

Details of Conditions:

1.0 - General Conditions of Consent

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

- (1) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.
- (2) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to works commencing.
- (3) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (4) **Construction of Permanent Water Quality Facilities** - Permanent water quality facilities must be constructed:
 - a) in accordance with the approved plans;
 - b) to Council's standards; and
 - c) when 80% of the catchment is built out.

Earth batters associated with the facilities must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (5) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (6) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Roads and Maritime Services, Ref SYD17/01406, dated 16 November 2017.
- (7) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
AD.A.02 Issue 1	Site Plans Sheet 1	South Water Design Architects	6 September 2017
AD.A.03 Issue 2	Site Plans Sheet 2	South Water Design Architects	16 February 2018

AD.B.01 Issue 3	Basement Floor Plan	South Water Design Architects	20 February 2018
AD.B.02 Issue 1	Mezzanine Floor Plan	South Water Design Architects	6 September 2017
AD.B.03 Issue 3	Ground Floor Plan	South Water Design Architects	21 February 2018
AD.B.04 Issue 2	First Floor Plan & Roof Plan	South Water Design Architects	14 February 2018
AD.C.01 Issue 2	Basement Floor Plan Part 1	South Water Design Architects	14 February 2018
AD.C.02 Issue 3	Basement Floor Plan Part 2	South Water Design Architects	14 February 2018
AD.C.03 Issue 1	Mezzanine Floor Plan Part 1	South Water Design Architects	6 September 2017
AD.C.04 Issue 1	Mezzanine Floor Plan Part 2	South Water Design Architects	6 September 2017
AD.C.05 Issue 4	Ground Floor Plan	South Water Design Architects	12 April 2018
AD.C.06 Issue 3	First Floor Plan	South Water Design Architects	14 March 2018
AD.D.01 Issue 1	Elevations	South Water Design Architects	6 September 2018
AD.D.02 Issue 1	External Signage	South Water Design Architects	14 March 2018
AD.E.01 Issue 1	Sections Sheet 1	South Water Design Architects	6 September 2017
AD.E.02 Issue 2	Sections Sheet 2	South Water Design Architects	20 February 2018
AD.E.03 Issue 1	Perimeter Sections Sheet 1	South Water Design Architects	6 September 2017
AD.E.04 Issue 1	Perimeter Sections Sheet 2	South Water Design Architects	6 September 2017
AD.F.01 Issue 1	Street Views	South Water Design Architects	6 September 2017
AD.F.02 Issue 1	Aerial Views	South Water Design Architects	6 September 2017

AD.F.03 Issue 1	Street Views	South Water Design Architects	6 September 2017
AD.F.04 Issue 1	View from the corner of Camden Valley Way and Anderson Road	South Water Design Architects	6 September 2017
AD.F.05 Issue 1	Close-up View of Showroom	South Water Design Architects	6 September 2017
AD.G.01 Issue 1	Service Reception	South Water Design Architects	6 September 2017
AD.G.02 Issue 1	Amenities Plans Sheet 1	South Water Design Architects	6 September 2017
AD.G.03 Issue 1	Amenities Plans Sheet 2	South Water Design Architects	6 September 2017
AD.G.02 Issue 1	Amenities Plans Sheet 1	South Water Design Architects	6 September 2017
80817424-DA001 Rev 1	Notes and Legends	Cardno	29 August 2017
80817424-DA010 Rev 1	General Arrangement Plan	Cardno	29 August 2017
80817424-DA015 Rev 1	Bulk Earthworks, Cut Fill, and Erosion Control Plan	Cardno	29 August 2017
80817424-DA025 Rev 1	Erosion and Sediment Control Details	Cardno	29 August 2017
80817424-DA030 Rev 1	Basement Siteworks and Stormwater Drainage Plan	Cardno	29 August 2017
80817424-DA031 Rev 1	Podium Siteworks and Stormwater Drainage Plan	Cardno	29 August 2017
80817424-DA040 Rev 1	Siteworks Sections Sheet 1	Cardno	29 August 2017
80817424-DA041 Rev 1	Siteworks Sections Sheet 2	Cardno	29 August 2017
80817424-DA050 Rev 1	Pavement Plan	Cardno	29 August 2017
80817424-DA090 Rev 1	Siteworks and Stormwater Drainage Details	Cardno	29 August 2017
80817424-DA100 Rev 1	Catchment Plan	Cardno	29 August 2017
L-01/2 Issue A	Landscape Plan	RFA Landscape Architects	30 August 2017

