

DRAFT CONDITIONS OF DEVELOPMENT CONSENT
Development Application DA12/0476

	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
1.	<p><u>Approved Plans and Documents</u></p> <p>The development shall be implemented substantially in accordance with the details and specifications set out on the Plan/Drawing No's. 600201-3001 to 3002 Revision 5, 600201-3003 Revision 6, 600201-3005 Revision 3, 600201-3006 Revision 6, 600201-3007 & 3008 Revision 2, 600201-3009 Revision 4, 10 Revision 3, 60021-3011 to 3014 Revision 5, 600201-3015 Revision 4, 60021-3016 Revision 5, 600201-3017 Revision 600201-3020 to 3023 Revision 3, 600201-3030, 3035 Revision 4, 60021-3037 Revision 3, 600201-3040 Revision 4, 600201-3050 Revision 600201-3055 Revision 4, 600201-3060, 3065 & 3066 Revision 5, 600201-3067 Revision 2, 600201-3070 Revision 2 600201-SK3001 Revision 2 and 600201-SK3002 Revision 1 prepared by Cardno and any details on the application form and on any supporting information received with the application except as amended by the conditions specified and imposed hereunder.</p> <p>Note 1: This development consent does not give approval to any form of gas ventilation system within the Don Lucas Reserve. If such a system is found to be required. a new development application is to be submitted for approval by Council.</p> <p>Note 2: Nothing in this development consent whatsoever approves or authorises the commencement or construction of any subdivision works.</p> <p>Note 3: Prior to the commencement of any subdivision work a 'Construction Certificate'¹ shall be obtained from Council or an Accredited Certifier.</p> <p>Note 4:</p>	<p><u>Approved Plans and Documents</u></p> <p>The development shall be implemented substantially in accordance with the details and specifications set out on the Plan/Drawing No's. 600201-3001 to 3002 Revision 5, 600201-3003 Revision 6, 600201-3005 Revision 3, 600201-3006 Revision 6, 600201-3007 & 3008 Revision 2, 600201-3009 Revision 4, 10 Revision 3, 60021-3011 to 3014 Revision 5, 600201-3015 Revision 4, 60021-3016 Revision 5, 600201-3017 Revision 600201-3020 to 3023 Revision 3, 600201-3030, 3035 Revision 4, 60021-3037 Revision 3, 600201-3040 Revision 4, 600201-3050 Revision 600201-3055 Revision 4, 600201-3060, 3065 & 3066 Revision 5, 600201-3067 Revision 2, 600201-3070 Revision 2, 600201-SK3001 Revision 2 and 600201-SK3002 Revision 1 prepared by Cardno and any details on the application form and on any supporting information received with the application except as amended by the conditions specified and imposed hereunder.</p> <p>Note 1: This development consent does not give approval to any form of gas ventilation system within the Don Lucas Reserve. If such a system is found to be required. a new development application is to be submitted for approval by Council <u>the consent authority</u>.</p> <p>Note 2: Nothing in this development consent whatsoever approves or authorises the commencement or construction of any subdivision works.</p> <p>Note 3: Prior to the commencement of any subdivision work a 'Construction Certificate' shall be obtained from Council or an Accredited Certifier.</p> <p>Note 4: As the development the subject of this consent involves the subdivision</p>

	<p>As the development the subject of this consent involves the subdivision of land and the issue of a subdivision certificate as defined under section 109E(2) of the Environmental Planning and Assessment Act 1979, please note that Sutherland Shire Council must be appointed as the Principal Certifying Authority for all Torrens Subdivision works.</p> <p>Note 5: Prior to any work being carried out relating to the development the subject of the consent, the person implementing the consent shall provide Council with:</p> <p>a) Notification of the appointment of a Principal Certifying Authority and a letter of acceptance from the Principal Certifying Authority.</p> <p>Notification of the commencement of building and/or subdivision works with a minimum of 2 days notice of such commencement.</p>	<p>of land and the issue of a subdivision certificate as defined under section 109E(2) of the Environmental Planning and Assessment Act 1979, please note that Sutherland Shire Council must be appointed as the Principal Certifying Authority for all Torrens Subdivision works.</p> <p>Note 5: Prior to any work being carried out relating to the development the subject of the consent, the person implementing the consent shall provide Council with:</p> <p>a) Notification of the appointment of a Principal Certifying Authority and a letter of acceptance from the Principal Certifying Authority.</p> <p>Notification of the commencement of building and/or subdivision works with a minimum of 2 days notice of such commencement.</p>
BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
2.	<u>Prescribed Conditions - General</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
3.	<u>Staged Development</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
4.	<p><u>Requirements of IDA Approval Authorities</u></p> <p>The development shall be conducted in accordance with all conditions of approval of the following Approval Authorities under Section 91A of the Environmental Planning and Assessment Act 1979:</p> <ul style="list-style-type: none"> Heritage Office Environmental Protection Authority NSW Office of Water (formerly Department of Water and Energy). 	Condition to be deleted.

	<ul style="list-style-type: none"> Rural Fire Service. <p>A copy of the requirements of the approval Authority is attached to this development consent. Suitable amendments shall be made to the proposed development in accordance with these requirements and these details shall be submitted to Council along with the Construction Certificate.</p>	
	BREEN COMMENTS	
	It is more appropriate to include the GTAs as consent conditions, and these have been at the end of this document.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
5.	<u>Approvals Required under Roads Act or Local Government Act</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
6.	<u>Pet Ownership</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
7.	<u>Site Access</u> No vehicles or machinery associated with the approved works are to access the site from Bate Bay Road.	<u>Site Access</u> No heavy construction vehicles or machinery associated with the approved works are to access the site from Bate Bay Road.
	BREEN COMMENTS	
	It is requested that light vehicles are permitted to access the site from Bate Bay Road. This is intended to allow site staff (10 vehicles maximum) to access a future site office to be located adjacent to Bate Bay Rd.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
8.	<u>Remediation Works</u>	Condition noted and accepted.

	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	Bonds and Contributions	Noted.
9.	<u>Public Place Environmental. Damage & Performance Security Bond</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
10.	<u>Public Liability Insurance</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	MATTERS RELATING TO THE ISSUE OF A CONSTRUCTION CERTIFICATE	Noted.
11.	<u>Design Changes Required</u> To reduce the environmental and/or ecological impact of the development proposal, the following design changes shall be implemented: <ul style="list-style-type: none"> a) The road narrowing and proposed contrasting pavement treatment and pedestrian crossing in Road No.2 at its northern intersection with Road No.1 shall be deleted. b) The eastern kerb blister in Road No.1 at its intersection with Road No.4 shall be removed to create a standard "T" intersection. c) Contrasting pavement treatments shall only be provided at the proposed one-way slow points on Roads 1 and 2 and the raised threshold north of the intersection of Roads 1 and 2. The blistered nature strip (footpath area) adjacent to either side of the contrasting pavement treatments shall be densely landscaped so as to prevent pedestrian movements onto and across the threshold/slowpoints. d) The length of the contrasting pavement at the one-way slowpoints shall be reduced by approximately 50% so as to be located between the built out blisters only. e) The proposed raised threshold at the intersection of Bate Bay Road and Road No.2 is to be redesigned so as to align with the 	<u>Design Changes Required</u> To reduce the environmental and/or ecological impact of the development proposal, the following design changes shall be implemented: <ul style="list-style-type: none"> a) The road narrowing and proposed contrasting pavement treatment and pedestrian crossing in Road No.2 at its northern intersection with Road No.1 shall be deleted. b) The eastern kerb blister in Road No.1 at its intersection with Road No.4 shall be removed to create a standard "T" intersection. c) Contrasting pavement treatments shall only be provided at the proposed one-way slow points on Roads 1 and 2 and the raised threshold north of the intersection of Roads 1 and 2. The blistered nature strip (footpath area) adjacent to either side of the contrasting pavement treatments shall be densely landscaped so as to prevent pedestrian movements onto and across the threshold/slowpoints. d) The length of the contrasting pavement at the one-way slowpoints shall be reduced by approximately 50% so as to be located between the built out blisters only. e) The proposed raised threshold at the intersection of Bate Bay Road and Road No.2 is to be redesigned so as to align with the

	<p>footpath allocation for Bate Bay Road to provide for direct pedestrian movements across the top of the threshold rather than being positioned within the development site. In this regard the threshold shall also act as a visual barrier to dissuade motorists from utilising Road No.2 to gain alternate access to the adjacent Australand development.</p> <p>f) To provide safe vehicle access while maintaining suitable amenity to the future property owners, proposed Lot 108 is to be accessed from its southernmost end.</p> <p>g) To reduce the visual and environmental impact of the landform and future dwellings:</p> <p>i) the proposed contours of the site shall be amended to those as shown in red on 600201-SK3001 Revision 2 as attached.</p> <p>ii) the land is to be graded to provide a relatively even slope between the contours as proposed in Condition 11(g)(i)</p> <p>iii) Despite Condition 11(g)(i), proposed Lots 138-142, 202-209 and 268-271 shall be graded within the first 6.0m from the front boundary line to achieve a maximum level difference of 750mm below the invert level of the kerb and gutter fronting the property.</p> <p>Details of these design changes shall accompany the Construction Certificate.</p>	<p>footpath allocation for Bate Bay Road to provide for direct pedestrian movements across the top of the threshold rather than being positioned within the development site. In this regard the threshold shall also act as a visual barrier to dissuade motorists from utilising Road No.2 to gain alternate access to the adjacent Australand development.</p> <p>f) To provide safe vehicle access while maintaining suitable amenity to the future property owners, proposed Lot 108 is to be accessed from its southernmost end.</p> <p>g) To reduce the visual and environmental impact of the landform and future dwellings:</p> <p>i) the proposed contours of the site shall be amended to those as shown in red on 600201-SK3001 Revision 2 as attached.</p> <p>ii) the land is to be graded to provide a relatively even slope between the contours as proposed in Condition 11(g)(i)</p> <p>iii) Despite Condition 11(g)(i), proposed Lots 138-142, 202-209 and 268-271 shall be graded within the first 6.0m from the front boundary line to achieve a maximum level difference of 750mm below the invert level of the kerb and gutter fronting the property.</p> <p>Details of these design changes shall accompany the Construction Certificate.</p>
	BREEN COMMENTS	
	<p>Refer to submission for discussion regarding proposed landform.</p> <p>In summary Council's proposed landform is unacceptable in terms of this additional economic and environmental impacts, namely:</p> <ul style="list-style-type: none"> ▪ an additional cost of between \$28-\$49 million; ▪ 13,000 additional truck movements; and ▪ an additional 36 weeks of construction related activity which would impact on the neighbouring school and residents. 	

