

RESOURCE APPLICATIONS PTY LTD
12 WONGALEE AVE
WAHROONGA NSW 2076

Dear Sir/Madam,

PART LOT 105 NEWBRIDGE ROAD, MOOREBANK NSW 2170, PART LOT 105 NUWARRA ROAD, MOOREBANK NSW 2170, LOT 6 NEWBRIDGE ROAD, MOOREBANK NSW 2170, 146 NEWBRIDGE ROAD, MOOREBANK NSW 2170, LOT 308 NEWBRIDGE ROAD, MOOREBANK NSW 2170, LOT 309 NEWBRIDGE ROAD, MOOREBANK NSW 2170, WURRUNGWURI RESERVE, NEWBRIDGE ROAD, MOOREBANK NSW 2170, (PART LOT 105 DP 1070029, PART LOT 105 DP 1070029, LOT 6 DP 1065574, LOT 7 DP 1065574, LOT 308 DP 1118048, LOT 309 DP 1118048, PT LOT 310 DP 1118048),

SECTION 96(1A) MODIFICATION TO DEVELOPMENT CONSENT (DA-1552/2006/B)

I refer to your Section 96(1A) Application lodged on 21-Jan-2014 seeking to amend Development Consent (DA-1552/2006) which granted approval for construction of a road bridge

It is noted the modification application seeks to modify the design of the road bridge to maintain consistency with Court Orders.

Pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979, Council grants approval for such modification. Accordingly, Development Consent (DA-1552/2006) is amended as follows:-

Attachment 1 outlines the conditions of DA-1552/2006 as modified by DA-1552/2006/B.

If you have any further enquiries please contact David Smith on the abovementioned contact details.

ADVISORY NOTES:

- a) *Section 96(AB) of the Environmental Planning and Assessment Act, 1979 gives you the right to request the Council to review this determination within six months of the date of determination.*
- b) *Section 97(AA) of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the NSW Land and Environment Court within six months after:*

If you do not understand this letter/application, please ring the Telephone Interpreter Service (131 450) and ask them to contact Council (1300 362 170). Office hours are 8.30 am to 5.00 pm, Monday to Friday.

ARABIC

إذا لم تستطع فهم هذا الطلب ، الرجاء الاتصال بخدمة الترجمة الهاتفية على رقم 131 450 واسألهم أن يتصلوا بالبلدية على رقم 1300 362 170 . دوام ساعات العمل هي من الساعة 8.30 صباحاً إلى 5.00 بعد الظهر من الاثنين إلى الجمعة.

CHINESE

如您看不懂此信 / 申請書，請打電話給「電話翻譯服務台」(131 450)，請他們聯絡市政廳(市政廳電話 1300 362 170)。市政廳辦公時間：星期一至星期五：上午八時三十分至下午五時。

CROATIAN

Ako ne razumijete ovo pismo/aplikaciju, molimo nazovite Službu prevodilaca i tumača (Translating and Interpreting Service - na broj 131 450) i zamolite ih da nazovu Općinu (na 1300 362 170). Radno vrijeme je od 8.30 ujutro do 5.00 popodne, od ponedjeljka do petka.

GERMAN

Wenn Sie diesen Brief/Antrag nicht verstehen können, rufen Sie bitte den Telefon Dolmetscher Dienst (Telephone Interpreter Service) (131 450) an und lassen Sie sich vom Personal mit dem Gemeinderat (Council) in Verbindung setzen (1300 362 170). Geschäftsstunden sind von 8:30 bis 17:00 Uhr, montags bis freitags.

GREEK

Αν δεν καταλαβαίνετε αυτή την επιστολή/αίτηση, σας παρακαλούμε να τηλεφωνήσετε στην Τηλεφωνική Υπηρεσία Διερμηνέων (131 450) και να τους ζητήσετε να επικοινωνήσουν με το Δημοτικό Συμβούλιο (1300 362 170). Τα γραφεία του είναι ανοιχτά από τις 8.30π.μ. μέχρι τις 5.00μ.μ. από Δευτέρα μέχρι και Παρασκευή.

