

COUNCIL CONDITION MEMO

NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSNTH-265 – DA2023/0627
PROPOSAL	NSW Rural Fire Service Control Centre
ADDRESS	Lot 1 DP1192555 – 419 Airport Road, Glenugie
APPLICANT	Public Works Authority
OWNER	Clarence Valley Council
PREPARED BY	Carmen Landers, Development Planner (Systems)
DATE OF REPORT	12 March 2024

Summary

This memo considers and provides details of the proposed conditions of consent for Development Application DA2023/0627 for a Fire Control Centre upon Lot 101 DP1228576, being No. 419 Airport Road, Glenugie.

At the time of finalising the Planning Panel Report, Council had not received confirmation that the final conditions been accepted in full as additional changes were made to the conditions following receipt of the independent review comments provided by the Department of Planning Housing and Infrastructure – Regionally Significant Development (RSD) Assessment Team.

The applicant has now reviewed and accepted all of the final conditions of consent except Condition 23 as per Attachment A(i) at the end of this memorandum. Note, the only condition amendment from Attachment A provided with the Planning Panel Report is Condition 23 requiring a Road Safety Audit.

A spreadsheet providing comments from the applicant and relevant amendments since the original drafting of the conditions is provided in Attachment A(ii) which outlines the amended and deleted conditions and lists the previous and final condition number (where relevant).

Road Safety Audit Condition No. 23

The proposed Road Safety Audit condition originally centred around construction certificate impacts only, however following a review of the conditions by the RSD team, this condition was expanded to include consideration of worst-case operational impacts also. The amended condition was not accepted by the Applicant in its entirety due to concerns with cost implications if any works were identified to upgrade the local road network for the ongoing operation of the Fire Control Centre.

Following negotiation with the applicant and upon consideration by Council's Civil Services section, the road safety audit condition was again amended as follows:

23. Road Safety Audit

Prior to works commencing, a Road Safety Audit shall be undertaken in accordance with the requirements in the NSW Centre for Road Safety publication "Guidelines for Road Safety Audit Practices" and AGRS06 "Austroads Guide to Road Safety Part 6: Road Safety Audit". The Road Safety Audit shall consider construction traffic and operational traffic impacts within the surrounding local road network (between the site and Big River Way) and their potential impacts to existing background traffic.

The Road Safety Audit shall include but not be limited to, identifying potential conflict points due to limited sight distance and/or limited pavement widths and provide suitable amelioration measures based on risk assessment for both construction and worst-case operational scenarios.

The Road Safety Audit report, including details of any corrective actions arising from the audit findings, is to be submitted to and approved by Council. Any recommendations of the Road Safety Audit to mitigate safety risks during construction shall form part of the Construction and Environment Management Plan (CEMP). The CEMP is to be submitted to and approved by Council prior to commencement of works.

Any corrective actions arising from the audit findings to mitigate safety risks during construction, shall be in place prior to the commencement of works and at the applicant's expense. All works associated with the corrective actions are to be undertaken to the satisfaction of Council.

Any Road Safety Audit findings relating to the local road network during the operation of the new Fire Control Centre, shall be considered by Council, at no cost to the applicant.

Any necessary works will require Section 138 approval prior to commencement and any such application shall be accompanied by traffic control plans.

Condition reason: To ensure traffic movements around the site are safely managed

Six Mile Lane, Eight Mile Lane and Airport Road are defined as rural roads under Council's current engineering standards, with 2020 traffic data indicating a daily traffic volume of 163 for Six Mile Lane (recorded approximately 170m west of Airport Road) and 976 for Eight Mile Lane (recorded approximately 100m west of Wooli Road).

