

PPSSWC-27 Addendum - Attachment 3  
Recommended Conditions of Consent

## 1.0 - General Conditions of Consent

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

- (1) **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
<b>Architectural Plans</b>			
Project 2744, Dwg. DA100, Rev. D	Site Plan	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA101, Rev. A	Plan- Demolition	PMDL Architecture + Design	07/08/2019
Project 2744, Dwg. DA102, Rev. C	Plan- Church & Hall	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA201, Rev. C	Site Elevations 1	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA202, Rev. D	Site Elevations 2	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA203-1, Rev. B	Elevations - Church	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA203-2, Rev. B	Elevations - Church	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA204, Rev. B	Elevations - Multipurpose Hall	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA206, Rev. B	N&W Property Boundary Elev.	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA301, Rev. C	Site Sections	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA302, Rev. A	Site Sections - Detailed	PMDL Architecture + Design	01/03/2021
Project 2744, Dwg. DA303, Rev. A	Site Sections - Detailed	PMDL Architecture + Design	01/03/2021
<b>Engineering Plans</b>			
19301_DA_C000, Rev. 05	Cover Sheet, Dwg. Schedule, Notes & Locality Sketch	Henry & Hymas	01/03/2021
19301_DA_C100, Rev. 05	General Arrangement Plan	Henry & Hymas	01/03/2021
19301_DA_C101, Rev. 06	Detail Plan - Sheet 1 of 2	Henry & Hymas	01/03/2021

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
19301_DA_C102, Rev. 06	Detail Plan - Sheet 2 of 2	Henry & Hymas	01/03/2021
19301_DA_C110, Rev. 04	Site Sections	Henry & Hymas	01/03/2021
19301_DA_C200, Rev. 04	Stormwater Misc. Details & Pit Lid Sch	Henry & Hymas	01/03/2021
19301_DA_C201, Rev. 04	OSD Tank Plan, Sections and Details	Henry & Hymas	01/03/2021
19301_DA_C202, Rev. 05	Bio-Retention Basin 1 Plan and Section	Henry & Hymas	01/03/2021
19301_DA_C203, Rev. 04	Bio-Retention Basin 2 Plan and Section	Henry & Hymas	01/03/2021
19301_DA_C210, Rev. 04	Stormwater Longitudinal Sections	Henry & Hymas	01/03/2021
19301_DA_C250, Rev. 05	Stormwater Catchment Plan	Henry & Hymas	01/03/2021
19301_DA_SE01, Rev. 05	Sediment & Erosion Control Plan	Henry & Hymas	01/03/2021
19301_DA_SE02, Rev. 04	Sediment & Erosion Control Typical Sections & Details	Henry & Hymas	01/03/2021
19301_DA_BE01, Rev. 05	Bulk Earthworks Cut and Fill Plan	Henry & Hymas	01/03/2021
19301_DA_BE02, Rev. 02	Bulk Earthworks Sections	Henry & Hymas	01/03/2021
<b>Landscape Plans</b>			
Dwg. No. SK01, Issue H	Table of Contents	Umbaco	Mar 2020
Dwg. No. SK02, Issue H	Landscape Concept Plan 1	Umbaco	Mar 2020
Dwg. No. SK03, Issue H	Landscape Concept Plan 2	Umbaco	Mar 2020
Dwg. No. SK04, Issue H	Landscape Treatments Along Boundary	Umbaco	Mar 2020
Dwg. No. SK05, Issue H	Elevations	Umbaco	Mar 2020
Dwg. No. SK06, Issue H	Proposed Plant Species	Umbaco	Mar 2020

Document Title	Prepared by	Date
St Yosip Parish Church, Hall and Early Learning Centre Noise Impact Assessment', ref:610.18888-R01 Version v4.0	SLR Consulting	August 2019

St Yosip Parish Church, Hall & ELC, Council RFI - Noise Impact Statement	SLR Consulting	9 July 2020
St Yosip Parish Church, Hall, Council RFI - Noise Impact Statement, SLR Ref: 610.18888-L02-v1.3-20210226.docx	SLR Consulting	26 February 2020
Preliminary Salinity Assessment: 320 Dwyer Road, Leppington	Martens Consulting	August 2019
Arboricultural Impact Assessment and Tree Management Plan, Ref: 4852	Redgum Horticultural Consultants	25 July 2019

(2) **Modified Documents and Plans** - The development shall be modified as follows:

- a) In accordance with Section 5.2.1 of the Visual Impact Assessment prepared by RPS, the development shall be modified to include the implementation of additional shrubbery planting in the landscape buffer in close proximity to the retaining walls and acoustic barrier,
- b) In accordance with Section 5.2.1 of the Visual Impact Assessment prepared by RPS, the development shall be modified to include the provision of some visual variety to the acoustic barrier. This visual variety is to take the form of battens stained in a different tone, variety in timber species, or the combination of vertical and horizontal palings.