HINDI

अगर आप इस पत्र/आवेदन को पढ़कर समझ नहीं पा रहे हैं तो कृपया टेलीफोन संवाद-सहायक सेवा (131 450) को फोन करें और उनसे काउंसिल (1300 362 170) से संपर्क करने को कहें। कार्यालय का समय सोमवार से शुक्रवार तक प्रातः ८:३० बजे से सायं ५:०० तक है।

ITALIAN

Se non comprendi questa lettera/questo modulo di domanda, telefona al Servizio traduzioni e interpreti al numero 131 450 chiedendo di essere messo in contatto con il Comune (telefono 1300 362 170). Orario d'ufficio: ore 8.30 -17.00, dal lunedì al venerdì.

KHMER

បើលោកអ្នកមិនយល់ពីអត្ថន័យឬការប្រតិបត្តិនេះទេ សូមទូរស័ព្ទទៅសេវាបកប្រែភាសាភាសាខ្មែរ (លេខ 131 450) ហើយស្នើសុំឲ្យគេទាក់ទងសាលាក្រុង (លេខ 1300 362 170)។ ពេលម៉ោងធ្វើការគឺម៉ោង 8 កន្លះព្រឹកដល់ម៉ោង 5 ល្ងាច ពីថ្ងៃច័ន្ទដល់ថ្ងៃសុក្រ

MACEDONIAN

Ako ne go razbirate ova pismo/aplikacija, ve molime da se javite vo Telefonската преведувачка служба на 131 450 и замолете ги да стапат во контакт со Општината на 1300 362 170. Работното време е од 8.30 часот наутро до 5.00 часот попладне од понеделник до петок.

MALTESE

Jekk ma tifhimx din l-ittra/applikazzjoni, jekk jogħgbok ċempel lis-Servizz ta' l-Interpretu bit-Telefon (131 450) u itlobhom jikkuntattjaw il-Kunsill (1300 362 170). Il-hinijiet ta' l-Uffiċċju huma mit-8.30a.m. sal-5.00p.m., mit-Tnejn sal-Gimgha.

POLISH

Jeśli nie rozumiesz treści niniejszego pisma/podania, zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service) pod numer 131 450 i poproś o telefoniczne skontaktowanie się z Radą Miejską pod numerem 1300 362 170. Godziny urzędowania: 08.30-17.00 od poniedziałku do piątku.

SERBIAN

Ako ne razumete ovo pismo/aplikaciju, molimo vas da nazovete Telefonску преводилачку службу (131 450) и замолите их да контактирају Општину (1300 362 170). Радно време је од 8.30 ујутро до 5.00 поподне, од понедељка до петка.

SPANISH

Si Ud. no entiende esta carta/solicitud, por favor llame al Servicio Telefónico de Intérpretes (131 450) y pídales que llamen a la Municipalidad (Council) al 1300 362 170. Las horas de oficina son de 8:30 am a 5:00 pm, de lunes a viernes.

TURKISH

Bu mektubu veya muracaatı anlayamazsanız, lütfen Telefon Tercüme Servisi'ne (131 450) telefon ederek Belediye ile (1300 362 170) ilişkiye geçmelerini isteyiniz. Çalışma saatleri Pazartesi - Cuma günleri arasında sabah saat 8:30 ile akşam 5:00 arasındır.

VIETNAMESE

Nếu không hiểu thư/đơn này, xin Quý Vị gọi cho Telephone Interpreter Service (Dịch Vụ Thông Dịch Qua Điện Thoại), số 131 450 và nhờ họ liên lạc với Council (Hội Đồng), số 1300 362 170. Giờ làm việc là 8 giờ 30 sáng đến 5 giờ 00 chiều, Thứ Hai đến Thứ Sáu.

- (a) *the date on which the applicant received notice, given in accordance with the regulations, of the determination of that application or, if an application for review under section 96AB has been decided, the date on which the applicant received notice, in accordance with the regulations, of the decision, or*
- (b) *the date on which the applicant's application is taken to have been determined in accordance with regulations made under section 82C (3), 96 (6) or 96AA (3).*
- c) *The Section 96 Modification Application does not extend the timeframe of the development consent initially granted by Council.*
- d) *Modification of the development consent in accordance with Section 96 of the Environmental Planning and Assessment Act, 1979 shall not be construed as the granting of development consent, but reference to a development consent, is a reference to a development consent so modified.*
- e) *Modification of the development consent does not remove the need to obtain any other statutory consent necessary under the Act.*

Yours Sincerely



Lina Kakish
**Acting Coordinator Development Assessment
Statutory Planning**

CONDITIONS OF CONSENT - DA-1552/2006

(AS MODIFIED BY DA-1552/2006/A and DA-1552/2006/B)

A. THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant planning instruments and policies.

GENERAL

1. ~~Development must be carried out generally in accordance with Development Application received 7 June 2006 and accompanying plans marked DA 1662/06, except where modified by the undermentioned conditions.~~

CONDITION DELETED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.

