- (6) **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.

A stabilised entry/exit point must also be provided. 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.

- (7) **Site Signage and Contact Numbers** – A sign displaying the contact details of the remediation contractor (and site supervisor if different to remediation contractor) must be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.
- (8) **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. Council's standard details as per SD 31 must be used for construction.

- (9) **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.
- (10) **Works on Camden Valley Way** – Any work within the Camden Valley Way road reserve will be subject to an approval under the Road Act and inspection by the Road Authority.
- (11) **Construction of Drainage Work within Council Depot** – Prior to commencement of any works for the residential development, all downstream drainage works within the Council depot easement are to be constructed and fully completed in order to control the increase of runoff and the potential impact on the residential development and the operation of the Council depot. Details of these works must be submitted to the Principal Certifying Authority for approval.

4.0 - During Construction

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

- (1) **Survey Report (Peg Out)** – The building must be set out by a registered Land Surveyor. A Survey Report detailing the siting of the building in relation to the allotment boundaries must be submitted to the Principal Certifying Authority (PCA) prior to the placement of any concrete.
- (2) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
 - (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (3) **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 each relevant 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*.

- (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 must only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
- (b) stockpiles of topsoil, sand, aggregate, spoil or other material must be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and must 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 must be confined to the building allotment. All pollutants from these activities must 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 must be located on the development site.

- (5) **Footpath Levels** – The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.

- (6) **Excavation and Backfilling** – All excavations and backfilling associated with the erection or demolition of building/buildings must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

- (7) **Shoring and Adequacy of Adjoining Property** – shoring and adequacy of adjoining properties must be in accordance with Clause 98E of the *Environmental Planning and Assessment Regulation 2000*.

- (8) **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.

- (9) **Drainage Easements** – No changes to site levels, or any form of construction must occur within any drainage easements that may be located on the allotment.
- (10) **Access from Public Places** – Construction access from public places (reserves, parks, walkways and the like) other than roads must not occur without the prior consent of Camden Council. Bonds or legal agreements may be required to protect Council's assets if access from these places is approved.
- (11) **Remediation Works Inspection** – A qualified Environmental Consultant or Scientist will be required to frequently inspect the remediation works to confirm compliance with the RAP that includes all health and safety requirements.
- (12) **Construction Noise** – Noise Levels emitted during construction works must be restricted to comply with the DECCW's Interim Noise Construction Guidelines dated July 2009.
- (13) **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 10.2" in the report titled "*Salinity Management Plan No 263 Lot 1022 DP 1021756 Camden Valley Way Narellan NSW, Prepared by GeoEnviro Consultancy Pty Ltd, Ref No JC07063A, Dated March 2008.*" and "*Addendum to RAP Report Ref JC07063A-r3 dated June 2008 and Salinity Management Plan Ref JC07063A dated March 2008: No 263 Lot 1022 DP 1021756 Camden Valley Way Narellan, Prepared by GeoEnviro Consultancy Pty Ltd, Dated 17/09/11.*"

- (14) **Noxious weeds** – As per the requirements of the Noxious Weeds Act 1993, the applicant must also ensure at all times any machinery, vehicles or other equipment entering or leaving the site must be cleaned and free from any noxious weed material, to prevent the spread of noxious weeds to or from property.
- (15) **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.

- (16) **Compaction** – Any filling of up to 1.0m on the site must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (17) **Fill Material** – For 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 practising 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.

- (18) **Workcover Authority** – All remediation work must comply with relevant requirements of NSW WorkCover Authority.
- (19) **Removal Of Waste Materials** – Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer

www.environment.nsw.gov.au/waste/envguidlms/index.htm) Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to the Consent Authority (Camden Council).

- (20) **Off-Site Disposal Of Contaminated Soil / Materials** – All contaminated materials proposed to be disposed off-site must be disposed to a Licensed Landfill Facility able to accept the classification of waste material.
- (21) **Unexpected Findings Contingency (Remediation)** – Upon the identification of additional contamination or hazardous materials at any stage of the remediation process, all remediation works in the vicinity of the findings must cease and compliance with the approved RAP must be adopted.
- (22) **Delivery Register** – The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be submitted to the Council at the completion of the development.
- (23) **Suppression and destruction of weeds** – The suppression and destruction, by appropriate means, is to continually occur on any noxious or environmentally invasive weed infestations that occur during or after the completion of this development. New infestations must be reported to Council.
- (24) **Maintenance work** – Maintenance work is to be carried out, involving regular surveys to determine if any species are becoming established through time. Any noxious or environmental weed infestations that occur during construction and after completion of the residential development must be reported to Council, and be fully and continuously suppressed and destroyed, by appropriate means.
- (25) **Remediation Works** – All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, on site and off site disposal; that includes storage, cut, fill, backfilling, compaction, monitoring, validations, site management and security must be undertaken in accordance with the Remedial Action Plan titled:

