

## Appendix 3 – Recommended draft conditions of consent

### Approved Development and Plans

1. Development shall take place in accordance with the attached endorsed plans and reports;
  - a. *Proposed Sand Extraction, Boydtown Group Ownership, Boydtown, NSW Environmental Impact Statement including Appendices 1 to 17*, prepared by Garret Barry Planning Services Pty Ltd, dated August 2011.
  - b. *Additional information prepared by Garret Barry Planning Services Pty Ltd dated 12 and 21 March 2012.*
  - c. *Noise Impact Assessment prepared by Wilkinson Murray, dated May 2012.*
  - d. *Hydrogeological Addendum prepared by Worley Parsons, dated 2012.*
  - e. As may be amended in red by the consent authority. Any specified amendments are to be incorporated in the Construction Certificate plans.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

### General Terms of Approval

2. The development shall be undertaken in accordance with the General Terms of Approval (GTAs) issued on 10 February 2012 by the NSW EPA as attached to this consent.
3. The intersection onto the Princes Highway shall be upgraded in accordance with the requirements of the Roads and Traffic Authority letter dated 1 May 2012 as attached to this consent.

Reason: Development is undertaken in accordance with this consent & is to comply with the Protection of the Environmental Operations Act 1997 and Roads Act.

### Limits on Approval

4. This consent will lapse after 1,100,000 cubic metres of sand material and 105,000m<sup>3</sup> of topsoil have been extracted from the site, or 28 years after the date it commences, whichever comes first.
5. No more than 40,000 tonnes of sand and 10,000 tonnes of topsoil a year shall be extracted and transported from the site.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only

### Hours of operation

6. The quarry is to be operated between the following hours: Monday to Saturday 7:00am to 7:00pm, Monday to Friday and 8.00am to 1.00pm on Saturdays. No work is to be carried out on Sundays or public holidays.

Reason: To avoid potential conflict with adjoining land residential land uses.

### Annual Environmental Management and Rehabilitation Plan

7. The proponent is to prepare an Annual Environmental Management and Rehabilitation Plan (EMRP), to the satisfaction of Bega Valley Shire Council, which includes:-
  - Baseline data,

- A description of the relevant statutory requirements and relevant performance measures/limits placed on the project by this consent,
- A description of the measures that will and have been implemented to comply with the relevant statutory requirements, performance measures/limits,
- A program to monitor and report impacts and environmental performance of the project and the effectiveness of any management measures including the Vegetation Management Plan and Wetland Rehabilitation Plan,
- Provide a review of past quarry activities on-site and detail the performance of past rehabilitation measures for these activities.
- A complaints handling and reporting system.

The Annual EMRP reporting period shall be from 1 July through to the 30 June. A copy of the Annual EMRP shall be submitted to Council within 1 month from the end of the reporting period.

Reason: To ensure the proposal complies with the conditions of consent.

#### **Vegetation Management**

8. The applicant shall provide an amended Vegetation Management Plan (VMP) to include all proposed 20 metre wide vegetation buffers located to the east and south of Proposed Pit 1 and along the west and south of Pit 2. The amended VMP shall delete all reference to the use of barbed wire in the fencing of any proposed creek buffers or proposed vegetation buffers. The amended VMP shall include the replacement of the 78 mature paddock trees required to be removed for the development. The replacement trees shall be Manna Gums.

The amended VMP is to be submitted and approved by Bega Valley Shire Council prior to any works commencing on-site.

Reason: To ensure the site is stabilised and screened prior to extraction commencing on-site.

9. The proposed 20 metre wide vegetation buffers for Stage 1 of Pit 1 and the entire buffer strip for Pit 2 shall be implemented prior to any materials being removed from the site.

Reason: To ensure the site is stabilised and screened prior to extraction commencing on-site.

10. Machinery to be used on the site should be thoroughly washed before its use to avoid introducing any weed seeds or soil pathogens onto the site.

Reason: To stop the introduction of weeds to the site for the duration of the development.

11. Removal of any trees should only occur between February to July to avoid the breeding season of bats, birds or arboreal fauna. Fauna habitat attributes such as fallen timber, logs and rocks/boulders are to be relocated adjacent to the sites to provide potential habitat for fauna species.

Reason: To mitigate the impact on fauna habitat during the construction and operation of the development.

