**Recommended Conditions**

**1.0 - General Conditions of Consent**

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

(1) **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:

**RMS**

1. Upon the commencement of subdivision ground works part Allotment 401 shall cease to be used as an access to Raby Road.
2. The redundant driveway on the eastern boundary adjoining Raby Road shall be removed and replaced with kerb and gutter to match existing.
3. All buildings and structures, together with any improvement’s integral to the future use of the site are wholly within the freehold property (unlimited in height or depth).
4. The developer shall be responsible for all public utility adjustment / relocation works, necessitated by the above work and as required by the various public utility authorities and / or their agents.
5. All ingress / egress to / from the development (site) shall be from the approved access road connecting to the Raby Road / Emerald Hills Boulevarde intersection. All secondary access is not permitted from Raby Road.
6. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

**New South Wales Rural Fire Service, correspondence dated 19th July 2020**

**Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.**

1. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entirety of the proposed residential lots must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019.* When establishing and maintaining an IPA the following requirements apply:
* Tree canopy cover should be less than 15% of the area at maturity;
* Trees at maturity should not touch or overhang the building;
* Lower limbs should be removed up to a height of 2 metres above the ground;
* Tree canopies should be separated by 2 to 5 metres;
* Preference should be given to smooth barked and evergreen trees;
* Large discontinuance or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
* Shrubs should not be located under trees;
* Shrubs should not form more than 10% ground cover; and
* Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
* Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
* Leaves and vegetation debris should be removed.

**Construction Standards**

**Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.**

1. New construction on dwellings constructed on proposed Lots 1 – 4, 12 – 17, 66, 68 – 69, 71 – 73 (inclusive) must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959 – 2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
2. New construction on the entire roof and the southern and western elevation elevations for the dwelling on proposed Lot 5 must comply with Section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
3. New construction on the northern and eastern elevations for the dwelling on proposed Lot 5 must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
4. New construction on the entire roof, and the southern, eastern and western elevations for the dwelling on proposed Lot 6 must comply with Section 3 and Section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
5. New construction on the northern elevation for the dwelling on proposed Lot 6 must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
6. New construction on the entire roof and southern elevation for the dwelling on proposed Lot 7 must comply with Section 3 and Section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
7. New construction on the northern, eastern and western elevations for the dwelling on proposed Lot 7 must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
8. New construction on the entire roof, and the northern, southern, and western elevations for the dwellings on propose Lots 8 – 11 must comply with Section 3 and Section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*
9. New construction on the eastern elevation for the dwellings on proposed Lots 8 -11 must comply with Section 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or *NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019.*

**Access – Public Roads**

**Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.**

1. Access roads must comply with the following general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:
* Traffic management devices are constructed to not prohibit access by emergency service vehicles;
* Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
* All roads are through roads;
* One way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
* The capacity of perimeter and non-perimeter road surfaces and any bridges / causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges / causeways are to clearly indicate load rating.
* Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
* Hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 – *Fire hydrant installations System design, installation and commissioning.*

**Water and utility Services**

**Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building**

1. The provision of water, electricity, and gas must comply with table 5.3c of Planning for Bush Fire Protection 2019.

**Transgrid**

**Technical Conditions**

The following conditions are placed on the installation of fencing;

1. Fences must not be greater than 2.5m in height.
2. Isolation panels must be installed where metallic fencing enters or exits the easement. Earthing must be provided at either side of isolation panels.
3. Each separate strand of wire or metal fence panel should be effectively earthed at the edge of the easement, wherever the fence passes in or out of the easement area, and at any end of the fence located within the easement area.
4. Metal gates should be earthed by bonding across the hinges to the fence (in the case of a wire or other metal fence), or by suitable earthing arrangements at the gate post for fences of wooden construction.
5. Metal fences that run parallel outside but within 20m of the easement should be earthed once in line with each structure.
6. Temporary fencing installed within an easement needs to be earthed. Where a typical chain-wire or weldmesh panel fence supported by concrete or plastic block bases is used, every second panel should be earthed and the pipe clamp between posts of adjoining panel posts should be replaced with a clamp arrangement made of wood or other non-metallic material.
7. Fencing must not restrict TransGrid personnel and machinery access of towers or lines for maintenance purposes.

The following conditions are placed during construction:

1. Vehicles or equipment having a height exceeding of 4.3m when fully extended shall not be brought onto or used within the easement area without prior TransGrid approval.
2. Where temporary vehicular access for parking during the construction period is within 16m of transmission line structure, adequate precautions shall be taken to protect the structure rom accidental damage. Plans need to be submitted to TransGrid for prior approval.
3. The easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction materials.
4. Any construction work for the proposed work within the easement shall maintain safety clearances to the exposed conductors.
5. The work shall not restrict TransGrid from undertaking normal maintenance and inspection activities, and, at completion of works, access to Transmission Lines and structures shall always be available for TransGrid plans and personnel.
6. No metallic installations shall be installed unless they form part of the approved plans.

**Access and Maintenance**

1. All works will be required to be carried out in accordance to TransGrid’s Easement Guidelines, TransGrid Fencing Guidelines and Workcover’s Code of Practice 2006 – ‘Work near Overhead Powerlines’.

