

## 1.0 - General Requirements

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

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

Plan / Development No.	Description	Prepared by	Dated
-	Statement of Environmental Effects	Development Planning Strategies	August 2012
YN212003/10-0189	Civil Engineering Assessment	Cardno	August 2012
CES01245	Traffic Impact Assessment	Cardno	November 2012
DA SEE Rev. A	Landscaping Strategy	Distinctive Living Design	31 July 2012
53_12 Rev. C	Landscape Concept Plan Sheets 1 to 8	Distinctive Living Design	31 July 2012
20120275.1	Acoustic Assessment	Acoustic Logic	26 July 2012
-	Waste Management Plan	Development Planning Strategies	July 2012
DA00 Rev. B	Cover Sheet	Leffler Simes Pty Ltd	July 2012
DA01 Rev. H	Site Plan	Leffler Simes Pty Ltd	June 2012
DA02A Rev. D	Floor Plan – Building A-A	Leffler Simes Pty Ltd	June 2012
DA02B Rev. D	Floor Plan – Building A-B	Leffler Simes Pty Ltd	July 2012
DA02C Rev. E	Floor Plan – Building A-C	Leffler Simes Pty Ltd	June 2012
DA02D Rev. F	Floor Plan – Building A-D	Leffler Simes Pty Ltd	July 2012
DA03 Rev. C	Floor Plan – Building B	Leffler Simes Pty Ltd	June 2012
DA04 Rev. B	Floor Plan – Building C	Leffler Simes Pty Ltd	July 2012
DA05A Rev. C	Roof Plan – Part 1	Leffler Simes Pty Ltd	July 2012
DA05B Rev. C	Roof Plan – Part 2	Leffler Simes Pty Ltd	July 2012
DA06 Rev. F	Elevations –	Leffler Simes Pty Ltd	June 2012

	Building A	Ltd	
DA07 Rev. D	Elevations – Building B & C	Leffler Simes Pty Ltd	June 2012
DA08 Rev. D	Sections	Leffler Simes Pty Ltd	June 2012
DA09 Rev. C	Site Plan – Stage One	Leffler Simes Pty Ltd	October 2012
DA10 Rev. D	Site Plan – Stage Two	Leffler Simes Pty Ltd	8 February 2013
DA11 Rev. A	Elevations – Stage One	Leffler Simes Pty Ltd	October 2012
DA12 Rev. B	Elevations – Stage Two	Leffler Simes Pty Ltd	October 2012
Image A	3D Elevation – Corner of Central Hills Drive and Lasso Road	Leffler Simes Pty Ltd	-
Image B	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image C	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image D	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image E	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image F	3D Elevation – Corner of Central Hills Drive and Rodeo Road	Leffler Simes Pty Ltd	-
212003-DA-001 Rev.2	Notes and Legends	Cardno	8 August 2012
212003-DA-002 Rev.3	General Arrangement Plan	Cardno	7 November 2012
212003-DA-010 Rev.3	Erosion and Sediment Control Plan Sheet 1	Cardno	7 November 2012
212003-DA-011 Rev.3	Erosion and Sediment Control Plan Sheet 2 and Details	Cardno	7 November 2012
212003-DA-020 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 1	Cardno	25 January 2013
212003-DA-021 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 2	Cardno	25 January 2013
212003-DA-022	Siteworks and	Cardno	25 January 2013

Rev.4	Stormwater Drainage Plan Sheet 3		
212003-DA-023 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 4	Cardno	25 January 2013
212003-DA-024 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 5	Cardno	25 January 2013
212003-DA-025 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 6	Cardno	25 January 2013
212003-DA-040 Rev.2	Turning Path Plan Sheet 1	Cardno	8 August 2012
212003-DA-041 Rev.4	Turning Path Plan Sheet 2	Cardno	7 November 2012
212003-DA-042 Rev.3	Turning Path Plan Sheet 3	Cardno	7 November 2012
212003-DA-043 Rev.3	Turning Path Plan Sheet 4	Cardno	7 November 2012
212003-DA-044 Rev.2	Turning Path Plan Sheet 5	Cardno	8 August 2012
212003-DA-050 Rev.3	Catchment Plan	Cardno	7 November 2012
212003-DA-060 Rev.1	Siteworks and Stormwater Drainage Plan Stage 1	Cardno	7 November 2012
212003-DA-061 Rev.1	Siteworks and Stormwater Drainage Plan Stage 2	Cardno	7 November 2012
-	OSD Design Summary	-	-

