

## **DRAFT CONDITIONS FOR DA 123-2017**

### **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (SUBDIVISION)**

1. **BUILDING PLATFORMS AND BUILDING ENVELOPES FOR LOTS WITH SLOPES EXCEEDING 20% ADJONING NANGI PIBMLE**

**This Condition applies to proposed Lots 1-5 Section 45 (Stage 11), proposed Lots 6-8, Section 45 (Stage 15) and Proposed Lot 11, Section 46 (Stage 12).**

**The applicant is to construct level building platforms and retaining walls on the lots affected. Building platforms may be stepped. In addition building envelopes shall be established for each site. The building envelope shall include the above mentioned platforms and shall include an area with a usable private open space. The building envelope is to be registered on the deposited plan.**

**Prior to the issue of the Construction Certificate (Subdivision) for the relevant stage of work detailed design plans showing excavation, backfilling and retaining works required to create the abovementioned building platforms must be submitted to and approved by Council. The plans shall include building envelopes, finished ground levels and setbacks of building platforms including cross sections, long sections and design levels for each of the sites either individually or grouped together.**

**REASON: To ensure the new allotments have sufficient building area on it.**

2. **CONSTRUCTION FOR RETAINING WALL/S**

**Prior to the issue of any Construction Certificate (Subdivision) details of any proposed excavation, backfilling and retaining works must be submitted and approved by Council.**

**All excavations, backfilling, retaining works and other activities associated with the subdivision works must be executed safely and in accordance with appropriate professional standards. Excavations or fill extending to within 1 metre of boundary must be supported by either retaining wall/s or a 1:4 batter with a 500mm hinge into the affected property.**

**Where retaining walls are proposed along a property boundary, they are to be constructed by the developer. Retaining walls are to be located such that the entire retaining wall, associated footings and drainage material are located wholly within the lot on the low side of the boundary. The backfilled side of the retaining wall shall be no closer than 500mm to the property boundary.**

**Retaining wall/s that exceed 1 metre in height are required to be certified by a structural engineer.**

*Note: If a retaining wall will exceed 1.5 metres in height or will be located within an easement a separate development consent must be obtained prior to construction.*

REASON: To ensure that excavated or backfilled areas are adequately retained and that neighbouring properties are not impacted by the earthworks on the site. **(60.19)**

3. **FURTHER INVESTIGATION, REMEDIATION AND VALIDATION WORKS**  
**Prior to the issue of a Construction Certificate for stages 5, 7, 8 and the Neighbourhood 2 School site affected by the required remediation as outlined in the letter from the site auditor, Arcadis, dated 7 December 2017 and the staging plan attached, the recommendations in the “Conclusions and Recommendations” section of Detailed Contamination Assessment Neighbourhood 1A – 7 and Neighbourhood 2 – Googong Road report prepared by Geotechnique Pty Ltd Dated 16 May 2017 (Ref:12675/4-AB) shall be implemented.**

**Any subsequent outcomes (such as additional remediation, recommendations or conditions) shall be carried out. Evidence of their implementation must be submitted to Council prior to the issue of a Construction Certificate (Building or Subdivision) for the stage/s affected by the required remediation.**

**Nothing in this condition prevents site works being undertaken for the purposes of carrying out the investigation, remediation and validation works as specified above.**

REASON: To ensure all recommended investigation, remediation and validation works within affected stages are carried out so that any contamination of the site is remediated before construction works proceed. **(56.01)**

4. **SUBMIT A REVISED DESIGN FOR THE LAKE**  
**The design drawings and construction of the lake is to be amended to provide several areas of deeper water to at least 3m. In these deeper areas fish snags of dense hardwood with some twisted branch complexity are to be installed. The amended plans must be submitted and approved by Council prior to the issue of any Construction Certificate (Subdivision).**

REASON: To reduce light penetration as a strategy to avoid cyanobacterial blooms, plant growth and provide a habitat for fish. **(56.01)**

5. **GROSS POLLUTANT TRAPS**  
**The applicant is to prepare and submit a detailed design for location and access requirements for maintenance of the Gross Pollutant Traps (GPT's) prior to the issue of any Construction Certificate (Subdivision).**

REASON: To ensure practical and safe removal of pollutants from the system. **(56.01)**

6. **SUBMIT A MAINTENANCE AND MANAGEMENT PLAN FOR THE LAKE**  
**A maintenance and Management Plan is to be provided for the lake which includes control of macrophytes from undesirable areas, desilting and flocculation requirements, litter control and to also include specifications for the aerating water jets and cleaning of GPT's. This must be submitted to Council prior to the issue of any Construction Certificate (Subdivision)**

REASON: To ensure efficient ongoing management and operation of the units and maintenance of the lake.

