Conditions of consent

Development Description

General Industry and Resource Recovery Facility – Construction and operation of an asphalt batching plant and recycling facility

General Conditions

1. **Approved Plans and Supporting Documentation**

The development must be carried out generally in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended by other conditions of this consent:

a) Plans Reference:

Drawing Number/Name	Prepared By	Issue	Date
Drawing No. 1989-15 Sheet No. A01 'Site Plan'	Algorry Zappa and Associates	B	22 June 2018
Drawing No. 1989-15 Sheet No. A02 'Site Plan and Truck Turning Circle'	Algorry Zappa and Associates	B	22 June 2018
Drawing No. 1989-15 Sheet No. A03 'Raw Material Bunkers'	Algorry Zappa and Associates	B	22 June 2018
Drawing No. 1989-15 Sheet No. A04 'Sections'	Algorry Zappa and Associates	B	22 June 2018
Drawing No. 1989-15 Sheet No. D01 'Stormwater Drainage Concept Plan 1'	Algorry Zappa and Associates	F	25 June 2018
Drawing No. 1989-15 Sheet No. D02 'Stormwater Drainage Concept Plan 2'	Algorry Zappa and Associates	D	25 June 2018
Drawing No. 1989-15 Sheet No. D03 'Sediment Control Plan'	Algorry Zappa and Associates	D	25 June 2018
Drawing No. DA04 'Landscaping Plan'	Algorry Zappa and Associates	B	25 June 2018
Drawing No. DA05 'Stormwater Drainage Concept Layout Plan'	Algorry Zappa and Associates	B	25 June 2018
'Marini Plan Layout'	Algorry Zappa and Associates		Undated

b) Document Reference:

Document Name/Reference	Prepared By	Issue	Date
'Level II Air Quality Impact Assessment Report' (Document No. 141067-04_AQIA_Rev5)	Benbow Environmental	5	9 March 2018
'Revised Noise Impact Assessment Report' (Document No. 141067-03_NIA_Rev5)	Benbow Environmental	5	12 September 2017
Statement of Commitments	Benbow	2	25 August 2016

under Section 9 of the 'Environmental Impact Statement' (Document No. 141067-03_EIS_Rev2)	Environmental		

2. **Integrated Development – General Terms of Approval**

The following General Terms of Approval, as referred to under Section 4.50 of the *Environmental Planning and Assessment Act 1979*, are attached and form part of the consent conditions for this approval:

a) NSW Environment Protection Authority – The General Terms of Approval (Reference No. 1544789) dated 23 April 2018 are attached and form part of this consent.

3. **Appointment of a Principal Certifying Authority and Commencement of Work**

Any engineering (civil) or building works associated with this consent must not commence before the following matters are addressed:

a) a Construction Certificate has been issued as relevant;

b) a Principal Certifying Authority has been appointed;

c) the Principal Certifying Authority has provided notification to Council of its appointment no later than two days before the subdivision works are proposed to commence; and

d) the person having the benefit of the consent has given at least two day's notice to Council of the person's intention to commence the subdivision work.

4. **Construction Certificate Required Prior to Commencement of Works**

No approved building or engineering (civil) works shall commence until:

a) a Construction Certificate from either Council or an Accredited Certifier has been obtained (a fee is payable for this service);
b) a Principal Certifying Authority has been appointed; and
c) a Notice of Commencement has been lodged with Council.

Note: If the Construction Certificate is issued by an Accredited Certifier that is not Council it will be necessary to lodge the Certificate and other approved documents with Council within two days of such approval (a registration fee is payable upon lodgement).

5. **Occupation Certificate Required Prior to the Use of the Building**

The building and structures shall not be occupied or used prior to the issuing of an Occupation Certificate by the Principal Certifying Authority. Where an Interim Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

A copy of the Occupation Certificate shall be submitted to Council within two days of its issue.

6. **Part 6 Certificates Required**

The accredited certifier shall provide copies of all Part 6 Certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

Note: A registration fee applies.

7. **Prescribed Conditions – Compliance with National Construction Code**

All building works must be carried out in accordance with the requirements of the National Construction Code (Building Code of Australia).

8. **Civil Works Specifications Compliance**

All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan 2002 – Appendix E 'Civil Works Specification'. Inspections shall be carried out and compliance certificates issued by Council or an Accredited Certifier.

9. **Works on Public Land – Not Permitted Without Approval**

No work can be undertaken within adjoining public lands (i.e. parks, reserves and roads etc.) without the prior written consent of Council or other relevant authority. In this regard the person having benefit of the consent is to contact Council prior to the commencement of any design works or the preparation of a Construction and Traffic Management Plan.

The developer must bear the cost of all works associated with the development that occurs on public land, including the restoration of damaged areas.

10. **Sewer Authority – Hawkesbury City Council**

This development falls within the Sewerage Scheme controlled by Hawkesbury City Council. Therefore Council is the approving authority for all sewer works.

Prior to Issue of any 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:

11. **Section 7.12 (Section 94A) Contributions**

A contribution under Section 7.12 (formerly Section 94A) of the *Environmental Planning and Assessment Act 1979* must be paid in accordance with the following:

a) Contribution Required

In accordance with Council's Section 94A Contributions Plan 2015, a monetary contribution (indexed at the time of payment) must be paid to Council for the amount specified below.

b) Amount of Contribution

The amount of the contribution is **$35,000.00**.