Table T 1.27 – Carriageway and seal widths for rural roads

Local Government Area	Minor no through road up to 150 AADT	Minor road up to 1000 AADT	Major road over 1000 AADT	Rural Residential
Ballina Byron Kyogle Richmond Valley Clarence Valley	6m seal 0.5m shoulders	150 – 500 AADT 6m seal 1m shoulders 500 – 1000 AADT 7m seal 1.0m shoulders	7.5m seal 1.5m shoulders	6m seal 1m shoulders
Lismore	See City of Lismore Development Control Plan No. 28 - Subdivision			

Six Mile Lane has a general profile of 6m pavement with compacted shoulders, while Eight Mile Lane generally exceeds the criteria required for a major road greater than 1,000 vehicles per day. The existing pavement widths and shoulders currently meet specification, and the traffic generated by the development will not alter the respective road classification. On this basis, no pavement upgrades are required to service the development.

Furthermore, the Traffic and Parking Assessment prepared by McLaren Traffic Engineering dated 24 August 2023 estimated 12 trips (1 trip every 5 minutes) in the AM and PM peak periods for standard operational use, while large scale training events/meetings (approximate frequency to be once or twice per month), are estimated to generate 50 trips to and from the site (note that depending on the scheduling of events, this may not coincide with the AM/PM peak hour). Assessing the traffic volumes generated by the development, the Traffic Assessment adopted a conservative assessment of 1 vehicle per person for events and did not identify any impacts to the local road network and did not identify any existing areas within the local road network which required upgrading to service the development. Therefore, no upgrade of the local road networks is warranted in this case.

Council assessment of the local road network has not identified any areas which would require approval outside the scope of a Part 5 or Section 138 approval. As such, a condition requiring a Road Safety Audit is considered appropriate and has been included in the Draft Conditions in Attachment A(i).

Independent Review Recommendations

Changes to the proposed draft conditions were made in response to comments provided in the initial and supplementary independent review provided by the Department of Planning Housing and Infrastructure – Regionally Significant Development (RSD) Assessment Team under the RSD Supported Assessment Program Pilot. The final conditions as accepted by the applicant (except Condition 23) are provided in Attachment A(i). A spreadsheet outlining the historical changes of conditions during the assessment process is also provided in Attachment A(ii).

Conclusion

The development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in the Planning Panel Report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported subject to the imposition of the final conditions provided in Attachment A(i) and acceptance of the conditions by the applicant.

Attachment A(i)

Draft Conditions of Consent

General

1. Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans

Plan No	Revision number	Plan Title	Drawn by	Date of plan
0100	P5	Site Plan – Existing	NBRS & Partners P/L	28 September 2023
0200	P5	Site Plan - Proposed	NBRS & Partners P/L	28 September 2023
0300	P5	Site Plan - Demolition	NBRS & Partners P/L	28 September 2023
1110	P5	Ground Floor Plan - FCC	NBRS & Partners P/L	28 September 2023
1120	P5	Ground Floor Plan - Stores	NBRS & Partners P/L	28 September 2023
1210	P5	Roof Plan - FCC	NBRS & Partners P/L	28 September 2023
1220	P5	Roof Plan - Stores	NBRS & Partners P/L	28 September 2023
1510	P5	FF&E Plan - FCC	NBRS & Partners P/L	28 September 2023
2010	P5	Ground Floor RCP – FCC	NBRS & Partners P/L	28 September 2023
2020	P5	Ground Floor RCP – Stores	NBRS & Partners P/L	28 September 2023
3000	P3	Site Elevations	NBRS & Partners P/L	28 September 2023
3010	P5	Elevations – FCC	NBRS & Partners P/L	28 September 2023
3020	P5	Elevations - Stores	NBRS & Partners P/L	28 September 2023
4000	P3	Site Sections	NBRS & Partners P/L	28 September 2023
4010	P5	Sections – FCC	NBRS & Partners P/L	28 September 2023
4020	P5	Sections - Stores	NBRS & Partners P/L	28 September 2023
NBRS-DR-L-1001	A	Planting Pallet & Schedule	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-2000	A	Landscape Site Plan	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-3000	A	Planting Plan 01	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-3001	A	Planting Plan 02	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-4000	A	Preliminary Details	NBRS & Partners P/L	27 September 2023

Approved documents

Document title	Version number	Prepared by	Date of document
Environmental Site Assessment (Reference 2223-061-02)	C	Earth Water Consulting Pty Ltd	17 January 2024