7. **SUBMIT A CONSTRUCTION MANAGEMENT PLAN**  
**Prior to release of any Construction Certificate (Subdivision) a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to, and endorsed by, Council. The plan must:**
- (a) describe the proposed construction works and construction program and,**
  - (b) set standards and performance criteria to be met by the construction works and,**
  - (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,**
  - (d) identify procedures to receive, register, report and respond to complaints and,**
  - (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.**

**In addition, the Construction Management Plan must include an "unexpected finds protocol" to assess potential sources of contamination encountered in the filling on site in untested areas. This should include an asbestos finds protocol in the event that asbestos-based materials are discovered.**

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works and to ensure that in the event of unexpected contaminants being discovered a protocol is in place to deal with the unexpected event. **(56.16)**

## **PRIOR TO COMMENCEMENT**

8. **FLORA AND FAUNA MANAGEMENT PLAN**  
**A Flora and Fauna Management Plan (FFMP) is to be prepared at the applicant's cost and submitted to Council prior to commencement of subdivision works. The recommendations of the FFMP are to be implemented during the pre-construction, construction and post construction phases.**

**This Plan should detail the impact avoidance and mitigation measures that would be implemented to reduce adverse impacts on flora and fauna during tree removal and clearing, excavation of trenches, rehabilitation of disturbed areas after disturbances and activities such as weed management and re-establishment of native vegetation by revegetation.**

**The Plan should also include a monitoring and review program.**

**Key elements of the FFMP are to include the proposed measures to reduce impacts on biodiversity as outlined in the Googong NH2 Subdivision Flora and Fauna Assessment, March 2017 prepared by Capital Ecology.**

REASON: To minimise any impacts on flora and fauna. (57.01)

9. **CONSTRUCTION CERTIFICATE (SUBDIVISION) TO BE ISSUED**  
**Prior to the commencement of any stage of subdivision works approved under this development consent a Construction Certificate (Subdivision) must be issued by Council or an Accredited Certifier.**

REASON: To satisfy the requirements of the Environmental Planning and Assessment Act 1979. (57.05)

10. **SUBMIT NOTICE OF COMMENCEMENT OF SUBDIVISION WORK**  
**A Notice to Commence Subdivision Works must be submitted to Council at least two days prior to commencing any subdivision works and nominating Council as the Principal Certifying Authority for the subdivision works.**

***NOTE: A quotation for Council to perform the duties of Principal Certifying Authority for the subdivision works will be provided upon submission of the Construction Certificate (Subdivision) to Council.***

REASON: To provide for supervision of the subdivision works. (57.06)

11. **SUBDIVISION CONSTRUCTION CERTIFICATE**  
**The Construction Certificate (Subdivision) and accompanying engineering design plans and Certification Report must be submitted to Council prior to the commencement of any works for a subdivision stage. Works associated with the subdivision stage shall subsequently be carried out in accordance with the detailed design drawings and specifications the subject of the Construction Certificate (Subdivision).**

**The engineering plans must comply with the requirements of Council's Googong Design and Construction Specifications and include the following where applicable to a subdivision stage -**

- (a) A Certification Report in accordance with Clause DQS.04;**

- (b) **This general note - All work must be constructed in accordance with the requirements of Council's Googong Design and Construction Specifications;**
- (c) **All driveway access are to be perpendicular to the VKCs.**
- (d) **Compliance with the recommendations of the Bushfire Protection Assessment prepared by Eco Logical Australia (Ref: 16CAN\_4631) dated 23 March 2017 and 13 November 2017 .**

REASON: To provide design certification of subdivision works. **(57.07)**

12. **ERECT A SIGN FOR ANY DEVELOPMENT WORKS**

**A sign must be erected and maintained in a prominent position on any site on which subdivision 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 the building work and a telephone number on which that person may be contacted outside working hours.**
- (c) **Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