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

- (2) **Additional Landscaping Requirement** - The submitted landscaping plans must be amended to clearly show the additional landscaping, detailed below. This landscaping must be included in addition to the proposed landscaping of the subject site (including Landscaping Plans: 53-12.00 to 53-12.07 inclusive, dated 31.07.2012, drawn by distinctive Living Design, Project No 53\_12).

In particular, the additional landscaping amendments apply to Landscaping Plans Sheet 7 (No 53-12.06) and Sheet 8 (53-12.07) which details the interface area of landscaping fronting Central Hills Drive.

The additional landscaping required is located within the garden bed section along the entire interface area fronting Central Hills Drive.

The additional landscaping required:

- (a) Increase the width of the entire garden bed area to a minimum of 4 metres.
- (b) The entire garden bed area is to have raised mounding, using only appropriate growing media, to a minimum height of 1.1 metres.
- (c) In addition to the recommended planting, as detailed in the Landscaping Plans, the following plantings are also to be installed:
  - 25 Cupaniopsis anarcardiodes, sourced in minimum 45 litre containers.
  - 80 Lomandra longifolia 'Katrinus', sourced in minimum 140 mm size.
  - 30 Doryanthes excelsa, sourced in minimum 25 litre container size.
  - 12 Pyrus Calleryana 'Chanticleer', sourced in minimum 45 litre container size.

All the above plantings must be evenly spaced or grouped in batches.

- (3) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (4) **Individual Tenancies Use Application** - Approval is given for the construction and use of a bulky goods centre comprising of 19 individual tenancies. The use and occupation of the tenancies for any uses other than bulky goods premises use will require a separate development application to be lodged with, and approved by, the Consent Authority.
- (5) **Building Identification and Advertising Signs Application** - Outdoor building identification and advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (i.e. Camden Council) prior to the erection of any signs not approved by this consent.
- (6) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the

Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance, repair and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including the 3 approved street tree re-locations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, the 3 approved street tree re-locations and mulching.

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

At the completion of the 12 month landscaping maintenance and establishment period, all landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards) must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

At the completion of the maintenance, repair and establishment period, the landscaping works must comply with the approved Landscaping Plans. The approved plans are Landscaping Plans prepared by Distinctive Living Design, dated 31.07.2012, Revision B, Issue C, Project No 53\_12, drawing Nos 1 of 8 to 8 of 8, prepared for Dart West Developments P/L.

- (7) **Damaged Assets** – Any work and public utility relocation within a public place must incur no cost to Council.
- (8) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -
  - (a) Camden Council's current Engineering Specifications, and
  - (b) Camden Council's Development Control Plan 2011

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services, Camden Council prior to the issue of any Construction Certificate.

- (9) **Approved Free-Standing Signs** – The approved free-standing signs are only approved at a height of 6 metres.

The blank tenancy spaces on the approved signs may only display the business name, logos/graphics and tenancy numbers of bulky goods premises operating within the site (as approved under this development consent) or other uses operating under a separate development consent for the site.

- (10) **External Glass** - The reflectivity index for all glass used externally must not exceed 20%.
- (11) **Signage Illumination** - The illumination of the approved signs must comply with AS 4282 - Control of Obtrusive Effects of Outdoor Lighting.
- (12) **Roof Mounted Equipment** – All roof mounted equipment must be appropriately integrated into the design of the building, have a “gull grey” colour finish, and not visually dominate the surrounding skyline.
- (13) **B-Doubles Prohibited Sign** – A sign must be prominently displayed at all loading dock entry points to this site which clearly states that access to this site by B-Double vehicles is prohibited at all times.
- (14) **Staged Construction** – This DA approves the staged construction and operation of this development in three stages as shown on Drawing No DA00 Revision B dated July 2012.