12. Installation of nest boxes in adjacent retained vegetation to offset habitat hollows shall be erected prior to any vegetation being removed from site. The location of nest boxes shall be undertaken in consultation with Bega Valley Shire Council.

Reason: To mitigate the impact on fauna during the construction and operation of the development.

13. Old sand extraction area adjoining Pit 3 will be shaped to final landform and topsoil placed, fenced to exclude stock and plant and primary rehabilitation planting placed and under management within 5 years of commencement of Proposed Pit 3.

Reason: To mitigate the impact on fauna during the construction and operation of the development.

14. Tree and vegetation removal shall only be undertaken one month before a new stage is to commence or in consultation with Bega Valley Shire Council. All hollow bearing trees are to be suitably marked prior to their removal. Upon removal, all hollows are to be inspected by a suitably qualified fauna officer with any animals being rescued.

Reason: To mitigate the impact on fauna during the construction and operation of the development.

#### **Wetland Rehabilitation Plan**

15. The recommendations detailed in the Wetland Rehabilitation Plan prepared by EcoBiological and WorleyParsons shall be complied with.

Reason: To ensure the development is progressively rehabilitated and stabilised upon completion of extraction activities.

#### **Aboriginal Heritage**

16. An Aboriginal Heritage Management Plan (AHMP) must be developed by a qualified archaeologist, in conjunction with Aboriginal stakeholders and the NSW Office of Environment and Heritage as required, and approved by Bega Valley Shire Council prior to commencement of any development activities on the site.

The AHMP must include, but not be limited to:

- a. Detail of the process to be followed for monitoring and assessing topsoil removal prior to the establishment of each stage of pit construction;
- b. Consideration of monitoring and assessment for all ground disturbing activities related to any ancillary work such as; the establishment or upgrade of haul roads, temporary stockpile placement, site facilities, noise barriers, any proposed erosion and sedimentation controls, and any future landscaping/rehabilitation activities;
- c. Detail on the procedures to be followed if Aboriginal objects are found at any stage during the life of the development works and allow for the formulation of appropriate measures to manage any unforeseen impacts to Aboriginal heritage values;
- d. Specifically detailing the procedures to be followed if any Aboriginal skeletal material is uncovered during the development works and allow for the development of appropriate measures to manage this material;
- e. Outlining the process that will be followed for continuing consultation with the Aboriginal stakeholders and the NSW Office of Environment and Heritage, where required; and
- f. Outlining the process for how the AHMP procedures will be managed and adhered to during the operational life of the project.

Reason: To protect Aboriginal heritage.

17. No aboriginal objects may be harmed unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by the NSW Office of Environment and Heritage.

Reason: To protect Aboriginal heritage.

18. If any Aboriginal objects (such as stone artefacts or shell material) are unearthed during the development activity all work must cease immediately and the NSW Office of Environment and Heritage must be contacted for advice before any work recommences.

Reason: To protect Aboriginal heritage.

19. If any Aboriginal skeletal remains, or potential burials, are unearthed during the development activity all work must cease immediately and the NSW Police and NSW Office of Environment and Heritage must be contacted for advice before any work recommences.
20. All site workers and contractors must be provided with induction training on the identification of Aboriginal objects, Aboriginal cultural awareness and the AHMP procedures that must be followed during the operational life of the project and in the event of discovery of unknown Aboriginal objects.

Reason: To protect Aboriginal heritage.

21. The Annual EMRP shall include the requirement for auditing compliance of the AHMP procedures during the operational life of the project.

Reason: To protect Aboriginal heritage.

**Plans to be kept on site**

22. Copies of all stamped approved plans, Annual Environmental Management and Rehabilitation Plan (EMRP), specifications and documents are to be kept on site during construction works and quarry operations.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

**Site identification**

23. Prior to undertaking any site establishment construction works:
  - A registered land surveyor is to be engaged to mark out the boundaries of the approved limits of extraction;
  - These boundaries are to be clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.

Reason: The site is managed in a safe manner.

24. The site where works are proposed to be carried out shall be identified by a sign sited in a visually prominent position containing the following information;
  - name of the principal contractor (if any) and 24 hour contact telephone number, and
  - a statement that "unauthorised entry to the quarry site is prohibited".