	These impacts do not offset the purported 'gain' of a slightly lower ridgeline which would only result in a negligible visual impact.	
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12.	<p><u>Detailed Landscape Plan</u></p> <p>The detailed landscape plan for the residential area, taking into account information provided in the tree survey and arborist report, shall be prepared by an experienced Landscape Designer (a person eligible for membership of the Australian Institute of Landscape Designers and Managers) or Landscape Architect (a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect). The detailed landscape plan shall accord with the environmental and landscape aims of Sutherland Shire Council's <i>Greenhills Beach Development Control Code, Kurnell and Urban Tree and Bushland Policy</i>.</p> <p>The detailed landscape plan shall contain the following information clearly shown in plan, section and detail:</p> <p>(i) The proposed contours/levels, the road and footpath layout, kerbs and gutters, proposed driveway crossings, pram ramps, raised thresholds, road narrowings, underground services, fences, grass verges, mass planting beds, and trees and shrubs in grass including edging, staking and temporary protective measures for street trees.</p> <p>(ii) A detailed planting plan showing the following information:</p> <ul style="list-style-type: none"> • Street tree planting: • Street trees shall be of mixed species and sizes (large and small trees) irregularly planted in the verges, to achieve an informal bushland character in keeping the site's environmentally sensitive location in Kurnell - note that formal avenues of individual trees of single species are not acceptable. • On the side of the road where there is no footpath, trees shall be planted in loose clumps rather than rows, at centres varying between 600mm and 5m. 	<p><u>Detailed Landscape Plan</u></p> <p>The detailed landscape plan for the <u>landscaping of the public domain associated with the Precinct 1 roads and the Reserve Site being the small area of Lucas Reserve affected by the development</u> residential area, taking into account information provided in the tree survey and arborist report, shall be prepared by an experienced Landscape Designer (a person eligible for membership of the Australian Institute of Landscape Designers and Managers) or Landscape Architect (a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect). The detailed landscape plan shall accord with the environmental and landscape aims of Sutherland Shire Council's <i>Greenhills Beach Development Control Code, Kurnell and Urban Tree and Bushland Policy</i>.</p> <p>The detailed landscape plan shall contain the following information clearly shown in plan, section and detail:</p> <p>(i) The proposed contours/levels, the road and footpath layout, kerbs and gutters, proposed driveway crossings, pram ramps, raised thresholds, road narrowings, underground services, fences, grass verges, mass planting beds, and trees and shrubs in grass including edging, staking and temporary protective measures for street trees.</p> <p>(ii) A detailed planting plan showing the following information:</p> <ul style="list-style-type: none"> • Street tree planting: • Street trees shall be of mixed species and sizes (large and small trees) irregularly planted in the verges, to achieve an informal bushland character in keeping the site's environmentally sensitive location in Kurnell - note that formal avenues of individual trees of single species are not acceptable.

	<ul style="list-style-type: none"> Allow approximately three (3) trees (a minimum of two large trees and one small tree) per 15m length of road frontage. Note: only small trees, as listed, are suitable for the exposed ridge line and north east sloping area. Street trees shall provide adequate stopping sight distance compliant with the requirements of AUSTROADS and the proposed posted speed limit of 50km/hr. Dense massed plantings of low shrubs, grasses and ground covers at road narrowings. The proposed 3m wide landscaped buffer zone along the Captain Cook Drive frontage. The eastern most boundary with Don Lucas Reserve, including details of the fence and kerb along the boundary designed to prevent fertilisers, pesticides and weeds from the residences contaminating the revegetation area. Screen plantings of five (5) mixed indigenous small trees and tall shrubs (appropriate to the location as listed below) inside the drainage easement along the rear of each lot on the perimeter of the site adjoining Cronulla High School, the Australand development and Don Lucas Reserve. Small tree planting of mixed species to one side of the pedestrian laneways between Road No. 1 and Don Lucas Reserve/Bate Bay Road. Trees shall be planted at informal spacings centres between 3-5m. The proposed mass plantings between the footpath and front boundary of the lots. Plants are to be selected from the species listed below, according to the location, elevation and aspect of the trees proposed (trees suitable for street planting are underlined): Low lying land adjoining Cronulla High and near Captain Cook Drive - RL8m and lower <p>Trees <u>Anaoohora costata</u>. <u>Casuarina alauca</u>. <u>Cuoanioosis anacardioides</u> <u>Eucalyptus</u></p>	<ul style="list-style-type: none"> On the side of the road where there is no footpath, trees shall be planted in loose clumps rather than rows, at centres varying between 600mm and 5m. Allow approximately three (3) trees (a minimum of two large trees and one small tree) per 15m length of road frontage. Note: only small trees, as listed, are suitable for the exposed ridge line and north east sloping area. Street trees shall provide adequate stopping sight distance compliant with the requirements of AUSTROADS and the proposed posted speed limit of 50km/hr. Dense massed plantings of low shrubs, grasses and ground covers at road narrowings. The proposed 3m wide landscaped buffer zone along the Captain Cook Drive frontage. The eastern most boundary with Don Lucas Reserve, including details of the fence and kerb along the boundary designed to prevent fertilisers, pesticides and weeds from the residences contaminating the revegetation area. Screen plantings of five (5) mixed indigenous small trees and tall shrubs (appropriate to the location as listed below) inside the drainage easement along the rear of each lot on the perimeter of the site adjoining Cronulla High School, the Australand development and Don Lucas Reserve. Small tree planting of mixed species to one side of the pedestrian laneways between Road No. 1 and Don Lucas Reserve/Bate Bay Road. Trees shall be planted at informal spacings centres between 3-5m. The proposed mass plantings between the footpath and front boundary of the lots. Plants are to be selected from the species listed below, according to the location, elevation and aspect of the trees proposed (trees suitable for street planting are underlined): Low lying land adjoining Cronulla High and near Captain Cook Drive - RL8m and lower
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	<p><u>botrvoides. Eucalyptus robusta.</u></p> <p>Small trees <u>Banksia intearifolia subsp. Intearifolia.</u> <u>Glochidion ferdinandi. Melaleuca aricifolia.</u> <u>Acmena smithii</u></p> <p>Ground covers and Plants <i>Carpobrotus glaucescens, Dianella caerulea, Dianella congesta, Dichondra repens, Hibbertia scandens, Isolepis nodosus, Juncus usitatus, Lomandra longifolia, Scaevola calendulacea.</i></p> <p>• Sloping hind dune areas (land oriented North to West) between RL 18m and 8m - Kurnell Dune Forest</p> <p>Trees <u>Anaophora costata. Cupaniopsis anacardioides.</u></p> <p>Small trees <u>Banksia intearifolia subsp. Intearifolia.</u> <u>Glochidion ferdinandi. Kunzea ambigua, Leptospermum laevigatum, Melaleuca armillaris. Monotoca elliptica.</u></p> <p>Shrubs <i>Acacia longifolia subsp. sophorae, Baeckea imbricate, Banksia ericifolia, Breynia oblongifolia, Correa alba, Notelaea longifolia, Pelargonium australe, Phebalium squamulosum, Westringia fruticosa.</i></p> <p>Ground covers and Tufted Plants <i>Carpobrotus glaucescens, Dianella caerulea, Dianella congesta, Dichondra repens, Hibbertia scandens, Lomandra longifolia, Scaevola calendulacea.</i></p>	<p>Trees <u>Anaophora costata. Casuarina alauca.</u> <u>Cuoanioosis anacardioides Eucalyptus botrvoides. Eucalyptus robusta.</u></p> <p>Small trees <u>Banksia intearifolia subsp. Intearifolia.</u> <u>Glochidion ferdinandi. Melaleuca aricifolia.</u> <u>Acmena smithii</u></p> <p>Ground covers and Plants <i>Carpobrotus glaucescens, Dianella caerulea, Dianella congesta, Dichondra repens, Hibbertia scandens, Isolepis nodosus, Juncus usitatus, Lomandra longifolia, Scaevola calendulacea.</i></p> <p>• Sloping hind dune areas (land oriented North to West) between RL 18m and 8m - Kurnell Dune Forest</p> <p>Trees <u>Anaophora costata. Cupaniopsis anacardioides.</u></p> <p>Small trees <u>Banksia intearifolia subsp. Intearifolia.</u> <u>Glochidion ferdinandi. Kunzea ambigua, Leptospermum laevigatum, Melaleuca armillaris. Monotoca elliptica.</u></p> <p>Shrubs <i>Acacia longifolia subsp. sophorae, Baeckea imbricate, Banksia ericifolia, Breynia oblongifolia, Correa alba, Notelaea longifolia, Pelargonium australe, Phebalium squamulosum, Westringia fruticosa.</i></p> <p>Ground covers and Tufted Plants <i>Carpobrotus glaucescens, Dianella caerulea, Dianella congesta, Dichondra repens, Hibbertia scandens, Lomandra longifolia, Scaevola calendulacea.</i></p>
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<p>• Exposed foredune areas on the ridge and facing sea (land oriented North East to South) - RL24m to RL 14m - Coastal Foredune Wattle Scrub</p> <p>Small trees <i>Banksia intearifolia subsp. Intearifolia.</i> <i>Melaleuca armillaris. Leptospermum laevigatum, Monotoca elliptica.</i></p> <p>Shrubs <i>Acacia longifolia subsp. sophorae,</i> <i>Allocasuarina distyla, Breynia oblongifolia,</i> <i>Correa alba, Leucopogon parviflorus,</i> <i>Pelargonium australe, Rhagodia candolleana,</i> <i>Westringia fruticosa.</i></p> <p>Ground covers and Tufted Plants <i>Carpobrotus glaucescens, Dianella caerulea, Dianella congesta, Lomandra longifolia, Scaevola calenduiacea.</i></p> <p>The Landscape Designer or Landscape Architect shall provide written certification to the Accredited Certifier that the Detailed Landscape Plan has been prepared having regard to the requirements of this consent. This certification and the Detailed Landscape Plan shall be submitted to the Accredited Certifier for approval prior to the issue of the Construction Certificate.</p>	<p style="text-align: right;"><i>Scaevola calenduiacea.</i></p> <p>• Exposed foredune areas on the ridge and facing sea (land oriented North East to South) - RL24m to RL 14m - Coastal Foredune Wattle Scrub</p> <p>Small trees <i>Banksia intearifolia subsp. Intearifolia.</i> <i>Melaleuca armillaris. Leptospermum laevigatum, Monotoca elliptica.</i></p> <p>Shrubs <i>Acacia longifolia subsp. sophorae,</i> <i>Allocasuarina distyla, Breynia oblongifolia,</i> <i>Correa alba, Leucopogon parviflorus,</i> <i>Pelargonium australe, Rhagodia candolleana,</i> <i>Westringia fruticosa.</i></p> <p>Ground covers and Tufted Plants <i>Carpobrotus glaucescens, Dianella caerulea, Dianella congesta, Lomandra longifolia, Scaevola calenduiacea.</i></p> <p>The Landscape Designer or Landscape Architect shall provide written certification to the Accredited Certifier Principal Certifying Authority that the Detailed Landscape Plan has been prepared having regard to the requirements of this consent. This certification and the Detailed Landscape Plan shall be submitted to the Accredited Certifier for approval prior to the issue of the Construction Certificate.</p>
BREEN COMMENTS	
<p>The design of the landscaping was undertaken by a highly experienced and respected Landscape Practice, Clouston Associates. The applicant worked extensively with Clouston to realise its vision for the estate as a premium, elegant but relaxed residential development. Key to this vision is an element of formality in the landscaping proposal in the form of more regular spacing of the selected species.</p> <p>Following review and consideration of the Greenhills Beach DCC and the Kurnell and Urban Tree and Bushland Policy as it applies to the site, Clouston Associates made the following comments in relation to Council's detailed landscaping design conditions:</p>	