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

- (3) **Separate Approval for Signs** - A separate development application for any proposed signs shall be provided to and approved by Council prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).
- (4) **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.
- (5) **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:
  - a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) 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.

- (6) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (7) **Construction of Permanent Water Quality Facilities** - Permanent water quality facilities must be constructed:
  - a) in accordance with the approved plans; and
  - b) to Council's standards.
- (8) **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:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) 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.

- (9) **Prohibition of Burning** - The open burning of waste and other refuse is prohibited throughout the Camden LGA.

- (10) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (11) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (12) **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*.

- (13) **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.

- (14) **Tree Removal** - The trees identified for removal as shown on Appendix C – Site Plan, page 19 of the Arborist Report prepared by Redgum Horticultural Consultants dated 25 July 2019 are approved for removal subject to the following conditions:
  - a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and is to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
  - b) Approved tree 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.
  - c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.

- d) In the case of obvious nesting hollows being present within the tree/s an experienced wildlife handler (member of NANA or WIRES) is to be present during the tree work. Relocation of wildlife from the nesting hollows and the creation of new nesting opportunities must be provided elsewhere on the property at a rate of one for one. Relocated hollow sections or nesting boxes are to be installed within existing trees for any animals removed. The design of these boxes is to conform to those designs outlined within the publication: The Nestbox Book. At least one relocated hollow or nest box is to be installed for each hollow removed that has been considered to have accommodated wildlife (irrespective of whether the hollow had an animal in it at the time of removal/assessment).
- e) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stock piles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.

## 2.0 - Prior to Issue of a Construction Certificate

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

- (1) **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.

- (2) **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.
- (3) **Driveway Gradients and Design** - The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
  - a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
  - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

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

- (4) **Retaining Walls** - Retaining walls shall be designed and certified by a suitably qualified structural engineer, and shall be of masonry construction.
- (5) **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:
  - a) 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
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (6) **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 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.

- (7) **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.

Where a Construction Certificate is not required by this development consent, a detailed on-site detention and water quality report reflecting the approved development application plans and Council's Engineering Specifications shall be provided to Council prior to works commencing.

- (8) **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 Construction Certificate application.

- (9) **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.
- (10) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden DCP 2019 and Council's Engineering Specifications. Details demonstrating compliance shall be provided to the certifier.

The detailed landscape must include street trees in accordance with Council specifications.

- (11) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the accredited certifier and Council.
- (12) **Food Premises** - The design, construction, fit-out, use and ongoing operation of the food premises and/or food storage area shall comply with all applicable Acts, Regulation, codes and standards including:
- a) the *Food Act 2003*;
  - b) the Food Regulation 2015;
  - c) Food Standards Australia and New Zealand – Food Standards Code 2003;
  - d) AS 1668.1-2015 and 1668.2-2012;
  - e) the BCA; and
  - f) AS 4674-2004 Design, construction and fit out of food premises

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

- (13) **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.
- (14) **Approval to install – Local Government Act 1993** - All wastewater generated by the approved development must be connected to an on-site sewage management system approved by Council. An 'Approval to Install a Sewage Management System' under Section 68 of the *Local Government Act 1993* shall be obtained from Council.
- (15) **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.

- (16) **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.
- (17) **Fibre-Ready Facilities/Telecommunications Infrastructure** - Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:
- a) 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
  - b) 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.

- (18) **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.

- (19) **Contamination Testing of Footprints** - Contamination testing of soils must be undertaken in the footprints of all demolished structures, in particular AEC A - the existing dwelling. Where contamination testing results trigger the requirement for remediation, the contaminated area should be barricaded to restrict access with suitable signage provided and, a remediation action plan (RAP) must be completed to address any additional remediation works resulting from the demolished structures. The RAP must be submitted to and approved by Camden Council prior to the issue of any construction certificate.
- (20) **Acoustic Treatment to Windows and Doors** - All windows and doors of the multi-purpose hall should achieve sound insulation of at least Rw35db when closed. This can be achieved by a 55mm solid core door with full perimeter seals, or 10.38mm glazing. Details demonstrating compliance shall be provided to the accredited certifier.
- (21) **Mechanical Plant** - All mechanical plant shall be treated with acoustic louvers or sufficient screening as detailed in section 5.2 of the acoustic report titled 'St Yosip Parish Church, Hall and Early Learning Centre Noise Impact Assessment' prepared

by SLR, ref:610.18888-R01 Version v4.0, dated August 2019. Details demonstrating compliance shall be provided to the accredited certifier.