13. **WATER & SEWER COMPLIANCE CERTIFICATE - DESIGN**

**Prior to the release of a Construction Certificate (Subdivision) a certificate of compliance in accordance with the *Water Management Act 2000* must be obtained from Council.**

**The application for the certificate of compliance must be accompanied by four copies of the Civil Engineering plans for the design of the water reticulation and sewerage systems, drawn in accordance with Council's *Development Design Specification - Googong*.**

REASON: To ensure that the hydraulic design is in accordance with the relevant Design and Construction specifications. **(57.12)**

*Note: This water and sewer compliance certificate is only required if the development involves alterations to Council's existing water and/or sewer infrastructure and also involves subdivision.*

14. **SUBMIT A TRAFFIC MANAGEMENT PLAN**

**Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the Roads Act 1993.**

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. **(57.13)**

## **SITE MANAGEMENT DURING SUBDIVISION WORKS**

### **15. INSTALL EROSION AND SEDIMENT CONTROLS**

**Erosion and sediment controls must be installed on the site and maintained during the construction period.**

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

### **16. HOURS OF OPERATION FOR WORKS**

**All works associated with the subdivision must be carried out between the following hours:**

<b>Weekdays:</b>	<b>7.00am to 6.00pm</b>
<b>Saturdays:</b>	<b>8.00am to 4.00pm</b>
<b>Sundays and Public Holidays:</b>	<b>NIL</b>

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

## **GENERAL CONDITIONS**

### **17. COMPLIANCE WITH AIRPORT (PROTECTION OF AIRSPACE) REGULATIONS**

**Any structures erected in conjunction with the subdivision must not exceed a maximum of 822 metres AHD or 20 metres AGL, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.**

**Separate approval in accordance with the Regulations must be sought for any construction equipment (i.e cranes) or other structures within this Googong site which will exceed the height of 822 metres AHD or 20 metres AGL.**

REASON: To ensure works do not protrude into the prescribed airspace for Canberra Airport. **(59.01)**

### **18. COMPLIANCE WITH ESSENTIAL ENERGY REQUIREMENTS**

**The development must be carried out generally in accordance with requirements provided by the Essential Energy dated 5 May 2017 and attached in Schedule 2 of this consent.**

REASON: To comply with the Essential Energy requirements. **(59.01)**

19. COMPLIANCE WITH NSW ROADS & MARITIME SERVICES REQUIREMENTS

**The development must be carried out generally in accordance with requirements provided by the Roads & Maritime Services dated 12 May 2017 and attached in Schedule 2 of this consent.**

**REASON:** To comply with the Roads & Maritime Services requirements. **(59.01)**

20. ACOUSTIC FENCE

**A suitable acoustic fence is required to be constructed along the northern boundary of the proposed Lot 6 Section 55 of Stage 15, to mitigate the noise impact from water reservoir.**

**REASON:** To minimise potential negative impacts of noise upon occupants **(59.01)**

21. IN ACCORDANCE WITH THE APPROVED PLANS

**The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp as stated in the Table below, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.**

**In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.**

Drawing No	Drawing Title	Date	Revision
<b>Engineering &amp; Utilities Design Drawings</b>			
16-001756-D002	Existing Services	29/09/2017	A
16-001756-D003	General Arrangement Plan	29/09/2017	B
16-001756-D004	Construction Management Concept Plan	29/09/2017	A
16-001756-D005	Staging Plan	29/09/2017	A
16-001756-D008	Street Hierarchy Plan	29/09/2017	C
16-001756-D011 – D018	Typical Street Cross Section	29/09/2017	A (D015, D017 & D018) B (D011 – D014 & D016)
16-001756-D021 – D024	Services Relocation Plans	29/09/2017	B
16-001756-D025 – D028	Typical Details	29/09/2017	A