	<ul style="list-style-type: none"> ▪ The proponent maintains that the proposed landscaping proposal is in fact appropriate to the site's location and future built form. Council has noted that its design requirements will “help create a more relaxed and informal character that is more suitable for a beachside development”. The proponent submits that this is not the case and there is no merit based reasoning to justify the requested redesign of the landscaping proposal. In design development, the applicant will amend some of its nominated species to reflect the Council’s proposed species list, despite the proponent’s strong belief that these are not all suitable given the imported soil profile. ▪ The proponent maintains that 3 trees per 15 metre lot frontage is excessive, particularly when compared to similar new housing subdivisions and the neighbouring Greenhills Beach development. ▪ The proponent maintains that 600mm between trees is poor specification and leads to unsatisfactory tree health and reduced life expectancy. Multi stemmed trees may be possible, but these do not generally lend themselves well to street environments. ▪ Council has suggested screen plantings along the rear of each lot on the perimeter of the site. This design amendment will interfere with drainage lines proposed and has no regard to the proposed layout or landscaping concept of a future residential dwelling. This condition is not practical or appropriate at this stage of development, however these principles may be considered during the preparation and assessment of the future development applications for individual dwellings. <p>It should be noted that this DA only seeks consent for landscaping of the public domain associated with Precinct 1 roads. Thus the consent conditions should only deal with that.</p>
	<div>REVISED DRAFT CONDITIONS OF COUNCIL</div> <div>AMENDED CONDITION AS PROPOSED BY BREEN</div>
13.	<div> <u>Design and Construction of Works in Public Areas</u> Council has determined that the proposed development generates a need for the following works to be undertaken by the Applicant in the Road Reserve: <ul style="list-style-type: none"> a) A temporary concrete footpath crossing incorporating shaker pad and wheel wash bay for construction vehicle access. b) Road pavement construction. c) Stormwater drainage work. d) Removal of all redundant layback crossings and reconstruction with integral concrete kerb and gutter. e) Construction of 150mm concrete barrier kerb and gutter across the full frontage of the site in Captain Cook Drive. f) A layback crossing at the access points including within mountable kerb, such to be no closer than 6 metres to the intersection of adjacent roads. g) Construction of a combined cycleway/footpath across the full </div> <div> <u>Design and Construction of Works in Public Areas</u> Council has determined that the proposed development generates a need for the following works to be undertaken by the Applicant in the Road Reserve: <ul style="list-style-type: none"> a) A temporary concrete footpath crossing incorporating shaker pad and wheel wash bay for construction vehicle access. b) Road pavement construction. c) Stormwater drainage work. d) Removal of all redundant layback crossings and reconstruction with integral concrete kerb and gutter. e) Construction of 150mm concrete barrier kerb and gutter across the full frontage of the site that directly addresses in Captain Cook Drive. f) A layback crossing at the access points including within mountable kerb, such to be no closer than 6 metres to the intersection of adjacent roads. </div>

<p>frontage of the site in Captain Cook Drive.</p> <ul style="list-style-type: none"> h) Regrading, topsoiling and turfing of the footpath area to final design levels across the full frontage of and within the site and across adjacent properties where existing levels are altered and to all disturbed areas. i) Provision of conduits for the future undergrounding of public utility services, cable television and communications cables across the full frontage of the site. j) Erosion and sediment controls. k) Provision of street landscaping and tree planting as specified by Council. l) Adjustment to public services infrastructure where appropriate or required by the applicable service provider. m) Provision of pedestrian kerb ramps at intersections. n) Provision of linemarking and signposting as detailed on Council's design plan. o) Street lighting. p) Street name signs, traffic advisory and regulatory signs and linemarking as required. q) Pedestrian kerb ramps at intersections. <p><u>An application under the Roads Act, together with the necessary fee, shall be submitted and alignment levels shall be issued by Council prior to the issue of a Construction Certificate. Approval under the Roads Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval may result in enforcement action by Council.</u></p> <p>Survey and design plans for the above works shall be prepared by Council's Engineering Division and issued by Council's Civil Assets Manager. A fee quotation may be obtained by submitting a "Detailed Frontage Design" application to Council. The application form can be obtained from Council's web site.</p>	<ul style="list-style-type: none"> g) Construction of a combined cycleway/footpath across the full frontage of the site that directly addresses in Captain Cook Drive. h) Regrading, topsoiling and turfing of the footpath area to final design levels across the full frontage of and within the site and across adjacent properties where existing levels are altered and to all disturbed areas. i) Provision of conduits for the future undergrounding of public utility services, cable television and communications cables across the full frontage of the site. j) Erosion and sediment controls. k) Provision of street landscaping and tree planting as specified by Council. l) Adjustment to public services infrastructure where appropriate or required by the applicable service provider. m) Provision of pedestrian kerb ramps at intersections. n) Provision of linemarking and signposting as detailed on Council's design plan. o) Street lighting. p) Street name signs, traffic advisory and regulatory signs and linemarking as required. q) Pedestrian kerb ramps at intersections. <p><u>An application under the Roads Act, together with the necessary fee, shall be submitted and alignment levels shall be issued by Council prior to the issue of a Construction Certificate. Approval under the Roads Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval may result in enforcement action by Council.</u></p> <p>Survey and design plans for the above works shall be prepared by Council's Engineering Division and issued by Council's Civil Assets Manager. A fee quotation may be obtained by submitting a "Detailed Frontage Design" application to Council. The application form can be obtained from Council's web site.</p>
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BREEN COMMENTS		
	Proposed minor amendment clarifies that the applicable frontage of the site is only where it directly addresses Captain Cook Drive, and not the full extent from Trinity Street to Elouera Road.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
14.	<p><u>Site Management Plan</u></p> <p>An Environmental Site Management Plan shall accompany any Construction Certificate. This plan shall satisfy the Objectives and Controls in Sutherland Shire Environmental Site Management Plan Development Control Plan and shall address the following:</p> <ol style="list-style-type: none"> What actions and works are to be employed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, and the like. the proposed method of loading and unloading excavation machines, building materials. Areas within the site to be used for the storage of excavated material, construction materials and waste containers during demolition / construction. How it is proposed to ensure that material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways. The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be certified by a Certifier accredited in civil engineering. The provision of temporary fencing to secure the work site (fencing, hoarding or awnings over public land require Council approval under the Roads Act). The control of surface water flows within and through the construction site to minimise erosion and movement of sediment off site. The control of air born dust for all aspects of the proposed works. 	<p><u>Site Management Plan</u></p> <p>An Environmental Site Management Plan shall accompany any application for a Construction Certificate. This plan shall satisfy the Objectives and Controls in Sutherland Shire Environmental Site Management Plan Development Control Plan and shall address the following:</p> <ol style="list-style-type: none"> What actions and works are to be employed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, and the like. the proposed method of loading and unloading excavation machines, building materials. Areas within the site to be used for the storage of excavated material, construction materials and waste containers during demolition / construction. How it is proposed to ensure that material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways. The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be certified by a civil engineer as being appropriate Certifier accredited in civil engineering. The provision of temporary fencing to secure the work site (fencing, hoarding or awnings over public land require Council approval under the Roads Act). The control of surface water flows within and through the construction site to minimise erosion and movement of sediment off site.

	<p>i) The type and location of erosion and sediment control measures, strategies to minimise the amount of soil uncovered at any time, the conservation of topsoil for re-use on site, the location and protection of stockpiles.</p> <p>j) Identify all trees that are to be retained and the measures proposed to protect them (including fencing, mulching, watering, erection of signs excluding access to the protection zone, etc), and identify areas for revegetation.</p> <p><i>Note: The footpath and road reserve shall not be used for construction purposes (including storage of skips or building materials, standing cranes or concrete pumps, erecting hoardings, or as a construction zone) unless prior approval has been granted by Council under the Roads Act 1993.</i></p>	<p>h) The control of air born dust for all aspects of the proposed works.</p> <p>i) The type and location of erosion and sediment control measures, strategies to minimise the amount of soil uncovered at any time, the conservation of topsoil for re-use on site, the location and protection of stockpiles.</p> <p>j) Identify all trees that are to be retained and the measures proposed to protect them (including fencing, mulching, watering, erection of signs excluding access to the protection zone, etc), and identify areas for revegetation.</p> <p><i>Note: The footpath and road reserve shall not be used for construction purposes (including storage of skips or building materials, standing cranes or concrete pumps, erecting hoardings, or as a construction zone) unless prior approval has been granted by Council under the Roads Act 1993.</i></p>
BREEN COMMENTS		
	Minor procedural amendment proposed.	
REVISED DRAFT CONDITIONS OF COUNCIL		AMENDED CONDITION AS PROPOSED BY BREEN
15.	<p><u>Vegetation Management Plan (VMP)</u></p> <p>In order to ensure the retention, restoration and revegetation of the subject site, a Vegetation Management Plan (VMP) shall be prepared and submitted to Sutherland Shire Council for approval prior to the issue of a Construction Certificate.</p> <p>The VMP shall address the revegetation and ongoing management of vegetation within the following management zones -</p> <p>a) The Don Lucas Reserve b) The Proposed Infiltration Basin</p> <p>The VMP must include (but not necessarily be limited to) the following two phases relating to vegetation management:</p>	<p><u>Vegetation Management Plan (VMP)</u></p> <p>In order to ensure the retention, restoration and revegetation of the <u>Reserve Site (being the small area of Don Lucas Reserve affected by the development and the Proposed Infiltration Basin)</u>, subject site a Vegetation Management Plan (VMP) shall be prepared and submitted to <u>the Principal Certifying Authority</u> Sutherland Shire Council for approval prior to the issue of a Construction Certificate.</p> <p>The VMP shall address the revegetation and ongoing management of vegetation within the following management zones -</p> <p>a) The Don Lucas Reserve b) The Proposed Infiltration Basin</p> <p>The VMP must include (but not necessarily be limited to) the following</p>

<p><u>Establishment Phase:</u></p> <ul style="list-style-type: none"> • A figure/ plan showing the above two management zones on the site; The exact location of vegetation to be removed and retained on the site as part of the development proposal; • Details of revegetation works, including a list of species to be utilised during replanting on site (including species appropriate for the different management zones as detailed below); • Planting densities and species mix for replanting (as detailed below) • Specific landscaping treatments in each zone (e.g. fuel management, mulching, soil and stormwater management - which must ensure no adverse impacts on vegetation areas); • Clearly defined vegetation protection areas (including exact location of trees and vegetation to be retained and removed), provided on a plan; • Vegetation and tree protection measures to be employed in vegetation protection areas, as well as activities that are permitted to take place in these areas; • Species identification and location of all weeds on site, and management techniques for the control of each. <p>a) Don Lucas Reserve</p> <p>This area must be revegetated with suitable indigenous Coastal Foredune Species utilising (at a minimum) the species listed below. If any of the listed species cannot be sourced, they must be replaced with another suitable species.</p> <p>The following densities must be utilised -1 tree per 3m², 2 shrubs per 1m² and 3 groundcovers per 1m².</p> <p>Small Trees <i>Acacia longifolia</i> subsp. <i>sophorae</i>, <i>Leptospermum laevigatum</i>, <i>Banksia integrifolia</i> subsp. <i>integrifolia</i>, <i>Monotoca elliptica</i> Shrubs <i>Leucopogon</i></p>	<p>two phases relating to vegetation management:</p> <p><u>Establishment Phase:</u></p> <ul style="list-style-type: none"> • A figure/ plan showing the above two management zones on the site; The exact location of vegetation to be removed and retained on the site as part of the development proposal; • Details of revegetation works, including a list of species to be utilised during replanting on site (including species appropriate for the different management zones as detailed below); • Planting densities and species mix for replanting (as detailed below) • Specific landscaping treatments in each zone (e.g. fuel management, mulching, soil and stormwater management - which must ensure no adverse impacts on vegetation areas); • Clearly defined vegetation protection areas (including exact location of trees and vegetation to be retained and removed), provided on a plan; • Vegetation and tree protection measures to be employed in vegetation protection areas, as well as activities that are permitted to take place in these areas; • Species identification and location of all weeds on site, and management techniques for the control of each. <p>a) Don Lucas Reserve</p> <p>This area must be revegetated with suitable indigenous Coastal Foredune Species utilising (at a minimum) the species listed below. If any of the listed species cannot be sourced, they must be replaced with another suitable species.</p> <p>The following densities must be utilised -1 tree per 3m², 2 shrubs per 1m² and 3 groundcovers per 1m².</p> <p>Small Trees <i>Acacia longifolia</i> subsp. <i>sophorae</i>,</p>
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	<p><i>parviflorus, Breynia oblongifolia, Rhagodia candolleana</i> Ground Covers <i>Spinifex sericeus, Carpobrotus glaucescens, Ficinia nodosa, Pelargonium australe, Dianella congesta, Dichondra repens, Scaevola calendulaecea</i></p> <p>b) Proposed Infiltration Basin</p> <p>This area must be revegetated with suitable wetland species selected from the NSW Office of Environment and Heritage Final Determination for Freshwater Wetlands found at http://www.environment.nsw.gov.au/determinations/SydneyFreshwaterWetlandsSydneyEndComListing.htm</p> <p>Revegetation of this area should be designed in accordance with the guidelines outlined on pages 15 and 16 within the Sutherland Shire Indigenous Plants Guide found at http://www.sutherlandshire.nsw.gov.au/Environment/Plants/Indigenous_Plants_Guide and include a variety of trees/shrubs and groundcovers at a density justified by the Bush Regenerator/ Ecologist.</p> <p><u>Maintenance Phase:</u></p> <ul style="list-style-type: none"> • Specific management timeframes, performance monitoring and maintenance, and links to performance measures as well as expected outcomes and responses. • Specific management responsibilities. • Any other habitat management or improvement measures deemed suitable for the site. <p>The VMP shall be prepared by an appropriately qualified and experienced bush regenerator/ecologist.</p>	<p><i>Leptospermum laevigatum, Banksia integrifolia</i> subsp. <i>integrifolia, Monotoca elliptica</i> Shrubs <i>Leucopogon parviflorus, Breynia oblongifolia, Rhagodia candolleana</i> Ground Covers <i>Spinifex sericeus, Carpobrotus glaucescens, Ficinia nodosa, Pelargonium australe, Dianella congesta, Dichondra repens, Scaevola calendulaecea</i></p> <p>b) Proposed Infiltration Basin</p> <p>This area must be revegetated with suitable wetland species selected from the NSW Office of Environment and Heritage Final Determination for Freshwater Wetlands found at http://www.environment.nsw.gov.au/determinations/SydneyFreshwaterWetlandsSydneyEndComListing.htm</p> <p>Revegetation of this area should be designed in accordance with the guidelines outlined on pages 15 and 16 within the Sutherland Shire Indigenous Plants Guide found at http://www.sutherlandshire.nsw.gov.au/Environment/Plants/Indigenous_Plants_Guide and include a variety of trees/shrubs and groundcovers at a density justified by the Bush Regenerator/ Ecologist.</p> <p><u>Maintenance Phase:</u></p> <ul style="list-style-type: none"> • Specific management timeframes, performance monitoring and maintenance, and links to performance measures as well as expected outcomes and responses. • Specific management responsibilities. • Any other habitat management or improvement measures deemed suitable for the site. <p>The VMP shall be prepared by an appropriately qualified and experienced bush regenerator/ecologist.</p>
BREEN COMMENTS		
	Minor procedural amendment proposed.	