1. Development must be carried out strictly in accordance with DA-1552/2006 and accompanying plans, except where modified by the undermentioned conditions.

Modification application DA-1552/2006/B and plans:

Worley Parsons

101015-00561-CI-FIG 3, Worley Parsons, Issue B, dated 21.08.13

Cardno

SK1001, Cardno, Revision L, dated 15.08.13

SK1003, Cardno, Revision E, dated 01.08.13

SK1004(E) – Cross Sections

SK2001, Cardno, Revision D, dated 15.08.13

SK2003, Cardno, Revision A, dated 05.08.13

SK2004 (C) – Cross Sections Layout

Report "Assessment of the Impact of the Proposed Bridge on Flooding in the Vicinity of the Georges Cove Marina, Moorebank. Cardno (NSW/ACT) Pty Ltd Ref: NA49913037:BCP/bcp dated 23 May 2014, except where modified by the undermentioned conditions. (DA-1552/2006/B)

CONDITION INSERTED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014

2. Consent is not granted nor implied to any future subdivision of the land.
3. The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act, 1997, State Environmental Planning Policy No. 55 – Remediation of Land, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA. 1998).

- number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.
5. Consent is not granted nor implied to any usage of the bridge. Any usage will require separate development approval.
 6. Consent is not granted nor implied to the vesting of the road bridge and associated works as public road.
 7. Consent is not granted nor implied to any future usage of the road bridge as a private road that provides access to development that is not permissible within a Residential 2(a) zone.
 8. Consent is not granted nor implied to any approval to the rezoning or development of adjoining land.
 9. Consent is not granted nor implied to any approval of any future road layout, design or pattern on adjoining land.
 10. Consent does not imply that the bridge will supply a satisfactory level of access (vehicular, cycle or pedestrian to any future development on adjoining property.
 11. Consent is not granted nor implied any future direct public road connection to the proposed bridge.
 12. The bridge is to be secured to prevent both vehicular and pedestrian public access if it is not dedicated as public road.
 13. No contaminated runoff from the bridge is to enter any receiving waterway.
 14. The bridge is to be designed and constructed such that it is able to comply with the Orders of the NSW Court of Appeal (Tanlane's easement over Moorebank Recyclers land) and the Orders of the NSW Land and Environment Court (Moorebank recyclers Pty Ltd easement over Council land), accommodate the access ramps (Concrete Recyclers Access Option A) as designed in concept by Patterson Britton and Partners Pty Ltd. (DA-1552/2006/B)

CONDITION AMENDED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014

EXTERNAL APPEARANCE

The following conditions have been imposed to provide for a satisfactory appearance of the development.

15. The bridge surfaces are finished so as to facilitate the removal of any graffiti.
16. Any graffiti is to be removed promptly.

FLOODING

The following conditions have been imposed to minimise any risks associated with the flooding of the development.

17. The development shall comply with Liverpool City Council's "Floodplain Management Plan" and Council's Design Specification for Subdivisions (as amended.).

17A. There shall be no net loss of floodplain storage volume below the 1% Annual Exceedance Probability (AEP) flood. The compensatory flood storage volume shall be no less than 4,780m³. The flood compensatory storage shall be provided as shown in Drawing No DA-001, Job No. 0914, Issue C by Micheal Architects Pty Ltd (Amendment June 2014). (DA-1552/2006/B)

CONDITION INSERTED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014

BUSHFIRE

18. The bridge structure is to be designed to withstand without damage (except smoke staining) the radiant heat loads and possible flame impingement from any fire in adjoining bushland or regenerated bushland on the site.

