**RECOMMENDED CONDITIONS**

**1.0 - General Conditions of Consent**

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

(1) **Approved Plans and Documents** – The 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** |
| 2948-CAM-001 | Cover Sheet + Drawing Schedule + Locality Plan | Complete Urban Pty Ltd | 19/19/2019 |
| 2948-CAM-002 | Demolition Plan |
| 2948-CAM-003 | Demolition Plan P1 |
| 2948-CAM-004 | Demolition Plan P2 |
| 2948-CAM-005 | Demolition Plan P3 |
| 2948-CAM-006 | Demolition Plan P4 |
| 2948-CAM-007 | Proposed Site Layout |
| 2948-CAM-008 | Proposed Site Layout P1 |
| 2948-CAM-009 | Proposed Site Layout P2 |
| 2948-CAM-010 | Proposed Site Layout P3 |
| 2948-CAM-011 | Proposed Site Layout P4 |
| 2948-CAM-012 | Proposed Staging Plan Stage 1 + 2 |
| 2948-CAM-013 | Proposed Staging Plan Stage 3 + 4 |
| 2948-CAM-014 | Schedule of Building |
| 2948-CAM-015 | Building 1: New Waste Truck Parking - Proposed Floor Plan |
| 2948-CAM-016 | Building 1: New Waste Truck Parking - Proposed Roof Plan |
| 2948-CAM-017 | Building 1: New Waste Truck Parking - Proposed Elevations |
| 2948-CAM-018 | Building 3 And 4: New Admin. Building and Relocated Reconfigured Office -  Proposed Floor Plan |
| 2948-CAM-019 | Building 3 And 4: New Admin. Building and Relocated Reconfigured Office -  Proposed Roof Plan |
| 2948-CAM-020 | Building 3 And 4: New Admin. Building and Relocated Reconfigured Office -  Proposed Elevations |
| 2948-CAM-021 | Building 8 And 9: Stores + Covered Wash Bay - Floor + Roof Plan |
| 2948-CAM-022 | Building 8 And 9: Stores + Covered Wash Bay - Elevations |
| 2948-CAM-023 | Building 10: New 4 Bay Workshops - Proposed Floor + Roof Plan |
| 2948-CAM-024 | Building 10: New 4 Bay Workshops - Sections |
| 2948-CAM-025 | Building 10: New 4 Bay Workshops - Proposed Elevations |
| 2948-CAM-026 | Building 11: Existing Workshops - Floor + Roof Plan |
| 2948-CAM-027 | Building 11: Existing Workshops - Elevations |
| 2948-CAM-028 | Building 14 & 15: Signs Office & Existing Metal Shed - Floor & Roof Plan And  Elevations |
| 2948-CAM-029 | Building 17 And 18: New Roof Cover Structure - Typical Floor + Roof Plan |
| 2948-CAM-030 | Building 17 And 18: New Roof Cover Structure - Typical Elevations |
| 2948-CAM-031 | Building 20, 21 & 22: New Proprietary Poly Tunnel - Typical Floor + Roof Plan |
| 2948-CAM-032 | Building 20, 21 & 22: New Proprietary Poly Tunnel - Typical Elevations |
| 2948-CAM-033 | Building 23: New Community Recycling Centre - Site Layout - Proposed  Operations Overview |
| 2948-CAM-034 | Building 23: New Community Recycling Centre: Shed - Proposed Floor + Roof Plan |
| 2948-CAM-035 | Building 23: New Community Recycling Centre: Shed - Proposed Elevations |
| 2948-CAM-GE-001 | Overall Site Plan | Complete Urban Pty Ltd | 29/05/2019 |
| 2948-CAM-LFP-001 | Landscape Finishes Plan 01 |
| 2948-CAM-LFP-002 | Landscape Finishes Plan 02 |
| 2948-CAM-LFP-003 | Landscape Finishes Plan 03 |
| 2948-CAM-LFP-004 | Landscape Finishes Plan 04 |
| 2948-CAM-PP-001 | Planting Schedule |
| 2948-CAM-PP-002 | Planting Plan 01 |
| 2948-CAM-PP-003 | Planting Plan 02 |
| 2948-CAM-PP-004 | Planting Plan 03 |
| 2948-CAM-PP-005 | Planting Plan 04 |
| 2948-CAM-TD-001 | Typical Details |
| 2948-CAM-F3.2 | Stormwater Management  Catchment Plan - Post-works | Complete Urban Pty Ltd | 16/12/2019 |
| 2948-CAM-F4.6 | Stormwater Management  Stormwater Layout |
| 2948-CAM-A1 | Stormwater Management  Typical Sections - Sheet 1 of 3 |
| 2948-CAM-A2 | Stormwater Management  Typical Sections - Sheet 2 of 3 |
| 2948-CAM-A3 | Stormwater Management  Typical Sections - Sheet 3 of 3 |

|  |  |  |
| --- | --- | --- |
| **Document Title** | **Prepared by** | **Date** |
| Waste Management Plan | Vince Capaldi | 19/9/2019 |
| Environmental Protection Plan | iEnvironmental Australia | 27/05/2019 |

(2) **Roads and Maritime Services (RMS) Requirements** – The following requirements of the RMS must be adhered to at all times:

1. All vehicles are to enter and leave the site in a forward direction.
2. All vehicles are to be wholly contained on site before being required to stop.