	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
16.	<u>Pavement Design</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
17.	<u>Detailed Tree Survey</u> A detailed survey shall be prepared by a Registered Surveyor. This survey is to show: <ul style="list-style-type: none"> i) All existing trees with a trunk diameter greater than 150mm within a 10m wide strip on the school side of the boundary with Cronulla High School and the school oval. ii) All trees within proposed Lots 102 to 108 and the verge along Captain Cook Drive proposed to be impacted by the development shall also be surveyed. The survey shall detail the tree centre, canopy spread and existing level at the base of the tree. The survey is to be submitted and approved by Council along with the detailed landscape plan.	<u>Detailed Tree Survey</u> A detailed survey shall be prepared by a Registered Surveyor. This survey is to show: <ul style="list-style-type: none"> i) All existing trees with a trunk diameter greater than 150mm within a 10m wide strip on the school side of the boundary with Cronulla High School and the school oval. ii) All trees within proposed Lots 102 to 108 and the verge along Captain Cook Drive proposed to be impacted by the development shall also be surveyed. The survey shall detail the tree centre, canopy spread and existing level at the base of the tree. The survey is to be submitted and approved by Council <u>to the Principal Certifying Authority</u> along with the detailed landscape plan.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
18.	<u>Arborist Report</u> A detailed arborist report is to be prepared for all trees with a trunk diameter of greater than 150mm on site and on adjoining land that are affected by the construction works. The arborist report is to be submitted and approved by Council along with the Detailed Landscape Plan.	<u>Arborist Report</u> A detailed arborist report is to be prepared for all trees with a trunk diameter of greater than 150mm on site and on adjoining land that are affected by the construction works. The arborist report is to be submitted and approved by Council <u>to the Principal Certifying Authority</u> along with the Detailed Landscape Plan.

BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
19.	<u>Retaining Structure within Don Lucas Reserve</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
20.	<u>Nomination of Engineering Works Supervisor</u> Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately accredited certifier to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's current "Specification for Civil Works Associated with Subdivisions and Developments". The engineer shall: <ul style="list-style-type: none"> a) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with: <ul style="list-style-type: none"> i) all relevant statutory requirements; ii) all relevant conditions of development consent; iii) construction requirements detailed in the above Specification; and iv) the requirements of all legislation relating to environmental protection; b) on completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval; and c) certify that the Works As Executed plans are a true and correct record of what has been built. 	<u>Nomination of Engineering Works Supervisor</u> Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately qualified engineer accredited certifier to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's current "Specification for Civil Works Associated with Subdivisions and Developments". The engineer shall: <ul style="list-style-type: none"> d) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with: <ul style="list-style-type: none"> v) all relevant statutory requirements; vi) all relevant conditions of development consent; vii) construction requirements detailed in the above Specification; and viii) the requirements of all legislation relating to environmental protection; e) on completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval; and certify that the Works As Executed plans are a true and correct record of what has been built.

BREEN COMMENTS		
	Minor procedural amendment proposed.	
REVISED DRAFT CONDITIONS OF COUNCIL		AMENDED CONDITION AS PROPOSED BY BREEN
	Public Utility Authorities Requirements These conditions are imposed to avoid problems in servicing the development and reduce adverse impacts on the lot layout or the design of buildings or associated facilities.	
21.	<u>Public Utilities - Subdivision</u>	Condition noted and accepted.
REVISED DRAFT CONDITIONS OF COUNCIL		AMENDED CONDITION AS PROPOSED BY BREEN
22.	<u>Sydney Water - Notice of Requirements</u> Prior to the issue of a Subdivision Certificate the applicant shall obtain a Notice of Requirements under the Sydney Water Act 1994, Part 6 Division 9 from Sydney Water and submit the Notice to the Council.	<u>Sydney Water - Notice of Requirements</u> Prior to the issue of the Construction Certificate relating to the Infrastructure Works a Subdivision Certificate , the applicant shall obtain a Notice of Requirements under the Sydney Water Act 1994, Part 6 Division 9 from Sydney Water and submit the Notice to the Council.
BREEN COMMENTS		
	Minor procedural amendment proposed.	
REVISED DRAFT CONDITIONS OF COUNCIL		AMENDED CONDITION AS PROPOSED BY BREEN
23.	<u>Stormwater Drainage</u> The stormwater drainage for this development proposal shall be designed and constructed in accordance with the approved stormwater drainage design drawing and associated report and calculations, except where modified by the following: <ul style="list-style-type: none"> a) The drainage system is to be designed around a tailwater level of 0.9 metres AHD to allow for Sea Level Rise. b) The design shall be supported by a catchment area plan and drainage calculations (including a Hydraulic Grade Line Analysis). 	<u>Stormwater Drainage</u> The stormwater drainage for this development proposal shall be designed and constructed in accordance with the approved stormwater drainage design drawing and associated report and calculations, except where modified by the following: <ul style="list-style-type: none"> a) The drainage system is to be designed around a tailwater level of 0.9 metres AHD to allow for Sea Level Rise. b) The design shall be supported by a catchment area plan and drainage calculations (including a Hydraulic Grade Line Analysis).

<p>c) Detail layout of the drainage system showing existing and proposed pipe sizes, type, class, grades, lengths, invert levels, finished surface levels and location of all pipes with levels reduced to Australian Height Datum.</p> <p>d) Reduce the extent of pipelines being located within the proposed road carriageways.</p> <p>e) Relocate the proposed pipeline within Trinity Street such that it is retained under the kerb line to a greater extent and not be located within the mid portion of the nature strip (footpath area) to the west of proposed Lot 105.</p> <p>f) Locate the alignment of all existing public utility services, cable network services and the like within the footpath areas of Captain Cook Drive and Elouera Road to ensure there is no conflict between the proposed stormwater drainage pipelines and the alignment of the proposed kerb / gutter.</p> <p>g) Relocate the proposed Gross Pollutant Traps within Captain Cook Drive to provide adequate and safe access for maintenance.</p> <p>h) The Passive Aquifer Recharge Basin (Infiltration Basin) shall be redesigned to provide a more natural system by replacing the stepped sandstone boulder edging with a sloped natural batter to be planted. This design shall ensure the following:</p> <ul style="list-style-type: none"> • The maximum depth of water in the basin shall be 300mm. • The required volume of infiltration is retained. <p>i) A drainage depression shall be provided for the full width and length of the drainage easements that facilitate the overland escape flow of stormwater. The escape route shall be designed to have the capacity to carry the difference between a 1 in 100 year flow and half the flow in the pipeline within the easement.</p> <p>Certification from an Accredited Certifier or a Chartered Civil Engineer, to the effect that the stormwater drainage and infiltrations system design has been prepared having regard to the conditions of development consent, shall accompany the application for the Construction Certificate.</p>	<p>c) Detail layout of the drainage system showing existing and proposed pipe sizes, type, class, grades, lengths, invert levels, finished surface levels and location of all pipes with levels reduced to Australian Height Datum.</p> <p>d) Reduce the extent of pipelines being located within the proposed road carriageways.</p> <p>e) Relocate the proposed pipeline within Trinity Street such that it is retained under the kerb line to a greater extent and not be located within the mid portion of the nature strip (footpath area) to the west of proposed Lot 105.</p> <p>f) Locate the alignment of all existing public utility services, cable network services and the like within the footpath areas of Captain Cook Drive and Elouera Road to ensure there is no conflict between the proposed stormwater drainage pipelines and the alignment of the proposed kerb / gutter.</p> <p>g) Relocate the proposed Gross Pollutant Traps within Captain Cook Drive to provide adequate and safe access for maintenance.</p> <p>h) The Passive Aquifer Recharge Basin (Infiltration Basin) shall be redesigned to provide a more natural system by replacing the stepped sandstone boulder edging with a sloped natural batter to be planted. This design shall ensure the following:</p> <ul style="list-style-type: none"> • The maximum depth of water in the basin shall be 300mm. • The required volume of infiltration is retained. <p>i) A drainage depression shall be provided for the full width and length of the drainage easements that facilitate the overland escape flow of stormwater. The escape route shall be designed to have the capacity to carry the difference between a 1 in 100 year flow and half the flow in the pipeline within the easement.</p> <p>Certification from an Accredited Certifier or a Chartered Civil Engineer, to the effect that the stormwater drainage and infiltrations system design has been prepared having regard to the conditions of development consent, shall accompany the application for the Construction Certificate.</p>
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	Certification from an Accredited Certifier or a bush regenerator/ecologist, to the effect that the infiltration system has been prepared having regard to the conditions of development consent, shall accompany the application for the Construction Certificate.	Certification from an Accredited Certifier or a bush regenerator/ecologist, to the effect that the infiltration system has been prepared having regard to the conditions of development consent, shall accompany the application for the Construction Certificate.
	BREEN COMMENTS	
	Clause (e) requires unnecessary road reconstruction works to recently completed infrastructure (Trinity Street), therefore it is proposed to delete this condition.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	PRE-COMMENCEMENT CONDITIONS	Noted.
24.	<u>Pre-Commencement- Notification Requirements</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
25.	<p><u>Pre-commencement Inspection</u></p> <p>A pre-commencement meeting is to be convened by the Applicant on-site a minimum 5 days prior to any demolition and/or construction activity and between the hours of 8.00 am and 4.30 pm Monday to Friday. Prior to this meeting the relevant sections of the Environmental Site Management Plan (ESMP) must be implemented. The meeting must be attended by a representative of Council's Civil Assets Branch, the Principal Certifying Authority, the builder/site manager of the building/civil construction company and where necessary the supervising engineer. The attendance of the owner is required when it is intended to use more than one builder/principal contractor throughout the course of construction.</p> <p>The purpose of the meeting is to:</p> <p>i) Inspect the implementation of relevant sections of the ESMP such as safe passage for pedestrians, the installation of sediment and erosion controls, hoardings, Work and Hoarded Zones;</p>	<p><u>Pre-commencement Inspection</u></p> <p>A pre-commencement meeting is to be convened by the Applicant on-site a minimum 5 days prior to any demolition and/or construction activity and between the hours of 8.00 am and 4.30 pm Monday to Friday. Prior to this meeting the relevant sections of the Environmental Site Management Plan (ESMP) must be implemented. The meeting must be attended by a representative of Council's Civil Assets Branch, the Principal Certifying Authority, the builder/site manager of the building/civil construction company and where necessary the supervising engineer. The attendance of the owner is required when it is intended to use more than one builder/principal contractor throughout the course of construction.</p> <p>The purpose of the meeting is to:</p> <p>i) Inspect the implementation of relevant sections of the ESMP such as safe passage for pedestrians, the installation of sediment and erosion controls, hoardings, Work and Hoarded Zones;</p> <p>ii) Check the installation and adequacy of all traffic management</p>