- (22) **Car Parking** - All car parking must be in accordance with the requirements of the relevant sections of AS 2890.1-2004 'Off street car parking'.
- (23) **Service Vehicle Parking** - The service vehicle (medium rigid truck) loading space that exists adjacent to the parallel parking spaces that provide Kiss and Drop access to the church building and multi-purpose hall must be designed to allow a reverse manoeuvre into the service bay. Turning paths must be provided to the Principal certifier that demonstrates the medium rigid vehicle will not clash with the kerb or a vehicle within the immediately adjacent kiss and ride parking bay to the east of the service vehicle bay.
- (24) **Drainage Swale Design** - The tail out drainage swale / diversion swale along the northern and western boundaries of the site must be designed on the basis that the outlet pits and pipes within the permanent bio-retention / water quality basins are 100% blocked, which simulates catastrophic failure of the basin outlet system. As such, the tail out drainage swale / diversion bund must be designed to accept and contain water that may spill over the retaining walls associated with these bio-retention basins / water quality basins, and must also incorporate a 500mm freeboard to provide protection to the neighbouring lots.
- (25) **Street Trees Installation** - The installation of street trees is to be in accordance with clause B.2.3, Appendix B of Camden DCP 2019 and Council's Engineering Design Specifications including root barrier installed 450-600 mm deep by minimum of 1.5 m wide, installed between tree and kerb and footpaths where applicable.

Street trees must be sourced in accordance with tests and measurements contained within AS2303-2015 – Tree Stock for Landscape Use and must be minimum 75 litre container stock.

### 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.
- (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:
  - a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;

- c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
  - e) 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
  - f) a telephone number on which the principal certifier may be contacted for business purposes.
- (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:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the 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
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate** - 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:
- a) a Construction Certificate has been issued by a certifier;
  - b) a principal certifier has been appointed by the person having benefit of the development consent;
  - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the 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:

- a) that unauthorised entry to the work site is prohibited;
- b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
- c) the name, address and telephone number of the principal certifier.

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

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

- (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.

- (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.

- (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.

- (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.

- (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.

- (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:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) any other recognised environmental impact;
- g) work, health and safety; and
- h) community consultation.

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

- a) noise mitigation measures;
- b) noise and/or vibration monitoring;
- c) use of respite periods;
- d) complaints handling; and
- e) 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) **Decommissioning of On-Site Sewerage Management** - Written confirmation verifying that the existing on-site sewerage management facility has been decommissioned in accordance with the following, shall be provided to the principal certifier and Council:

That the septic tank, disposal field and all associated drainage shall be decommissioned in accordance with the following:

- a) The septic tank/holding well and grease trap shall be emptied by a liquid wastewater contractor and the contents disposed of at an approved wastewater depot. A copy of the receipt is to be provided to Council;
- b) The sides, lid, baffle (if fitted) and square junctions of the tank should be hosed down as the waste is being removed; and
- c) The inlets and outlets should be plugged and the tank should then be filled with clean water and disinfected to a minimum level of 5mg/l of free residual chlorine, with a one half hour contact time. The lid should be exposed to the chlorine solution. The chlorine should be allowed to dissipate naturally and not be neutralised. The contents of the tank/ and or well shall then be emptied by a liquid wastewater contractor.

The septic tank and any associated drainage and disposal field including materials and drainage pipes used in the construction and connection of the existing redundant transpiration beds/ absorption trenches/ irrigation fields shall be removed and disposed of at a suitably licensed landfill site. (i.e. aggregates, rubble, sand, concrete slabs and the like) A copy of the receipt for disposal of the waste materials shall be provided to Council.

The tank excavation /transpiration beds/ absorption trenches are to be backfilled with clean filling material and finished to the surrounding ground level.

- (17) **Protection of Trees to be Retained** - The protection of existing trees (on-site, street trees and neighbouring trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites. Encroachment of TPZ must not exceed 10%. Earthworks and construction works must be avoided within any identified TPZ, particularly in the case of Tree 20 identified by the arborist report prepared by Redgum Horticultural Consultants dated 25 July 2019

#### **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:

- a) restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
  - b) 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:

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

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

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

- (4) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
  - d) a waste storage area shall be located on the site;

- e) 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);
- f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
  - i) be a standard flushing toilet connected to a public sewer; or
  - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
  - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **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.
- (6) **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.
- (7) **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.
- (8) **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.
- (9) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
  - a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
  - b) the wheels of vehicles leaving the site:
    - i) do not track soil and other waste material onto any public road adjoining the site; and



- ii) fully traverse the site's stabilised access point.
- (10) **Fill Compaction** - All fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (11) **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.
- (12) **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.
- (13) **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.
- (14) **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.
- (15) **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.
- (16) **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.
- (17) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and

c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
- ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

d) confirm that the fill material;

- i) provides no unacceptable risk to human health and the environment;
- ii) is free of contaminants;
- iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- iv) is suitable for its intended purpose and land use; and
- v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

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

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

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

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

**Note** – Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (18) **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.