“Remediation Action Plan No 263 Lot 1022 DP 1021756 Camden Valley Way Narellan NSW, Prepared by GeoEnviro Consultancy Pty Ltd, Ref No JC07063A-r3, Dated June 2008.” And “Addendum to RAP Report Ref JC07063A-r3 dated June 2008 and Salinity Management Plan Ref JC07063A dated March 2008: No 263 Lot 1022 DP 1021756 Camden Valley Way Narellan, Prepared by GeoEnviro Consultancy Pty Ltd, Dated 17/09/11.”

Any variation or modification to the Remedial Action Plan in terms of compliance work must be requested from the Consent Authority (Camden Council) in writing prior to validation. 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.

- (26) **Compliance of Remediation Work** – All remediation work must also comply with the following requirements:
- Contaminated Land Management Act 1997;
 - Department of Urban Affairs and Planning – Contaminated Land Planning Guidelines 1998;
 - SEPP55 – Remediation of Land;
 - Sydney Regional Plan No. 20 Hawkesbury Nepean River (No.2 – 1997); and,
 - Camden Council's Adopted Policy for the Management Of Contaminated lands.
- (27) **Damaged Assets** – Any work and public utility relocation within a public place will incur no cost to Council.

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) **Street Trees, their Tree Root Barrier Guards, Protective Guards and Bollards** – During any earthworks and development works relating to this Consent, the Applicant is advised:
- (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred.
 - (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Subdivision/Occupation Certificate.
 - (c) An inspection must be arranged with Council's Landscape Development Officer, to determine that the Street Trees and any protective or installation measures have been restored correctly and some degree of reestablishment has occurred.
 - (d) The inspection must occur prior to the issue of the Subdivision/Occupation Certificate.

- (2) **Footpath Crossing Construction** – Prior to use or occupation of the development, a footpath crossing must be constructed in accordance with the Development Consent, approved plans and Camden Council's issued footpath crossing information.
- (3) **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.

- (4) **Fire Hydrants** – Locations of fire hydrants are to be delineated by blue pavement markers offset 100mm from the centre of the road. The direction of the offset should indicate on which side of the road the hydrant is located.
- (5) **Works-As-Executed Plan** – A works as executed plan that identifies the areas requiring remediation and the extent of the works undertaken (that includes any encapsulation work) must be prepared by a registered surveyor and be submitted to the Consent Authority (Camden Council) with the final Site Validation Report.
- (6) **Emergency and Evacuation Plan** – An emergency and evacuation plan is to be prepared prior to the issue of an Occupation Certificate, detailing the following:
- (a) under what circumstances the complex will be evacuated;
 - (b) where the occupants will be evacuated to;
 - (c) roles and responsibilities of people co-ordinating the evacuation;
 - (d) roles and responsibilities of people remaining in the complex after evacuation; and
 - (e) a procedure to contact the relevant emergency service to inform them of the evacuation and where they will be evacuated to.
- (7) **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.

- (8) **Gutter / Footway Crossings** – The following works must be constructed prior to the issue of the Occupation Certificate and under the Roads Act 1993 must be approved by Camden Council:

- (a) Provision of a heavy duty industrial gutter crossing at all points of ingress and egress.

All services within 1m of the crossing and all affected services due the proposed work shall be adjusted in consultation with the appropriate Service Authority. A Minimum splay of 1.5m shall be provided on either side of the proposed driveway at the gutter.

All works must be carried out strictly in accordance with Camden Council's current Engineering Specifications. Prior to works commencing the applicant must contact Council on (02) 4654 7777 to arrange payment of fees and inspection of the works.

- (9) **Section 88E Restriction** – A restriction is to be registered, against the title of the property, in accordance with section 88E of the Conveyancing Act 1919, which ensures that a minimum of 50% of the total dwellings are to be affordable rental housing for a minimum of 10 years from the date of issue of the Occupation Certificate, and that all accommodation that is used for affordable housing will be managed by a registered community housing provider.

The registered community housing provider managing the affordable housing component must submit to Council on an annual basis evidence to illustrate that 50% of the dwellings have been and will be continued to be used for affordable housing.