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- In the event of any inconsistency with the approved plans or documents and a condition of this consent, the condition prevails.
- Condition reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development
2. **Installation of Wastewater Management System**
Vegetation must not be removed or disturbed during installation or operation of the proposed wastewater management system other than that approved by Council.
Condition reason: To ensure compliance with Clarence Valley Council's On-Site Wastewater Management Strategy 2018
 3. **Site Audit Report**
The Site Audit Report(s) provided to Council must exempt Council from any claim for copyright that may restrict Council's ability to provide information to the public in accordance with the *Government Information (Public Access) Act 2009*.
Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999
 4. **Protection of existing remnant vegetation**
All existing remnant trees located within the development area, with the exception of the tree referred to in Condition 5, are to be retained and protected.
Condition reason: To protect remnant vegetation
 5. **Removal of vegetation**
The removal of the nominated tree must be completed by a qualified arborist at no cost to Council.
Condition reason: To ensure that tree removal is undertaken by a qualified arborist.
 6. **Offset planting**
The removal of the Blackbutt (*Eucalyptus pilularis*) is to be offset with Blackbutt trees at a rate of 5:1 within the proposed landscaped area. Should any of the offset trees die prior to reaching maturity, they are to be replaced with another Blackbutt tree.
Condition reason: To meet protect the biodiversity values of trees and vegetation in non-rural areas.
 7. **Topsoil for Plantings**
Imported topsoil for planting to be supplied as a premium grade soil mix in compliance with AS 4419:2018 Soils for landscaping and garden use.
Condition reason: To comply with the Australian Standards.
 8. **Tree Stock for landscaping**
Specified trees to be sourced from nurseries that grow to AS 2303:2018 Tree stock for landscape use.
Condition reason: To comply with the Australian Standards.
 9. **Landscaping**
New trees (grown to AS 2303:2018) planting to be minimum 45 litre pot size, to be planted using 1 slow release fertiliser tablet per hole mixed with site soil and imported topsoil (topsoil to AS 4419:2018); the trees are to be stabilised by no less than 3 x 50x50x1800mm long hardwood stakes

and 3 x hessian ties. Provide water basin under minimum 75mm hardwood chip mulch (mulch to AS 4454-2012), mulch to form a minimum of 800mm circle around base of the tree.

Condition reason: To comply with the Australian Standards

10. **Access to other onsite uses**

Vehicular access to the existing Bureau of Meteorology weather station must remain obstacle free at all times. Details of how this will be achieved to be submitted to Council for approval prior to works commencing.

Condition reason: To ensure that accesses for other onsite uses is maintained.

Building Work

Before Issue of a Construction Certificate

No conditions apply to this section

Before Building Work Commences

11. **Remediation of site**

Prior to commencement of any building construction, the site must be remediated in accordance with the Environmental Site Assessment prepared by Earth Water Consulting dated 17 January 2024; Council's Contaminated Land Policy; State Environmental Planning Policy (Resilience and Hazards) 2021; National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and the guidelines in force under the *Contaminated Land Management Act 1997*.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999

12. **Construction Environmental Management Plan**

Prior to commencement of any building construction, Council shall be furnished with a Construction Environmental Management Plan (CEMP) reviewed and approved, by an appropriately qualified and experienced environmental consultant. The CEMP must include, but not be limited to:

- Soil Contamination - an Unexpected Find Procedure/s in the unlikely event that Asbestos Containing Material or Contamination is discovered, disturbed or occurs during the works;
- Heritage management including an Unexpected Find Procedure/s in the unlikely event that any items of Aboriginal or non-Aboriginal Heritage is discovered, disturbed or occurs during the works;
- Consideration of construction traffic management, frequency, pavement condition of local roads, background traffic peak hour and any necessary warning signage or other traffic impact mitigation measures
- Internal Pedestrian management and access to other onsite uses
- Contractor Parking
- Public safety, amenity and site security
- Noise Control (All reasonable and feasible mitigation measures must be applied to reduce the potential noise and air quality impacts to sensitive receivers as a result of the construction of the proposal);
- Erosion and sediment control- base information, monitoring and management;
- Waste management
- Stormwater drainage infrastructure and quality improvement device installation

methodologies

The CEMP shall set out the construction approach for the works and should seek to minimise disruption to the local community.