(2) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, 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** |
| 7005 / 481B Sheets 1 & 2 | Plan of Stage 41 Camden Lakeside Being a subdivision of proposed Lot 100 in DP1213586 | YSCO Geomatics | 31/1/20 |
| 3-1 | Overall Site Plan | Sekisui House |  |
| 3-2 | Detailed Plan 1 – Site / Ground Plan | Sekisui House |  |
| 3-3 | Detailed Plan 2 – Site / Ground Plan | Sekisui House |  |
| 3-4 | Detailed Plan 3 – Site / Ground Plan | Sekisui House |  |
| 3-5 | Detailed Plan 4 – Site / Ground Plan | Sekisui House |  |
| 3-6 | Detailed Plan 5 – Site / Ground Plan | Sekisui House |  |
| 3-7 | Detailed Plan 6 – First Floor Plan | Sekisui House |  |
| 3-8  | Detailed Plan 7 – First Floor Plan | Sekisui House |  |
| 3-9 | Detailed Plan 8 – First Floor Plan  | Sekisui House |  |
| 3-10 | Detailed Plan 9 – First Floor Plan | Sekisui House |  |
| 3-11 | Detailed Plan 10 – First Floor Plan | Sekisui House |  |
| 3-12 | Detailed Plan 11 – Roof Plan | Sekisui House |  |
| 3-13 | Detailed Plan 12 – Roof Plan | Sekisui House |  |
| 3-14 | Detailed Plan 13 – Roof Plan | Sekisui House |  |
| 3-15 | Detailed Plan 14 – Roof Plan | Sekisui House |  |
| 3-16 | Detailed Plan 15 – Roof Plan | Sekisui House |  |
| 4-1 | Elevations – Part 1 | Sekisui House |  |
| 4-2 | Elevations – Part 2 | Sekisui House |  |
| 4-3 | Elevations – Part 3 | Sekisui House |  |
| 4-4 | Elevations – Part 4 | Sekisui House |  |
| 4-5 | Elevations – Part 5 | Sekisui House |  |
| 4-6 | Elevations – Part 6 | Sekisui House |  |
| 4-7 | Elevations – Part 7 | Sekisui House |  |
| 4-8 | Elevations – Part 8 | Sekisui House |  |
| 4-9 | Elevations – Part 9 | Sekisui House |  |
| 4-10 | Elevations – Part 10 | Sekisui House |  |
| 5-1 | Section X - X | Sekisui House |  |
| 5-2 | Section Y - Y | Sekisui House |  |
| 6-1 | Material Palettes | Sekisui House |  |
| DA-0271 Rev 28 | Floor Plan – South Apartment\_Basement | Sekisui House | 25/03/20 |
| DA-0272 Rev 28 | Floor Plan – South Apartment\_Ground Floor | Sekisui House | 25/03/20 |
| DA-0273 Rev 28 | Floor Plan – South Apartment\_First Floor | Sekisui House | 25/03/20 |
| DA-0274 Rev 28 | Floor Plan – South Apartment\_Second Floor | Sekisui House | 25/03/20 |
| DA-0275 Rev 28 | Floor Plan – South Apartment\_Roof | Sekisui House | 25/03/20 |
| DA-0501 Rev 28 | Elevations – South Apartment\_North & South | Sekisui House | 25/03/20 |
| DA-0502 Rev 28 | Elevations – South Apartment\_East & West | Sekisui House | 25/03/20 |
| DA-0601 Rev 28 | Sections – South Apartment\_A & B | Sekisui House | 25/03/20 |
| DA-0602 Rev 28 | Sections – South Apartment\_C & Detail Sections | Sekisui House | 25/03/20 |
| DA-1302 Rev 28 | Key Internal Layouts – Adaptable – Sheet 01 | Sekisui House | 25/03/20 |
| DA-0281 Rev 29 | Floor Plan – East Apartment\_Basement | Sekisui House | 25/03/20 |
| DA-0282 Rev 29 | Floor Plan – East Apartment\_Ground Floor | Sekisui House | 25/03/20 |
| DA-0283 Rev 29 | Floor Plan – East Apartment\_First Floor | Sekisui House | 25/03/20 |
| DA-0284 Rev 29 | Floor Plan – East Apartment\_Second Floor | Sekisui House | 25/03/20 |
| DA-0285 Rev 29 | Floor Plan – East Apartment\_Roof | Sekisui House | 25/03/20 |
| DA-0503 Rev 29 | Elevations – East Apartment\_North & South | Sekisui House | 25/03/20 |
| DA-0504 Rev 29 | Elevations – East Apartment\_East & West | Sekisui House | 25/03/20 |
| DA-0603 Rev 29 | Sections – East Apartment\_A & B | Sekisui House | 25/03/20 |
| DA-0604 Rev 29 | Sections – East Apartment\_C | Sekisui House | 25/03/20 |
| DA-0291 Rev 28 | Floor Plan – West Apartment\_Basement | Sekisui House | 25/03/20 |
| DA-0292 Rev 28 | Floor Plan – West Apartment\_Ground Floor | Sekisui House | 25/03/20 |
| DA-0293 Rev 28 | Floor Plan – West Apartment\_First Floor | Sekisui House | 25/03/20 |
| DA-0294 Rev 28 | Floor Plan – West Apartment\_Second Floor | Sekisui House | 25/03/20 |
| DA-0295 Rev 28 | Floor Plan – West Apartment\_Roof | Sekisui House | 25/03/20 |
| DA-0505 Rev 28 | Elevations – West Apartment\_North & South | Sekisui House | 25/03/20 |
| DA-0506 Rev 28 | Elevations – West Apartment\_East & West | Sekisui House | 25/03/20 |
| DA-0605 Rev 28 | Elevation – West Apartment\_A & B | Sekisui House | 25/03/20 |
| DA-0606 Rev 28 | Sections – West Apartment\_C | Sekisui House | 25/03/20 |
| DA-1301 Rev 28 | Key Internal Layouts – Adaptable – Sheet 01 | Sekisui House | 25/03/20 |
| DA-3009 Rev 3 | Comm Facility – Ground Floor Plan | Sekisui House | 4/03/20 |
| DA-3010 Rev 3 | Comm Facility – Roof Plan | Sekisui House | 4/03/20 |
| DA-3011 Rev 2 | Elevations – Comm Facility\_North & South | Sekisui House | 9/08/19 |
| DA-3012 Rev 2 | Elevations – Comm Facility\_ East & West | Sekisui House | 9/08/19 |
| DA-3013 Rev 2 | Sections – Comm Facility\_A & B | Sekisui House | 9/08/19 |
|  | Sample Board | Sekisui House |  |
| L-DA-001 Issue C | Schedules | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-002 Issue D | Landscape Master Plan | Jane Irwin Landscape Architecture | 18/2/20 |
| L-DA-101 Issue D | Street Tree Masterplan (1 of 2) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-102 Issue D | Street Tree Masterplan (2 of 2) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-105 Issue E | Fence Masterplan (1 of 2) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-106 Issue H | Fence Masterplan (2 of 2) | Jane Irwin Landscape Architecture | 22/6/20 |
| L-DA-201 Issue E | Landscape Detail Plan (1 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-202 Issue E | Landscape Detail Plan (2 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-203 Issue E | Landscape Detail Plan (3 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-204 Issue E | Landscape Detail Plan (4 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-205 Issue E | Landscape Detail Plan (5 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-206 Issue E | Landscape Detail Plan (6 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-207 Issue D | Landscape Detail Plan (7 of 7) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-208 Issue F | Piazza Landscape Plan | Jane Irwin Landscape Architecture | 18/2/20 |
| L-DA-209 Issue F | RFB East Landscape Plan | Jane Irwin Landscape Architecture | 18/2/20 |
| L-DA-210 Issue F | RFB West Landscape Plan | Jane Irwin Landscape Architecture | 18/2/20 |
| L-DA-211 Issue F | RFB South Landscape Plan | Jane Irwin Landscape Architecture | 18/2/20 |
| L-DA-301 Issue A | Detail Garden Plan (1 of 2) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-302 Issue A | Detail Garden Plan (2 of 2) | Jane Irwin Landscape Architecture | 7/8/19 |
| L-DA-303 Issue A | Detail Pocket Park Plan | Jane Irwin Landscape Architecture | 7/8/19 |
| 180032-P41-SD-C01.21 Rev 4 | General Notes and Legends Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C01.22 Rev 4 | General Notes and Legends Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C01.41 Rev 4 | General Arrangement Plan | Enspire | 7/2/20 |
| 180032-P41-SD-C02.01 Rev 4 | Alignment Control Plan Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C02.02 Rev 4 | Alignment Control Plan Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C03.01 Rev 4 | Erosion and Sedimentation Control Plans Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C03.02 Rev 4 | Erosion and Sedimentation Control Plans Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C03.21 Rev 4 | Erosion and sedimentation control details | Enspire | 7/2/20 |
| 180032-P41-SD-C04.01 Rev 4 | Cut and fill plan | Enspire | 7/2/20 |
| 180032-P41-SD-C04.21 Rev 4 | Cut and fill sections Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C04.22 Rev 4 | Cut and fill sections Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C04.23 Rev 4 | Cut and fill sections Sheet 03 | Enspire | 7/2/20 |
| 180032-P41-SD-C05.01 Rev 4 | Siteworks and Stormwater Management Plan Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C05.02 Rev 4 | Siteworks and Stormwater Management Plan Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C05.03 Rev 5 | Siteworks and Stormwater Management Plan Sheet 03 | Enspire | 11/3/20 |
| 180032-P41-SD-C05.04 Rev 6 | Siteworks and Stormwater Management Plan Sheet 04 | Enspire | 3/4/20 |
| 180032-P41-SD-C05.05 Rev 5 | Siteworks and Stormwater Management Plan Sheet 05 | Enspire | 3/4/20 |
| 180032-P41-SD-C05.06 Rev 6 | Siteworks and Stormwater Management Plan Sheet 06 | Enspire | 3/4/20 |
| 180032-P41-SD-C06.01 Rev 4 | Road typical cross sections Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C06.02 Rev 4 | Road typical cross sections Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C07.01 Rev 4 | Road longitudinal sections Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C07.02 Rev 4 | Road longitudinal sections Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C07.03 Rev 4 | Road longitudinal sections Sheet 03 | Enspire | 7/2/20 |
| 180032-P41-SD-C11.01 Rev 4 | Pavement, signage and linemarking plan Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C11.02 Rev 6 | Pavement, signage and linemarking plan Sheet 02 | Enspire | 3/4/20 |
| 180032-P41-SD-C13.01 Rev 4 | Site sections | Enspire | 7/2/20 |
| 180032-P41-SD-C13.02 Rev 1 | Site sections Sheet 02 | Enspire | 11/3/20 |
| 180032-P41-SD-C14.01 Rev 4 | Siteworks details Sheet 01 | Enspire | 7/2/20 |
| 180032-P41-SD-C14.02 Rev 3 | Siteworks details Sheet 02 | Enspire | 7/2/20 |
| 180032-P41-SD-C20.01 Rev 4 | Pre-development catchment plan | Enspire | 7/2/20 |
| 180032-P41-SD-C21.01 Rev 4 | Post-development catchment plan | Enspire | 7/2/20 |