16-001756-D030	Path Network Plan	29/09/2017	A
16-001756-D031	Bus Route Network Plan	29/09/2017	A
16-001756-D032 – D034	Driveway Location Plans	29/09/2017	B
16-001756-D035 – D042	Site Grading Plans	29/09/2017 & 2/11/2017	A (D035 – D038, D040 – D042) B (D039)
16-001756-D051 – D056	Slope Analysis Plans – Existing and Finished Surface	29/09/2017 & 16/10/2017	A (D051 – D053) C (D054 – D056)
16-001756-D160 – D161	Drainage Catchment Plan and Data	29/09/2017	A
16-001756-D163 – D167	Drainage Concept Key Plan and Master Plan	29/09/2017	A
16-001756-D170	Basin C Outlet Structure & Typical Diversion Structure	29/09/2017	A
16-001756-D180 – D187	Googong Township Sewer Concept Cathment Plan and Data, Sewer Concept key Plan and master Plans	29/09/2017	A
16-001756-D201 – D207	Potable Water Concept Master Plans and Data	29/09/2017	A (D202 – D207) B (D201)
16-001756-D211 – D217)	Recycled Water Concept Master Plan and Data	29/09/2017	A
16-001756-D230 – D232	Utility Concept Master Plans	29/09/2017	A
16-001756-D240 – D245	WSUD Pond Key Plan and Details	29/09/2017	A
16-001756-D255 – D259	Soil, Water and Vegetation Concept Management Plans	29/09/2017	A
16-001756-D270 – D272	Riparian Corridor Offset Plans	29/09/2017	A
16-001756-D300	General Arrangement, Linemarking & Signposting Old Cooma Road/Road 1	23/03/2017	Nil
16-001756-D301	Typical Street Cross Section Old Cooma Road	23/03/2017	Nil
16-001756-D302	Sight Triangles Old Cooma Road/Road 1	23/03/2017	Nil
16-001756-D305	Turning Path Movements – 19m Semi Old Cooma Road/Road 1 Intersection	23/03/2017	Nil
16-001756-D306	Signalisation Old Cooma Road/Road 1	23/03/2017	Nil
16-001756-D310	Grading Plan – Old Cooma Road/Road 1 Intersection	23/03/2017	Nil
16-001756-D311	Drainage Plan – Old Cooma Road/Road 1 Intersection	23/03/2017	Nil



16-001756-D321	Turning Path Movement – 19m Semi Road 1/Road 2 Intersection	23/03/2017	Nil
16-001756-D322	Signalisation Road 1/Road 2 Intersection	23/03/2017	Nil
16-001756-D326	Turning Path Movements – 19m Semi Road 1/Gorman Dr Intersection	23/03/2017	Nil
16-001756-D327	Signalisation Road 1/Gorman Dr Intersection	23/03/2017	Nil
16-001756-D330	Turning Path Movements – 12.5m Truck Googon Road / Road 2 Intersection	23/03/2017	Nil
<b>Landscape Plans</b>			
L01 – L38	Landscape Plans	27/09/2017, 28/09/2017 & 09/11/2017	D (L27) G (L01 – L20, L22 – L26 & L28 – L38) H (L21 & L39)
<b>Subdivision Plans and Boundary Adjustment Plan</b>			
Subdivision Plans Stage 1 – Stage 15 Prepared by Matthew Dean Stevenson			
Boundary Adjustment Plan Prepared by Matthew Dean Stevenson			

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

22. GENERAL TERMS OF APPROVAL

**The development must be carried out in accordance General Terms of Approval provided by NSW Department of Primary Industries — Water dated 11 May 2017 and attached in Schedule 1 of this consent.**

REASON: To comply with the NSW Department of Primary Industries – Water requirements. **(59.08)**

23. GENERAL TERMS OF APPROVAL

**The development must be carried out in accordance General Terms of Approval provided by NSW Office of Environment and Heritage dated 15 September 2017 and attached in Schedule 1 of this consent.**

REASON: To comply with the NSW Office of Environment and Heritage requirements. **(59.08)**

24. GENERAL TERMS OF APPROVAL

**The development must be carried out in accordance General Terms of Approval provided by NSW Rural Fire Service dated 5 December 2017 and attached in Schedule 1 of this consent.**

REASON: To comply with the NSW Rural Fire Service requirements. **(59.08)**

25. STREET NUMBERING

**Street numbering for each new lot must be obtained from Council's Land Information System (LIS) Officer prior to the submission of any application for a Subdivision Certificate.**

REASON: To ensure that each lot has a street number allocated ready for submission to NSW Land and Property Information. **(59.09)**