This fee is based on the supplied value-of-works of $3,500,000.00.

The contribution amount detailed in (b) will be indexed at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics (Table 6401.0).

Contributions must be receipted by Council and evidence of payment submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at Council's Customer

Service Centre so that it can be recalculated.

Note: In the event that the estimated value of works increases in association with the Construction Certificate the Section 7.12 contribution payable is to be based on the revised value of works.

12. **Long Service Levy Payment**

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986* is required. Evidence that the levy has been paid is to be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Note: All building works valued at $25,000 or above are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Payments Corporation offices or most councils.

13. **Council Sewer Authority – Section 305 Application and Tradewaste Agreement**

Hawkesbury City Council is the sewer authority for this development. As this development involves connection to Council's reticulated sewer system, evidence that a Section 305 Application and Tradewaste Application have been lodged with Council's Waste Management Branch must be provided to the Certifying Authority prior to the release of the Construction Certificate.

14. **Construction Management Plan**

A Construction Management Plan shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate. The Construction Management Plan shall include the following:

a) Summary: The Plan shall include a concise (maximum three page) summary of key points from all documentation.
b) Background: The Plan shall provide details of the works including the extent, staging and proposed timing of the works.
c) Traffic: A detailed Traffic Management Plan shall be provided in accordance with the 'Traffic Management Plan' condition requirements.
d) Noise: Details shall be provided to demonstrate how the works will be undertaken in accordance with the Interim Construction Noise Guideline published the NSW Environment Protection Authority (EPA).
e) Erosion and Sediment Control: Plans detailing the erosion and sediment control measures for the site shall be provided.
f) Dust: Details shall be provided in accordance with the Dust Management Measures condition requirements.
g) Water Quality Assessment and Monitoring: A report shall be provided detailing planned water quality monitoring targets and procedures.

15. **Erosion and Sediment Control Plan**

The applicant must submit to and obtain approval from the Certifying Authority of an Erosion and Sediment Control Plan (ESCP) prior to issue of a Construction Certificate. The ESCP must show the location of site boundaries, adjoining roads, approximate grades, vegetation, site access, impervious areas, existing and proposed site drainage and a north point.

The ESCP must take into account the requirements of Landcom's publication 'Managing Urban Stormwater – Soils and Construction' (2004). The plan shall show the following:

a) timing of works;
b) nature and extent of earthworks, including the amount of any cut and fill;
c) where applicable the diversion of runoff from upslope lands around the disturbed areas;
d) location of all soil and other material stockpiles including topsoil storage;

e) location and type of proposed erosion and sediment control measures;
f) site rehabilitation proposals; and
g) frequency and nature of the maintenance program.

The ESCP shall provide site-specific management measures, including details of short and long-term measures to be employed to minimise soil erosion and the discharge of sediment to land and/or waters including the locations and capacities of sediment fencing/straw bales, temporary sediment basins, sediment filters, filter barriers and other controls.

16. **Traffic Management Plan**

A detailed Traffic Management Plan must be submitted to the Certifying Authority prior to the issue of the Construction Certificate detailing how construction vehicles will safely enter and exit the site in a practical manner whilst minimising any negative effects on the surrounding roads and community. The Traffic Management Plan must include the following:

a) Heavy vehicle routes, access arrangements and operating hours must be detailed;
b) The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any structures within the site shall be detailed.
c) All loaded vehicles entering or leaving the site must have their loads covered.
d) The proposed method of access to and egress from the site for vehicles is to be safe and practical.
e) Any associated Traffic Control Plans prepared in accordance with the Roads and Maritime Services' publication 'Traffic Control at Worksites' by an appropriately qualified person.

17. **Traffic Control Plan**

A Traffic Control Plan prepared in accordance with the Roads and Maritime Services' publication 'Traffic Control at Worksites' is to be prepared by an appropriately qualified person and submitted to Council for approval prior to the release of the Construction Certificate.

18. **Operational Traffic Management Plan – Heavy Vehicle Traffic Routes**

All heavy vehicle traffic during the operation of the development must use Argyle Street and Macquarie Street to enter and exit the property. Use of alternative routes such as the use of Fairey Road, Mileham Street and Walker Street are prohibited.

An Operational Traffic Management Plan demonstrating compliance with the above requirement must be submitted to Council for approval. Evidence of Council's approval of the Operational Traffic Management Plan must be provided to the Certifying Authority prior to the issue of the Construction Certificate.

19. **Drainage Easements – Structures Adjacent**

The walls of any structure adjoining the easement boundaries must be designed by a suitably qualified engineer to withstand all forces should the easement be excavated to existing pipe invert level. This may require footings to be designed such that they are set to below pipe invert level or alternatively founded on sound rock.

Details satisfying this requirement are to be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate.

20. **Dilapidation Survey – Damage to Public Infrastructure**

A Dilapidation Survey and Report (including photographic record) must be prepared by a suitably qualified consultant detailing the pre-developed condition of roads and public infrastructure within the vicinity of the development. Particular attention must be paid to

accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

Details demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

Note: The developer may be held liable for all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

21. **Sydney Trains – Stray Currents and Electrolysis from Rail Operations**

Stray currents as a result of rail operations may impact on the structures of the development. Electric currents on overhead wiring pass through the train's motor and return to the power substation via the rail tracks. Occasionally, these currents may stray from the tracks and into the ground. Depending on the type and condition of the ground, these may be passed to the nearest conductive material (concrete reinforcement, piling, conduits, pipework and earthing rods etc.) accelerating corrosion of metals and leading to concrete cancer. As a result the Applicant must consider this possible impact and engage an expert consultant when designing the buildings.