|  |  |  |
| --- | --- | --- |
| **Document Title** | **Prepared by** | **Date** |
| Contamination Assessment of Lakeside Access Road, Proposed Residential Subdivision, Stage 41, Camden Lakeside Project 76644.05 R.001. REV 0 | Douglas Partners | 4 March 2020 |
| Camden Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050 | Marshal Day Acoustics | 3 April 2020 |
| (Bushfire Protection Assessment, Proposed Subdivision, Gledswood Lakeside, Report No. 18HNG\_10522 V10, and Addendum Report, Report No. 20HNG\_15781 | Ecological | 30th July 2019 & 15th May 2020 |
| Salinity Investigation and Management Plan, proposed Residential Subdivision Camden Lakeside, Gledswood Hills, NSW, Project 76644.00 | Douglas Partners | April 2015 |
| Waste Management Plan | Simon Burke | 9th August 2019 |

(3) **Modified Documents and Plans** – The development shall be modified as follows:

1. The footpath on the southern side of Road 03 shall be extended to the east and meet the share path within the future Providence Drive subject to DA/2010/967.
2. The rear setback to the dwelling house upon Lot 11 shall be amended to achieve a minimum setback of 8m at any point upon the western façade to achieve a minimum 8m Asset Protection Zone within the Lot.

Amended plans or documentation demonstrating compliance shall be provided to the certifier and Council prior to the issue of the Subdivision Works Certificate.

(4) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.

(5) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, 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) **Home Building Act** - Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates:

1. in the case of work for which a principal contractor has been appointed:
2. has been informed in writing of the name and licence number of the principal contractor; and
3. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
4. in the case of work to be carried out by an owner-builder;
5. has been informed in writing of the name of the owner-builder; and
6. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.

(7) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

1. to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or
2. to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.

(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:

1. protect and support the adjoining building, structure or work from possible damage from the excavation; and
2. 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 principal certifier prior to the excavation commencing.

(9) **Swimming Pools** - The swimming pool shall comply with:

1. the *Swimming Pools Act 1992;*
2. the Swimming Pools Regulation 2008;
3. AS 1926.1-2012 'Swimming Pool Safety' Part 1: Safety barriers for swimming pools;
4. AS 3500.2-2003 ‘Plumbing and drainage – Sanitary plumbing and drainage’;
5. AS1926.3 ‘Water recirculation systems’; and
6. the Building Code of Australia.