	<ul style="list-style-type: none"> ii) Check the installation and adequacy of all traffic management devices; iii) Discuss/explain any sections of the development consent that may require clarification or elaboration; iv) Confirm that a Construction Certificate has been issued where necessary and all Council fees paid; v) Vet the compliance of any special/specific conditions of consent; vi) Confirm that the supervising engineer has a copy of Council's Specification for Civil Works Associated with Subdivisions and Developments - January 1996; and, vii) Confirm that the builder/site manager/principal contractor has a copy of the Sutherland Shire Development Control Plan 2006 and Environmental Specification 2007. 	<ul style="list-style-type: none"> iii) devices; iii) Discuss/explain any sections of the development consent that may require clarification or elaboration; iv) Confirm that a Construction Certificate has been issued where necessary and all Council fees paid; v) Vet the compliance of any special/specific conditions of consent; vi) Confirm that the supervising engineer has a copy of Council's Specification for Civil Works Associated with Subdivisions and Developments - January 1996; and, vii) Confirm that the builder/site manager/principal contractor has a copy of the Sutherland Shire Development Control Plan 2006 and Environmental Specification 2007.
BREEN COMMENTS		
	Condition amended as the Sutherland Shire Development Control Plan 2006 does not apply to the site.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
26.	<u>Signs to be Erected Sites</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
27.	<u>Appointment of a Supervising Arborist</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
28.	<u>Detailed remediation plan</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
29.	<u>Dilapidation Reports</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	CONSTRUCTION CONDITIONS	Noted.
30.	<u>Permitted Hours for Building and Demolition Work</u>	Condition noted and accepted.

	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
31.	<u>Site Safety</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
32.	<u>Imported 'Waste Derived' Fill Material</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
33.	<u>Support for Neighbouring Buildings. Stormwater Drainage Systems and Fences</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
34.	<u>Protection of Public Places</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
35.	<u>Noise Control during Construction and Demolition</u> To minimise the impact on the surrounding environment the LAeq sound pressure level measured over a period of 15 minutes when the construction or demolition site is in operation, shall not exceed the ambient background level (LA90 15min) by more than 10dB(A) when measured at the nearest affected premises.	<u>Noise Control during Construction and Demolition</u> To minimise the impact on the surrounding environment the LAeq sound pressure level measured over a period of 15 minutes when the construction or demolition site is in operation <u>should</u> shall not exceed the ambient background level (LA90 15min) by more than 10dB(A) when measured at the nearest affected premises. <u>In accordance with the Interim Construction Noise Guideline (DECC, 2009), where the predicted or measured 15 min LAeq is greater than this management level, the developer will apply all feasible and reasonable work practices to meet the level. They must also inform all potentially impacted residents and neighbouring school of the nature of the works, expected noise levels and duration.</u>

	BREEN COMMENTS	
	Condition amended to reflect the Interim Construction Noise Guideline (DECC, 2009)	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
36.	<u>Vibration Damage</u> To minimise vibration damage and loss of support to the buildings in close proximity, a geotechnical engineer's report shall be prepared detailing constraints to be placed on earthmoving plant and equipment and the method of any excavation, shoring etc. This report shall accompany the Construction Certificate and a copy shall be provided to the Principal Certifying Authority.	<u>Vibration Damage</u> To minimise vibration damage and loss of support to the buildings in close proximity, a geotechnical engineer's report shall be prepared detailing constraints to be placed on earthmoving plant and equipment and the method of any excavation, shoring etc. This report shall accompany the application for a Construction Certificate and a copy shall be provided to the Principal Certifying Authority.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
37.	<u>Environment Protection and Management</u> The environment protection and management measures described in the required Environmental Site Management Plan (including sediment controls and tree protection) shall be installed or implemented prior to commencement of any site works and continuously maintained during the period of construction or demolition. These measures shall generally be in accordance with the requirements the Sutherland Shire Environmental Specification 2007 - Environmental Site Management.	<u>Environment Protection and Management</u> The pre-construction environment protection and management measures described in the required Environmental Site Management Plan (including sediment controls and tree protection) shall be installed or implemented prior to commencement of any site works and continuously maintained during the period of construction or demolition. These measures shall generally be in accordance with the requirements the Sutherland Shire Environmental Specification 2007 - Environmental Site Management.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
38.	<u>Run-off and Erosion Controls</u> Run-off and erosion controls shall be installed prior to commencement of	<u>Run-off and Erosion Controls</u> Run-off and erosion controls shall be installed prior to commencement of

	<p>any site works and shall be continuously maintained during the period of construction or demolition. These control measures shall generally be in accordance with the requirements of the Sutherland Shire Environmental Specification 2007 - Environmental Site Management and shall specifically address the following matters:</p> <ul style="list-style-type: none"> a) diversion of uncontaminated runoff around cleared or disturbed areas; b) a silt fence or other device to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways; c) controls to prevent tracking of sediment by vehicles onto adjoining roadways and public areas; and d) disturbed areas shall be stabilised either temporarily or permanently by the use of turf, mulch, paving or other methods approved by the Council. 	<p>any site works and shall be continuously maintained during the period of construction or demolition. These control measures shall generally be in accordance with the requirements of Sutherland Shire Environmental Site Management Development Control Plan and the Sutherland Shire Environmental Specification 2007 - Environmental Site Management and shall specifically address the following matters:</p> <ul style="list-style-type: none"> a) diversion of uncontaminated runoff around cleared or disturbed areas; b) a silt fence or other device to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways; c) controls to prevent tracking of sediment by vehicles onto adjoining roadways and public areas; and d) disturbed areas shall be stabilised either temporarily or permanently by the use of turf, mulch, paving or other methods approved by the Council.
BREEN COMMENTS		
	Condition amended as the Sutherland Shire Environmental Site Management Development Control Plan does not apply to the site.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
39.	<p><u>Construction of Public Frontage Works</u></p> <p>The following road frontage works shall be constructed in accordance with the requirements of Council's adopted "Specification for Civil Works Associated with Subdivisions and Developments":</p> <ul style="list-style-type: none"> a) A temporary concrete footpath crossing incorporating vehicle shaker pad/s and wheel wash bay for construction vehicle access. b) Road pavement construction. c) Drainage. d) Demolition of existing kerb and gutter at the proposed point/s of access and replacement with a concrete layback crossing. f) Removal of all redundant layback crossings and reconstruction with integral concrete kerb and gutter. A layback crossing at the access points including within 	<p><u>Construction of Public Frontage Works</u></p> <p>The following road frontage works shall be constructed in accordance with the requirements of Council's adopted "Specification for Civil Works Associated with Subdivisions and Developments":</p> <ul style="list-style-type: none"> a) A temporary concrete footpath crossing incorporating vehicle shaker pad/s and wheel wash bay for construction vehicle access. b) Road pavement construction. c) Drainage. d) Demolition of existing kerb and gutter at the proposed point/s of access and replacement with a concrete layback crossing. f) Removal of all redundant layback crossings and reconstruction with integral concrete kerb and gutter. A layback crossing at the access points including within mountable

	<p>mountable kerb, such to be no closer than 6 metres to the intersection of adjacent roads..</p> <p>g) Regrading, topsoiling and turfing of the footpath area to final design levels across the full frontage of the site and across adjacent properties if required.</p> <p>h) Provision of pedestrian kerb ramps at intersections.</p> <p>i) Construction of a combined cycleway/footpath across the full frontage of the site in Captain Cook Drive.</p> <p>j) Erosion and sediment controls.</p> <p>k) Street Lighting.</p> <p>l) Street name signs, traffic advisory and regulatory signs and linemarking as required.</p> <p>Permission shall be obtained for the carrying out of the proposed works, under the Roads Act, 1993 prior to the commencement of works or the issue of a Construction Certificate.</p>	<p>kerb, such to be no closer than 6 metres to the intersection of adjacent roads..</p> <p>g) Regrading, topsoiling and turfing of the footpath area to final design levels across the full frontage of the site and across adjacent properties if required.</p> <p>h) Provision of pedestrian kerb ramps at intersections.</p> <p>i) Construction of a combined cycleway/footpath across the full frontage of the site in Captain Cook Drive.</p> <p>j) Erosion and sediment controls.</p> <p>k) Street Lighting.</p> <p>l) Street name signs, traffic advisory and regulatory signs and linemarking as required.</p> <p>Permission shall be obtained for the carrying out of the proposed works, under the Roads Act, 1993 prior to the commencement of works or the issue of a Construction Certificate.</p>
	BREEN COMMENTS	
	Not applicable to Bate Bay Road frontage (street lighting is existing and proposed to be retained) . Not applicable to Captain Cook Drive frontage as this is only 70m long with an existing street lighting also proposed to be retained.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
40.	<u>Disposal of Site Soils</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
41.	<u>Fill Material - Don Lucas Reserve</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
42.	<u>Green and Golden Bell Frog Habitat</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	Landscaping Requirements	Noted.

43.	<u>Street Planting</u> Provide street tree planting with a minimum pot size of 25 litres and a temporary tree guard in a mulched and edged landscape area within the road reserve in accordance with the detailed landscape plan and details as approved by Council as per conditions of consent. The trees shall be maintained until they reach a diameter of 100mm measured at 500mm above ground level or for two (2) years after dedication to Council, whichever comes first.	<u>Street Planting</u> Provide street tree planting with a minimum pot size of 25 litres and a temporary tree guard in a mulched and edged landscape area within the road reserve in accordance with the detailed landscape plan and details as approved by Council as per conditions of consent. The trees shall be maintained until they reach a diameter of 100mm measured at 500mm above ground level or for two (2) years after dedication to Council, whichever comes first.
BREEN COMMENTS		
	Condition amended to reflect proposed changes to landscaping.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
44.	<u>Landscape Treatment of Infiltration Basin</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
45.	<u>Tree Retention and Protection</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
46.	<u>Section 73 Compliance Certificate</u> A Compliance Certificate under s73 of the Sydney Water Act, 1994, shall be submitted to Council by the Principal Certifying Authority prior to the issue of the Subdivision Certificate. Sydney Water may require the construction of works and/or the payment of developer charges. <i>Advice from Sydney Water: An application must be made through an authorised Water Servicing Coordinator For details see the Sydney Water web site at www.svdnevwater.com.au/customer/urban/index or by telephone</i>	<u>Section 73 Compliance Certificate</u> A Compliance Certificate under s73 of the Sydney Water Act, 1994, shall be submitted to Council by the Principal Certifying Authority prior to the issue of the <u>a Compliance Certificate for the Infrastructure Works.</u> Sydney Water may require the construction of works and/or the payment of developer charges.