B. OPERATIONAL MATTERS

These conditions pertain to the use of the site and have been imposed to ensure that the development and its operations do not interfere with the amenity of the surrounding area.

COMPLIANCE WITH OTHER ACTS

19. Construction and use of the bridge must be carried out all times without nuisance and in particular so as not to breach the provisions of the Protection of the Environment Operations Act 1997. The operation and use of any machinery, plant and/or equipment within, on or in connection with the construction and use of the bridge to be carried out so as not cause:
 - (a) Transmission of vibration to any place of different occupancy.
 - (b) An Offensive Noise, as defined in the protection of the Environment Operations Act 1997.

SITE MANAGEMENT/OPERATION TIMES

20. Advertising matter must not be erected, painted or displayed without the prior approval of Council.

THE ENVIRONMENT

21. The development, including construction works and use, must be undertaken in accordance with a permit under Part 3A of the Rivers and Foreshores Improvement Act, 1949 issued by the Department of Natural Resources.

22. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or Environmentally Significant Land.
23. All requirements as specified by the Department of Environment and Conservation and WorkCover Authority in relation to dangerous or hazardous goods storage or use during construction must be implemented.
24. Runoff from the development, must be collected and treated accordance with Council guidelines and policy requirements.
- ~~25. A Flora and Fauna Assessment shall be prepared for the site by a suitably qualified ecological consultant. This assessment is to be prepared in accordance with Development Control Plan No. 8 and the Threatened Species Conservation Act and should outline details of the location of any threatened or endangered plants, animals and vegetation communities, any disruption to fauna habitat or corridors as a result of the development prior to, during or post construction and the impact of any expected runoff from the bridge structure prior to, during and post construction. Any remedial measures proposed to reduce impacts on the environment are to be implemented. (DA-1552/2006/A)~~

CONDITION DELETED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007

26. The Acid Sulphate Soil Risk Map – Edition two (DLWC 1997) maps the site as disturbed terrain and of high probability of occurrence of acid sulphate materials within the soil profile. A preliminary assessment of the risk of exposing acid sulphate soils is required to be completed in accordance with the Acid Sulphate Soils Manual (Acid Sulphate Soil Management Advisory Committee, 1998). Appropriate control and mitigation measures are to be implemented to prevent any adverse environmental impacts from the construction and use of the bridge.
27. The site is within an area identified as moderate to high salinity potential on the DIPNR Western Sydney Salinity Hazard Map. A salinity investigation is to be completed in accordance with the new South Wales Department of Natural Resources Guidelines (Western Sydney Salinity Code of Practice, 2003) available at <http://www.dnr.nsw.gov.au/salinity/index.htm> and appropriate mitigation measures implemented.

VEGETATION

The following conditions have been imposed to ensure adequate provision is made for the protection of existing vegetation;

28. Approval is granted for the removal of trees from the land as indicated on the plans of the proposed development.
29. No trees are to be removed outside of the road corridor.
30. All work is to be confined to the area of the bridge construction only. Suitable barrier fencing must be constructed to ensure plant and equipment do not enter any adjoining bush areas. Details are to be included with the plans and

specifications to accompany any Construction Certificate. There is to be no storing of materials or washing machinery, or changing of the existing soil levels within those fence areas.

C. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate;

DEVELOPMENT DETAILS

31. Engineering plans will be required defining all physical works necessary on the site and adjacent to it. These plans are to be certified by Council or an accredited certifier.
 - (a) These plans must satisfy the following requirements:
 - i. Council's current Design and Construction specification for subdivisions (as amended), and supplementary code,
 - ii. Council's Trunk Drainage Scheme(s),
 - iii. Council's Development Control Plans,
 - iv. All proposed road and drainage works must adequately match existing infrastructure.
 - (b) These plans must incorporate the following:
 - i. A geotechnical report forming the basis of a road pavement design
 - ii. A geotechnical report identifying any contamination of the site, the chemicals present, and proposed remediation required.
 - 31A. Prior to the issue of the construction certificate, the plans identified in Condition 1 are to be amended to exclude the central bridge pier and to ensure the minimum bridge clear span is 32m. (DA-1552/2006/B)
- CONDITION INSERTED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.**
32. Full details are to be shown on the concept plan of the proposed bridge that allow for pedestrian and bicycle movements on the proposed roadway. Pedestrian and bicycle movements are only required on one side of the bridge and shall be able to accommodate a combined bicycle / pedestrian path of at least 3.5m and shall be accompanied by a detailed lighting plan. Details are to be provided and written approval given by Council or an accredited certifier prior to the issue of a Construction Certificate. As a result the road bridge is to be widened from 11 metres to 12 metres and amended plans are to be lodged with Council or an accredited certifier. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