Condition reason: To ensure that the surrounding environment is not detrimentally affected as a result of the development

13. **Notice of intention to commence work**

Prior to work commencing on a development the applicant must give notice to Council of their intention to commence work. Such notice shall be submitted to Council at least two (2) days before work commences.

Condition reason: To comply with legislative requirements

14. **Slab design and elevations**

The slab design for all buildings shall be based on a geotechnical assessment of the foundation soils. Elevations of the 5 x 8.5m pump room shed shall be provided to Council prior to the commencement of works.

Condition reason: To ensure that the works comply with the state building regulations

15. **Signs on site**

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

- a Showing the name, address, and telephone number of the principal certifier for the work, and
- b Showing the name of the principal contractor (if any) for any building work and telephone number on which that person may be contacted outside working hours, and
- c Stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

NOTE: this does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Condition reason: Prescribed condition EP&A Regulation, clauses 98A (2) and (3)

16. **Toilet Facilities**

Toilet Facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a A standard flushing toilet, connected to a public sewer, or
- b An approved temporary chemical closet.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

Condition reason: To provide onsite facilities in accordance with work health and safety requirements

17. **Site Safety Management**

Building equipment and/or materials shall be contained wholly within the work site. A suitable fence shall be provided between the work site and the airport car park to protect members of the public.

All excavations and back filling associated with the erection and demolition of a building must be executed safely and in accordance with appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

Condition reason: To ensure site management measures are implemented during the carrying out of site work

18. **Working Construction Hours**

Working hours on construction or demolition shall be limited to the following:

- i 7.00am to 6.00pm Monday to Friday
- ii 8.00am to 1.00pm Saturdays
- iii No work permitted on Sundays and public holidays

Construction work outside of the approved hours may be considered with the approval of Council subject to notification to adjoining land owners.

Condition reason: To protect the amenity of the surrounding area

19. **Waste Enclosure**

A suitable enclosure shall be provided on site, during construction, for depositing waste materials that could become wind blown. Waste materials shall be disposed of to an approved recycling service or waste depot. No burning of waste materials shall occur.

Condition reason: To ensure waste material is appropriately disposed

20. **Section 68 Sanitary Plumbing & Drainage**

Prior to the commencement of building works, approval under Section 68 of the *Local Government Act 1993* shall be obtained from Council for sewerage work, water plumbing, fire hydrant and hose reel system and stormwater work. This application can be lodged via the NSW Planning Portal or at Council's office. Hydraulic consultant's details shall be submitted with the application.

Condition reason: To Comply with the provisions of the *Local Government Act 1993*

21. **Onsite Wastewater Consultants Report**

Prior to works commencing, an Onsite Wastewater Management (OSM) Application and Wastewater Consultants report must be submitted to Council and approved addressing the existing and proposed Onsite Wastewater Management Systems in accordance with Clarence Valley Council's Onsite Wastewater Management Strategy, AS/NZS 1547:2012 and the Environment and Health Protection Guidelines. If the proposed system requires holding tanks and pumpouts, the Report must also address how adequate pump-outs are to be achieved when roads are closed due to hazard events, preventing tanker access for pump-out purposes.

Condition reason: To ensure compliance with Clarence Valley Council's On-Site Wastewater Management Strategy 2018

22. **Erosion and sediment controls in place**

Prior to works commencing, all erosion and sediment control measures are to be installed and maintained.

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways

23. **Road Safety Audit**

Prior to works commencing, a Road Safety Audit shall be undertaken in accordance with the requirements in the NSW Centre for Road Safety publication "Guidelines for Road Safety Audit Practices" and AGRS06 "Austroads Guide to Road Safety Part 6: Road Safety Audit". The Road Safety Audit shall consider construction traffic and operational traffic impacts within the

surrounding local road network (between the site and Big River Way) and their potential impacts to existing background traffic.