26. SUBMISSION OF STREET NAMES

**The proposed new street names within the subdivision must be submitted to Council for approval and allocation of street numbers prior to the submission of any application for a Subdivision Certificate.**

**The approved street names are to be indicated on the Survey Plan of Subdivision and provided on road name plates to be installed at the road intersections.**

Note: *Council has a list of approved names for subdivision roads which can be obtained by contacting Council's Environment, Planning and Development section. Any other names will require a written submission to be lodged with Council detailing the origin of the name and the reasons for selection. Proposed names must also comply with the Guidelines for Road Naming prepared by the Geographical Names Board.*

REASON: To provide street addressing. **(59.10)**

27. GOOGONG LOCAL PLANNING AGREEMENT

**The Googong Urban Development Local Planning Agreement must be complied with.**

REASON: To ensure satisfactory provision of services, amenities, works and monetary contributions for the development. **(59.12)**

28. STOP WORK ON ABORIGINAL HERITAGE SITES

**In the event that any Aboriginal site, or site that appears to contain Aboriginal artefacts, is found in an area affected by clearing, work must cease immediately and the NSW Office of Environment and Heritage must be contacted.**

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. **(81.06)**

Note:

*The Queanbeyan branch of the NSW Office of Environment and Heritage (Country, Culture and Heritage staff) can be contacted on telephone number 02 6229 7177.*

29. TREE SPECIES

**The proposed plantings of Olea Europea “Swan Hill” (Swan Hill Olive) along proposed Road 32 and Bambridge Parade are to be replaced with an alternate native species. Such alternate species to be approved by Council’s Service Manager Urban Landscapes prior to the commencement of work on the relevant stage.**

REASON: To ensure a suitable species of tree is planted along those roads.

**CONSTRUCTION OF INFRASTRUCTURE**

30. DUPLICATION OF TRAVEL LANES

**North and South bound lanes on Old Cooma Road are to be duplicated from the Road 1 Old Cooma Road intersection to where it meets the Googong Road Old Cooma Road intersection and lane duplication.**

REASON: To ensure that traffic generated from the Neighbourhood 2 development does not travel into and induced merge lane between two sections of travel lane duplication. (67.01)

31. SEPARATE CONNECTIONS & SERVICES

**A separate sewer connection, stormwater drainage connection, water service, electricity supply and communication service must be provided to each allotment within the subdivision at the Subdivider’s expense.**

***NOTE: The Subdivider may, at their own expense, provide a gas connection to such allotment within the subdivision subject to its availability.***

***NOTE: The Subdivider is responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.***

REASON: To provide access to services for each allotment. (67.02)

32. INSPECTIONS – WATER & SEWER AUTHORITY

**Inspections must be performed by the Water and Sewer Authority (Council) when works reach the following stages:**

- (a) immediately prior to connection of new sewer pipes to the existing sewerage system,**
- (b) immediately prior to connection of new water pipes to the existing water reticulation,**
- (c) immediately prior to the backfilling of sewer drainage trenches, and**
- (d) immediately after installation of any on-site stormwater management system.**

**Council's Environment, Planning and Development section must be given 24 hours notice of the need for these inspections.**

***Note** Any inspections carried out by Council do not imply Council approval or acceptance of the works, and do not relieve the Developer from the requirements to provide an Engineering Construction Certificate Report in accordance with Council's Design and Construction Specifications.*

**REASON:** To ensure that hydraulic services are constructed in accordance with Council requirements. **(67.03)**

**33. BATTLE AXE LOTS – DRIVEWAY CONSTRUCTION**

**A 3 metre wide concrete driveway must be constructed between the front boundary of the site and the main body of the proposed Lots within the battleaxe handle with adequate provision for passing and manoeuvring, including its construction over the adjacent Council footway.**

**REASON:** To provide adequate vehicular access for each allotment. **(67.04)**

**34. WORK IN ACCORDANCE WITH ENGINEERING SPECIFICATIONS**

**All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's *Googong Design and Construction Specifications*.**

**REASON:** To ensure construction and restoration work is in accordance with Council's requirements. **(67.05)**

**35. PROTECTION OF WORKS ON PUBLIC ROADS**

**Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's *Googong Design and Construction Specifications*.**

**Traffic movement in both directions on public roads and vehicular access to private properties must be maintained at all times, during the currency of the works.**