33. Details of a temporary turning head or equivalent at the intersection of the road bridge with the Benedict site are to be lodged with and approved by Council or an accredited certifier, so that vehicles are able to adequately turnaround in an opposite direction. This condition is imposed given that there is no connection point on the Benedict site. Details of compliance are to be provided to council prior to the issue of a Construction Certificate. Upon connection of the road bridge with a future road on the Benedict site, then the temporary turning heads shall be removed. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

34. The applicant is to submit concept plans to Council of the proposed road bridge which show the road bridge's proposed full connection with Brickmakers Drive and the ability of the proposed connection to accommodate the traffic that is intended to access the bridge by the applicant. The proposed connection is to be fully contained within the designated road corridor. Details are to be provided to Council prior to the issue of a Construction Certificate. Please note that separate development consent will be required to construct a connection with Brickmakers Drive. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

- 34A. The approved intersection treatment of Brickmakers Drive and the bridge with the associated road link is to be constructed to Councils satisfaction prior to opening the bridge to traffic. (DA-1552/2006/B)

CONDITION INSERTED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.

- 34B. The developer is required to provide detailed analysis (Sidra Modelling) and design of the required urban channelised interim intersection treatment off Brickmakers Drive. (DA-1552/2006/B)

CONDITION INSERTED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.

35. All works associated with the development are to be carried out at no cost to Council.
36. The certifying authority must advise the Council, in writing of the name and contractor licence number of the licensee who has contracted to do or intends to do the work.

OWNER'S AGREEMENT

37. An agreement in writing from the adjoining owners stating that approval is given for the disposal of any downstream drainage if applicable onto their property shall be submitted to Council. An easement to drain water shall be created by the applicant over the area affected by downstream drainage. All costs associated with value of land and easement created is to be borne by the applicant.
38. An agreement in writing from the adjoining owners stating that approval is given for the battering of any cut or filled areas if applicable onto their property shall be submitted to Council.
39. ~~The height clearance of the proposed bridge must be a minimum of 5.3 metres. (DA-1552/2006/A).~~

The height clearance of the bridge is affected with the flood level and the use of the underpass. Appropriate information about the flood levels should be used along with the future use of the underpass to determine the height clearance. This assessment should be carried out and included in the design to the satisfaction of Council, prior to construction certificate. (DA-1552/2006/B)

CONDITION AMENDED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.

40. The existing access driveway to Lot 6 DP 1065574 must be kept clear at all times. A written notice must be supplied to Council and the owners of Lot 6 DP 1065574 if the development requires the closure of the driveway for any period of time.

PART 3(A) PERMIT

41. Prior to the issue of the Construction Certificate evidence of a 3A permit under the Rivers and Foreshores Improvements Act 1949 is to be provided to Council in accordance with the Department of Water and Energy's requirements. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2014.

TRAFFIC

42. A construction management plan is to be submitted to and approved by Liverpool City Council or an accredited certifier prior to any work commencing on site. Details are to be provided to Council prior to the issued of a Construction Certificate. The plan must also include how the proposed site will be accessed if the link road Brickmakers Drive is dedicated to Council or if it is not. (DA-1552/2006/A)

CONDITION INSERTED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2014.

STORMWATER

The following conditions have been imposed to ensure that the drainage collected on and/or passing through the site is conveyed through a controlled system to minimise any impact on the subject land, downstream properties or the environment.

43. A Certificate is to be submitted from a practising Structural or Civil Engineer Certifying that the bridge is capable of withstanding PMF floodwaters prior to the issue of a Construction Certificate and impact loads from debris without suffering structural damage.

PUBLIC ROAD DESIGN / CONSTRUCTION WITHIN ROAD RESERVE AREAS

The following conditions have been imposed to ensure that adequate and safe vehicular and pedestrian access is provided to and from the site, and roads are built to a satisfactory standard.