L-02/2 Issue B	Landscape Plan	RFA Landscape Architects	12 January 2018
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Document Title	Prepared by	Date
Waste Management Plan	Submitted with DA Documentation	Submitted with DA Documentation
Geotechnical Investigation	JK Geotechnics	14 July 2017
Fire Safety Engineering Review Issue No. V1.0	Scientific Services	25 August 2017
Schedule of External Finishes/Colours	SWD Architects	Submitted with DA Documentation
Civil Engineering Assessment Rev 2	Cardno	28 August 2017
BCA Assessment Report Rev 01	Concise Certification	25 August 2017
Building Code of Australia Section J Assessment Report Issue C	Building & Energy Consultants Australia	August 2017
Access Report	Accessibility Solutions NSW Pty Ltd	28 August 2017
Tree Assessment Report	Mark Bury Consulting	22 August 2017
Traffic and Parking Impact Assessment Rev C 16672.03FC	McLaren Traffic Engineering	31 August 2017
Response to Council Letter 16672.04FA	McLaren Traffic Engineering	15 January 2018
Response to Council Letter Ref 16672.05FA	McLaren Traffic	21 February 2018
Additional Environmental Site Assessment (Contamination)	EIS	22 November 2017
Remediation Action Plan	EIS	11 December 2017
Salinity Management Plan	EIS	1 November 2017
Environmental Site Assessment	EIS	3 August 2017

- (8) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- protect and support the adjoining building, structure or work from possible damage from the excavation; and
 - where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

- (9) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (10) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (11) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

- (12) **Service Vehicles** – The maximum size of the vehicles accessing the site shall be limited to a 18.65m long car carrier.
- (13) **Access Ramp** – A convex mirror shall be installed midway at the bend of the access ramp to improve sightlines and ensure that heavy vehicles can see vehicles approaching from the opposite direction.
- (14) **Waste Collection** – The collection of waste must be undertaken outside of peak operating hours.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Mechanical Exhaust System** - Mechanical exhaust system(s) shall comply with the BCA and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge location points). Details demonstrating compliance shall be provided to the Certifying Authority.
- (2) **Detailed Lighting Plan** – A detailed lighting plan shall be submitted to the Certifying Authority with the Construction Certificate application. The plan must demonstrate that the orientation and intensity of lighting will comply with AS 4282 and AS 1158.
- (3) **Spray Booths** - The design, construction and operation of the spray booth and air venting system shall comply with AS/NZS 4114.1 (Parts 1 and 2) and the provision of

the *Protection of the Environment Operations Act 1997* and the Clean Air Regulation 2010.

- (4) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council's Engineering Specifications and must demonstrate the following:
- a) All trees to be sourced in accordance with tests and measurements contained within AS2303-2015 – *Tree Stock for Landscape Use*;
 - b) Five (5) *Araucaria cunninghamii* with a minimum container (pot size) of 100L must be incorporated into the landscape along the Anderson Road frontage to reflect the cultural landscape and soften the built form;
 - c) Five (5) additional trees with a minimum container (pot size) of 45L must be incorporated into the landscape along Camden Valley Way to soften the built form. Suitable species can be derived from Council's preferred tree list. <https://www.camden.nsw.gov.au/environment/trees/> Tree and landscape species list;
 - d) The minimal container (pot size) for all other trees indicated on the landscape plan must be a 45 litre;
 - e) The verge along Anderson Road must incorporate 1 tree per 7m. Suitable species can be derived from Council's preferred tree list. <https://www.camden.nsw.gov.au/environment/trees/> Tree and landscape species list;
 - f) The species of the verge planting indicated on the landscape plan along Camden Valley Way must be derived from Council's preferred tree list. <https://www.camden.nsw.gov.au/environment/trees/> Tree and landscape species list;
 - g) Tree planting detail to specify root barrier where trees are planting in close proximity to hard surfaces;
 - h) Plant schedule is to indicate plant species grid spacing eg. Ground cover plants 1 per 0.5m², shrubs 1 per 1.5m², tall shrubs/small trees 1 per 2.5m² and trees 1 per 10m² (as per planting plan prepared by RFA Landscape Architecture)
 - i) The plan is to identify existing street trees on plan and include notation for the protection of these trees during construction phase;

Details demonstrating compliance shall be provided to the Certifying Authority.

- (5) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (6) **Driveway Gradients and Design** – The design of all driveways and car parks shall comply with AS2890.1-2004 'Off-street car parking', AS2890.2-2002 'Off-street commercial vehicle facilities' and 'AS2890.6-2009 'Off-street parking for people with disabilities' and:

- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
- b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
- c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
- d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (7) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

A stormwater plan is to be submitted to the Certifying Authority prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the Certifying Authority.

Note – Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (8) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer in accordance with Council's Engineering Specifications.
- (9) **Water Quality** – A water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Where a Construction Certificate is required by this development consent, a detailed water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

- (10) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (11) **Damages Bonds** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (12) **Tree Survey Plan and Hollow Bearing Trees/Active Nests** – A tree survey plan to identify the location, type and condition of existing trees proposed to be removed,

including whether tree hollows or active nests are present, must be prepared. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan.