	<p>13 20 92.</p> <p>Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/ sewer extensions can be time consuming and may impact on other services as well as building, driveway or landscaping design.</p>	<p><i>Advice from Sydney Water:</i> <i>An application must be made through an authorised Water Servicing Coordinator For details see the Sydney Water web site at www.svdnevwater.com.au/customer/urban/index or by telephone</i></p> <p>13 20 92.</p> <p>Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/ sewer extensions can be time consuming and may impact on other services as well as building, driveway or landscaping design.</p>
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
47.	<u>Works As Executed Information</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
48.	<p><u>Works As Executed Drawings</u></p> <p>Certification shall be provided from the supervising engineer acting as an Accredited Certifier, to the effect that:</p> <p>a) All civil engineering and stormwater works associated with development have been carried out in accordance with the terms of the development consent, the approved engineering drawings and, in the case of public works, Council's "Specifications for Civil Works associated with Subdivisions and Developments".</p> <p>The construction of the drainage system for the proposed development has been carried out generally in accordance with the requirements of the approved stormwater drainage plans, Council's stormwater management policy and guidelines and Council's On- site Detention Policy and has been</p>	<p><u>Works As Executed Drawings</u></p> <p>Certification shall be provided from the supervising engineer acting as an Accredited Certifier, to the effect that:</p> <p>a) All civil engineering and stormwater works associated with development have been carried out in accordance with the terms of the development consent, the approved engineering drawings and, in the case of public works, Council's "Specifications for Civil Works associated with Subdivisions and Developments".</p> <p>The construction of the drainage system for the proposed development has been carried out generally in accordance with the requirements of the approved stormwater drainage plans, Council's stormwater management policy and guidelines and Council's On- site Detention Policy and has been</p>

	carried out in order that stormwater runoff downstream is not increased as a result of the development and that all assumptions made during the design remain valid. Works-as-Executed drawings certified in the above manner and containing all relevant information as required by Council's "Specification for Civil Works Associated with Subdivisions and Developments" shall accompany the Subdivision / Occupation Certificate.	carried out in order that stormwater runoff downstream is not increased as a result of the development and that all assumptions made during the design remain valid. Works-as-Executed drawings certified in the above manner and containing all relevant information as required by Council's "Specification for Civil Works Associated with Subdivisions and Developments" shall accompany the Subdivision / Occupation Certificate. <u>any application for a Compliance Certificate</u>
BREEN COMMENTS		
	Minor procedural amendment proposed. The wording of the standard condition is not relevant to the proposed development which includes augmentation of an existing wetland.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
49.	<u>Statutory Site Audit Statement</u> The Statutory Site Audit Statement which includes disposal receipts for materials (both soil and water) disposed of off-site and all groundwater monitoring results, shall be submitted to Council within three (3) months of the completion of remedial works and site validation.	<u>Statutory Site Audit Statement</u> <u>An application for a</u> The Statutory Site Audit Statement <u>shall be made to the Accredited Site Auditor</u> which includes disposal receipts for materials (both soil and water) disposed of off-site and all groundwater monitoring results, shall be submitted to <u>the Auditor</u> Council within <u>one</u> three (3) months of the completion of remedial works and site validation. <u>A copy of the Site Audit Statement shall be provided to the Principal Certifying Authority and the Council within 7 days of receipt from the Auditor.</u>
BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	Need for Certification To ensure that all works are completed in accordance with the Development Consent, certification from an Accredited Certifier shall accompany the Subdivision Certificate, to the effect that the following works have been completed.	Need for Certification To ensure that all works are completed in accordance with the Development Consent, certification from <u>the identified persons</u> an Accredited Certifier shall <u>be provided to the Principal Certifying Authority</u> accompany the Subdivision Certificate, to the effect <u>certifying</u>

		that the following works have been completed.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
50.	<u>Certification - Ground Lines</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
51.	<u>General Compliance</u> Certification shall be submitted from the Principal Certifying Authority certifying that all works have been completed and comply with the approved plans, conditions and specifications.	<u>General Compliance</u> <u>On completion of all works, the Principal Certifying Authority shall issue a Compliance Certificate</u> Certification shall be submitted from the Principal Certifying Authority certifying that all works have been completed and comply with the approved plans, conditions and specifications.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
52.	<u>Works in Roadway</u> A Compliance Certificate from an Accredited Certifier certifying that all works undertaken within the road reserves have been completed in accordance with the conditions of the Road Opening Approval and the approved design plans.	Condition to be deleted.
	BREEN COMMENTS	
	This condition is superfluous as the works are addressed by condition 51. Therefore, the condition is to be deleted.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
53.	<u>Completion of Landscaping</u> Certification shall be provided from a suitably qualified and experienced Landscape Designer or Landscape Architect within three months after the issue of the Subdivision Certificate for the superlots. This Certification	<u>Completion of Landscaping</u> Certification shall be provided from a suitably qualified and experienced Landscape Designer or Landscape Architect within three months after the issue of the <u>Compliance Certificate relating to the completion of the</u>

	<p>shall verify that the landscape works have been completed to the stage of practical completion in accordance with the approved detailed landscape plan and relevant conditions of this consent.</p> <p>Note: A Landscape Designer is a person eligible for membership of the Australian Institute of Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.</p>	<p><u>Landscaping Works</u> Subdivision Certificate for the superlots. This Certification shall verify that the landscape works have been completed to the stage of practical completion in accordance with the approved detailed landscape plan and relevant conditions of this consent.</p> <p>Note: A Landscape Designer is a person eligible for membership of the Australian Institute of Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.</p>
BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
54.	<p><u>Completion of Vegetation Management</u></p> <p>Certification shall be provided from a suitably qualified and experienced Bush Regenerator / Horticulturalist within three months after the issue of the Subdivision Certificate for the superlots. This Certification shall verify that the establishment phase of the vegetation management works have been completed in accordance with the approved Vegetation Management Plan (VMP) and relevant conditions of this consent.</p> <p>Regular Monitoring reports shall be submitted to the Director - Environmental Services - Sutherland Shire Council certifying that the required maintenance works are being carried out in accordance with the approved VMP.</p> <p><i>Note: A Bush Regenerator is a person eligible for membership of the Australian Association of Bush Regenerators and a Horticulturalist is a person eligible for membership of the Australian Institute of Horticulture.</i></p>	<p><u>Completion of Vegetation Management</u></p> <p>Certification shall be provided from a suitably qualified and experienced Bush Regenerator / Horticulturalist within three months after the issue of the <u>Compliance Certificate relating to the completion of the Landscaping Works</u> Subdivision Certificate for the superlots. This Certification shall verify that the establishment phase of the vegetation management works have been completed in accordance with the approved Vegetation Management Plan (VMP) and relevant conditions of this consent.</p> <p>Regular Monitoring reports shall be submitted to the Director - Environmental Services - Sutherland Shire Council certifying that the required maintenance works are being carried out in accordance with the approved VMP.</p> <p><i>Note: A Bush Regenerator is a person eligible for membership of the Australian Association of Bush Regenerators and a Horticulturalist is a person eligible for membership of the Australian Institute of Horticulture.</i></p>

BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
55.	<u>Stormwater Treatment</u> Certification shall be provided from an Accredited Certifier prior to the issue of the subdivision certificate for the development verifying that the stormwater treatment measure and positive covenant have been implemented in accordance with the requirements of this condition.	<u>Stormwater Treatment</u> Certification shall be provided from the Principal Certifying Authority an Accredited Certifier prior to the issue of the Compliance Certificate relating to the completion of the Stormwater Works subdivision certificate for the development verifying that the stormwater treatment measure and positive covenant have been implemented in accordance with the requirements of this condition consent .
BREEN COMMENTS		
	Minor procedural amendment proposed. It is appropriate that that the positive covenant be implemented with the subdivision to create residential lots.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
56.	<u>Final Site Inspection</u> Prior to the issue of the Subdivision Certificate for the approved superlots, a final site inspection relating to the public area shall be arranged by the applicant, and shall be undertaken by the applicant's Supervising Engineer and Council's Civil Assets Engineer. The purpose of the inspection is to ensure that notwithstanding the submission of any certificates required by the development consent, all impacts within the public area caused by the development have been satisfactorily addressed. <i>Note: An inspection fee shall be paid to Council. Please refer to Sutherland Shire Council's Adopted Schedule of Fees and Charges.</i>	<u>Final Site Inspection</u> Prior to the issue of the Compliance Certificate Subdivision Certificate for the approved superlots , a final site inspection relating to the public area shall be arranged by the applicant, and shall be undertaken by the applicant's Supervising Engineer and Council's Civil Assets Engineer. The purpose of the inspection is to ensure that notwithstanding the submission of any certificates required by the development consent, all impacts within the public area caused by the development have been satisfactorily addressed. <i>Note: An inspection fee shall be paid to Council. Please refer to Sutherland Shire Council's Adopted Schedule of Fees and Charges.</i>

BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
	Subdivision Plan Requirements	Noted.
57.	<u>Linen Plan of Subdivision to Conform with Development Consent</u> The Linen Plan of Subdivision shall conform with Council's Development Consent No.12/0476 and all relevant conditions thereunder.	<u>Linen Plan of Subdivision to Conform with Development Consent</u> The Linen Plan of Subdivision for the six super lots shall conform with Council's Development Consent No.12/0476 and all relevant conditions thereunder.
BREEN COMMENTS		
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
58.	<u>Drainage Easements - Subdivision</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
59.	<u>Interlot Drainage Lines - Subdivision</u>	Condition noted and accepted.
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
60.	<u>Positive Covenant - Stormwater Infiltration</u> A positive covenant shall be created on the title of the property pursuant to Section 88E of the Conveyancing Act, 1919 as amended with respect to then provision and maintenance of the stormwater infiltration system. The location and extent of the infiltration system shall be delineated on the Linen Plan of Subdivision. The covenant shall burden all property owners within this development with respect to maintenance. The registered proprietor(s) of the property(s) thereby burdened shall covenant with Sutherland Shire Council and its successors not to alter or modify the stormwater infiltration facility except as permitted by this development.	<u>Positive Covenant - Stormwater Infiltration</u> <u>Following the registration of the plan of subdivision of the relevant residential lots that utilise the stormwater infiltration system, a</u> positive covenant shall be created on the title of the property properties pursuant to Section 88E of the Conveyancing Act, 1919 as amended with respect to then provision and maintenance of the stormwater infiltration system. The location and extent of the infiltration system shall be delineated on the relevant Linen Plan of Subdivision for the affected lots. The covenant shall burden <u>those properties that discharge stormwater into the stormwater infiltration system</u> all property owners within this

		development with respect to maintenance. The registered proprietor(s) of the property(s) thereby burdened shall covenant with Sutherland Shire Council and its successors not to alter or modify the stormwater infiltration facility except as permitted by Council this development.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	REVISED DRAFT CONDITIONS OF COUNCIL	AMENDED CONDITION AS PROPOSED BY BREEN
61.	<u>Endorsement of Linen Plans of Subdivision by Council</u> To facilitate the issue of the Plan of Subdivision, following completion of the requirements detailed in the conditions of this Development Consent and the issue of the Subdivision Certificate by Council, a film and eight (8) paper copies of the Plan of Subdivision shall be submitted to Council together with the Instrument (in duplicate) under Section 88B of the Conveyancing Act, where required for ultimate lodgement at the Land Titles Office.	<u>Endorsement of Linen Plans of Subdivision by Council</u> To facilitate the issue of the Plan of Subdivision for the six super lots following completion of the requirements detailed in the conditions of this Development Consent and the issue of the Subdivision Certificate by Council, a film and eight (8) paper copies of the Plan of Subdivision shall be submitted to Council together with the Instrument (in duplicate) under Section 88B of the Conveyancing Act, where required for ultimate lodgement at the Land Titles Office.
	BREEN COMMENTS	
	Minor procedural amendment proposed.	
	GENERAL TERMS OF APPROVAL	
	NSW RURAL FIRE SERVICE	
62.	A 10 metre asset protection zone (APZ) is to be provided from the eastern boundary within Lot(s) 146-152 of proposed of the development. In accordance with section 88B of the 'Conveyancing Act 1919' a restriction to the land use shall be placed on these lots requiring the provision of this APZ which shall be maintained as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. This restriction can be extinguished if the hazard is removed as part of the proposal.	
63.	Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.	
64.	Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.	