(10) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.

(11) **Local Traffic Committee Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council’s Local Traffic Committee on local roads, and the Roads and Maritime Services on State roads.

These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line-marking and devices.

(12) **Street Lighting** - Street lighting for the subdivision shall be designed and installed in accordance with relevant Australian Standards and to the satisfaction of the Roads Authority (Council).

(13) **Construction of Permanent Water Quality Facilities** - Permanent water quality facilities must be constructed:

1. in accordance with the approved plans;
2. to Council’s standards; and
3. 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.

(14) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

* 1. no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
	2. pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

(15) **Protection of adjoining Bushland and/or Waterfront Areas** - To limit the potential for damage to the adjoining Bushland areas and/or Waterfront areas, the boundaries to these areas must be fenced prior to the commencement of any earthworks, demolition, excavation or construction works. As well as the fencing prior to any earthworks commencing, other protection measures must be completed in accordance with the standards as specified in AS 4970-2009 Protection of Trees on Development sites.

The fencing must be kept in place until the completion of development and maintenance works and be marked by appropriate signage notifying all site visitors that the subject trees and vegetation areas are protected. The fencing should be a minimum of a 1.8 metres high chain link or welded mesh fencing.

(16) **Landscaping and Embellishment Works on Future Public Land** - Prior to the transfer of land to Council’s ownership, all landscaping and embellishment must be inspected and approved by Council.

(17) **Street Tree Establishment and Maintenance Period** - For a period of 12 months commencing from the installation date of the street trees and their protective guards, the applicant will be responsible for their successful establishment.

At the completion of the 12 month establishment and maintenance period all street trees plantings must have signs of healthy and vigorous growth and all protective guards must be in an undamaged, safe and functional condition.

(18) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.

(19) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.

(20) **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*.

(21) **Waste Bin Collection Points** - A waste bin collection point that is clear from the positioning of driveways, tree plantings (or tree canopies), street lighting and other fixtures must be provided for each approved lot. This area is to be 3m long x 0.9m wide and provide a 3.9m clear vertical space to allow for the truck-lifting arm.

(22) **Infrastructure in Road and Footpath Areas** – Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

**Note.** The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

(23) **Graffiti Resistant Materials and Finishes** – Graffiti resistant materials and finishes must be used where possible.

(24) **Future Strata Subdivision Requirements** – Any future Strata Subdivision of the residential flat buildings approved by this consent shall ensure the following:

* Each unit is allocated at least one car parking space;
* All visitor car parking spaces shall be shown as common property and must not be allocated to individual units; and
* No car parking space is to be in an individual lot within the Strata scheme.

**2.0 - Prior to Issue of a Construction Certificate / Subdivision Works Certificate**

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

1. **Construction of Downstream Basins** – Prior to the issue of the Construction Certificate and Subdivision Works Certificate, downstream basins subject to DA/2018/1063 (as modified) shall be constructed and operational.
2. **Construction Certificates for Dwellings and Residential Flat Buildings** – Construction Certificates for dwelling and residential flat building construction approved by this development consent shall not be issued until the kerb and gutter construction associated with the Subdivision Works Certificate has been completed for the lot to which the dwelling and residential flat building Construction Certificate relates to the satisfaction of Council and the certifier.

(3) **Performance Bond**- The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(4) **Hoarding Application** - A hoarding application for the erection of a class A (fence type) or class B (overhead type) hoarding along the street frontage complying with WorkCover requirements shall be provided to Council for approval with a footpath occupancy fee based on the area of footpath to be occupied.

A Public Risk Insurance Policy with a minimum cover of $20 million in relation to the occupation of and works within Council’s road reserve, for the full duration of the proposed works, shall be obtained with a copy also provided to the Roads Authority. The Policy is to note Council as an interested party and nominate the location of works. Hoardings shall not be erected until written approval has been received from Council. The copy of the Public Risk Insurance Policy is to be provided to the Roads Authority.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(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 accredited certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(6) **Surface Water Collection from Swimming Pools** - Swimming pool surrounds and/or paving shall be constructed so as to ensure water from the pool overflow or surge does not discharge onto neighbouring properties. Details demonstrating compliance shall be provided to the accredited certifier.

 This condition applies to the Construction Certificate Application.

(7) **Car Parking** – All carparking areas and access driveways associated with the Residential Flat Buildings and Piazza area must comply with the requirements of Australian Standard AS2890.1.

 This condition applies to the Construction Certificate Application.

(8) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking’ and:

1. 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>
2. the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
3. the level for the driveway across the footpath area shall achieve a gradient of 4%; and
4. a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

(9) **Retaining Walls** – The following restrictions apply to any retaining wall erected within the allotment boundaries:

1. retaining walls shall be designed and certified by a suitably qualified structural engineer;
2. retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;
3. adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries.
4. retaining walls shall not be erected within drainage easements; and
5. retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(10) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:

1. be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
2. ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.

(11) **Plumbing and Ductwork** – All plumbing and ductwork including stormwater downpipes must be concealed within the outer walls of the residential flat buildings so they are not visible. Plans and elevations detailing the method of concealment must be submitted to and approved by Council before the issue of a Construction Certificate. Any variation to this requirement requires Council approval.

(12) **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 certifier with the Construction Certificate and Subdivision Works Certificate application.

A stormwater plan is to be submitted to the certifier 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 certifier.

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

(13) **Stormwater Detention and Water Quality** - An on-site detention system and 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 on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the certifier with the Construction Certificate application.

(14) **Desilting Dams or Creeks** - A geotechnical report prepared by a suitably qualified geotechnical engineer and detailing works required to desilt any existing dams or creek beds, shall be provided to the certifier in conjunction with the engineering drawings with the Subdivision Works Certificate application.

 This condition applies to the Construction Certificate Application.

(15) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with ‘Managing Urban Stormwater – Soils and Construction (‘the blue book’). Details demonstrating compliance shall be provided to the certifier with the Subdivision Works Certificate application.

(16) **Provision of Kerb Outlets -** Where proposed lots grade to an existing/proposed public road, kerb outlets shall be provided in the kerb and gutter adjacent to those lots.