(3) **Local Traffic Committee Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council’s Local Traffic Committee on local roads and the Roads and Maritime Services on State roads. These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line marking and devices.

(4) **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.

(5) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

(6) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person’s own expense:

1. protect and support the adjoining building, structure or work from possible damage from the excavation; and
2. where necessary, underpin the building, structure or work to prevent any such damage.

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

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

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

(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:

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

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

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

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

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

(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) **Staging of Construction Works** - The development is to be completed in stages in accordance with the approved Staging Plans. One Construction Certificate may be issued for all stages, or a single Construction Certificate may be issued with respect to each stage or a combination of stages.

**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) **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 the issue of a Construction Certificate.

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

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

(4) **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.

(5) **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.

(6) **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.

(7) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council’s Engineering Specifications. Details demonstrating compliance shall be provided to the certifier.

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

1. the installation of fibre-ready facilities to the site / development so as to enable fibre to be readily connected to any premises that is being or may be constructed on the lot. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
2. the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities 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.

(9) **Site Operations Plan** – A Site Operations Plan detailing the onsite activities is to be submitted to and approved by Council prior to the issue of a Construction Certificate. The Site Operations Plan must include details of the following matters which reflect the commitments made in correspondence received during assessment of the development application:

(a) Traffic safety measures (included those to be undertaken during semi-trailer movements into and out of the site);

(b) Waste management and emissions;

(c) Noise emissions including impact of 24 hour operations (emergency);

(d) Dust suppression;

(e) Storage of hazardous and offensive goods;

(f) Amount of bulk storage; and

(g) Community Recycling Centres Operation and Management Handbook.

(10) **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/Develop ment/Preparing-a-DA/Development-Guidelines-andpolicies/ Access-Driveways-Specifications-and-Drawings.pdf](https://www.camden.nsw.gov.au/assets/pdfs/Develop%20ment/Preparing-a-DA/Development-Guidelines-andpolicies/%20Access-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.

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

1. retaining walls shall be designed and certified by a suitably qualified structural engineer;
2. retaining walls in cut shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
3. retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;
4. adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries.
5. retaining walls shall not be erected within drainage easements; and
6. retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

(12) **Parking Facilities – Commercial Vehicle Car Parking, Circulation roadways and Service Bays** - Commercial vehicle service bays, car parking facilities and circulation roadways must be designed in accordance with the requirements of AS2890.2 – Off-street Commercial Vehicle Facilities.

(13) **Parking facilities – Visitor and Staff Car Parking** - Visitor and staff car parking facilities must be designed in accordance with the requirements of AS2890.1 - Off-Street Car Parking.

(14) **Stormwater Quality Improvement Devices – Pit Inserts** - Pit inserts that comprise of a mesh screen and cage or equivalent are to be installed within all stormwater inlet pits within Catchment C of the proposed development as identified on Drawing Number 2948-CAM-F4.6 – Revision C – Dated 10/12/2019 as Produced by Complete Urban Pty Ltd.

(15) **Location of the “Construction” On-Site Detention/Sediment Control Basin** - A “construction” on-site stormwater detention / sediment control basin must be provided for within the site. Evidence demonstrating the above must be provided to the Principal Certifying Authority prior to the issue of a construction certificate.

(16) **Freeboard within swales** - A minimum 300mm of freeboard is to be provided within the swales to be constructed within the development site and that adjoins industrial lots on the northern-eastern and southern boundaries of the lot to be developed. Evidence demonstrating the above must be provided to the Principal Certifying Authority prior to the issue of a construction certificate.

(17) **Trench Drains** - The entire stormwater catchment of the site to be developed must be captured and directed to on-site detention basins or on-site detention tanks and water quality devices / facilities. Trench Drains / Strip Drains are to be installed at locations identified as per Figure 4.6 - Version 4 - Stormwater Management Plan dated 08/12/2019 as produced by Complete Urban Pty Ltd.

(18) **Bunding of Transfer Areas** - All areas used for fuel transfer, refuelling or fuel/oil decanting shall be paved and bunded in accordance with the requirements of the Council and the NSW EPA. Details demonstrating compliance shall be provided to the accredited certifier.