	NSW ENVIRONMENT PROTECTION AUTHORITY
65.	<p>Except as expressly provided by these GTA, works and activities must be carried out in accordance with the proposal contained in:</p> <p>a) the development application DA No 12/0476 received by the EPA on 16 August 2012</p> <p>b) Statement of Environmental Effects titled Shearwater Landing Greenhills Beach Staged Residential Subdivision dated May 2012 relating to the development; and</p> <p>c) all additional documents supplied to the EPA in relation to the development.</p>
66.	The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the POEO Act 1997 having regard to the matters in Section 83 of that Act.
67.	<p>If consent is granted the Environment Protection Licence (EPL) when issued would permit the carrying out of the following scheduled activities listed below at the premises specified in Condition 4:</p> <p>Scheduled Activity: Contaminated Soil Treatment</p>
68.	<p>Section 56 of the PO EO Act 1997 states: The premises so specified are to be the whole of the premises at which the activities authorised or controlled by the licence (and ancillary activities) are carried on. Premises may be so specified whether or not they comprise a single allotment of land.</p> <p>Note: The information provided with the application for an EPL must be in the form of official documentation such as a copy of the development consent, lease agreement or a rates notice. A map titled "Premises Covered by EPL " defining premises by shaded areas can accompany the description which is submitted with the application for EPL. The map must be clear in terms of where responsibility of the proponent starts and finishes, including structures, roadways etc.</p>
69.	Discharges to air and water and applications to land Information supplied with the application for EPL will be used to inform any monitoring and/or the setting of limits for air, water and noise emissions from any point at the premises.
70.	<p>Except as may be expressly in the EPL the proponent must comply with Section 120 of the <i>POEO Act 1997</i> and must not pollute waters.</p> <p>Note: Water limit conditions may be placed on the EPL based on information supplied with the EPL Application.</p>
71.	<p>The proponent must not cause or permit the emission of offensive odour beyond the boundary of the premises.</p> <p>Note: Section 129 of the <i>POEO Act 1997</i> provides that the proponent must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</p>
72.	<p>Activities at the premises must be carried out in a competent manner. This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>
73.	<p>All plant and equipment installed at the premises or used in connection with activities at the premises:</p> <p>a) must be maintained in a proper and efficient condition; and</p>

	b) must be operated in a proper and efficient manner.
74.	<p>The proponent must develop and implement a stormwater management plan (SMP) for the premises prior to the commencement of works. The plan must be prepared by a suitably qualified person. The plan must include but not necessarily be limited to the following:</p> <ul style="list-style-type: none"> a) the identification of measures to separate stormwater and contaminated stormwater b) options to minimise the generation of contaminated stormwater c) details of stormwater management at the site in accordance with the Landcom Managing Urban Stormwater Soils and Construction Vol 1 d) details of contaminated stormwater management at the site. Contaminated stormwater must be collected and managed in a manner that does not cause pollution of surface or ground waters e) details of stormwater and contaminated stormwater monitoring programs including frequency and parameters to be measured; and f) details of any contingency measures for the management of collected stormwater and contaminated stormwater if monitoring reveals unacceptable levels of pollutants that may cause water pollution. <p>The plan must be developed in consultation with the EPA. A copy of this SMP must be included as supporting information for an EPL Application. Information from this SMP will inform whether any additional requirements on the EPL will be required.</p> <p>Note: For the purpose of this condition "Contaminated Stormwater" are those waters that come in contact with exposed areas of contaminated soils.</p>
75.	Any activities occurring on the premises must be carried out in a manner that will minimise or prevent dust emissions from the site, including wind-blown and traffic-generated dust.
76.	The proponent must ensure that trafficable routes and areas are clearly defined and stabilised.
77.	The proponent must ensure that the loads of all trucks leaving the site are securely fixed and covered.
78.	The proponent must ensure that all vehicles leaving the site pass through a wheel-wash facility.
79.	<p>All stockpiling, sorting and screening of the fill material must be undertaken in a fully enclosed building designed, operated and maintained to ensure activities are not carried out in an unacceptable manner.</p> <p>Note: The only external stockpiling of material permitted on the premises is clean validated soil.</p>
80.	<p>The proponent must prepare and implement an Air Quality Management Plan for the project prior to any works commencing at the site. The plan must be prepared by a suitably qualified person. The plan must include but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) the best practice air quality management measures that will be implemented at the site to prevent any dust or air quality issues that includes but not limited to the following: <ul style="list-style-type: none"> i) staging of activities at the site to reduce exposed areas contingency measures to manage any odorous materials uncovered during excavation works . ii) operate at all times when weather conditions are conducive to dust generation are present or are predicted, including at times outside normal working hours when the premises may be unattended, on weekends or holidays iii) operate so that performance of any system is not compromised as a result of varying heights of stockpiles iv) operate so that the performance of the dust suppression system is not compromised as a result of varying wind speeds and low humidity

	<ul style="list-style-type: none"> v) be integrated with a fully automated high wind early warning management system vi) operate so that there is adequate water supply for dust suppression vii) maintained in a condition that minimises wind blown dust emissions from all sealed and unsealed surfaces intended to carry vehicular traffic; and viii) revegetation and stabilisation strategies of exposed areas of the site. <p>b) the measures that would be implemented to ensure compliance with all relevant air quality goals</p> <p>c) monitoring methods, location and reporting requirements; and</p> <p>d) a real-time Air Quality Management System (AQMS) that employs both reactive and proactive mitigation measures linked to an onsite meteorological weather station to evaluate the performance of the project. It must also include a protocol for determining and managing any exceedances of all relevant air quality goals and compliance with any conditions of licence; and</p> <p>e) procedures for ongoing review of the effectiveness of the monitoring strategies, AQMS and air quality management measures.</p> <p>The plan must be developed in consultation with the EPA. A copy of this plan must be included as supporting information for an EPL Application. Information from this plan will inform whether any additional requirements on the EPL will be required.</p>
81.	<p>The proponent must prepare and implement a detailed Construction Noise Management Plan (CNMP) prior to commencement of construction activities that includes but is not necessarily limited to:</p> <ul style="list-style-type: none"> a) identification of each work area, site compound and access route located to minimise noise impact on potentially affected sensitive receivers b) identification of construction work times developed in consultation with the School and other potentially affected sensitive receivers, including scheduling of activities across the site to minimise noise impact c) identification of the specific activities that will be carried out and associated noise sources at the premises and access routes d) identification of all potentially affected sensitive receivers e) the construction noise and vibration objectives identified in accordance with the NSW Interim Construction Noise Guideline and Assessing Vibration: A Technical Guideline f) assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (e) g) where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts. h) description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of noise control barriers i) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity j) measures to monitor noise performance and respond to complaints <p>The plan must be developed in consultation with the EPA. A copy of this plan must be included as supporting information for an EPL Application. Information from this plan will inform whether any additional requirements on the EPL will be required.</p>
82.	<p>All waste (both excavated and from on-site demolition works) must be removed from the site, except soil, concrete, brick and tile waste that:</p> <ul style="list-style-type: none"> a) does not contain asbestos; and b) can be reinstated in accordance with the Remediation Action Plan and to the approval of the Accredited Site Auditor.

83.	<p>The proponent must ensure that all waste generated is assessed and classified in accordance with the Waste Classification Guidelines, Department of Environment Climate Change and Water, 2009.</p> <p>The proponent must ensure that the waste is transported to a facility that can lawfully receive the waste.</p>
84.	The proponent must ensure that all excavated waste containing organic material is removed from the site within 72 hours of excavation.
85.	The proponent must ensure that asbestos contaminated waste is handled in accordance with the requirements in Clause 42 of the PO EO (Waste) Regulation 2005.
86.	<p>The proponent must ensure activities are not carried out at the site in an environmentally unsatisfactory manner.</p> <p>Note: "Environmentally unsatisfactory manner" is defined in Section 95 of the <i>POEO Act</i>. That is an activity is carried on in an environmentally unsatisfactory manner if:</p> <ul style="list-style-type: none"> (a) it is carried on in contravention of, or in a manner that is likely to lead to a contravention of, the <i>POEO Act</i> and its regulations or a condition attached to an environment protection licence (including a condition of a surrender of a licence) or an exemption given under this Act or the regulations, or (b) it causes, or is likely to cause, a pollution incident, or (c) it is not carried on by such practicable means as may be necessary to prevent, control or minimise pollution, the emission of any noise or the generation of waste, or (d) it is not carried on in accordance with good environmental practice.
87.	<p>The proponent must develop and implement an environmental management system for the site prior to undertaking any works at the premises that addresses the following matters. These include but not necessarily limited to the following :</p> <ul style="list-style-type: none"> a) Contingency plan to manage any unintended or unpredicted impacts b) Measures to address any environmental emergencies c) Awareness training of employees and contractors of their environmental obligations d) Communication strategies that involves reporting of any incidents and outcomes of monitoring to appropriate regulatory authorities (ARA) and the local community e) Compliance strategies to conditions and management plan requirements are being satisfied; and f) Complaint handling systems that provides a 24 hour contact for the community and ARAs.
88.	The proponent must maintain, develop and implement an Emergency Response Plan (EMR) for the premises. The proponent must keep the EMR on the premises at all times. The EMR must document systems and procedures to deal with all types of incidents (for example, spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.
89.	The results of any monitoring required to be conducted by these GTA must be recorded and retained as set out in this condition.
90.	<p>All records required to be kept by these GTA must be:</p> <ul style="list-style-type: none"> a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least four years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.

91.	The following records must be kept in respect of any samples required to be collected for the purposes of these GT A: a) the date(s) on which the sample was taken b) the time(s) at which the sample was collected c) the point at which the sample was taken; and d) the name of the person who collected the sample.																																													
92.	<p>The proponent must install a real time meteorological weather station prior to the commencement of any works at the site. The weather station must be established and maintained on site so as to be capable of continuously monitoring the parameters specified in the table below.</p> <table><tr><th>Parameter</th><th>Units of measure</th><th>Averaging Period</th><th>Frequency</th><th>Method</th></tr><tr><td>Wind Speed @ 10 m</td><td>m/s</td><td>15 minutes</td><td>Continuous</td><td>AM-2 &AM-4</td></tr><tr><td>Wind Direction @ 10 m</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td><td>AM-2 & AM-4</td></tr><tr><td>Sigma Theta @ 10 m</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td><td>AM-2 &AM-4</td></tr><tr><td>Temperature @ 2 m</td><td>Degrees C</td><td>15 minutes</td><td>Continuous</td><td>AM-2 & AM-4</td></tr><tr><td>Temperature @ 10 m</td><td>Degrees C</td><td>15 minutes</td><td>Continuous</td><td>AM-4</td></tr><tr><td>Solar Radiation</td><td>W/m²</td><td>15 minutes</td><td>Continuous</td><td>AM-4</td></tr><tr><td>Rainfall</td><td>Mm</td><td>1 hour</td><td>Continuous</td><td>AM-4</td></tr><tr><td>Siting</td><td>NA</td><td>NA</td><td>NA</td><td>AM-2 & AM-4</td></tr></table> <p>Note 1: NSW EPA, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</p>	Parameter	Units of measure	Averaging Period	Frequency	Method	Wind Speed @ 10 m	m/s	15 minutes	Continuous	AM-2 &AM-4	Wind Direction @ 10 m	Degrees	15 minutes	Continuous	AM-2 & AM-4	Sigma Theta @ 10 m	Degrees	15 minutes	Continuous	AM-2 &AM-4	Temperature @ 2 m	Degrees C	15 minutes	Continuous	AM-2 & AM-4	Temperature @ 10 m	Degrees C	15 minutes	Continuous	AM-4	Solar Radiation	W/m ²	15 minutes	Continuous	AM-4	Rainfall	Mm	1 hour	Continuous	AM-4	Siting	NA	NA	NA	AM-2 & AM-4
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93.	<p>The proponent must develop and implement an Asbestos Monitoring Program prior to any works commencing on the site. This program must be prepared by a qualified hygienist or other suitably qualified professional. The plan must include details of the ambient monitoring to be conducted over the duration of the project. The plan must detail the type, location and frequency of monitoring to be undertaken, trigger levels and trigger level actions and notification protocols. This plan must be developed in consultation with NSW Health and WorkCover.</p> <p>A copy of this plan must be included as supporting information for an EPL Application. Information from this plan will inform whether any additional requirements on the EPL will be required.</p>																																													
94.	Requirements for monitoring of pollutants discharged from the premises may be specified based on information provided with the application for EPL.																																													
95.	The proponent must keep a legible record of all complaints made to the proponent or any employee or agent of the proponent in relation to pollution arising from any activity to which the EPL applies.																																													