The outlets shall be located within 2m downstream of the prolongation of the lot corner with the lowest reduced level and to the requirements of the principal certifier.

This condition applies to the Subdivision Works Certificate application.

(17) **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.

 This condition applies to the Subdivision Works Certificate application.

(18) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the accredited certifier for approval. Garbage room(s) are to be constructed of solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.

This condition applies to the Construction Certificate Application.

(19) **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 accredited certifier.

 This condition applies to the Construction Certificate Application.

(20) **Car Park Noise Control** – All off-street (including basement) car parks must have a coved finish with Slabseal 2000 SR sealant (or similar equivalent product) applied to the concrete floor. The coved finish and sealant must be suitably maintained on the floor of all car parks at all times to a standard that eliminates tyre squeal noise from being audible.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(21) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council’s Engineering Specifications. The detailed landscape plan must include:

1. Eucalyptus sideroxylon ‘Rosea’ & Eucalyptus crebra along Road 4 shall be substituted with either Lophostemon confertus or Eucalyptus leucoxylon ‘Euky Dwarf’.
2. Ulmus parvifolia along Road 1 & 3 shall be substituted with alternative cultivar such as Ulmus parvifolia ‘Murrays Form’ or Ulmus parvifolia ‘Todd’.
3. Eucalyptus sideroxylon ‘Rosea’ within internal landscape (excluding connection to Raby Road) shall be substituted with an alternate species.
4. Eucalyptus pauciflora 'Little Snowman' shall be substituted with an alternate species.
5. Trees to be sourced in accordance with tests and measurements contained within AS2303-2015 - Tree Stock for Landscape Use.
6. Tree planting detail and section drawing are to specify root barrier where trees are planting in close proximity to hard surfaces.
7. Installation of street trees in accordance with clause B.2.3 Appendix B of Council’s Engineering Design Specifications.
8. Additional tree species selection must be derived from Council’s preferred tree list. https://www.camden.nsw.gov.au/assets/pdfs/Environment/Trees/Tree-and-Landscape-Species-List-Appendix-1-Tree-Management-Policy.pdf.

Details demonstrating compliance shall be provided to the certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(22) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(23) **Bush Fire Safety – Subdivision** - The site is located within a bush fire prone area. Certification from a suitably qualified bush fire consultant shall be provided to certify that the development complies with:

1. the RFS’ Bush Fire Safety Authority for the DA; and
2. the bush fire report provided with the DA (Bushfire Protection Assessment, Proposed Subdivision, Gledswood Lakeside, Report No. 18HNG\_10522 V10, dated 30 July 2019, prepared by Ecolgical and Addendum Report, Report No. 20HNG\_15781, dated 15th May 2020, prepared by Ecological); and
3. the NSW Rural Fire Service publication "Planning for Bush Fire Protection 2006."

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(24) **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).

 This condition applies to the Subdivision Works Certificate application.

(25) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:

1. the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
2. the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(26) **Construction Requirements, Window and Door Treatments, Internal Noise Levels** - The following architectural construction treatments shall be carried out for the dwellings in accordance with Section 7.2 of acoustic report titled Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050 dated 3 April 2020 prepared by Marshall Day Acoustics, in particular table 17-21 inclusive.

(27) **Alternative Ventilation for Habitable Rooms** - For lots identified in the acoustic report as requiring alternate ventilation consultation with a mechanical engineer shall be engaged to ensure requirements of the Building Code of Australia (BCA) and AS1668 can be meet. Compliance with the above ventilation requirement is to be demonstrated for each dwelling on the affected lots.

(28) **Damages Bond** - 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.** A fee is payable for the lodgement of the bond.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(29) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost $25,000 or more.

This condition applies to the Construction Certificate Application.

(30) **Contributions Payment Timing** - If no construction certificate in respect of the erection of any building to which this development consent relates has been issued on or before 25 September 2022, the monetary contributions detailed in this development consent must be paid prior to the issue of the first construction certificate after that date for any such building.

(31) **Design Verification** – A statement from a qualified Architect, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority’s satisfaction.

**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) **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 certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:

1. a description of the work to be carried out;
2. the address of the land on which the work is to be carried out;
3. the registered number and date of issue of the relevant development consent;
4. the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
5. if the principal certifier is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as principal certifier; and
6. a telephone number on which the principal certifier may be contacted for business purposes.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:

1. the name and address of the person by whom the notice is being given;
2. a description of the work to be carried out;
3. the address of the land on which the work is to be carried out;
4. the registered number and date of issue of the relevant development consent and construction certificate;
5. a statement signed by or on behalf of the principal certifier (only where no principal certifier 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
6. the date on which the work is intended to commence.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(4) **Construction Certificate and Subdivision Works Certificate Required** - In accordance with the requirements of the *EP&A Act 1979,* building or subdivision works approved by this consent shall not commence until the following has been satisfied:

1. a Construction Certificate and Subdivision Works Certificate has been issued by a certifier;
2. a principal certifier has been appointed by the person having benefit of the development consent;
3. if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
4. 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
5. the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

(5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:

1. that unauthorised entry to the work site is prohibited;
2. 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
3. the name, address and telephone number of the principal certifier.

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

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(6) **Site is to be Secured** - The site shall be secured and fenced.

 This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(7) **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](http://www.sydneywater.com/tapin) to apply.

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

(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.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(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 principal certifier 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.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(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 principal certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(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 principal certifier.

 This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(12) **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.

 This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(13) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council’s Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

1. measures to control noise emissions from the site;
2. measures to suppress odours and dust emissions;
3. soil and sediment control measures;
4. measures to control air emissions that includes odour;
5. any other recognised environmental impact;
6. work, health and safety; and
7. community consultation.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(14) **Construction Noise Management Plan –** A construction noise management plan shall be provided to the principal certifier and include the following:

1. noise mitigation measures;
2. noise and/or vibration monitoring;
3. use of respite periods;
4. complaints handling; and
5. community liaison and consultation.

(15) **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.

(16) **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.

(17) **Protection of Adjoining Bushland and/or Waterfront Areas** – To limit the potential for damage to the adjoining bushland areas and/or waterfront areas, the boundaries to these areas must be fenced prior to the commencement of any earthworks, demolition, excavation or construction works. As well as the fencing prior to any earthworks commencing, other protection measures must be completed in accordance with the standards as specified in AS 4970.