## **2.0 - Construction Certificate Requirements**

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

- (1) **Street Tree Protection Standards During all Development and Construction Works** - The protection of existing nature strip street trees must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites. The Consent Authority (i.e. Camden Council) must approve and authorise any works or impacts on any existing nature strip street tree prior to those works or impacts occurring.

The works and procedures involved with the protection of existing street trees are to be carried out by a suitable qualified and experienced Arborist or organisation. Minimum suitable qualifications for the Arborist are to be at a standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture.

Prior to the issue of the Construction Certificate, all initial procedures for the protection of existing trees as detailed in AS 4970-2009, must be installed. All procedures for the protection of existing street trees must be applied and be functioning and appropriately maintained during any earthworks, demolition, excavation (including any access installation) and construction works applicable to this Consent.

- (2) **Civil Engineering Plans** - Indicating drainage, roads, access ways, earthworks, pavement design, details of line marking and traffic management details and must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications and are to be submitted for approval to the Principal Certifying Authority prior to the engineering Construction Certificate being issued.
- (a) under the *Roads Act* 1993, only the Council can issue a Construction Certificate for works within an existing road reserve.
  - (b) under section 109E of the *Environmental Planning and Assessment Act* 1979, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (3) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and included in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
- (a) all matters associated with Council's Erosion and Sediment Control Policy.
  - (b) all matters associated with Occupational Health and Safety.
  - (c) all matters associated with Traffic Management/Control.
  - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (4) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (5) **Performance Bond** - Prior to the issue of the Construction Certificate a performance bond of \$50,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications. Should the cost of rectification of works exceed \$50,000, the balance of those works must be agreed to with Council's Land Development Engineer.

- (6) **Geotechnical Report** - The developer must engage an appropriately qualified geotechnical consultant to prepare a report to be submitted to the Certifying Authority for approval prior to a Construction Certificate being issued. The report must cover, but not be limited to:
- (a) extent and stability of proposed embankments (particularly those acting as retarding basins);
  - (b) recommended geotechnical testing requirements;
  - (c) required level of geotechnical supervision for each part of the works as defined under AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments;
  - (d) compaction specification for all fills within private subdivisions;
  - (e) the level of risk to existing adjacent dwellings as a result of a construction contractor using vibratory rollers anywhere within the site the subject of these works. In the event that vibratory rollers could affect adjacent buildings, high risk areas must be identified on a plan and the engineering plans must be amended to indicate that no vibratory roller,5 must be used within that zone;
  - (f) the impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation;
  - (g) the preferred treatment of any unstable areas within privately owned allotments;
  - (h) requirement for sub-surface drainage lines;
  - (i) overall suitability of the engineering plans for the proposed development.
- (7) **Traffic Management Plan** – A construction traffic management plan is required in accordance with Camden Council's current Engineering Design Specifications and must be submitted to Council and approved by the Principal Certifying Authority.
- (8) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current *Engineering Design Specifications*.
- (9) **Roads Act 1993 Consent** - Prior to the issue of a Construction Certificate, consent pursuant to s.138 of the *Roads Act 1993* must be obtained from the Roads Authority for the design and construction of all the proposed work in, on or over the road reserves adjacent to the subject site.

The design must include, but not be limited to, plans/documents associated with:

- (a) the construction of kerb and gutter, road shoulder and drainage
- (b) footway formation



- (c) public utility service adjustment or installation
- (d) an Environmental Site Management Plan.

Further all such plans and documents associated with the design must be certified by:

- (a) persons who are suitably accredited by a scheme approved by the NSW Department of Planning or where no scheme exists,
- (b) persons who are suitably qualified, are specialists and in that regard, currently practising in that specialist area, or
- (c) in the case of a Public Utility Authority, an appropriately delegated officer of that Authority or accredited person by that Authority,

and prepared in accordance with Camden Council's current Engineering Design Specifications.

- (10) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (11) **Stormwater design** - The stormwater drainage system and associated stormwater detention must be provided generally in accordance with the concept plan/s lodged for development approval prepared by Cardno Ltd, reference 212003, revision 4, and dated 25/01/2012.