Reason: The site is managed in a safe manner.

### **Soil and Water Management**

25. A Soil and Water Management Plan shall be developed prior to works commencing on-site and approved by Bega Valley Shire Council to ensure that present water bodies and groundwater systems are not negatively impacted by the sand mining operations such as sediment runoff, stormwater discharge and management of stockpiles.

Reason: To ensure soil and water is managed on-site and does not impact the surrounding environment.

26. Drilling and Installation of Shallow groundwater management bores at various locations around Pit 1 and 2 shall be undertaken in consultation with Bega Valley Shire Council and the EPA. Monthly monitoring of groundwater levels and field water quality parameters (pH, electrical conductivity, dissolved oxygen, and redox potential) in all nearby groundwater wells, including the production well at Twofold Bay Beach Resort shall be undertaken and detailed in the Annual EMRP.

Monitoring should begin as far in advance of the start of sand extraction operations as possible to acquire baseline data and assess any naturally occurring long term changes to either groundwater levels and quality.

Reason: To ensure soil and water is managed on-site and does not impact the surrounding environment.

27. Surface water drainage is not to be re-directed onto adjoining private or public land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

Reason: Stormwater disposal does not impact on the building or neighbouring properties.

28. Rainwater tanks will be connected to the roofs of the proposed transportable amenities/lunch building to collect rainwater.

Reason: To ensure water is managed on-site.

29. A Refuelling Hazard Plan will be implemented for on-site refuelling and a copy be provided to Bega Valley Shire Council before works commence on-site.

Reason: To ensure soil and water is not impacted upon by quarry operations.

### **Noise Control**

30. All noise mitigation measures detailed in the noise impact Assessment prepared by Wilkinson Murray shall be implemented and complied with.

Reason: To ensure appropriate noise control practices are in place.

31. Noise monitoring measures and a complaints handling system are to be included in the annual EMRP required by these conditions of consent.

Reason: To ensure appropriate noise control practices are in place.

32. All plant and equipment used shall be effectively maintained in good working condition.

Reason: To ensure appropriate noise control practices are in place.

33. Prior to the commencement of the development the reversing sound equipment on all vehicles associated with the extraction and haulage of material shall be modified to digital broadband alarms, self adjusting or smart alarms or a suitable alternative, as endorsed by the appropriate regulatory authorities. Details are to be submitted to Council prior to work commencing.

Reason: To ensure appropriate noise control practices are in place.

#### **Waste Management**

34. All waste materials generated on-site during construction and during operation of the quarry are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

Reason: To ensure adequate waste management practices are in place during the construction phase.

35. No construction or trade waste is to be deposited at a Bega Valley Shire Council operated waste facility without a trade waste agreement with Bega Valley Shire Council.

Reason: To ensure adequate waste management practices are in place to satisfy Council requirements.

#### **Traffic Management Plan/Code of conduct**

36. The applicant shall prepare a Traffic Management Plan/Code of Conduct for the operation of plant and equipment and the transport of materials on public roads to the satisfaction of Bega Valley Shire Council and is to ensure that all truck drivers associated with haulage to and from the quarry comply with the code of conduct.

The Code of Conduct shall as a minimum incorporate;

- Driver awareness of the nearest morning and afternoon school bus drop off and pick-up points near the intersections of Nullica Short Cut Road/Boydton Park Road with the Princes Highway.
- Sensitive operation with respect to generation of noise or dust;
- Safe operational procedures off site and on-site
- Induction procedures for new staff and site visitors; and
- Site security and public safety.

Reason: Safety for road users and amenity of nearby residents.

#### **Section 94 Contributions**

37. Section 94 payments shall be made in accordance with *Rural Roads Contribution Plan* and arrangements as follows:-
- a) The contribution rates shall be \$0.18 per tonne per km travelled on Nullica short Cut Road for all materials extracted from Pit 3. These amounts apply in 2011/2012 and will be indexed annually on 1 July in keeping with movements in the CPI.
  - b) The operator of the quarry is to keep a record of tonnes hauled and the destination of each load and shall submit the calculated payment, the calculations made and a

copy of all truck despatch/delivery dockets for all the loads hauled for the year up to 30 June each year shall be included in the Annual EMRP.

Reason: Appropriate upgrade of the roads affected by the increase in traffic resulting from this development.