- (19) **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).

- (20) **Construction Noise Management Plan** - All operations must be carried out in accordance with the recommendations contained in the Construction Noise Management Plan required by this consent, including:

- a) noise mitigation measures;
- b) noise and/or vibration monitoring;
- c) use of respite periods;
- d) complaints handling; and
- e) community liaison and consultation

- (21) **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 been contacted and conducted a thorough assessment.

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

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

- (22) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the report titled 'Preliminary Salinity Assessment: 320 Dwyer Road, Leppington', prepared by Martens Consulting, dated August 2019.

## **5.0 - Prior to Issue of an Occupation Certificate**

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

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

- (2) **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.
- (3) **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.
- (4) **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.
- (5) **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.
- (6) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
  - a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
  - b) 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.

- (7) **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:
  - a) 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
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.

- (8) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

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

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

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

- (9) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.
- (10) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (11) **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.

- (12) **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.

- (13) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (14) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the principal certifier. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
- (15) **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.
- (16) **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.
- (17) **Food Premises** - Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for public service, and an inspection of the completed fit out is to be conducted. A Notification of Food Premises (s100 Food Act 2003) form can be found on Council's website.
- (18) **Operation of On-Site Sewerage Management** - An 'Approval to Operate' a Sewage Management System' under Section 68 of the *Local Government Act 1993* shall be obtained from Council.
- (19) **Acoustic Compliance Report** - A report shall be prepared by an independent acoustic consultant and be submitted to the principal certifier certifying that all mechanical plant installed on the premises complies with the Project Noise Trigger Levels in the Acoustic Report titled 'St Yosip Parish Church, Hall and Early Learning Centre Noise Impact Assessment', prepared by SLR, ref:610.18888-R01 Version v4.0, dated August 2019.
- (20) **Acoustic Treatment to Windows and Doors** - All windows and doors of the multi-purpose hall should achieve sound insulation of at least Rw35db, which can be achieved by a 55mm solid core door with full perimeter seals, or 10.38mm glazing. A certificate of compliance shall be provided prior to the issue of Occupation Certificate.
- (21) **Acoustic Barrier** - A 1.8m high acoustic barrier with a minimum surface density of 15 kg/m<sup>2</sup> and no gaps, as illustrated on the approved architectural site plan (prepared by PMDL, Project No. 2744, Dwg. No. DA100, Rev. D, dated 01/03/2021) and detailed site sections (prepared by PMDL, Project No. 2744, Dwg. No. DA302 and DA303, Rev. A, dated 01/03/2021), shall be constructed prior to the issue of an Occupation Certificate.

## 6.0 - Ongoing Use

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

- (1) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (2) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (3) **Hours of Operation** - The place of public worship (the church and associated multi-purpose hall), is only to be open to the public and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	7:00pm to 9:30pm
Tuesday	7:00pm to 9:30pm
Wednesday	7:00pm to 9:30pm
Thursday	7:00pm to 9:30pm
Friday	7:00pm to 10:00pm
Saturday	9:00am to 10:00pm
Sunday and Public Holidays	8:00am to 10:00pm

- (4) **Timing of Services** - Services must not begin within one hour of the conclusion of the previous service to ensure that the vehicles associated with the previous service are dispersed prior to the vehicles of the next service arriving.
- (5) **Use of Multi-Purpose Hall** - The multi-purpose hall is only to be used as an ancillary facility to the church, operating at the same time and in the same capacity (i.e. the maximum capacity of all uses of the site is 600 persons at any one time).
- (6) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

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

- (7) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (8) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (9) **No Waste to be Stored Outside of the Site** - No waste is to be placed on any public land (e.g. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.

- (10) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (11) **Public Address Systems and Amplified Music** - Public address systems and amplified music are not to be installed or used external to the building. The use of such equipment at the premises must not cause the emission of offensive noise (as defined by the Protection of the Environment Operations Act 1997).

As a guide to minimise the likelihood of disturbance, the  $L_{Aeq (15 \text{ minutes})}$  noise level due to the operation of amplified sound equipment should not exceed the background  $LA_{90}$  plus 5dB(A) sound level when measured in the immediate vicinity of the external structure of any nearby residence

- (12) **Windows and Doors** - All windows and doors of the multi-purpose hall shall remain closed during internal activities to limit noise exposure to surrounding neighbours.
- (13) **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.