The fencing must be kept in place until the completion of development and maintenance works and be marked by appropriate signage notifying all site visitors that the subject trees and vegetation areas are protected. The fencing should be a minimum of a 1.8 metres high chain link or welded mesh fencing.

**4.0 - During Works**

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

(1) **Work Hours** - All work (including delivery of materials) shall be:

* restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
* not carried out on Sundays or public holidays, unless approved in writing by Council.

(2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.

(3) **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:

1. preserve and protect the building from damage;
2. if necessary, underpin and support the building in an approved manner; and
3. 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.

(4) **Swimming Pool Fence Design** - The swimming pool must be fenced so that the pool is effectively isolated from adjoining land. The swimming pool fence must comply with the following requirements:

* + 1. The swimming pool safety fencing must strictly adhere to the design and location approved with the development consent, and any conditions of the development consent;
		2. Fences and gates must strictly comply with *AS1926-*2012 – Swimming pool safety – Part 1: Safety barriers for swimming pools;
		3. Fencing shall have a minimum effective height of 1.2m;
		4. All swimming pool gates shall be self-closing and self-latching. All gates must open outwards from the swimming pool enclosure;
		5. The filtration equipment including any cover, housing or pipe work, must not be located within a distance of 900mm from the outside face of the swimming pool safety fencing enclosure, nor within 300mm from the inside of the swimming pool safety fencing enclosure (where footholds are possible); and
		6. Boundary fencing forming part of the swimming pool safety fencing shall maintain a minimum effective height of 1.8m and a 0.9m non climbable zone (measured from the top of the inside of the barrier).

The swimming pool safety fencing must be installed prior to the swimming pool being filled with water. The principal certifier, or an accredited certifier must inspect the swimming pool safety fencing.

(5) **Waste Water From Swimming Pools** - All waste water from the swimming pool and filtration system shall be disposed via the approved sewer system.

(6) **Site Management** - The following practices are to be implemented during construction:

1. 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;
2. 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;
3. 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;
4. a waste storage area shall be located on the site;
5. 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);
6. 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:
	* 1. be a standard flushing toilet connected to a public sewer; or
		2. have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
		3. be a temporary chemical closet approved under the *Local Government Act 1993*.

(7) **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 principal certifier prior to the development proceeding beyond floor level stage.

(8) **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 principal certifier prior to the development proceeding beyond frame stage.

(9) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.

(10) **Swimming Pool Construction Sign** – A sign must be erected and maintained that:

1. bears a notice containing the words “This swimming pool is not to be occupied or used”;
2. is located in a prominent position in the immediate vicinity of the swimming pool; and
3. continues to be erected and maintained until a relevant occupation certificate or a certificate of compliance has been issued for the swimming pool.

(11) **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.

(12) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. 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.

(13) **Compaction (Lots)** – The approved lots, which are subject to filling must be compacted in accordance with Council’s current Engineering Construction Specifications. A suitably qualified and experienced geotechnical engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798.

(14) **Seal Up Existing Redundant Laybacks** – All existing redundant laybacks must be sealed up to match the existing concrete gutter on the road.

(15) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

* all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
* the wheels of vehicles leaving the site:
	+ - do not track soil and other waste material onto any public road adjoining the site; and
		- fully traverse the site’s stabilised access point.

(16) **Fill Compaction** - All fill must be compacted in accordance with Camden Council’s current Engineering Design Specifications.

(17) **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](http://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.

(18) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

(19) **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.

(20) **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.

(21) **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.

(22) **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.

(23) **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.

(24) **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).

(25) **Construction Noise Management Plan** - All operations must be carried out in accordance with the recommendations contained in the Construction Noise Management Plan, including:

1. noise mitigation measures;
2. noise and/or vibration monitoring;
3. use of respite periods;
4. complaints handling; and
5. community liaison and consultation

(26) **Fill Material (VENM and ENM)** – Prior to the importationand/or placement of any fill material (VENM or ENM) on the site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

1. be prepared by a person with experience in the geotechnical aspects of earthworks; and
2. be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
3. be prepared in accordance with;

For Virgin Excavated Natural Material (VENM):

1. the Department of Land and Water Conservation publication "Site Investigation for Urban Salinity;" and
2. 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."

For Excavated Natural Material (ENM):

1. the Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the Protection of the Environment Operations (Waste) Regulation 2014;
2. the NSW EPA Resource Recovery Order under Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014; and
3. the excavated natural material order 2014 (ENM Order)

d) confirm that the fill material;

1. provides no unacceptable risk to human health and the environment;
2. is free of contaminants;
3. 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");
4. is suitable for its intended purpose and land use; and
5. 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 and ENM 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 (m3)** |
| Virgin Excavated Natural Material | 1(see Note) | 1000or part thereof |
| Excavated Natural Material | (Refer Exemption) |  |

**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.

(27) **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 certified contaminated land consultant has be 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.

(28) **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 Section 9 of Report on Salinity Investigation and Management Plan, proposed residential subdivision Camden Lakeside, Gledswood Hill, NSW project 76644.00 April 2015, prepared by Douglas Partners.

(29) **Aboriginal Objects Discovered During Works** – If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:

* all excavation or disturbance of the area must stop immediately in that area;
* the Environment, Energy and Science Group (EES) must be advised of the discovery in writing in accordance with Section 89A of the National Parks and Wildlife Act 1974*,* and
* any requirements of EES must be implemented.