The nest box installation and active nest relocation plan shall provide fauna with short-term habitat requirements during vegetation clearance and bushland restoration works. Each individual tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.

All hollow-bearing and active nest trees removed from the site are to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence, in line with the *National Parks and Wildlife Act 1974*. A qualified ecologist or wildlife carer will be present throughout vegetation clearing activities to relocate fauna, or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).

- (13) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the Certifying Authority and Council.
- (14) **Remediation Action Works** - All works proposed as part of the remediation Action Plan that includes; removal of asbestos contaminated material, validation of soil, waste classification and offsite disposal, backfilling, environmental controls that include air emissions, dust, asbestos, noise controls, soil management, water management, occupational health and safety, licences and approvals, must be undertaken on the site in accordance with the report titled, "Remediation Action Plan for proposed commercial development, prepared by EIS Environment Investigation Services, report ref E30659Krpt3-RAP dated 11December 2017".

Any proposed variation or modification of remedial works, compliance works, validation works, from that stated in the Remedial Action Plan, must be referred to the Consent Authority for written approval prior to any such works being undertaken.

3.0 - Prior to Commencement of Works

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

- (1) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.
The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.
- (2) **Protection of Trees to be Retained** - Protection of trees to be retained shall be in accordance with Council's Engineering Specifications. The area beneath the canopies of the tree(s) to be retained shall be fenced. Tree protection signage is required to be attached to each tree protection zone, and displayed in a prominent position.
- (3) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of,

and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.

- (4) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and,
 - f) a telephone number on which the PCA may be contacted for business purposes.
- (5) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (6) **Construction Certificate Required** - In accordance with the *EP&A Act 1979*, construction approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;

- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (7) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)' and any Sediment and Erosion plans approved with this development consent.
- (9) **Dilapidation Report – Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the PCA and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.

- (10) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the PCA.
- (11) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
- (12) **Site is to be Secured** - The site shall be secured and fenced.
- (13) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.

A copy of the approval receipt from Sydney Water must be submitted to the PCA.

- (14) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all construction works.

4.0 - During Works

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

- (1) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and,
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

- (2) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (3) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.
- (4) **Unexpected Finds Contingency (Remediation)** – Should any additional contamination or hazardous materials be encountered during any stage of the remediation process, all remediation works in the vicinity of the findings shall cease and compliance with the contingency recommendations in the approved remediation action plan shall be adopted.

- (5) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (6) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (7) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (8) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the PCA.

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 practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
- c) be prepared in accordance with;

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.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m³ - 3 sampling locations; and
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note)	1000 or part thereof

Note – 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.

- (9) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (10) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

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

- (11) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (12) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the report "*Report to Alto Properties No 2 Pty Ltd on Salinity Management Plan for proposed car show room development, prepared by EIS Environment Investigation Services, report ref E30659KrptRev1-SMP dated 1 November 2017*".

- (13) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (14) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (15) **Site Signage** - A sign shall be erected at all entrances to the development site and be maintained until the development has been issued with an Occupation Certificate. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:
- “WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”*
- The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (16) **Vehicles Leaving the Site** - The 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; and
 - ii) fully traverse the site’s stabilised access point.
- (17) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (18) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) builder’s operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
 - d) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including

water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);

- e) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i. be a standard flushing toilet connected to a public sewer; or
 - ii. have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii. be a temporary chemical closet approved under the *Local Government Act 1993*.
- (19) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to PCA prior to the development proceeding beyond floor level stage.
- (20) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the PCA prior to the development proceeding beyond frame stage.
- (21) **Reuse Or Placement Of Remediated Or Validated Fill Material Or Soils** – The placement or reuse of remediated or validated fill material or soil on Council land (this includes under roads, open space) or on land to be dedicated to Council is prohibited.
- (22) **Remediation Works Inspections** – A qualified environmental consultant or scientist must frequently inspect the remediation works to confirm compliance with the RAP including all health and safety requirements.

5.0 - Prior to Issue of an Occupation Certificate

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

- (1) **Validation Report** - A validation report prepared by a suitably qualified person shall be provided to the PCA and Council within 30 days of completion of the remediation works, and prior to the issue of an Occupation Certificate, which demonstrates:
 - a) compliance with objectives of the approved RAP;
 - b) that the remediation acceptance criteria (in the approved RAP) has been fully complied with;
 - c) that all remediation works comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997* and SEPP 55;
and includes:
 - d) Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;

- e) a “notice of completion of remediation work” as required under Clause 18 of SEPP 55; and
 - f) a statement confirming that the site following remediation of contamination is suitable for the intended use.
- (2) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the PCA. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
- (3) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.
- (4) **Inspection of Existing Street Trees** – All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.
- (5) **Positive Covenant – Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the water quality facilities on the property, prior to the issue of an Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures;
- b) the proprietor shall have the facilities inspected annually by a competent person;
- c) the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities; and
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the water quality facilities on the property.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

- (6) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the PCA for approval.