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the electrolysis risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Certifying Authority with the application for a Construction Certificate.

22. **Sydney Water – Endorsement of Approved Plans**

The approved plans must be submitted to and endorsed by Sydney Water via the 'Sydney Water Tap-in' website to determine whether the development will affect Sydney Water's water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to Sydney Water's website:

www.sydneywater.com.au

Evidence of the building plan approval must be forwarded to the Certifying Authority prior to the commencement of works.

23. **Sydney Water – Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained. Application must be made through an authorised Water Servicing Coordinator. For details refer to Sydney Water's website;

www.sydneywater.com.au

Following application, a 'Notice of Requirements' will be forwarded detailing water supply requirements and charges to be paid. Please make early contact with the Coordinator, since the building of water extensions or upgrades can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice of Requirements must be submitted to the Authority prior to the commencement of works.

Prior to Issue of a Construction Certificate (Engineering)

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:

24. **Construction Certificate (Engineering) Works**

A Construction Certificate must be obtained for the following engineering (civil) works:

a) Access driveway, car park and truck manoeuvring hardstand area;
b) Civil drainage; and
c) Water quality treatment structure.

No engineering (civil) works are to commence until Construction Certificate plans and specifications are submitted to and approved by the Certifying Authority.

25. **Earthworks – Cut, Fill and Grading**

Plans detailing any earthworks must be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate. These plans must clearly indicate finished levels, fill depths, batter grades and finished surfaces.

All earthworks and filling on the site must comply with the following:

a) Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping.
b) All disturbed areas are to be stabilised/revegetated, using a minimum 300mm surface layer of topsoil, as soon as practicable after the completion of filling works.
c) Where the maximum grade of the fill batter exceeds a ratio of three horizontal to one vertical (3:1), retaining walls, stoneflagging or terracing shall be constructed;
d) All fill within the site shall be placed in layers not exceeding 300mm thickness and compacted to achieve a minimum dry density ratio of 98% when tested in accordance with Australian Standard AS1289 'Methods of testing soils for engineering purposes' unless otherwise specified.
e) Any fill material shall comprise uncontaminated Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM).

Details, plans and documentation satisfying the above requirements are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

26. **Structural Engineer's Design – Retaining Walls**

Any retaining walls having a height exceeding 600mm proposed in conjunction with the development are required to be designed by a practicing structural engineer.

Details demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

27. **Detailed Drainage Design – Industrial Development**

A detailed drainage design of the site must be submitted and approved prior to the release of the Construction Certificate. The detailed plan must:

a) be generally in accordance with the stormwater concept plans detailed in Drawing No. 1989-15 Sheet No. D01 Issue 'F', Drawing No. 1989-15 Sheet No's D02 and D03 Issue 'F' and Drawing No. 1989-15 Sheet No. D05 Issue 'B' prepared by Algorry Zappa and Associates;

b) indicate the method of disposal of all stormwater and must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines;
b) be to the satisfaction of the Certifying Authority;
c) be designed to cater for a 1 in 10 year Average Recurrence Interval (ARI) storm event;
d) show details of any overflow drainage paths and that they be designed to cater for 1 in 100 year ARI storm event; and
e) comply with Council's Hawkesbury Development Control Plan 2002 - Appendix E – Civil Works Specifications and Australian Standard AS 3500 'Plumbing and Drainage'.

28. **Overland Flow**

The development shall not create adverse impacts to neighbouring properties in relation to overland flow and must meet the following requirements:

a) Water flowing from the property must not be redirected or concentrated to adjoining properties;
b) Water flowing into the property from adjoining lots shall not be impeded or diverted; and
c) Water flow shall follow the natural flow directions without increasing velocity.

Details demonstrating compliance with the above requirements shall be provided to the Certifying Authority for approval prior to the issue of a Construction Certificate.

29. **Sydney Trains – Drainage**

Run-off or stormwater discharge from the development site onto the rail corridor is unacceptable, both during and after construction and installation. Any run-off or waste arising from the development activities needs to be properly disposed of and must not be allowed to enter the rail corridor.

Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of or managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains. To consider this option Sydney Trains will require a Hydrology Report for the overflow trench regarding the current and future rates of water discharge into the rail corridor.

Details demonstrating compliance with the above requirements shall be provided to the Certifying Authority prior to the issue of a Construction Certificate. Where water is to be discharged to the rail corridor the written approval of Sydney Trains must be provided.

30. **Structural Engineer’s Design – Deep Pits**

All pits deeper than 3m must be designed by a certified structural engineer and be in accordance with AS3600:2009. Pits deeper than 1.2m must have step irons whilst pits deeper than 1.8m are to be reinforced concrete. Details demonstrating compliance with these requirements shall be incorporated into the detailed drainage design that is submitted to the Certifying Authority prior to issue of the Construction Certificate.

31. **Pit Grates**

All pits must have flush fitting grates. All pits larger than 600mm by 600mm are to be grated galvanised steel grid hinged, and be heavy duty-type where traffic loading is expected. Details demonstrating compliance with these requirements shall be incorporated into the detailed drainage design that is submitted to the Certifying Authority prior to issue of the Construction Certificate.