The Road Safety Audit shall include but not be limited to, identifying potential conflict points due to limited sight distance and/or limited pavement widths and provide suitable amelioration measures based on risk assessment for both construction and worst-case operational scenarios.

The Road Safety Audit report, including details of any corrective actions arising from the audit findings, is to be submitted to and approved by Council. Any recommendations of the Road Safety Audit to mitigate safety risks during construction shall form part of the Construction and Environment Management Plan (CEMP). The CEMP is to be submitted to and approved by Council prior to commencement of works.

Any corrective actions arising from the audit findings to mitigate safety risks during construction, shall be in place prior to the commencement of works and at the applicant's expense. All works associated with the corrective actions are to be undertaken to the satisfaction of Council.

Any Road Safety Audit findings relating to the local road network during the operation of the new Fire Control Centre, shall be considered by Council, at no cost to the applicant.

Any necessary works will require Section 138 approval prior to commencement and any such application shall be accompanied by traffic control plans.

Condition reason: To ensure traffic movements around the site are safely managed

24. **Stormwater Management**

All stormwater falling on the property is to be collected within the property and discharged in accordance with the relevant parts of the applicable Clarence Valley Council Development Control Plans and Northern Rivers Design and Construction Manual (NRDC). A Stormwater Management Plan must be prepared to reflect these standards and guidelines.

The Stormwater Management Plan (SWMP) that demonstrates **NorBe** must be prepared in accordance with NRDC and accepted by Council prior to the commencement of works.

Condition reason: To ensure that adequate infrastructure and services are provided in accordance with Council's Engineering Specifications for Development

25. **Construction of Infrastructure and Services**

Construction of required infrastructure and services is to be in accordance with the applicable Clarence Valley Council Development Control Plans, AS2890, and Northern Rivers Local Government Development Design.

Condition reason: To ensure that adequate infrastructure and services are provided in accordance with Council's Engineering Specifications for Development

26. **Unexpected Finds Procedure**

Prior to the commencement of construction, an Unexpected Heritage Finds Procedure for Aboriginal and non-Aboriginal Heritage must be prepared should actual or potential items or areas of Heritage be discovered during construction activities. This procedure must be tool boxed with all work crews and implemented during construction works. Should any Aboriginal or non-Aboriginal relics or artefacts be uncovered during works on the site, all work is to cease and Heritage NSW shall be

contacted immediately and any directions or requirements of the Service complied with.

Condition reason: To protect and conserve cultural heritage

27. **Obstacle Limitation Surface**

All tree plantings must comply with the Civil Aviation Safety Authority obstacle limitation surface requirements for the Grafton Regional Airport. Details of compliance to be provided to Council prior to the commencement of building works.

Condition reason: To comply with the Civil Aviation Safety Authority Regulations

During Building Work

28. **Unexpected Heritage Finds Procedure**

All works on site shall be undertaken in accordance with the approved Unexpected Heritage Finds Procedure. The Unexpected Finds Procedure/s must be implemented during ground disturbance and earthworks activities. All site personnel must be tool boxed on the Unexpected Finds Procedure/s.

Condition reason: To ensure that the surrounding environment is not detrimentally affected as a result of the development

29. **Waste avoidance and management**

The waste management plan submitted with this application shall be complied with during construction work and all measures required for the ongoing use of waste management/reduction facilities in the development shall be in place prior to the issue of the Occupation Certificate.

Condition reason: To minimise construction and ongoing waste

Before Issue of an Occupation Certificates

No conditions apply to this section.

Occupation and Ongoing Use

30. **Bushfire Protection**

The recommendations of the bushfire report prepared by Peterson Bushfire (Ref 23027) dated 29 May 2023 shall be complied with and be installed prior to occupation of the fire control centre building. In addition to these requirements, it is recommended that the 493m² stores building is provided with ember protection to a BAL 12.5 standard.

Condition reason: To comply with the aim and objectives of Planning for Bushfire Protection 2019.

31. **Completion of landscape and tree works**

Prior to occupation of the Fire Control Centre building all landscape and tree-works must be completed in accordance with approved plans and documents and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)

32. **Certification of constructed Civil Works**

Certification of constructed Civil Works by the supervising engineer and/or registered surveyor is required prior to public infrastructure being accepted "on maintenance" and/or "practical completion" being granted for private property works.