- (7) **Directional Traffic Flow Signs** - The Anderson Road driveway shall be used for ingress purposes only, and the Dunn Road driveway for ingress and egress purposes. All driveways shall be suitably signposted and directional arrows painted on the internal driveways. All signs shall be maintained in good repair at all times.
- (8) **Geotechnical Compliance Certificate** - A Certificate of Compliance prepared by a suitably qualified and experienced Geotechnical Engineer shall be provided to the PCA stating that the works detailed in the Geotechnical Report have been undertaken under the Engineer's supervision and to the Engineer's satisfaction, and that the assumptions relating to site conditions made in preparation of the report were validated during construction. This certificate shall accompany the Works as Executed plans.
- (9) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (10) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (11) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (12) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
- a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and
 - c) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.
- (13) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (14) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (15) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

6.0 – Ongoing Use

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

- (1) **Display of Goods on Footpath** - No goods are to be displayed outside the confines of the building.
- (2) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

- (3) **Motor Vehicle Business** - The use of the premises involving the repair, maintenance or upgrade of motor vehicles shall comply with the following requirements at all times:
 - a) no motor vehicle(s) or part of a motor vehicle which is in the custody of the person carrying on the motor vehicle business shall be left standing on any public road or place in close proximity of the premises at which the business is carried on;
 - b) a motor vehicle(s) or part of a motor vehicle undergoing or awaiting repair shall be stored wholly within the building in the designated area shown on the approved plan;
 - c) under no circumstances shall parts of car wrecks be stored on the road, footpath, landscaped area or driveway;
 - d) automotive parts in contact with any automobile fluid shall be stored in a covered, bunded area;
 - e) all cleaning, washing for degreasing of motor vehicles shall be carried out in an approved area set aside for that purpose which shall be connected to the sewer where available; and,
 - f) all loading and storage of motor vehicles, goods or materials or any industrial activity whatsoever shall take place wholly within the site, in a manner that does not interfere with parking areas, driveways or landscapes.
- (4) **Prohibition of Wrecking** - Dismantling or wrecking of vehicles shall not be carried out on the premises.
- (5) **Discharge into Waterways** - No wastewater, chemicals or other substances shall be permitted to discharge to the waterway that runs through the site or Council's stormwater system. Only clean, unpolluted water is permitted to discharge. All liquids (such as oils lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals) shall be stored in a covered and suitably bunded area.

- (6) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.
- (7) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.
- (8) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (9) **Spray Booths** - The operation and maintenance of the spray booth and air venting system shall comply with AS/NZS 4114 Parts 1 and 2 and the provision of the *Protection of the Environment Operations Act 1997*.
- (10) **Mechanical Exhaust** - The proposed spray booths and mechanical exhaust ventilation systems shall comply with AS/NZS 4114.1-2003 'Spray Painting Booths, designated spray painting areas and paint mixing rooms' PART 1 – Design, Construction and Testing.
- (11) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (12) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

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

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

- (13) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (14) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

- (15) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Vehicle showroom – Monday to Friday: 8:00am to 7:00pm
Saturday & Sunday: 8:30am to 6:00pm

Workshop – Monday to Friday 7:00am to 6:00pm

- (16) **Industrial Uses** - All industrial activity in connection with the use of the subject property is to be wholly confined within the building.

Any approved office space is to be used solely in conjunction with the approved use of the premises as a vehicle sales premises, vehicles repair station and vehicle body repair workshop. The separate use or occupation of the approved office space is not permitted by this consent.

- (17) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

- (18) **Parking – Signage (Loading docks)** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/ unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.

- (19) **Number of Vehicles** - No more than 28 vehicles shall be worked on at any one time within the respective workbays.

- (20) **Approved Signage Maintenance** - The approved sign(s) shall be maintained in a presentable and satisfactory state of repair. Where illumination has been approved, the level of illumination and/or lighting intensity used to illuminate the sign/s shall comply with AS 1158 and AS 4282.

- (21) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.

- (22) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.

- (23) **Car Parking** - A minimum 204 car spaces to be provided on site at all times.

Reasons for Conditions:

- (1) To ensure that the development complies with statutory requirements including the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, the Building Code of Australia and applicable Australian Standards.
- (2) To ensure that the development meets the aims, objectives and requirements of the environmental planning instruments, development controls plans, Council policies and 7.11 contributions plans that apply to the site and development.

- (3) To ensure that the development complies with the submitted plans and supporting documentation.
- (4) To ensure that the development will be constructed/operated in a manner that will minimise impacts upon the environment.

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