**REASON:** To ensure an adequate level of public safety and convenience during construction. **(67.06)**

**36. SUBMISSION OF TRAFFIC CONTROL DEVICES PLAN**

**A Traffic Control Devices Plan (TCD) must be submitted to Council for approval by the Local Traffic Committee prior to the installation of any traffic control devices. It must include line-marking and sign-posting.**

REASON: To authorise traffic control devices. (67.08)

37. SUBDIVISION (TORRENS) PCA INSPECTIONS

The applicant shall engage the services of a suitably qualified Superintendent to supervise the construction of the Subdivision in accordance with Councils CQS – Contract Quality System Requirements Specification.

Inspections and/or Hold Points (in accordance with the Googong Construction Specification) shall be undertaken and released by Council (as the Principal Certifying Authority) during the construction of the Subdivision. Works shall not proceed beyond hold point inspections until Council is satisfied that the requirements of the relevant specification have been met or Council determines otherwise.

In addition to the above the developer is required to ensure that the following hold points introduced for newly implemented stormwater drainage material are complied with:

C221 - PIPE DRAINAGE:

- Certificates of conformity for the manufacture of stormwater drainage pipes shall be provided to and approved by Council prior to any pipe laying commencing on site.
- Each section of laid and jointed stormwater drainage pipe shall be inspected and approved by Council prior to backfill works commencing.
- A CCTV inspection shall be undertaken for each of the constructed PVC stormwater mains. The CCTV records shall be submitted to and approved by Council prior to any ownership or maintenance responsibilities being handed over to Council.
- Council shall be present whilst the required PVC stormwater main ovality testing is undertaken. The results of such testing shall be provided to and approved by Council prior to a Final inspection being undertaken.

REASON: To ensure that all subdivision infrastructure is constructed in accordance with Councils Construction Specifications. (67.09)

**PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE (TORRENS)**

38. SITE AUDIT STATEMENT

Prior to the issue of a Subdivision Certificate for each stage of works covered by this application a Site Audit Statement (SAS) and Site Audit Report (SAR) must be prepared by an accredited site auditor and be submitted to Council for that stage. The SAS must state that the site has been remediated and validated to permit the use of the site for its designated landuse.

**Any recommendations or conditions contained within the SAS must be implemented and evidence of their implementation must be submitted to Council prior to the issue of a Subdivision Certificate. Any ongoing management conditions will become enforceable under this consent.**

**If the applicant intends to release the subdivision in stages the Site Auditor may issue an SAS for each stage of the development prior to the release of the subdivision certificate for that stage.**

REASON: To ensure the site is capable of being used for its future designated use. **(56.14)**

**39. DISPOSAL OF WASTE MATERIALS**

**All waste materials including classified contaminated soil must be removed from the site and deposited at an approved landfill site. Written evidence that the material has been disposed of to an approved landfill site must be submitted to Council prior to the issue of any Subdivision Certificate.**

REASON: To ensure the proper disposal of waste materials. **(68.01)**

**40. APPLICATION AND FINAL SURVEY**

**An application to obtain a Subdivision Certificate must be made to Council. This must be accompanied by the following documentation:**

- (a) A final survey plan of subdivision and three copies;**
- (b) A letter outlining how compliance with each condition of this development consent has been achieved; and**
- (c) Engineering Construction Certificate Report in accordance with specifications.**

REASON: To ensure works are completed in accordance with the requirements of the Council and to comply with Section 109 Environmental Planning and Assessment Act 1979. **(68.02)**

**41. STATEMENT FROM SURVEYOR**

**Upon the completion of subdivision works and prior to the issue of any Subdivision Certificate a statement prepared by a registered surveyor, must be submitted to the Principal Certifying Authority stating that all water, sewer and stormwater pipelines are completely located within their easements.**

REASON: To ensure works are completed in accordance with Council's requirements. **(68.03)**

42. WATER & SEWER COMPLIANCE CERTIFICATE - SERVICE

**Prior to the release of a Subdivision Certificate, a certificate of compliance in accordance with the *Water Management Act 2000* must be obtained from Council.**