Condition reason: To ensure works are completed to an appropriate standard and documented

33. **Certificate of Compliance**
A Certificate of Compliance for Water works must be obtained from Council prior to occupation of the Fire Control Centre building. This may require payment of a fee.
Condition reason: To comply with Council's Sewer and Water Development Services Plan
34. **Provision of Water and/or Sewer Reticulation**
Prior to occupation of the Fire Control Centre building, the applicant is to provide water supply infrastructure to service the development, in accordance with the requirements and specifications of the Clarence Valley Council Sewer & Water Connection Policy and Northern Rivers Local Government Development Design and Construction Manual.
Condition reason: To comply with Council's Sewer and Water Development Services Plan
35. **Construction of Carparks and Access**
Car parking, driveways, manoeuvring and access areas must be constructed in accordance with the approved plan prior to occupation of the Fire Control Centre building.
Condition reason: To ensure that vehicular access and parking are provided in accordance with Council's Engineering Specifications for Development
36. **Remedial Action Plan**
At least 30 days prior to any remediation works commencing on site, a Remedial Action Plan must be submitted to Council for approval along with the notification in writing required under clause 4.55 of *State Environmental Planning Policy (Resilience and Hazards) 2021* advising on the commencement date and contact details of the responsible supervising person overseeing the implementation of the Remedial Action Plan.
Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999
37. **Onsite Visitor Parking**
All on-site visitor parking spaces are to be clearly marked, and a sign or signs conspicuous and legible from the street are to be permanently displayed indicating that visitor parking is available on the site.
Condition reason: To ensure that vehicular access and parking are provided in accordance with Council's Engineering Specifications for Development
38. **Revegetation of Site**
Prior to occupation of the Fire Control Centre building all disturbed areas shall be stabilised and revegetated. Turf, seeding or other approved method shall be undertaken in conjunction with or immediately following completion of works.
Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways
39. **Repair of infrastructure**
Prior to occupation of the Fire Control Centre Building:
a any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or
b if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent.
Condition reason: To ensure any damage to public infrastructure is rectified
40. **Approval to Operate**

An Approval to Operate the Onsite Wastewater System must be issued prior to Occupation of the Fire Control Centre building.

Condition reason: To ensure compliance with Clarence Valley Council's On-Site Wastewater Management Strategy 2018

41. **Bunding Area**

Any substance which could adversely affect the environment must be stored in a roofed and banded area. The bund must have the capacity to retain 110% of the volume of the largest container or alternatively, other acceptable means of containment must be provided. Substances accumulated in the banded area must not be discharged to the environment.

Condition reason: To ensure compliance with Council's Trade Waste Policy

Remediation Work

Before Remediation Work Commences

42. **Unexpected finds procedure**

Prior to commencement of any remediation works for the contaminated land, an Unexpected Find Procedure/s is required to be prepared in the unlikely event that Asbestos Containing Material or Contamination is discovered, disturbed or occurs during the works.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999

43. **Erosion and Sediment Control**

All erosion and sediment control measures are to be installed and maintained in accordance with the Construction Environmental Management Plan.

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways

During Remediation Work

44. **Supervising Environmental Consultant**

The applicant must engage an appropriately qualified and experienced supervising environmental consultant to supervise all aspects of the development in accordance with the relevant parts of the approved Construction Environmental Management Plan for the development.

Condition reason: To ensure remediation works are undertaken in accordance with the Construction Environmental Management Plan

45. **Disposal of Waste Materials**

All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to council prior to Occupation of any buildings or structures.

Condition reason: To ensure waste is disposed of to an appropriate location.

On Completion of Remediation Work

46. **Suitability of Land for Intended Use**

On completion of the remediation works, a detailed Validation Report stating that the land has been remediated and is suitable for the intended use, in accordance with the Environmental Site Assessment Report prepared by Earth Water Consulting dated 17 January 2024 must be submitted to Council.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999