32. **Vehicle Entry, Manoeuvring and Exit from Industrial Property**

The vehicular usage of the site, including vehicle access, parking and loading areas, must be constructed to comply with the following requirements:

a) All areas of operation must be sealed with hard surfacing;
b) all vehicles must be loaded and unloaded entirely within the property in a safe and practical manner;
b) all vehicles shall be driven in a forward direction at all times when entering and leaving the premises; and
c) vehicles entering and exiting the site must not create queuing which adversely affects vehicles travelling on the public road network.

Loading and unloading areas are to be clearly designated and the swept paths of the longest vehicle entering and exiting the subject site must be in accordance with Australian Standard AS2890.1:2004 'Parking facilities – Off-street car parking' and Australian Standard AS2890.2:2002 'Parking facilities – Off-street commercial vehicle facilities'.

Details demonstrating compliance with the above requirements must be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

33. **Car Parking – Design and Allocation**

Car parking spaces shall be provided in accordance with Australian Standard AS2890.1:2004 'Parking facilities – Off-street car parking' and Australian Standard AS2890.6:2009 'Parking facilities – Off-street parking for people with disabilities'. The minimum number of spaces shall be provided as follows:

Staff/visitor spaces:	Eight
Accessible spaces:	One

All spaces are to be linemarked whilst the accessible space is to be linemarked and signposted in accordance with Australian Standard AS2890.6.

Details demonstrating compliance with the above requirements must be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

34. **Verification of Driveway Grades**

To verify that vehicular access will comply with the requirements of Australian Standard AS2890.1:2004 'Parking facilities – Off-street car parking', a scaled long section of the driveway from the boundary to the vehicle manoeuvring area shall be provided to the Certifying Authority prior to the release of the Construction Certificate. The required details are to include:

a) existing natural surface levels;
b) proposed grades and finished surface levels of the driveway; and
c) details of the method of treatment of any fill/retaining wall which may be required in conjunction with the driveway.

35. **Engineer Designed Pavement – Industrial**

All car parking areas, manoeuvring areas, access drive and hardstand aisile must be paved, drained and marked. These pavements must be designed by a qualified civil engineer and certified to be satisfactory for the expected traffic loadings. AUSTROADS 'Guide to Pavement Technology' can be used as the design guideline for the pavement design.

Details demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

Prior to Issue of a Construction Certificate (Building)

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:

36. **Air Quality and Noise Impact Mitigation Measures**

The development must be designed to incorporate the pollutant control, noise control and mitigation measures detailed in:

a) Section 6.2 of the 'Level II Air Quality Impact Assessment Report' (Document No. 141067-04_AQIA_Rev5) prepared by Benbow Environmental and dated 9 March 2018;
b) Section 8.3 of the 'Revised Noise Impact Assessment Report' (Document No. 141067-03_NIA_Rev5) prepared by Benbow Environmental and dated 12 September 2017; and
c) The Statement of Commitments detailed in Section 9 of the 'Environmental Impact Statement' (Document No. 141067-03_EIS_Rev2) prepared by Benbow Environmental and dated 25 August 2016.

Documentation, plans and details demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to the release of the Construction Certificate. Certification of compliance from a suitably qualified person must be provided to confirm that the design satisfies these requirements.

37. **Access for Persons with a Disability**

Details demonstrating compliance with Australian Standard AS1428.1 'Design for Access and Mobility' and Disability (Access to Premises – Buildings) Standards 2010' in relation to the development are to be submitted to the Certifying Authority prior to issue of a Construction Certificate.

38. **Flood Prone Land – Engineer's Certification**

The adopted 100 year Average Recurrence Interval (ARI) flood level for this site is RL 17.3m AHD.

Certification from a practising engineer must be provided deeming compliance with the following requirements during a 100 year ARI flood event:

a) Debris: Damage to the structures sustained in a flood will not generate debris capable of causing damage to downstream buildings or property. This includes securing of utilities and equipment including tanks, A/C units and similar.

b) Structural Soundness: Any part of the structure will be able to withstand the force of floodwaters due to flowing water and unbalanced hydrostatic forces, buoyancy forces, lateral forces and impact forces from debris.

c) Foundations: The footing system must be structurally stable during flooding and must consider the soil properties when wet, possible erosion and scouring or liquefaction, subsidence or collapse due to saturation.

This engineering certification must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

39. **Structural Engineer's Design – Concrete and Structural Steel**

A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Certifying Authority prior to issue of the Construction Certificate.

40. **Department of Defence – Extraneous Lighting**

Outdoor lighting situated within 6km of an airfield has the potential to be confusing for pilots due to similarities with approach or runway lighting, may impede a pilot's ability to see due to

brightness or glare, and affect visibility from the Air Traffic Control Tower due to the brightness or glare.

The subject site is located within the Civil Aviation Safety Authority's (CASA) 6km radius controlled light installation area. Defence has adopted CASA guidelines for extraneous lighting near its airfields and any future development must comply with the extraneous lighting controls detailed in the CASA Manual of Standards (MOS-139) Aerodromes.

Documentation prepared by a suitably qualified person and demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

41. **Department of Defence – Crane Details**

The height and location of any cranes to be used in the construction of the asphalt batching plant must be sent to the Department of Defence to ascertain any risk to aircraft operations. Such details must be provided to the Department of Defence.