REASON: To ensure compliance with Section 109J of the Environmental Planning and Assessment Act 1979. **(68.04)**

Note: *This certificate is required regardless of any other water and sewer compliance certificate previously obtained, and regardless of whether the development involved alterations to Council's infrastructure.*

43. SUBMISSION FROM SERVICE AUTHORITY

**Prior to the issue of any Subdivision Certificate written evidence from the relevant service authority or a suitably accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, telephone services and natural gas to each lot must be submitted to Council.**

REASON: To satisfy relevant utility authority requirements. **(68.05)**

44. SUBDIVISION WORKS DEFECTS LIABILITY PERIOD - BOND

**The completed subdivision works are subject to a six months defects liability from the date of the issue of the relevant Subdivision Certificate.**

**The Subdivider must:**

- (a) Lodge a cash bond with Council with regard to the defects liability period in an amount as calculated from fees set by Council's Management Plan and current at the time of issue of the Subdivision Certificate; and**
- (b) Submit written authorisation that in the event of any defect not being rectified to the standards specified in Council's *Googong Design and Construction Specifications*, Council may enter the subject land and undertake rectification work and deduct the cost thereof from such Bond monies held by Council and to refund the balance, if any, to the Subdivider.**

**During the defects liability period the Subdivider will be liable for any part of the subdivision works which fail to perform in the manner outlined in Council's *Googong Design and Construction Specifications* (or as would reasonably be expected under the design conditions).**

REASON: To ensure works are completed in accordance with Council's requirements. **(68.06)**

45. **CERTIFICATION OF LOT SERVICING**

**Prior to the issue of any Subdivision Certificate certification from a person licensed by the NSW Office of Fair Trading to perform works in accordance with the requirements of the Local Government (Water, Sewerage and Drainage) Regulations 1993, AS 3500 National Plumbing and Drainage Code and the New South Wales Code of Practice – Plumbing and Drainage that the lots are independently serviced in respect of water, sewerage and drainage and that all prior connections across the proposed lots have been capped off must be submitted to Council.**

REASON: To achieve independent servicing to each lot. (68.07)

46. **GEOTECHNICAL REPORT**

**A geotechnical report must be submitted to Council detailing the classification of soil type generally found within the subdivision. A general classification for each lot within the subdivision must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of AS 2870 “Residential Slabs and Footings”. The classification reports must be submitted to Council prior to the release of the Subdivision Certificate.**

REASON: To ensure works are undertaken in accordance with geotechnical recommendations. (68.10)

**TITLE RESTRICTIONS**

47. **EASEMENTS AND RESTRICTIONS**

**Pursuant to Section 88B of the Conveyancing Act 1919 easements and restrictions as to use shall be created to achieve the following purposes:**

- (a) All requisite sewerage easements;**
- (b) All easements specified below and contained in the subdivision must benefit Council as well as particular lots;**
  - (i) easements to drain water,**
  - (ii) easements to drain sewer,**
  - (iii) easements for water supply,**
  - (iv) easements which Council may require to provide or maintain other services, and**
- (c) Nominating Council as the name of the person/authority empowered to release, vary or modify restriction or positive covenant numbered 1 in the plan.**

REASON: To ensure public utility services, access and restrictions are legalised over the land. (70.02)



48. DEDICATION TO COUNCIL

**All drainage reserves, roads, reservoir sites, reserves, sewerage pump station sites must be dedicated to Council and shown as such on the Subdivision Survey Plan.**

REASON: To permit Council to adequately manage reserves, drainage and utility services, and to provide legal access to lots. **(70.04)**

**SAFER BY DESIGN**

49. LIGHTING IN CAR PARKS AND PUBLIC SPACES

**Lighting throughout the car parking area and in public spaces must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking and AS 1158 - Lighting for Roads and Public Spaces.**

REASON: To ensure the provision of adequate lighting within the development. **(71.02)**

**SIGNAGE**

50. REMOVE DAMAGED OR OBSOLETE SIGNS

**The sign(s) allowed by this consent must be removed if the signage becomes obsolete or is in a state of disrepair.**

REASON: To ensure that obsolete signs and signs in poor condition are not left on site. **(72.04)**