#### **Dust Suppression**

38. The applicant shall respond to Councils direction to provide dust suppression on roads leading to, adjacent to and within the Development in the event that weather conditions and construction traffic are giving rise to abnormal generation of dust.

Reason: To ensure that local residents are not disadvantaged by dust during the life of the development.

39. Extraction from any Pit shall be conducted in stages in accordance with the approved plan. No more than 50 percent of any Pit is exposed at any given time.

Reason: To ensure that the development is managed to mitigate the potential for dust generation and soil erosion and sedimentation.

40. Rehabilitation of extracted areas shall be undertaken progressively as soon as extraction in the exposed portion is completed.

Reason: To ensure that the development is managed to mitigate the potential for dust generation and soil erosion and sedimentation.

41. Diversion banks and other stockpiles of topsoil or non-commercial material which are not proposed for short term use shall be stabilised with grass cover as soon as completed by sowing rehabilitation grass mix.

Reason: To ensure that the development is managed to mitigate the potential for dust generation and soil erosion and sedimentation.

42. Extraction and stockpiling operations which may give rise to dust shall not be undertaken on days of high wind when there is a significant risk of dust nuisance.

Reason: To ensure that the development is managed to mitigate the potential for dust generation and soil erosion and sedimentation.

43. All loaded vehicles entering or leaving the site are to be covered to prevent the escape of dust and debris.

Reason: To ensure that the development is managed to mitigate the potential for dust generation and soil erosion and sedimentation.

#### **Fencing**

44. The extraction Pits are to be fenced with 1.8m high cyclone wire fencing for the duration of extraction and until the rehabilitation of the sites is achieved. The use of barbed wire is not permitted.

Reason: To ensure the site is protected.

#### **Dangerous Goods**

45. The applicant shall ensure that the storage, and transport of any dangerous goods is to be carried out in accordance with relevant Australian Standards, particularly

AS19402004: The storage and handling of flammable and combustible liquids and  
AS/NZS 1596:2002: The storage and handling of LP Gas, and the Dangerous Goods  
Code

Reason: To ensure materials are handled correctly and safely on site.

#### **Mines Inspection Act 1901**

46. Under Section 44 of the Mines Inspection Act 1901, the owner/general manager of the quarry must give notice to a Mines Inspector of the commencement of quarrying operations. The owner/general manager should contact the Department of Primary Industries Mine Safety Operations Branch in the local area in regard to compliance with the Mines Inspection Act 1901.

Reason: To ensure materials are handled correctly and safely on site.

#### **Construction certificate & principal certifying authority**

47. The applicant shall obtain a construction certificate from Bega Valley Shire Council or an appropriately accredited private certifier before undertaking any work. Forward a copy of any construction certificate issued by a private certifier to Bega Valley Shire Council at least 2 days before undertaking any work in accordance with that construction certificate.

Reason: Work is undertaken in accordance this consent & relevant construction standards.

48. The applicant shall appoint a principal certifying authority before any work is undertaken. Provide details of the appointed principal certifying authority (if not Bega Valley Shire Council) to Bega Valley Shire Council at least 2 days prior to any work being undertaken.

Reason: Work is undertaken in accordance this consent & relevant construction standards.

#### **Engineering conditions**

##### **49. Conditions to be satisfied prior to Engineering Construction Certificate**

The following matters shall be completed prior to the endorsement of a Construction Certificate for each stage of this development:

- a) dedication as Public Road of such land for **road widening** as is necessary to contain the constructed road in use, and known as Nullica Short Cut over the frontages of the land. A copy of the plan registered by the NSW Land Titles Office dedicating this land as road shall be provided to the Council to demonstrate compliance with this requirement.

(Reason: To rectify encroachments as part of the development).

- b) approval of **detailed construction plans and specifications** for access and road works by Council's Director of Engineering Services or his delegate.

These works shall be designed and specified in conformity to the standards set out in Council's Technical Specifications (or other documents formally adopted by Council for the purpose of specifying standards for construction works, DCP No.2) as current at the date of approval, and sound engineering practice.

These detailed construction plans must include all **erosion and sediment control**



**works** necessary to ensure that the quality of stormwater discharged from these works, both during and after the construction period, will not result in erosion, sedimentation or pollution of any land or water. These plans shall be in accordance with Council's Development Design Specification D7, Erosion Control and Stormwater Management.