The stormwater management plan is to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified person.

Prior to the issue of a Construction Certificate the Certifying authority shall obtain a compliance certificate that ensures the stormwater drainage system has been designed in accordance with Camden Council Engineering design and Construction Specification

- (12) **Water Quality** - Stormwater runoff from parking and uncovered paved areas shall be directed to a stormwater pre-treatment system. The treatment devices shall be designed to remove expected pollutant loadings including hydrocarbons and heavy metals in accordance with Camden Councils Engineering Design and Construction Specifications.

Any Construction Certificate issued by the Principal Certifying Authority or Certifying Authority shall incorporate:

- a) Specification and Installation details of the stormwater pre-treatment system
- b) The approval of an operation and maintenance manual/schedule for the proposed device.

A copy of the approved operation and maintenance manual/schedule shall be submitted to Camden Council with notification of the Construction Certificate issue.

### **3.0 - Prior To Works Commencing**

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

- (1) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Notice Of Commencement Of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* must be lodged with Camden Council at least two (2) days prior to commencing works. The notice must include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (3) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (4) **Erection of Signs** – Erection of signs must be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (5) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

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

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

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

- (7) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.
- (8) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point

#### **4.0 - During Construction**

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

- (1) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
  - (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
  - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
  - (c) work on Sunday and Public Holidays is prohibited.

The hours of work may be varied upon lodgement of an application to Camden Council for approval.

- (2) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) the delivery of material must only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
  - (b) stockpiles of topsoil, sand, aggregate, spoil or other material must be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and must have measures in place to prevent the movement of such material off the site;
  - (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying must be confined to the building allotment. All pollutants from these activities must be contained on site and disposed of in an appropriate manner;
  - (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
  - (e) a waste control container must be located on the development site.
- (3) **Site Management - No Nuisance Creation** - The developer must carry out work at all times in a manner which will not cause a nuisance by the generation of unreasonable noise dust or other activity, to owners and occupiers of adjacent properties.
- (4) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - (b) building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- (5) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such

material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must: -

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

\*For "Virgin Excavated Natural Material (VENM)":-

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
  - (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:
- (i) provides no unacceptable risk to human health and the environment;
  - (ii) is free of contaminants;
  - (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - (iv) is suitable for its intended purpose and land use, and
  - (v) has been lawfully obtained.
- (e) Sampling of VENM for salinity of fill volumes should be -
- (i) less than 6000m<sup>3</sup> - 3 sampling locations,
  - (ii) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

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

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

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
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Virgin Natural Material	Excavated	1 (see Note 1)	1000
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**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (6) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earth works/ site preparation/ construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

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

- (7) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the report titled *Report on Salinity Management Plan Proposed Central Hills Business Park Gregory Hills Development*, Project 40741.14 Revision 2, dated January 2010, prepared by Douglas Partners.
- (8) **External Materials and Finishes** - The development must be completed in accordance with the approved schedule of external materials, colours and finishes.
- (9) **Compaction** - Any filling occurring on the site must be compacted in accordance with Camden Council's current Engineering Specifications.
- (10) **Vehicles Leaving the Site** - The contractor / demolisher / construction supervisor must ensure that:-
- (a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
  - (b) the wheels of vehicles leaving the site:-
    - (i) do not track soil and other waste material onto any public road adjoining the site.
    - (ii) fully traverse the Stabilised Access Point (SAP).

- (11) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (12) **Excavation and Backfilling** – All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (13) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:
- (a) prior to installation of sediment and erosion control measures;
  - (b) prior to backfilling pipelines and subsoil drains;
  - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, access ways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
  - (d) proof roller test of subgrade and sub-base;
  - (e) roller test of completed pavement prior to placement of wearing course;
  - (f) prior to backfilling public utility crossings in road reserves;
  - (g) prior to placement of asphaltic concrete;
  - (h) final inspection after all works are completed and "Work as Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates, stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (14) **Fill Quality** – Any fill material brought in for the construction of the development must only contain uncontaminated soil, clay, shale or rock. No effluent, garbage or trade waste including building or demolition waste must be included in the fill. The extent and depth of filling must only occur in accordance with the approved plans and any other conditions of the development consent. Evidence of the certification of the fill as uncontaminated shall be provided to the Principal Certifying Authority.
- (15) **Construction Noise Levels** – Noise Levels emitted during construction works must be restricted to comply with the *DECCW's Interim Noise Construction Guidelines* dated July 2009.