Evidence of the Department of Defence's acceptance of the crane details must be provided to the Certifying Authority prior to issue of the Construction Certificate.

Prior to the Commencement of Works

42. **Principal Certifying Authority – Details**

The applicant shall advise Council of the name, address and contact number of the Principal Certifier in accordance with Section 6.6(2)(b) (formerly Section 81A(2)(b)) of the *Environmental Planning and Assessment Act 1979*.

43. **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 additional 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) be attached to an approved on-site effluent disposal system; or
c) be a temporary chemical closet that is regularly maintained; and
d) appropriate facilities for the disposal of sanitary items are to be provided within the toilet.

44. **Notice of Commencement**

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

a) details of the appointment of a Principal Certifying Authority (PCA) providing name, address and telephone number; and

b) details of the name, address and licence details of the contractor.

45. **Principal Certifying Authority (PCA) Site Sign**

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

a) showing the name, address and telephone number of the Principal Certifying

Authority for the work;

b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and

c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the remediation, building and civil construction work is being carried out, but must be removed when the work has been completed.

46. **Restriction of Site Access to Prevent Unauthorised Material**

The site is to be secured by a fence, in accordance with NSW WorkCover requirements, to prevent unauthorised access during the period of all works.

Entry and exit points shall be secured at all times to prevent the unauthorised entry of vehicles and to ensure the site manager can control and prevent dumping of waste and potentially contaminated material whilst any fill material is being imported or managed onsite.

47. **Survey Certificate – Building to be Verified by a Registered Surveyor**

In order to ensure compliance with the approved plans a Survey Certificate prepared by a Registered Surveyor is to be undertaken:

a) following the installation of formwork prior to placement of concrete showing the floor level and location of any buildings and/or structures in relation to the property boundaries and any easements.

Progress certificates shall be submitted to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the works as constructed.

The survey must detail any easements affecting the subject land.

48. **Management of Dust**

All reasonable measures to minimise dust generated during construction are to be implemented. This includes but is not limited to:

a) Clearly defined stop work thresholds whereby work on site will be ceased with the exception of water trucks. Thresholds must be provided that relate to velocity and direction of wind,

b) Stabilisation of stockpiles, and

c) A definition of the maximum allowable height and grades on batters of stockpiles.

Dust management measures are to be incorporated into the Construction Management Plan to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

49. **Sydney Trains – Fencing**

Sydney Trains require the installation and/or retention of appropriate fencing to ensure that unauthorised entry into the rail corridor is prevented from this development.

Details of the type of fencing and the method of erection are to be provided to Sydney Trains for their written approval. Evidence of Sydney Train’s approval must be provided to the Principal Certifying Authority prior to the commencement of any works.

Note: Sydney Trains may provide supervision at the developer's cost for the erection of the new fencing.

50. **Implementation of Erosion and Sediment Control Plan**

The measures required in the Erosion and Sediment Control Plan (ESCP) approved by the Certifying Authority must be implemented prior to the commencement of works.

51. **Traffic Management Devices**

All traffic management devices shall be installed and maintained in accordance with the approved Traffic Management Plan.

52. **Fill Requirements**

Prior to works commencing, documentary evidence shall be provided to the Principal Certifying Authority demonstrating that any proposed fill material is either:

a) Uncontaminated Virgin Excavated Natural Material (VENM) as defined under the provisions of the NSW Protection of the Environment Operations Act 1997; or
b) Excavated Natural Material (ENM) as defined by the 'Excavated Natural Material Exemption 2012' of the NSW Environment Protection Authority. The material must be from a known origin and composition, free of contamination from manufactured chemicals, process residues, building debris, sulfidic ores or other foreign matter; or
c) Fill which has been characterised and validated by a suitably qualified and experienced site contamination consultant, in accordance with the NSW Office of Environment and Heritage publication 'Contaminated Sites – Sampling Design Guidelines 1995'.

Written details are to be kept of the address for the origin of the fill; quantities, dates, and times of delivery from each location; registration numbers and driver's identification details; and laboratory test results/consultant reports. These details must be available for inspection by the Principal Certifying Authority or Council upon receipt of a written request.

All fill shall be placed in accordance with the standards specified in Table 5.1 of Australian Standard AS3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

During Construction

53. **Construction Hours**

Clearing of land, running of machinery, excavation, earthworks, civil works and the delivery of building materials shall be carried out between the following hours:

a) between 7am and 6pm, Mondays to Fridays inclusive;
b) between 8am and 4pm, Saturdays;
c) no work on Sundays and public holidays; and
d) works may be undertaken outside these hours where:
    (i) the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;
    (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
    (iii) a variation is approved in advance in writing by Council.

54. **Implementation of Construction Management Plan**

All aspects of the Construction Management Plan must be implemented and maintained until the completion of works.

55. **Construction Noise**

The works must be undertaken in accordance with the Interim Construction Noise Guideline published by the NSW Environment Protection Authority (EPA).

56. **Site Management During Construction**

a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
c) Copies of receipts stating the following must be given to the Principal Certifying Authority:
   (i) the place to which waste materials were transported;
   (ii) the name of the contractor transporting the materials; and
   (iii) the quantity of materials transported off-site and recycled or disposed of.
d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
e) During construction:
   (i) all vehicles entering or leaving the site must have their loads covered;
   (ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and
   (iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.
f) All loading and unloading associated with construction activity must be accommodated on site.
g) At the completion of the works, the work site must be left clear of waste and debris.