44. All roads are to be designed to be graded in such a manner as to provide continuous surface drainage flow paths to appropriate points of discharge. In this context, these are to be into their roads or swales, as appropriate, connecting into the major trunk drainage system.
45. The bridge design shall be undertaken in accordance with Bridge Design Code AS5100. The design shall include impact of blockage and loading from debris. ~~is to be certified that it complies with AS 5100 – Bridge Design Code.~~ (DA-1552/2006/B)

CONDITION AMENDED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.

- 45A. Timber formworks shall not constitute a structural component of the bridge. To facilitate inspection and maintenance, all formworks shall be removed from the built structure prior to handover to Council. (DA-1552/2006/B)

CONDITION INSERTED AS PER DA-1552/2006/B RECEIVED ON 21 JAN 2014.

46. The applicant is to provide a road lighting design plan for the development. The applicant shall request from Council's Transport Planning Section, the appropriate lighting sub categories required for the development. The lighting sub category provided to the applicant from Council will be consistent with the requirements of Australian Standard AS/NZS 1158 – Road Lighting. All lighting is to incorporate full cut off shielding.

Prior to an occupation certificate being issued the applicant is to provide a final road lighting design plan for the development with due consideration given to all areas operating characteristics, proposed traffic management devices and intersections including all works within the road reserve and adjoining public spaces.

On completion of the road lighting design plans, the plans and a schedule of annual charges shall be forwarded to Council's Transport Planning Section for their acceptance of the ongoing maintenance charges. These plans shall include a statement by the designer certifying that the design meets Council' specification and all requirements of AS/NZS 1158. Occupation Certificates for the development shall not be issued prior to Council providing this letter of acceptance.

This letter of acceptance and approved plans shall then be submitted to Integral Energy for their approval and certification for connection to their public lighting network.

Occupation certificate shall not be issued prior to Council receiving a compliance certificate from Integral Energy stating that the applicant has made the necessary arrangements with Integral Energy for the provision of the approved public lighting works. (DA-1552/2006/A)

CONDITION INSERTED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

EROSION & SEDIMENT CONTROL

47. Erosion and sediment control measures shall be designed in accordance with the requirements of the Department of Housing 1998 manual "Managing Urban Stormwater – Soils & Construction" and Council specifications, and to the satisfaction of the Principal Certifying Authority. Approved measures shall be implemented prior to commencement and maintained during construction and until all disturbed areas have been revegetated and established to the satisfaction of the Principal Certifying Authority.

CONSTRUCTION AND PUBLIC SAFETY REQUIREMENTS

The following conditions have been imposed to ensure the development meets building design and structural standards.

48. If the applicant requires a construction work zone to be reserved on any adjacent street frontage than an application should be submitted to Council on the standard work zone application form. Approval or non approval will be determined by Councils Traffic Planning section. If the work zone application is approved then fees and charges are payable to Council on a once only establishment fee plus on a weekly per metre frontage rental basis.
- ~~49. Roads Traffic Authority approval is to be obtained for any construction access from Newbridge Road. (DA-1552/2006/A)~~

CONDITION DELETED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

50. Site development work in the form of excavation, underpinning or shoring works must not take place prior to the issue of a Construction Certificate.

51. Lifting or craning materials over any public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.
52. The applicant/builder shall be responsible to report to the council any damage to Councils footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

STRUCTURAL DETAILS / SEDIMENT CONTROL / SITE FILLING / RETAINING WALLS

53. Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details and by a practising Structural Engineer.
54. All filling/excavation is to be drained and retained within the confines of the road corridor.
55. All proposed bridge works must be designed by a suitably qualified practicing structural engineer.

D. PRIOR TO ANY WORK COMMENCING ON THE SITE

The following conditions are to be complied with prior to any work commencing on the site.

CONSTRUCTION CERTIFICATES

56. Detailed engineering plans and specifications relating to the work shall be endorsed with a Construction Certificate, in accordance with Section 81A of the Act and a copy submitted to Council, with payment of any relevant fees. The fees will include damaged deposit, road opening, damaged inspection fee and any required Section 94 payment or bond. You are required to contact Council's Customer Service Centre to confirm the current amounts.
57. Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.
58. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works i.e., a separate Civil Engineering Construction Certificate and a separate Building Construction Certificate.