(Reason: to ensure that the development is compatible with the design of the specified works and to specify technical standards.)

- c) No work shall be carried out within three metres of or adjacent to the carriageway of a public road subject to motor vehicle traffic until Council has approved a satisfactory Traffic Control Plan relating to that work, and the Roads and Traffic Authority has approved any associated Road works Speed Limit.

The Traffic Control Plan shall be prepared by a person who is authorised by the Roads and Traffic Authority to prepare these plans. The Traffic Control Plan must bear the name, signature and Traffic Control at Worksites Certificate Number of the person who prepared it.

All measures described in the Traffic Control Plan shall be implemented and maintained for the duration of any work within or adjacent to the road carriageway.

(Reason: so that work on public roads is performed safely.)

- d) **lodgement of security with Council** in an amount of \$20,000.00 (Allocation No.19755.9755.9800) as security for remedying any defects in any public work required in connection with this consent (such as road work stormwater drainage and environmental controls) that arise within six months after the works are completed, and for making good any damage caused to Council property as a consequence of the doing of anything to which the consent relates.

The security lodged with Council shall be either in money or unconditional bank guarantee in a form acceptable to Council.

The funds realised from this security may be paid out by Council to meet any costs referred to in this condition. A Bond Administration Fee may be payable to Council.

This condition is authorised by Section 80A(6)-(10) of the Environmental Planning and Assessment Act 1979.

(Reason: to ensure that public works are in satisfactory condition when transferred to Council and that any damage to Council property is remedied.)

- e) **Qualifications and insurance of engineering designers (Public Works)**

All public works (such as road work and environmental controls) shall be designed by persons holding suitable qualifications for the design of works of this type and current professional indemnity insurance.

(Reason: to ensure appropriate professional standards.)

- f) **Contractor's insurance (Public Works)**

Each contractor engaged in the construction of public works (such as road work and environmental controls) must hold current public liability insurance for an amount of not less than \$20,000,000.00 suitably endorsed to note the contractor

and Council for their respective rights and interests.

Prior to the commencement of the construction of these public works Council must be provided with evidence of the currency of this insurance.

(Reason: to ensure that contractors hold suitable public liability insurance.)

50. Conditions to be satisfied prior to commencement of use subject to Council acceptance for Pit 1.

The following matters shall be completed prior to the commencement of use of Pit 1 of this development:

These works shall be designed and constructed in conformity with Council's Technical Specifications (or other documents formally adopted by Council for the purpose of specifying standards for construction works) as current at the date of the approval of construction plans, and sound engineering practice:

One or more Compliance Certificates must evidence the satisfactory completion of these works. See below.

#### Road works

- a) construction of the following in Nullica Short Cut from its intersection with the Princes Highway to 20.0 metres west of the proposed entry to Pit 1:

- 6.4 metre wide bitumen sealed road pavement,
- 1.5 metre wide table drains as necessary,
- all associated stormwater and subsoil drainage works,
- installation of guideposts, protection fencing, pavement markings and signposting to the standards specified in the *Road Design Guide* published by the NSW Roads and Traffic Authority,
- all other works necessary to achieve the above,

The design speed for this road shall be not less than 60 km/h.

(Reason: To provide an appropriate standard of access to the land and to accommodate the traffic likely to be generated by this development).

- b) construction of a BAL **intersection treatment** at the junction of the proposed entry to Pit 1 with Nullica Short Cut in conformity with the standards specified in the *Road Design Guide* published by the NSW Roads and Traffic Authority.

The left turn treatment is to be in accordance with a BAL treatment, figure 4.8.34. The BAL is to be sealed to a minimum of 20 metres from the edge of the traffic lane. The gate or grid at the entrance to the property shall be indented a minimum of 20 metres from the edge of the through carriageway of Nullica Short Cut.

The design shall ensure that no water is directed onto the formation of the through roadway (Nullica Short Cut). The applicant will be required to provide suitable drainage, including structures if necessary, underneath the driveway. Drainage headwalls shall be located outside the Clear Zone of the roadway. The width of the Clear Zone must be in accordance with Section 3.7 of the RTA's Road Design Guide.