**5.0 - Prior to Issue of a Subdivision Certificate**

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

1. **Acoustic Berm** – Prior to the issue of the subdivision certificate, it shall be demonstrated by a qualified surveyor that the construction of a 1.8m acoustic berm along Raby Road has been constructed as illustrated within appendix E of the Acoustic Report titled Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050, dated 3 April 2020, prepared by Marshall Day Acoustics and cross sectional drawings, prepared by enspire project no. 180032, dated 22 June 2020, Drawing Number HKSE163 revision 1, pages 1-5 inclusive.
2. **Construction Upgrades of Lakeside Golf Club Camden** - Prior to the issue of the subdivision certificate the following architectural upgrades of the Lakeside Golf Country Club which include glazing and ceiling upgrades are to be undertaken accordance with Section 7.2 and table 16 of acoustic report titled Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050, dated 3 April 2020, prepared by Marshall Day Acoustics.
3. **Acoustic Compliance Report Lakeside Golf Club Camden** - Prior to the issue of the subdivision certificate, an acoustic compliance report prepared by the acoustic consultant shall be submitted to the Consent Authority (Camden Council) that all acoustic upgrade works have been completed in accordance with section 7.2 and table 16 of acoustic report titled Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050 dated 3 April 2020 prepared by Marshall Day Acoustics.
4. **Extinguishment of Easement** –Prior to the issue of the Subdivision Certificate, easement (D) for the purposes of right of access and easement for services 16 wide & variable as per DP1261166 shall be extinguished.
5. **Asset Protection Zones** – Prior to the issue of the Subdivision Certificate, a positive covenant and restriction on the use of land shall be created upon the full width of Lots 6 – 12 to create an 8m wide Asset Protection Zone commencing from the western property boundary, to be maintained as an Inner Protection Area in perpetuity.

The Restriction on the use of the land shall prohibit the construction of any buildings within the area of the Asset Protection Zone, other than Class 10b structures constructed within the specific 8m Asset Protection Zone.

The Positive Covenant shall require the area of the Asset Protection Zone to be managed as an Inner Protection Area (IPA) as outlined in Section 3.2 and Appendix 4 of ‘Planning For Bush Fire Protection 2019’ and the ‘NSW Rural Fire Service’s document ‘Standards for asset protection zones’.

The name of the authority empowered to release, vary or modify the instrument shall be Camden Council.

(6) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.

(7) **Show Easements/ Restrictions On The Plan Of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.

(8) **Burdened Lots To Be Identified** - Any lots subsequently identified during the subdivision as requiring restrictions shall also be suitably burdened.

(9) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete (where the subdivision involves engineering works), unless otherwise approved in writing by the principal certifier.

**Note.** The intent of this condition is to provide for the issue of a Subdivision Certificate before the commencement of building works.

(10) **Fill Plan** - A fill plan shall be provided to the principal certifier prior to the issue of any Subdivision certificate. The plan must show (where applicable):

1. lot boundaries;
2. road/drainage/public reserves;
3. street names;
4. final fill contours and boundaries; and
5. depth in filling in maximum 0.5m Increments

The plan is to be provided electronically in portable document format (.PDF).

(11) **Incomplete Works** **Bond** - Where the applicant proposes deferral of work in accordance with Council’s engineering specifications, a bond is to be lodged with Council for the construction of incomplete works in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

(12) **Surveyor’s Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the principal certifier, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

(13) **Subdivision Certificate** – The issue of a Subdivision Certificate is not to occur until all subdivision engineering works are complete (where the subdivision involves engineering works), unless otherwise approved in writing by the principal certifier.

(14) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.

(15) **Electricity Notice of Arrangement** - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy must be submitted to the principal certifier (Council). The arrangement must include the provision of street lighting in accordance with the electrical design approved by Council.

(16) **Soil Classification** - A soil classification report prepared by a suitably qualified person in accordance with AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the principal certifier. A classification shall be provided for each lot within the subdivision. The soil classification report shall also be provided to Council.

(17) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:

1. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
2. 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](http://www.sydneywater.com.au/section73) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(18) **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).

(19) **Trunk Drainage System** – An easement to drain water must be registered over the trunk drainage system as per DA/2018/1063 (as modified). The easement is to be registered in favour of Camden Council.

(20) **Easement for Right of Way** – Prior to the issue of the Subdivision Certificate, a right of way shall be registered over the footpath extension within Lot 71 DP:1261166.

(21) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the principal certifier which incorporates the following easements, positive covenants and restrictions to user where necessary:

1. easement for services;
2. easement to drain water and drainage easement/s over overland flow paths;
3. easement for on-site-detention;
4. positive covenant over the on-site detention / water quality facility for the maintenance, repair and insurance of such a facility;
5. easement for water quality facility;
6. retaining wall, positive covenant, and restriction to user;
7. reciprocal right of carriageway (the owners of the subject properties burdened by the right of carriageway shall be responsible for on-going maintenance and the Public Liability of the right of carriageway);
8. access denial to Camden Valley Way and Raby Road;
9. restriction as to user over lots which stipulates that footings shall be designed by a suitably qualified civil and/or structural engineer;
10. restriction as to user detailing that no person shall alter, remove or destroy any berm, soil, which forms part of the acoustic barrier without the prior approval of Council and that the landowners or their assigns shall maintain the acoustic barrier in good order at all times. If the acoustic barrier is not maintained to the satisfaction of Council, Council may enter upon the land and carry out the necessary work at full cost to the owner;
11. restriction as to user creating an easement for support and maintenance 900mm wide adjacent to the “zero” lot line wall;
12. restriction as to user on all lots requiring that all construction works that include earthworks, imported fill, landscaping, roads, buildings and associated infrastructure must be carried out in accordance with the management strategies as contained within section 9 of Report on Salinity Investigation and Management Plan, proposed residential subdivisionCamden Lakeside, Gledswood Hills, NSW, Project 76644.00, April 2015, prepared by Douglas Partners.

(22) **Compaction Report** - A compaction report must be submitted that demonstrates that all roads and lots have been compacted in accordance with Council’s Engineering Specifications.

(23) **Lot Numbers and Street Names** - Lot numbers and street names must be stencilled on the face of kerb or in alternative locations directed by the principal certifier.

The stencil medium must be of good quality UV stabilised paint and applied to the kerb thusly:

1. Lot numbers – White number in Brunswick Green background located on the prolongation of both common boundaries of each lot.
2. Street names – White lettering on Brunswick Green background at kerb and gutter tangent points.

(24) **Stencilled Pit Lintels** – Pit lintels must be labelled with permanent stencilled signs in accordance with Council’s current Engineering Design Specifications.

(25) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the principal certifier demonstrating that satisfactory arrangements have been made for:

1. the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
2. the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the principal certifier.

(26) **Footpath Works Bond** - Where the applicant proposes deferral of work in accordance with Council’s engineering specifications, a bond is to be lodged with Council for the construction of concrete footpaths and/or pedestrian/cycle shared ways in accordance with Council’s Development Infrastructure Bonds Policy.