Note: In the event it is not possible to keep the footpath or road reserve clear during construction works written approval from Council shall be obtained prior to any closing of the road reserve or footpath area. The closure shall take place in accordance with Council's written approval. The area shall be signposted and such signposting be maintained in a way that ensures public safety at all times.

57. **Classification of Excavated Soils**

Any soils excavated from the subject site are to be classified under the NSW DECC Waste Classification Guidelines (2008). Testing is required prior to offsite disposal.

All waste materials must be removed to appropriately licensed waste facilities by a suitably qualified contractor in accordance with NSW DECC (2008) Waste Classification Guidelines.

Details of soil excavation, transportation and disposal works must be reported to Council by a suitably qualified consultant. If required this is to be submitted as part of the validation reporting for the development.

58. **Topsoil and Stockpiles of Materials**

Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping.

Stockpiles of topsoil, sand, aggregate, spoil or other material stored on the site that is capable of being moved by running water shall be stored clear of any drainage line or easement, natural watercourse, footpath, kerb, and/or road surface.

Suitable sediment and erosion control devices shall be installed prior to the stockpile being created. The stockpile shall be treated so its surface is erosion resistant to wind and water action.

59. **Earthworks – General Requirements**

All earthworks on site must comply with the following:

a) The level of fill shall not exceed the levels shown on the approved Development Consent

plans. A certificate prepared by a Registered Surveyor confirming compliance with this requirement is to be submitted to the Principal Certifying Authority upon the completion of any earthworks.

b) Topsoil shall be stripped only from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping;

c) Once the topsoil has been removed the natural batter should be suitably stepped, scarified or roughened to prevent slipping and the fill is to be keyed in to hold the toe of the fill batter in place; The landfill shall be completed in stages to minimise the area exposed at any one time. Each section is to be stabilised by grassing immediately prior to moving onto the next section.

d) Where the maximum grade of the fill batter exceeds a ratio of three horizontal to one vertical (3:1), retaining walls, stoneflagging or terracing shall be constructed;

e) All fill shall be placed in accordance with the standards specified in Table 5.1 of Australian Standard AS3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

f) All fill, including existing fill, must be compacted with a compaction ratio of 98% as specified in Table 5.1 of Australian Standard AS 3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

g) All disturbed areas are to be stabilised/revegetated, using a minimum 300mm surface layer of topsoil, as soon as practicable after the completion of filling works.

60. **Connection to Council Pit and/or Pipe**

Any connection to a Council pit and/or pipe must:

a) be made at the pipe obvert (pipe only);
b) be through a hole that is neatly made by cutting or drilling with any reinforcement encountered cut away;
c) not protrude past the inner surface of the pit and/or pipe;
d) have all junctions finished with 2:1 cement mortar;
e) have a minimum pipe size of 150mm in diameter and either sewer grade PVC or concrete; and
f) when the diameter of the connection is more than 1/3 the diameter of the Council pipe, connection is to be made by construction of a standard pit.

All construction is to be carried out in accordance Hawkesbury Development Control Plan 2002 – Appendix E 'Civil Works Specifications'.

61. **Inspections by Certifying Authority**

Inspections shall be carried out and Compliance Certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan 2002 – Appendix E 'Civil Works Specifications' - Part II, Table 1.1.

Prior to Issue of an Occupation Certificate

62. **Council Sewer Authority – Tradewaste Agreement**

A Tradewaste Agreement must be entered into with Council's Waste Management Branch for the discharge of tradewaste to Council's sewer. Evidence of the Agreement must be provided to the Principal Certifying Authority prior to the release of an Interim or Final Occupation Certificate.

63. **Council Sewer Authority – Section 307 Compliance Certificate**

Prior to the issue of any Occupation Certificate (whether Interim or Final), the Applicant shall provide to the Principal Certifier a copy of the Section 307 Compliance Certificate issued by Council in relation to Council's sewer infrastructure.

64. **Detailed Works As Executed Plans**

'Works As Executed' plans prepared by a registered surveyor and certifying compliance with the approved design plans must be submitted to the Certifying Authority prior to issue of any Occupation Certificate. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. The plans must verify:

a) surface level of constructed paved areas;
b) extent and depth of fill material;
c) surface and invert levels of any pits;
d) invert levels and sizes of any pipelines;
e) floor levels of all buildings; and
f) top of kerb levels at the front of the lot.

All levels must relate to Australian Height Datum (AHD).

65. **Survey Certificate at Completion**

A Survey Certificate prepared by a Registered Surveyor shall be provided to certify the location of the buildings and structures in relation to the boundaries of the allotment and any easements. The certificate is to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

66. **Infrastructure Repair and Completion of Works**

Prior to the issue of any Occupation Certificate:

a) all works in the road reserve must be fully completed; and
b) any public infrastructure damaged as a result of the development must be repaired to the satisfaction of Council.