**LANDSCAPING**

51. RETAIN AND PROTECT TREES ON SITE

**Trees nominated to be retained on the approved plan must be protected by cyclone/chain mesh fencing.**

**The fencing must:**

- (a) extend around the drip line of the tree;**
- (b) be erected prior to commencement of work; and**
- (c) remain in place until all site works have been completed.**

REASON: To ensure that nominated tree(s), including street trees, are protected from damage during construction. **(73.08)**

52. BUSHFIRE LANDSCAPING REQUIREMENTS

**Landscaping to the site must comply with the principles of Appendix 5 of *Planning for Bush Fire Protection 2006*.**

REASON: To minimise the risk of bushfire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. (73.10)

ENVIRONMENTAL

53. COMPLIANCE WITH GEOTECHNICAL INVESTIGATION REPORTS

**Works associated with the development must comply with the recommendations of the Report on Geotechnical Investigation prepared by Douglas Partners (Ref: Project 46285.30) dated July 2016.**

REASON: To ensure that the recommendations of the Geotechnical Report submitted in support of the development are adhered to. (76.01)

54. IMPORTED FILL TO BE FREE FROM CONTAMINANTS

**All fill imported on to the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site must also be compatible with the existing soil characteristic for site drainage purposes.**

**Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:**

- **Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known past history of the site where the material is obtained; and/or**
- **Sampling and analysis of the fill material should be conducted in accordance with the EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.**

REASON: To ensure fill material is within acceptable standards. (76.01)

55. CHECKING FOR CONTAMINATED FILL LEAVING THE SITE

**If soil is proposed to be removed from the site it must be sampled, analysed for contaminants of concern and subjected to formal waste classification assessment.**

REASON: To ensure excess fill removed from the site is not contaminated. (76.01)

56. ASBESTOS REMOVAL AND DISPOSAL

**Asbestos material found on the site must be removed and disposed of in accordance with the *Work Health and Safety Act 2011*, and the NSW WorkCover Guidelines.**

**Asbestos material must be disposed of to a landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.**

REASON: To ensure the proper disposal of asbestos material. (76.07)

**ON-GOING MANAGEMENT OF THE DEVELOPMENT**

57. CONTINUOUS MAINTENANCE OF SIGNS

**The sign/s approved by this consent must be continuously maintained in a structurally sound and tidy manner.**

REASON: To ensure that signs do not become derelict or unsightly. (79.06)

**PLUMBING AND DRAINAGE**

58. SUPPLY PRESSURES TO SERVICE LOTS

**The water supply to the development shall provide no more than 600kpa at the service outlet. (In accordance with Councils Googong Development Design Specification D11 and AS3500) A design on how this is to be managed is to be provided at Construction Certificate stage.**

REASON: To ensure that the supply of reticulated water by the water authority meets Australian Standard requirements. (80.01)

59. SEWER PUMP STATION UPGRADE

**Construction Certificate design submissions for the supply of sewer to the development must tally to total number of Equivalent People being served in the development in conjunction with the trigger target for the upgrade of Sewer Pump Station 1 and Sewer Pump Station 2 in Googong.**

REASON: To ensure that sewer infrastructure is upgraded to meet the demands of the development. (80.01)

## **NOTE**

### **Crime Prevention Through Environmental Design (CPTED)**

- a) A landscaping maintenance policy should be established for the development.**
- b) Care should be taken around the pedestrian bridge which is depicted on drawing number L010 to ensure clear views are achieved in approach, crossing and departure from the bridge.**
- c) Street trees should not be placed directly under street lighting because when they mature they can block areas of light, creating shadows and dark spaces.**
- d) Public car parking areas should not be obscured by landscaping.**
- e) Lighting throughout areas that contain unavoidable potential concealment opportunities, such as the community garden, should have adequate lighting for times when the area is likely to be in use.**
- f) A lighting maintenance policy should be established for the development.**
- g) Green link concepts, specifically those that boarder onto fence lines should have limited lighting after anticipated normal use of the area.**
- h) Entries of all parks and recreation areas should be clearly signposted. Signs should clearly indicate the use of the site both within the site and at entry points.**
- i) A graffiti management plan and maintenance policy should be established for the development.**
- j) The car parks entry and exit points should contain access control such as gates for visitors to limit entry during hours of darkness/ when the areas are not in use. (81.01)**