- (16) **Compaction Testing** - All fill including existing fill must be compacted to 95% standard compaction and verified by the submission of test results for at least two (2) locations on each lot accompanied by a contoured depth of fill plan. Topsoil must be stockpiled and re-spread over the finished surface.

## **5.0 - Prior To Issue Of Occupation Certificate**

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

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

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

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

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

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

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

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



- (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (3) **Street Trees, their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this Consent, the following must occur:
  - (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred.
  - (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Occupation Certificate.
- (4) **Installation of Closed-Circuit Television** – Closed-Circuit Television must be installed throughout the complex and must be capable of facial recognition at each tenancy entrance.

Sufficient lighting cover must be available to the whole development site for to facilitate high level CCTV coverage.
- (5) **Security Lighting** – Security lighting in and around the development must be established, particularly around entry/exit points to create an even distribution of lighting with no glare in accordance with AS 4282 and AS 1158.
- (6) **Lighting Maintenance Policy** – A lighting maintenance policy must be established prior to the occupation of the development. The policy must provide for regular maintenance of all lighting throughout the development.
- (7) **Alcohol Free Zone** – Signs must be erected on the site which stipulates that the site is an Alcohol Free Zone.
- (8) **Graffiti Management Plan** – A graffiti management plan must be established prior to the operation of the development. All graffiti must be removed within 48 hours of the offence occurring.
- (9) **Sign Dimensions and Location** - The proposed multi-tenancy pylon signs must not exceed 6 metres high by 3.6 metres wide and must be located as indicated on the approved plans.

- (10) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. The survey report shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.
- (11) **Works as Executed Plan** - Prior to an Occupation Certificate being issued, a works-as-executed drawing must be submitted in accordance with Camden Council's current Engineering Construction Specifications to the Principal Certifying Authority.
- (12) **Stormwater Detention** - Prior to the issue of an Occupation Certificate, works-as-executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority . If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council. The Certifying Authority shall obtain a compliance certificate that ensures:
- a) on site detention system/s have been constructed in accordance with the approved Construction certificate and the requirements of this consent.
  - b) actual storage volume storage and orifice provided are referenced on any Works as Executed Plans.
  - c) the design intent is satisfied with regard to any Construction Certificate variations to the approved design.

Prior to the issue of an Occupation Certificate the developer must also prepare a section 88B instrument for approval by the Principal Certifying Authority which incorporated the following easement and restriction as to user:

Restriction as to user indicating that the on-site detention facility must be maintained at all times to a level sufficient to ensure efficient operation of the facility, and that the Consent Authority (ie Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (a) view the state of repair of the facility;
- (b) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.

- (c) restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (13) **Gutter/Footway Crossings** - The following works must be constructed prior to the issue of the Occupation Certificate and under the *Roads Act 1993* must be approved by Camden Council:
- (a) Provision of a heavy duty industrial gutter crossing at all points of ingress and egress.

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

## **6.0 - Operational Conditions**

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

- (1) **Light Spillage** - The lighting of the premises must be directed so as not to cause nuisance to owners or occupiers of adjoining premises.
- (2) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.
- (3) **Graffiti Removal** - All graffiti must be removed within 48 hours of the offence occurring.
- (4) **Restricted Access** – Access by the general public to the pump and meter rooms and the roof of all buildings must be restricted at all times.
- (5) **Maintenance** - The approved signs must be maintained in good order at all times.
- (6) **Loading/Unloading of Trucks** – The loading/unloading of trucks must only be undertaken within the development's loading areas at all times.
- (7) **B-Double Vehicles Prohibited** - Access to this site via B-Double vehicles is prohibited.
- (8) **Approved Hours of Operation** - The approved hours of operation for this development are 24 hours a day, seven days a week.