67. **Traffic Noise Management**

A Traffic Noise Management Plan must be prepared and submitted to Council to address traffic noise mitigation measures, monitoring and control systems to be put in place for the operation of the development. A copy of the Council endorsed plan must be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

68. **Flood Prone Land – Awareness and Evacuation**

The following requirements are to be prepared and installed prior to the issue of any Occupation Certificate:

a) A Flood Emergency Evacuation and Management Plan is to be prepared for the development. The plan shall advise staff and visitors of flood evacuation procedures and emergency telephone numbers. The evacuation procedures shall be permanently fixed in prominent positions within the batching plant facility and office building.

b) Flood warning signs are to be provided advising staff and visitors that the site may be subject to inundation during times of flood. The sign shall be constructed of durable material and installed in a prominent location within the site.

69. **Sydney Water Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

70. **Energy Provider Certificate**

Documentary evidence from an energy provider confirming that satisfactory arrangements have been made to serve the proposed development shall be provided to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Prior to Operation of the Development

71. **Environment Protection Authority – Environment Protection Licence**

An Environment Protection Licence (EPL) must be obtained from the Environment Protection Authority (EPA) prior the operation of the development.

72. **Department of Defence – Tall Structures**

There is an ongoing need for the Department of Defence to obtain and maintain accurate information about tall structures so that this information can be marked on aeronautical charts. Marking tall structures on aeronautical charts assists pilot navigation and enhances pilot safety. Airservices Australia (ASA) is responsible for recording the location and height of tall structures. The information is held in a central database managed by ASA and relates to the erection, extension, or dismantling of tall structures.

'As constructed' details of the asphalt batching plant must be provided to ASA at vod@airservicesaustralia.com

Confirmation of ASA's receipt of the as constructed details of the asphalt batching plant must be provided to Council prior to the operation of the development.

Use of the Development

73. **Hours of Operation**

The asphalt batching plant and recycling facility shall operate between the following hours only:

Mondays to Saturday	7am to 9pm
Sundays	8am to 8pm
Public Holidays	Closed

Note: These operating hours apply to all activities that are to be undertaken onsite and override any operating hours approved under previous consents.

74. **Environment Protection Authority – Operational Requirements**

The development must be operated in accordance with the Environment Protection Licence (EPL) and General Terms of Approval issued by the Environment Protection Authority (EPA).

The development must be operated in accordance with the following requirements:

a) The screening, mixing and hot storage sections of the plant must be enclosed. The enclosure must be designed and maintained to achieve negative pressure, with emissions directed to the bag house.
b) Crushing of reclaimed asphalt pavement (RAP) must be conducted in enclosed plant.
c) The asphalt truck loadout area must be enclosed, with emission capture directed to the bag house.
d) The premises must be maintained and strategies implemented to prevent the emission of dust from the premises.
e) Trucks entering and entering the premises that are carrying loads must be covered at all times, except during loading and unloading. The Applicant must ensure no material, including sediment, is tracked from the premises.

f) The asphalt plant is only permitted to operate on natural gas.

75. **Noise Limits**

Noise form the premises must not exceed the limits detailed under Condition L3 of the General Terms of Approval (Reference No. 1544789) issued by the NSW Environment Protection Authority and dated 23 April 2018:

Location	**Noise Limit dB(a)**	
	Day LAeq (15 minute)	**Evening LAeq (15 minute)**
1 James Meehan Street, Windsor	50	39
12 Kingley Close, South Windsor	46	39
49 Mileham Street, South Windsor	54	39
81 Mileham Street, South Windsor	46	39

76. **Neighbourhood Amenity**

Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

77. **Heavy Vehicle Traffic Routes**

All heavy vehicle traffic during the operation of the development must use Argyle Street and Macquarie Street to enter and exit the property in accordance with the approved Operational Traffic Management Plan. Alternative routes such as the use of Fairey Road, Mileham Street or Walker Street are prohibited.

78. **Stockpiling of Material**

Aggregate and Reclaimed Asphalt Pavement (RAP) must be stockpiled and stored within the material bunkers. This material is not to be stockpiled in the open.

79. **Annual Fire Safety Statement**

The owner of the building is responsible for the lodgement with Council of an Annual Fire Safety Statement from a competent person so as to confirm the essential fire safety measures required to be provided in the building exist and are being maintained. The Annual Fire Safety Statement shall be issued within 12 months of the issue of the Final Fire Safety Certificate, and then on an annual basis thereafter.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

a) forwarded to the Commissioner of Fire and Rescue New South Wales by email to afss@fire.nsw.gov.au; and
b) prominently displayed in the building.

80. **Pollution Incidents – Protection of the Environment Operations Act 1997**

In accordance with the requirements of Part 5.7 of the Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

Waste water from waste receptacles, floor and perimeter surface cleaning shall not be disposed of into food preparation or utensil sinks, or to any storm water drainage inlet.

81. **Waste Management – Protection of the Environment Operations Act 1997**

All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. The development shall maintain facilities sufficient for containment of all wastes arising from the use of the site.

Waste removal service contracts/agreements shall be maintained for the business at all times.

82. **Department of Defence – Waste Management**

The subject site is located in an area mapped by the Department of Defence as 'Birdstrike Group C'. Within this area, certain land uses that have the potential to attract wildlife should be avoided as they may potentially increase the risk for bird strike for aircraft operation from RAAF Base Richmond.

Any organic waste must be stored in covered or enclosed waste bins.

83. **External Lighting**

Any external lighting must be directed in such a manner so as not to cause any adverse impact on neighbouring properties and road users.