96.	<p>The record must include details of the following:</p> <ul style="list-style-type: none"> a) the date and time of the complaint b) the method by which the complaint was made c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect d) the nature of the complaint e) the action taken by the proponent in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the proponent, the reasons why no action was taken.
97.	The record of a complaint must be kept for at least four years after the complaint was made.
98.	The record must be produced to any authorised officer of the EPA who asks to see them.
99.	The proponent must operate during its operating hours, a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the Premises or by the vehicle or mobile plant, unless otherwise specified in the EPL.
100.	The proponent must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
101.	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of the EPL. Do not complete the Annual Return until after the end of the reporting period.</p>
102.	<p>Where the EPL is transferred from the proponent to a new licensee:</p> <ul style="list-style-type: none"> a) the transferring body must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>
103.	<p>Where this licence is surrendered by the proponent or revoked by the EPA or Minister, the proponent must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <ul style="list-style-type: none"> a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
104.	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
105.	The proponent must retain a copy of the Annual Return supplied to the EPA for a period of at least four years after the Annual Return was due to be supplied to the EPA.

106.	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
107.	A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.
108.	Notifications must be made by telephoning the Environment Line service on 131 555.
109.	The proponent must provide written details of the notification to the EPA within seven days of the date on which the incident occurred. Note: The proponent or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the POEO Act 1997.
110.	Where an authorised officer of the EPA suspects on reasonable grounds that: a) an event has occurred at the premises; or b) with respect to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by the EPL, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the EPL applies), the authorised officer may request a written report of the event.
111.	The proponent must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
112.	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event b) the type, volume and concentration of every pollutant discharged as a result of the event c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event d) the name, address and business hours telephone number of every other person (of whom the proponent is aware) who witnessed the event, unless the proponent has been unable to obtain that information after making reasonable effort e) action taken by the proponent in relation to the event, including any follow-up contact with any complainants f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.
113.	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the proponent. The proponent must provide such further details to the EPA within the time specified in the request.
114.	A copy of the EPL must be kept at the premises to which the EPL applies.
115.	The EPL must be produced to any authorised officer of the EPA who asks to see it.
116.	The EPL must be available for inspection by any employee or agent of the proponent working at the premises.

	NSW OFFICE OF WATER
117.	<p>Approval subject to these terms and conditions is for the establishment of groundwater recharge works as part of residential subdivision development at 15R Bate Bay Road and 452 Captain Cook Drive, Greenhills Beach, 405-417 Captain Cook Drive and 31 Lindum Road, Kurnell, and on neighbouring land, but not for any other purpose.</p> <p>Reason: To identify the location and type of development for which approval has been considered.</p>
118.	<p>2. Excavation and construction methods as well as materials used in and for construction shall not cause pollution of the groundwater system.</p> <p>Reason: To protect groundwater quality.</p>
119.	<p>A copy of valid development consent for the project shall be provided to the Office of Water.</p> <p>Reason: To identify appropriate consent authority consideration of the project.</p>
120.	<p>A detailed hydrogeological report demonstrating that the proposed recharge schemes are in strict compliance with the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) 2009: Managed Aquifer Recharge shall be provided to the Office of Water.</p> <p>Reason: To identify compliance with National Guidelines directly relevant to the activity for which approval has been sought.</p>
121.	<p>A monitoring bore network shall be established to the satisfaction of the Office of Water for the ongoing measurement of groundwater levels and quality across the site and in the vicinity of the Council wet/and.</p> <p>Reason: To enable baseline monitoring of groundwater levels and quality.</p>
122.	<p>A baseline groundwater monitoring plan to the satisfaction of the Office of Water shall be designed and commenced that includes measurement of groundwater levels on a daily basis and water quality sampling and analysis on a weekly basis from the installed monitoring bore network.</p> <p>Reason: To identify the baseline groundwater conditions beneath the proposed recharge locations before works commence. Prior to development excavation</p>
123.	<p>An authorisation shall be obtained from the Office of Water for the groundwater recharge works on the site.</p> <p>Reason: To authorise the use of the works.</p>
124.	<p>If required by the Office of Water, an authorisation shall be obtained from the Office of Water for the modifications to the Council wetland on neighbouring land that has been identified as being within the scope of the development.</p> <p>Reason: To authorise the use of the works.</p>
125.	<p>A detailed hydrogeological assessment of the proposed construction, operation, maintenance and monitoring of the groundwater recharge works on-site</p>

	<p>and the modified Council wetland on neighbouring land, as well as the predicted impacts on the groundwater system in the vicinity of both structures, shall be provided to the Office of Water in support of the application for the authorisation(s).</p> <p>Reason: To identify the long-term monitoring and maintenance requirements of the works.</p>
126.	<p>Access to groundwater monitoring and water management works included in the scope of the development is to be provided to authorised officers to permit inspection as required by the Office of Water under appropriate safety precautions.</p> <p>Reason: To enable auditing of the conditions of the authorisation.</p>
127.	<p>Notification of any decommissioned monitoring bores shall be provided to the Office of Water in writing within 5 working days of their deactivation or removal.</p> <p>Reason: To enable auditing of the conditions of the authorisation.</p>
128.	<p>An operational monitoring bore network shall be maintained to the satisfaction of the Office of Water that includes selected bores from the pre-construction layout and that has the specific objectives of identifying changes in groundwater levels and quality as a result of the development works as well as the potential for off-site impacts.</p> <p>Reason: To enable targeted ongoing monitoring of groundwater levels and quality.</p>
129.	<p>Where the number and location of monitoring bores remaining from the pre-construction layout are not considered adequate for the identified objectives, the Office of Water will require the installation or reinstatement of additional monitoring works.</p> <p>Reason: To address any deficiencies in the monitoring network as a result of the development activity and throughout the life of the development.</p>
130.	<p>An operational groundwater monitoring plan to the satisfaction of the Office of Water shall be designed and commenced that includes measurement of groundwater levels and water quality sampling and analysis on an agreed basis from the monitoring bore network.</p> <p>Reason: To maintain records of groundwater levels and quality for the life of the development.</p>
131.	<p>A groundwater impact response plan shall be prepared to the satisfaction of the Office of Water within 12 months following completion of development construction that shall include:</p> <ul style="list-style-type: none"> a. Water quality parameters and their respective concentration levels that shall be used to trigger remedial action. b. Water level trigger elevations in sentinel monitoring bores that shall be used to indicate impairment of the function of the recharge structures and impacts on the groundwater system that require response actions. c. A response strategy to address any exceedances of the nominated trigger levels. d. Annual reporting arrangements for compliance purposes. <p>Reason: To identify and mitigate unforeseen adverse environmental impacts throughout the life of the development.</p>

132.	<p>The groundwater impact response plan shall be modified if the incidence and duration of exceedances relating to water quality or groundwater level are considered by the Office of Water to be unacceptable for the ongoing protection of the groundwater system.</p> <p>Reason: To improve environmental management throughout the life of the development.</p>
	NSW HERITAGE COUNCIL
133.	<p>Works shall be in accordance with the following documents:</p> <p>Drawings:</p> <p>600201-SK3001 Relation between revised design contours and previous design contours, revision 2, dated 14/12/2012;</p> <p>600201-SK3002 Site sections, revision 1, dated 14/12/2012;</p> <p>600201-3006 proposed subdivision layout, revision 1, 28/2/12;</p> <p>600201-3002 Extent of development, revision 5, dated 21/6/2012;</p> <p>600201-3003 Development plan, revision 6, dated 14/12/2012;</p> <p>600201-3006 Master plan, revision 4, dated 25/5/2012;</p> <p>600201-3007 Overall concept layout, revision 1;</p> <p>600201-3008 Stage one works, revision 1</p> <p>The two previous drawings dated 21/6/2012;</p> <p>600201-3009 Subdivision plan - stage 1 revision 2 dated 14/12/2012;</p> <p>600201-3010 Subdivision plan - stage 2;</p> <p>600201-3011-3013 Stage 1 & 2 general arrangement plans - sheets 1-3 of 3;</p> <p>600201-3014 Stage 2C general arrangement plan, sheet 1 of 1;</p> <p>600201-3015-3016 Typical cross sections - sheets 1-2 of 2;</p> <p>600201-3017 Details sheet;</p> <p>600201-3020-3021 Longitudinal sections - road 1 sheets 1-2 of 2;</p> <p>600201-3022 Longitudinal sections - road 2;</p> <p>600201-3023 Longitudinal sections - roads 3, 4 & 5;</p> <p>600201-3030 Overall concept storm water catchment plan;</p> <p>600201-3035 Wetland basin detail;</p> <p>600201-3037 Typical sections - wetland basin;</p> <p>600201-3040 Concept water & sewer design;</p> <p>600201-3050 Concept erosion & sediment control plan;</p> <p>600201-3055 Concept electrical reticulation design;</p> <p>600201-3060 Cut/Fill plan;</p> <p>600201-3065-3066 Site sections - 1-2 of 2;</p> <p>The latter 21 drawings are all revision 3, dated 28/5/2012;</p> <p>All of the above drawings prepared by Cardno P/L;</p> <p>Drawing 2807021/4 Plan of subdivision (stages IA, 1 B, 2A, 2B & 2C) of Lot C in DP 370539, Lot 116 in DP 777967 & Lot 22 in DP 226424, issue 1,</p>

	<p>prepared by Cooper & Richards Surveyors – Simon Andrew Geest, dated 2/4/2012; Statement of Environmental Effects, prepared by JBA Planning, dated 5/2012; Remediation Action plan: on-site containment of fill material and removal of copper slag, Breen Holdings Site, Bate Bay Road, Cronulla, prepared by Consulting Earth Scientists, dated 11/5/2010; DA Cost Plan No. 4, Bate Bay Road Subdivision stages 1 & 2, prepared by Barry Hodge, dated 11/5/2012; Environmental Site assessment: parcel of Lucas Reserve, off Bate Bay Road, Greenhills Beach, prepared by Consulting Earth Scientists, dated 23/5/2012; Sampling, Analysis & Quality Plan Environmental assessment, parcel of Lucas Reserve, off Bate Bay Road, Cronulla, revision 1.0, prepared by Consulting Earth Scientists, dated 23/12/2010; Proposed Subdivision - Captain Cook Drive, Kurnell, Preliminary Road Traffic Noise Impact Assessment, prepared by SLR Consulting, dated 2/5/2012; Except as amended by the following:</p>
134.	The recommendations (pages 31-33) of the report - Shearwater Landing, Bate Bay Road Kurnell Peninsula - Proposed Subdivision - Greenhills Beach - Aboriginal Archaeological Assessment and European Heritage Review & Statement of Heritage Impact, prepared by Mary Dallas Consulting Archaeologists, dated March 2012 shall be included as conditions of consent;
135.	Three copies of the archival photographic recording required of the processing works• near the high school shall be provided to the Heritage Council of NSW for its library, Sutherland Shire Council for its file and for an appropriate public library;
136.	An application under section 60 of the NSW Heritage Act (for the excavation proposed within the curtilage of the Cronulla Sand Dune and Wanda Beach coastal landscape NSW State Heritage Register item) and supporting information must be submitted and approved by the NSW Heritage Council or its delegate prior to work commencing.