The applicant shall submit detailed engineering plans, including drainage, at a scale of 1:200 to Council to be assessed for approval.

(Reason: To provide an appropriate standard of access to the land and to accommodate the traffic likely to be generated by this development).

- c) Compliance Certificate(s) in relation to the **inspection and testing of all public works** associated with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must be obtained either from Council or from an Accredited Certifier to demonstrate that these works have been completed.

These public works must be inspected and tested either by Council's inspector, or by an Accredited Certifier at each of the following stages of construction to confirm compliance with the standards set out in the approved plans and specifications. Any inspection and testing performed by Accredited Certifiers shall be documented by Compliance Certificate(s) for those parts of the public work.

- after placement of all signs in accordance with the approved Traffic Control Plan.
- after stripping of topsoil from roads and fill areas, all Soil & Water Management Plan controls shall be in place at this stage.
- After completion of road subgrade.
- After placement and compaction of each layer of gravel pavement material.
- Prior to the application of bitumen seal or asphaltic concrete wearing surface.
- After laying and jointing of all stormwater pipelines prior to backfilling.
- After completion of works.
- As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to the endorsement of a Final Occupation Certificate.

(Reason: to demonstrate that subdivision works are completed in conformity with development consent conditions and to appropriate technical standards).

- d) **Works as executed plans**

Upon completion of all civil construction work, Council shall be provided with one complete copy of the plans to which the Construction Certificate relates, clearly marked up to show all variations of the completed works from the approved design in regard to alignment, levels and other details of the works. These plans must show the location and depth of any filling placed on any lot. Works-as-executed plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer as a complete and accurate record of the subdivision work.

A complete record of all cadastral information, roads and stormwater drainage works for this development shall also be provided to Council in an electronic format.

The electronic / digital data must be suitable for inclusion in Council's Geographic Information System with a brief metadata description of the projection, survey control and layers.

The preferred format for this electronic/digital data is as follows:

- File format: AutoCAD DWG or DXF files.
- Map Projection: MGA94 Zone 55
- Map Layers: To delineate map data into subdivision, water, sewer and drainage.
- Survey Control: map point location and name or table format of control points showing name and coordinates used for survey.

Data will need to be resupplied if coordinates are not valid for the surveyed area.

The works as executed plans must be examined and accepted by Council's engineering staff prior to the endorsement of the Subdivision Certificate by the Principal Certifying Authority (Council).

(Reason: To ensure that Council holds complete records of civil engineering works being transferred to Council ownership).

51. **Extended maintenance responsibility**

The developer shall perform all works necessary to maintain all erosion and sediment control measures for this development to effectively control potential soil erosion, sedimentation and other environmental impacts until all civil construction work has been completed, stabilized and revegetated. Particular attention is required to the regular removal of accumulated material in sediment traps and water quality control ponds.

(Reason: to minimise the environmental impacts of this development.)

52. **Conditions to be satisfied prior to commencement of use subject to Council acceptance for Pit 2.**

The following matters shall be completed prior to the commencement of use of Pit 2 of this development:

These works shall be designed and constructed in conformity with Council's Technical Specifications (or other documents formally adopted by Council for the purpose of specifying standards for construction works) as current at the date of the approval of construction plans, and sound engineering practice:

One or more Compliance Certificates must evidence the satisfactory completion of these works. See below.

**Road works**

- a) construction of the following in Nullica Short Cut from its intersection with the Princes Highway to 20.0 metres west of the proposed entry to Pit 2:
- **6.4 metre wide bitumen sealed road pavement,**
  - 1.5 metre wide table drains as necessary,
  - all associated stormwater and subsoil drainage works,
  - installation of guideposts, protection fencing, pavement markings and signposting to the standards specified in the *Road Design Guide* published by the NSW Roads and Traffic Authority,

- all other works necessary to achieve the above,

The design speed for this road shall be not less than 60 km/h.

(Reason: To provide an appropriate standard of access to the land and to accommodate the traffic likely to be generated by this development).

- b) construction of a BAL **intersection treatment** at the junction of the proposed entry to Pit 2 with Nullica Short Cut in conformity with the standards specified in the *Road Design Guide* published by the NSW Roads and Traffic Authority.