Conditions of consent

(i) **Works Within Road Reserve**

To undertake works within the road reserve an approval under Section 138 of the *Roads Act 1993* must be obtained from Council for local and regional roads or from Roads and Maritime Services for State roads.

Private accredited Certifiers do not have any authority to issue Engineering Approvals or carry out inspections for works on Public Roads under the Roads Act 1993.

(ii) **Dial Before You Dig**

Prior to commencement of work, the free national community service 'Dial Before You Dig' shall be contacted on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

(iii) **Utilities and Services**

Utilities, services and other infrastructure potentially affected by the works shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the development shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required.

The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

The applicant is advised to consult with:

(a) Sydney Water Corporation Limited;
(b) The Waste Management Branch of Hawkesbury City Council as the sewer authority;
(c) the relevant electricity supply authority;
(c) the relevant gas supply authority; and
(d) the local telecommunications carrier

… regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the works either onsite or on the adjacent public roads.

(iv) **Department of Defence – Exhaust Plume**

Conditions and comments received from the Department of Defence are based on the batching plant not venting exhaust plumes above the facility. If any future exhaust plumes are to be vented from the facility, the Department of Defence will require details of the plumes to ascertain the risk to aircraft operations.

(v) **Sydney Trains – Environmental Conditions**

Environmental conditions of consent on all third party works are necessary to ensure compliance with environmental legislation and regulations. There are many environmental sensitivities within and adjacent to the railway corridor (e.g. Threatened species, wetlands, erosion and acid prone soils, natural and cultural heritage areas, etc.). Employees, contractors and operators are obligated to protect the environment at their worksites. This can be accomplished through the assessment and management of risks, and implementation of adequate controls to prevent environmental harm.

During all stages of the development, environmental legislation and regulations must be complied with. Extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

During all stages of the development, extreme care shall be taken to prevent any form of pollution (including dust mitigation measures) entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

(vi) **Endeavour Energy – Network Capacity and Connection**

The Applicant will need to submit an application for connection of electricity load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on 133 718 or (02) 9853 6666 from 8:00am to 5:30pm or are available on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link http://www.endeavourenergy.com.au

(vii) **Endeavour Energy – Easement Management and Network Access**

The main terms of Endeavour Energy's electrical easements requires that the land owner:

- Not install or permit to be installed any services or structures within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

As the proposed works will encroach/affect Endeavour Energy's easements, contact must first be made with the Endeavour Energy's Easements Officer on (02) 9853 7139 or alternately Jeffrey.Smith@endeavourenergy.com.au

(viii) **Endeavour Energy – Safety Clearances**

Any future proposed buildings, structures, signage etc. must comply with the minimum safe distances/clearances for voltages up to and including 132,000 volts (132kV) as specified in AS/NZS7000:2010 'Overhead line design – Detailed procedures' and the 'Service and Installation Rules of NSW'. Different voltages are kept at different heights, the higher the voltage, the higher the wires are positioned on the pole. Similarly, the higher the voltage, the greater the required building setback. These distances must be maintained at all times and to all buildings and structures, e.g. for the erection of scaffolding etc., and regardless of the Council's allowable building setbacks etc. under its development controls allowance must be made for the retention of appropriate/safe clearances.

(ix) **Endeavour Energy – Earthing**

The construction of any building or structure (including fencing) that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with AS/NZS3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth. Inadequate connection to the earth places persons and the electricity network at risk.

(x) **Endeavour Energy – Vegetation Management**

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure.

Only low growing shrubs not exceeding 3m in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure and, even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's Vegetation Management program and/or the provisions of the *Electricity Supply Act 1995* (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

(xi) **Endeavour Energy – Public Safety**

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Public safety training resources are available via Endeavour Energy's website via the following link:

http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the 'Emergencies Telephone' is 131 003 and can be contacted 24 hours seven days.

(xii) **Workplace Health and Safety**

All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed that is sufficient to exclude the public from the site and safety signs must be erected that warn the public to keep out of the site and provide a contact telephone number for enquiries.

Further information and details can be obtained from the WorkCover website.

(xiii) **Works on Public Land – Public Liability Insurance**

Any person or contractor undertaking works on public land must take out a Public Risk Insurance policy with a minimum cover of $10 million in relation to the occupation of public land

and the undertaking of approved works within Council's road reserve or public land, as approved by this consent.

The policy is to note, and provide protection/full indemnification for Council, as an interested party. A copy of the policy must be submitted to Council prior to commencement of any works. The policy must be valid for the entire period that the works are being undertaken.

(xiv) **Incident Reporting – Environmental Management**

The proprietor shall notify, immediately after occurrence, Council and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment.

(xv) **Discovery of Contamination**

Should any new information come to light during the works which has the potential to alter previous conclusions about contamination, the works must cease immediately and contact should be made with Council. Works must not recommence onsite until directed by Council.

(xvi) **Acid Sulfate Soils – Monitoring of Excavation During Works**

All excavations are to be monitored to ensure that acid sulphur soils are not encountered during works. Signs that may indicate the presence of acid sulphur soils include:

a) change in colour of the soil into grey and green tones;
b) effervescence;
c) the release of sulphur smelling gases such as sulphur dioxide or hydrogen sulphide; and
d) lowering of the soil Ph by at least one unit.

Should any of the above indicators be present excavation work on the site is to stop and Council is to be notified to determine what action is required to be taken before work may commence.