59. A Section 138 permit will be required prior to any work commencing on site if the proposed link road through the Boral site has been dedicated to Council as Public Road.

NOTIFICATION

60. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the act.
61. The Accredited Certifier shall advise Council, of the date it is intended to commence the work. A minimum period of two (2) working days, notification shall be given.
62. A written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work which involves:
- (a) Any excavation, below the base of the footings of building or structure on an adjoining allotment of land.
 - (b) The notice shall be given seven (7) days prior to the commencement of work.

VEGETATION

63. The applicant shall engage a person who satisfies criteria for membership of the Australian Association of Bush Regenerators to collect plant propagation material from the subject land. All propagation material is to be maintained in a healthy condition until it is required for use in revegetating the bridge / road corridor.

SITE FACILITIES

64. Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Construction wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.
65. Access to the site is to be provided only via Brickmakers Drive or the existing road access to Lot 7 in DP 1065574 known as 146 Newbridge Road, Moorebank. (DA-1552/2006/A)

CONDITION INSERTED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007

SITE NOTICE BOARD

66. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign must state:
- (a) Unauthorised entry to the premises is prohibited, and
 - (b) The name of the builder or other person in control of the premises and a telephone number at which the builder or other person may be contacted outside working hours.

NOTIFICATION OF SERVICE PROVIDERS

67. Construction Certificate plans as submitted to Council or an accredited certifier are to be approved by Sydney Water, to verify that the development meets its requirements concerning the relationship of the development of any water mains, sewers or stormwater channels. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

PLANS/REPORTS

68. A dilapidation report is to be undertaken prior to commencement of works. This shall include clear photos and descriptions of all existing Council infrastructure adjacent to subject site. A copy of this report is to be provided to Council.
69. No work or craning shall be undertaken within the adjoining public lands without the prior written consent of Council. In this regard Council may require a Traffic Management Plan to be submitted before giving its Approval.

LANDFILL

70. Where site filling is necessary, it must be carried out in accordance with Council's Construction specification (as amended), AS3798 Guidelines for Earthworks for Commercial and Residential Development (as amended) and approved drawings by the accredited certifiers or Council. A minimum of 95% standard compaction must be achieved and certified by a suitable qualified geotechnical engineering consultant. Testing is to be in accordance with Council specifications for "Construction of Subdivisional Roads and Drainage Works".
71. Land fill materials must satisfy the following requirements:
- Be Virgin Excavated Natural material (VENM)
 - Be free of slag, hazardous, contaminated, toxic, putrescible or radio-active matter
 - Be free of industrial waste and building debris.
72. Trucks transporting fill are to have their loads covered.
73. Where the land is to be filled, graded or roadworks constructed, it will be necessary that regular watering down of operations be carried out. Where the creation of dust during earthworks is a problem, Council may direct that such work is not to proceed when the wind velocity exceeds five knots.

HOURS OF OPERATION

74. Construction civil work is only permitted on the site between the hours of 7am and 7pm, Monday to Friday and, 8am to 1pm on Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

75. Deliveries shall occur only between the hours of 7am and 7pm, Monday to Friday and, between 7am and 7pm on Saturday, and shall not occur at any time on Sundays or Public Holidays.

SITE CONTAMINATION

76. All fill introduced to the site must undergo an appropriate assessment by a suitably qualified and accredited consultant or site auditor as defined under the provisions of the *Contaminated Land Management Act 1997*. This assessment may consist of either:
- (a) a full site history of the source of the fill (if known) examining previous land uses or geotechnical reports associated with the source site to determine potential contamination; or
 - (b) a chemical analysis of the fill where the site history or a preliminary contamination assessment indicates potential contamination or contamination of fill material; and
 - (c) must provide Council with copies of validation certificate verifying the material to be used is free of contaminants and fit for purpose re use in residential, commercial or industrial use. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

77. Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:
- a) The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration;
 - b) The result of a preliminary contamination assessment carried out on any fill material used in the development.
 - c) The results of any chemical testing of fill material.
78. The applicant shall undertake an appropriate Site Contamination Assessment to confirm the presence of pollutants or other contaminants that represent or potentially represent a direct or indirect threat to public health and safety. The Site Contamination Assessment shall be carried out by a suitably qualified and accredited consultant or Site Auditor as defined under the provision of the Contaminated Land Management Act 1997. The works shall be in conformance to the EPA Guidelines for Consultants Reporting on Contaminated Sites and Australian Standard AS 4482.2 – 1997 Guide to the sampling and investigation of potentially contaminated soil Part 1: Non volatile and semi volatile compounds. The Report detailing the findings of the site assessment and any

recommendations including remediation works shall be submitted to The Principal Certifying Authority prior to issue of construction certificate.

AIR QUALITY AND EROSION CONTROL

79. ~~Dust screens are to be erected around the perimeter of the subject land during land clearing, excavation and construction and until such time as the soil is stabilised. (DA-1552/2006/A)~~

CONDITION DELETED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

80. Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifying Authority may direct that such work is not to proceed.
81. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days.
82. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

WATER QUALITY / POLLUTION CONTROL

83. All topsoil sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface in accordance with the construction management plan to be submitted to and approved by Council or an accredited certifier. The construction management plan is to be prepared prior to construction and will incorporate noise, acid sulphate and erosion controls as well as other site specific issues relating to general excavation and construction works including final landscaping and rehabilitation. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

84. Sediment and erosion control measures are to be adequately maintained during the works until the reestablishment of vegetation cover.
85. Waste water from the washing of concrete forms or trucks shall not to enter the stormwater drainage system or any receiving water body.
86. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

GENERAL SITE WORKS

87. The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
88. The property must be surrounded by a security fence and the gate must be locked outside the operating hours to prevent unauthorised access and tipping at the property.
89. Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such adjoining property.
90. Alterations to the natural surface contours or surface absorption characteristics must not impede, increase or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

GENERAL

91. If the dedication of the bridge to Council is proposed and is accepted, a "Work as Executed Plan" prepared by a Registered Surveyor, must be submitted to and approved by Council clearly showing all aspects of the bridge construction, including how the compensatory flood storage has been provided to allow for the loss in flood storage.

ENGINEERING WORK

92. The following compliance certificates will be required to be submitted. The list is indicative only. Other compliance certificates may be required for "one off" components not covered by this list. All compliance certificates are to be submitted by the accredited certifier for the development.

(a) General Certificates:

- i. Lodgement of Bonds*
- ii. Filling*
- iii. Geotechnical Testing and Reporting Requirements*
- iv. Service Authority Clearances*

(b) Construction:

Implementation of Soil Erosion Plan (several required at appropriate stages)

Implementation of Traffic Control Plan

Log book listing details of all inspections undertaken during construction

String Line all roads prior to seal

Road pavement:

Subgrade (Reduced Levels, Roller Test)

Each Subbase Layer (Depth, Roller Test)

Base Course Layer (Depth, Roller Test)

Wearing Course (Depth, grading)

Subsoil Drains

Service Crossings

- (c) ***Pipework:***
Trench Excavation (Line, Grade, Location)
Bedding (Type, compaction)
Pipework (before backfill)
Backfill (compaction)
- (d) ***Stormwater Pits:***
Pit Base
Walls
Lintel sizes
- (e) ***Kerb and Gutter:***
Kerb line and level
Concrete compaction
Finish
- (f) ***Footpath formed to profile***
- (g) ***A compliance certificate will be required to demonstrate that the site has been remediated in accordance with the Construction Certificate and the supporting contamination report. To this effect a site remediation report must be produced by an DEC accredited geotechnician, or to the satisfaction of the DEC.***
- (h) ***Traffic management works undertaken in accordance with construction certificate Traffic Management Plan***
- (i) ***Final inspection***

BONDS/MONIES

93. A maintenance bond in the form of a bank guarantee or cash bond, shall be lodged with Council prior to the any acceptance of the works by Council. The maintenance bond amount shall be calculated by Councils land development engineers. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions. This amount shall be limited to the amount calculated by Council of 10% of the construction cost whichever is the lesser. (DA-1552/2006/A)

CONDITION AMENDED AS PER DA-1552/2006/A RECEIVED ON 22 MAY 2007.