The left turn treatment is to be in accordance with a BAL treatment, figure 4.8.34. The BAL is to be sealed to a minimum of 20 metres from the edge of the traffic lane. The gate or grid at the entrance to the property shall be indented a minimum of 20 metres from the edge of the through carriageway of Nullica Short Cut.

The design shall ensure that no water is directed onto the formation of the through roadway (Nullica Short Cut). The applicant will be required to provide suitable drainage, including structures if necessary, underneath the driveway. Drainage headwalls shall be located outside the Clear Zone of the roadway. The width of the Clear Zone must be in accordance with Section 3.7 of the RTA's Road Design Guide.

The applicant shall submit detailed engineering plans, including drainage, at a scale of 1:200 to Council to be assessed for approval.

(Reason: To provide an appropriate standard of access to the land and to accommodate the traffic likely to be generated by this development).

- c) design (full engineering design plans) and construction of a replacement structure for the timber bridge over the water course bisecting Nullica Short Cut to be a two lane concrete structure, constructed to recognized engineering standards and providing a design service life of not less than 80 years. All works associated with the construction of the structure and its approaches shall be carried out and completed in accordance with detailed engineering plans and specifications as prepared by a suitably qualified engineer and as approved by Council.

Prior to the endorsement of the Subdivision Certificate for this development, Council shall be provided with certification from a suitably qualified and experienced Chartered Professional Engineer (NPER 3 registered) confirming that the works identified in the condition referred to above satisfies the specified performance and acceptance criteria.

(Reason: To provide an appropriate standard of access to the land and to accommodate the traffic likely to be generated by this development).

- d) Compliance Certificate(s) in relation to the **inspection and testing of all public works** associated with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must be obtained either from Council or from an Accredited Certifier to demonstrate that these works have been completed.

These public works must be inspected and tested either by Council's inspector, or by an Accredited Certifier at each of the following stages of construction to confirm compliance with the standards set out in the approved plans and specifications. Any inspection and testing performed by Accredited Certifiers shall be documented by Compliance Certificate(s) for those parts of the public work.

- after placement of all signs in accordance with the approved Traffic Control Plan.
- after stripping of topsoil from roads and fill areas, all Soil & Water Management Plan controls shall be in place at this stage.
- After completion of road subgrade.
- After placement and compaction of each layer of gravel pavement material.
- Prior to the application of bitumen seal or asphaltic concrete wearing surface.
- After laying and jointing of all stormwater pipelines prior to backfilling.
- After completion of works.
- As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to the endorsement of a Final Occupation Certificate.

(Reason: to demonstrate that subdivision works are completed in conformity with development consent conditions and to appropriate technical standards).

e) **Works as executed plans**

Upon completion of all civil construction work, Council shall be provided with one complete copy of the plans to which the Construction Certificate relates, clearly marked up to show all variations of the completed works from the approved design in regard to alignment, levels and other details of the works. These plans must show the location and depth of any filling placed on any lot. Works-as-executed plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer as a complete and accurate record of the subdivision work.

A complete record of all cadastral information, roads and stormwater drainage works for this development shall also be provided to Council in an electronic format.

The electronic / digital data must be suitable for inclusion in Council's Geographic Information System with a brief metadata description of the projection, survey control and layers.

The preferred format for this electronic/digital data is as follows:

- File format: AutoCAD DWG or DXF files.
- Map Projection: MGA94 Zone 55
- Map Layers: To delineate map data into subdivision, water, sewer and drainage.
- Survey Control: map point location and name or table format of control points showing name and coordinates used for survey.

Data will need to be resupplied if coordinates are not valid for the surveyed area.

The works as executed plans must be examined and accepted by Council's engineering staff prior to the endorsement of the Subdivision Certificate by the Principal Certifying Authority (Council).

(Reason: To ensure that Council holds complete records of civil engineering works being transferred to Council ownership).

**53. Extended maintenance responsibility**

The developer shall perform all works necessary to maintain all erosion and sediment control measures for this development to effectively control potential soil erosion, sedimentation and other environmental impacts until all civil construction work has been completed, stabilized and revegetated. Particular attention is required to the regular removal of accumulated material in sediment traps and water quality control ponds.

(Reason: to minimise the environmental impacts of this development.)