The deferred footpath works must be completed once 80% of housing has been constructed within the approved subdivision, or within 2 years from the date of deferrals, whichever occurs first.

**Note.** Fees are payable for the lodgement and refund of the bond.

(27) **Defects and Liability Bond** - The applicant is to lodge a bond with Council to cover any defects and liabilities of any new public infrastructure in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

(28) **Water Quality Facility Works Bond** – Where the applicant proposes deferral of work in accordance with Council’s engineering specifications, a bond is to be lodged with Council for the construction of approved water quality facilities in accordance with Council’s Development Infrastructure Bonds Policy.

 **Note.** Fees are payable for the lodgement and refund of the bond.

(29) **Section 7.11 Contributions (Evidence of Payment)** –If a Subdivision Certificate is to be issued prior to the issue of a Construction Certificate for the dwelling(s), all Section 7.11 contributions detailed in conditions 6.0(23) of this development consent must be paid prior to the issue of that Subdivision Certificate. Evidence of payment shall be provided to the principal certifier.

**6.0 - 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. **Release of the Occupation Certification** – The release of the Occupation Certificate shall not occur until Council has issued a Subdivision Works Certificate.

(2) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.

1. **Compliance Certificate** – Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the principal certifier. Verification 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.

(4) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the EP&A Regulation 2000.

(5) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the principal certifier.

(6) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the principal certifier.

(7) **Filter & Recirculation Systems** - Prior to issue of an Occupation Certificate, a certificate of compliance, or other documentary evidence confirming that the proposed recirculation system and filtration system complies with AS1926.3, must be provided to the principal certifier.

(8) **Registration of Land** - Documentary evidence shall be provided to the principal certifier confirming registration of the approved allotments with NSW Land Registry Services.

(9) **Design Verification** – A Statement from a qualified Architect, verifying that the residential flat buildings achieve the design quality of the development as shown on the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.

(10) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved acoustic report; Camden Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050, dated 3 April 2020, prepared by Marshall Day Acoustics, Section 7 Discussion and Recommendations.

(11) **Acoustic Fence Between Dwellings** - For Lot 26 a 2m acoustic fence, and lot 27 a 2.2m acoustic fence shall be constructed as illustrated in section 7 figure 3 of acoustic report titled Lakeside Stage 41 DA Acoustic Assessment Rp 001 r08 20169050 dated 3 April 2020 prepared by Marshall Day Acoustics. The construction of the fence shall be from a material having a surface density of minimum 12 kg/m2 and be free from holes, gaps and penetrations.

(12) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.

(13) **Swimming Pool Register** - In accordance with Part 3A of the *Swimming Pools Act 1992* all swimming pools are required to be registered on the NSW Swimming Pools Register. You can register your Swimming Pool online at [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)

Prior to the issue of any occupation certificate you are required to provide evidence in the form of the Certificate of Registration to the principal certifier.

(14) **Warning Notice** - A warning notice complying with the provisions of Clause 10 of the Swimming Pools Regulation 2008, must be displayed and maintained in a prominent position in the immediate vicinity of the swimming pool, in accordance with Section 17 of the *Swimming Pools Act 1992*.

The principal certifier shall ensure that this warning notice is provided and displayed prior to the issue of the Occupation Certificate.

Council also recommends that all owners and/or users of swimming pools obtain a copy of the ‘Cardiopulmonary Resuscitation Guideline’ known as “Guideline 7: Cardiopulmonary Resuscitation” published in February 2010 by the Australian Resuscitation Council (available through [www.resus.org.au](http://www.resus.org.au)).

(15) **Swimming Pool Landscaping** - Landscaping of the swimming pool enclosure and surrounds including the provision of outdoor furniture, construction of barbecues and pergolas must not reduce the effectiveness of the swimming pool safety fencing. All landscaping, furniture, and other similar structures shall be located at least 900mm from the outside of the pool safety fencing.

(16) **Swimming Pool Barrier Certification** – Certification from the supplier of the swimming pool barrier is to be submitted to the principal certifier. The certification must state that the swimming pool barrier materials comply with the applicable Australian Standards.

(17) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:

1. be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
2. ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.

(18) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.

(19) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

(20) **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.

(21) **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.

(22) **House Numbering** – The dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the street by displaying their Council allocated house numbers. The allocated house numbers will be in accordance with the current Geographical Names Board of NSW Address Policy. E-mail Council at lis.mailbox@camden.nsw.gov.au to obtain the allocated house numbers. Any alternative numbering of the dwellings is not permitted.

(23) **Contributions Payment Evidence** – A document from Council certifying that the payment of Section 7.11 contributions:

* is not required at any time before the issue of an occupation certificate, or
* is required and the requirement has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with Council that:

* Council issued the document, and
* no contributions or levies have been required since the document was issued.

(24) **Voluntary Planning Agreement** – The proposed development shall be carried out in accordance with the Voluntary Planning Agreement executed between Camden Council and SH Camden Lakeside Pty Limited dated 10 July 2020.

 Contributions – The following monetary contributions must be indexed to the Consumer Price Index and paid prior to the issue of the Occupation Certificate.

$7,694 per additional lot

**$1,223,346 total**

For Community & Recreation Facilities, District Community Centre & Libraries, Mount Annan Leisure Centre and s.7.11 Planning & Administration.

**7.0 - Ongoing Use**

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

(1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:

1. be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
2. emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.

(2) **Community Pool Access** – Adequate measures are to be provided and maintained to ensure access to the pool is restricted to residents only by use of a key / swipe card and signage shall be provide adjacent to the pool gate stating ‘Use of pool by residents only’.

(3) **Prohibitions Within Swimming Pool Enclosure** - The area contained within the swimming pool safety fencing enclosure must not be used for other non related activities or equipment, such as the installation of children’s play equipment or clothes drying lines.

(4) **Private Swimming Pool Water Quality** – Swimming pool water shall be maintained in a clean and healthy condition at all times so as to protect user health and safety and to prevent conditions that support the activity of water borne organisms (including bacteria, viruses and algae), insects and aquatic pests.

(5) **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*. Noise must also comply with the NSW Noise Policy for Industry 2017.

(6) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.

(7) **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.