**54. Conditions to be satisfied prior to commencement of use subject to Council acceptance for Pit 3.**

The following matters shall be completed prior to the commencement of use of Pit 3 of this development:

These works shall be designed and constructed in conformity with Council's Technical Specifications (or other documents formally adopted by Council for the purpose of specifying standards for construction works) as current at the date of the approval of construction plans, and sound engineering practice:

One or more Compliance Certificates must evidence the satisfactory completion of these works. See below.

**Road works**

- a) construction of a **BAL intersection treatment** at the junction of the proposed entry to Pit 3 with Nullica Short Cut in conformity with the standards specified in the *Road Design Guide* published by the NSW Roads and Traffic Authority.

The left turn treatment is to be in accordance with a BAL treatment, figure 4.8.34. The gate or grid at the entrance to the property shall be indented a minimum of 20 metres from the edge of the through carriageway of Nullica Short Cut.

The design shall ensure that no water is directed onto the formation of the through roadway (Nullica Short Cut). The applicant will be required to provide suitable drainage, including structures if necessary, underneath the driveway. Drainage headwalls shall be located outside the Clear Zone of the roadway. The width of the Clear Zone must be in accordance with Section 3.7 of the RTA's Road Design Guide.

The applicant shall submit detailed engineering plans, including drainage, at a scale of 1:200 to Council to be assessed for approval.

(Reason: To provide an appropriate standard of access to the land and to accommodate the traffic likely to be generated by this development).

- b) Compliance Certificate(s) in relation to the **inspection and testing of all public works** associated with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must be obtained either from Council or from an Accredited Certifier to demonstrate that these works have been completed.

These public works must be inspected and tested either by Council's inspector, or by an Accredited Certifier at each of the following stages of construction to confirm compliance with the standards set out in the approved plans and specifications. Any inspection and testing performed by Accredited Certifiers shall be documented by Compliance Certificate(s) for those parts of the public work.

- after placement of all signs in accordance with the approved Traffic Control Plan.
- after stripping of topsoil from roads and fill areas, all Soil & Water Management Plan controls shall be in place at this stage.
- After completion of road subgrade.
- After placement and compaction of each layer of gravel pavement material.
- Prior to the application of bitumen seal or asphaltic concrete wearing surface.
- After laying and jointing of all stormwater pipelines prior to backfilling.
- After completion of works.
- As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to the endorsement of a Final Occupation Certificate.

(Reason: to demonstrate that subdivision works are completed in conformity with development consent conditions and to appropriate technical standards).

c) **Works as executed plans**

Upon completion of all civil construction work, Council shall be provided with one complete copy of the plans to which the Construction Certificate relates, clearly marked up to show all variations of the completed works from the approved design in regard to alignment, levels and other details of the works. These plans must show the location and depth of any filling placed on any lot. Works-as-executed plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer as a complete and accurate record of the subdivision work.

A complete record of all cadastral information, roads and stormwater drainage works for this development shall also be provided to Council in an electronic format.

The electronic / digital data must be suitable for inclusion in Council's Geographic Information System with a brief metadata description of the projection, survey control and layers.

The preferred format for this electronic/digital data is as follows:

- File format: AutoCAD DWG or DXF files.
- Map Projection: MGA94 Zone 55
- Map Layers: To delineate map data into subdivision, water, sewer and drainage.



- Survey Control: map point location and name or table format of control points showing name and coordinates used for survey.

Data will need to be resupplied if coordinates are not valid for the surveyed area.

The works as executed plans must be examined and accepted by Council's engineering staff prior to the endorsement of the Subdivision Certificate by the Principal Certifying Authority (Council).

(Reason: To ensure that Council holds complete records of civil engineering works being transferred to Council ownership).

**55. Extended maintenance responsibility**

The developer shall perform all works necessary to maintain all erosion and sediment control measures for this development to effectively control potential soil erosion, sedimentation and other environmental impacts until all civil construction work has been completed, stabilized and revegetated. Particular attention is required to the regular removal of accumulated material in sediment traps and water quality control ponds.

(Reason: to minimise the environmental impacts of this development.)

**Section 68 Approvals**

56. No approval is given under Section 68 of the Local Government Act 1993. A separate application install and construct a system of on-site sewage management under Section 68 of the Local Government Act 1993 must be submitted to Council for approval. A plumbing and drainage design plan is to be submitted with the application to Council.