(19) **BCA Upgrades** - Pursuant to Clause 94 of the EP&A Regulation 2000, the existing building is to be upgraded in the following manner to bring the building into compliance with the BCA:

1. An Exit door is required from the Mechanics workshop into the adjoining awning is required, with an illuminated Exit sign above the door complying with Part E4 of the NCC-BCA.
2. An exit door from the second paint room bay into the first paint room bay (the first paint room bay has a required exit), with an illuminated Exit sign above the door complying with Part E4 of the NCC-BCA.
3. Exit doors are to be installed to the existing metal shed (waste bins) and the existing workshop as detailed on the approved plans

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

(20) **Disabled parking facilities** - Disabled car parking must be designed in accordance with the requirements of AS2890.6 – Off-street Parking for People with Disabilities.

**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:

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

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

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

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

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

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

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

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

(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.

(10) **Dilapidation Report – Adjoining Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of the following adjoining properties shall be prepared:

* Lot: 1; DP: 1112344
* Lot: 1; DP: 534818
* Lot: 21; DP: 746314
* Lot: 20; DP 746314
* Lot: 3; DP: 238349
* Lot: 1; DP: 831840
* Boundary Fences and structures along the western boundary of Lot: 18; DP: 1010581
* Boundary Fences and structures along the southern boundary of Lot: 18; DP: 1010581

All costs incurred in preparing the dilapidation report and complying with the conditions it imposes shall be borne by the applicant. In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant shall demonstrate in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence shall be obtained from the principal certifier in such circumstances.

(11) **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.

(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:

1. measures to control noise emissions from the site;
2. measures to suppress odours and dust emissions;
3. soil and sediment control measures;
4. measures to control air emissions that includes odour;
5. measures and procedures for the removal of hazardous materials that includes waste and their disposal;
6. any other recognised environmental impact;
7. work, health and safety; and
8. community consultation.

(14) **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.

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

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

(16) **Hazardous Building Materials Assessment** – A Hazardous Building Material Assessment (HBMA) shall be undertaken on all buildings and structures to be demolished that identifies all hazardous components on site. A HBMA report shall be provided to the principal certifier and Council.

Once hazardous components are identified, all demolition works that involve the demolition and removal of the hazardous materials shall ensure that all site personnel are protected from risk of exposure in accordance with relevant NSW WorkCover Authority and NSW Demolition Guidelines. Premises and occupants on adjoining land shall also be protected from exposure to any hazardous materials.

(17) **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.

**4.0 - During Works**

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

(1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.

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

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

1. stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
2. builder’s operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
3. waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
4. a waste storage area shall be located on the site;
5. all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
6. toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
   * 1. be a standard flushing toilet connected to a public sewer; or
     2. have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
     3. be a temporary chemical closet approved under the *Local Government Act 1993*.

(4) **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.

(5) **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.

(6) **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.

(7) **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.

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

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

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

(10) **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.

(11) **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.

(12) **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.

(13) **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.

(14) **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.

(15) **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.

(16) **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).

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

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

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

(18) **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; and

b) if necessary, underpin and support the building I n 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.

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

(20) **Hazardous Building Materials Assessment** – All works (including demolition and materials handling, storage, transport and disposal) shall be undertaken in accordance with the requirements outlined in the hazardous building material assessment. All material not suitable for recycling or reuse must be disposed of at a licenced waste facility authorised to accept that waste.

(21) **Demolition Work** - Consent is granted for the demolition of structures as shown on the stamped approved plans, subject to compliance with the following conditions:

1. The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
2. Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher’s name, licence number, contact phone number and site address.
3. Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.
4. Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services.
5. Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times.
6. A Work Plan prepared by a suitably qualified person in accordance with AS 2601 ‘Demolition of Structures’ shall be provided to the principal certifier for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
7. If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained.
8. The burning of any demolished material on site is not permitted and offenders will be prosecuted.
9. Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc.) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.

(22) **Installation of Fuel Tank** - Installation or modification of the fuel tanks and fuel dispensing system shall comply with AS 1940 'The Storage and Handing of Flammable and Combustible Liquids' and shall be licensed by WorkCover Authority.

(23) **Arboricultural Assessment Report** – The following requirements of the AAR submitted in support of the DA must be adhered to:

(a) That removal works be undertaken by a qualified Arborist with appropriate competencies recognises within the Australian Qualification Framework, with a minimum of 5 years of continual experience within the industry of operation amenity arboriculture, and covered by appropriate and current types of insurance to undertake such works and in accordance with Work Cover NSW 2007, Code of Practice Tree Work.

(b) That any replacement tree species to be planted, be an advanced specimen with stem gradually tapering, with crown symmetrical and roots established and proportional to the crown but not pot bound in at least 25 Litre volume bag, having been propagated to the standards of Specifying Trees a Guide to assessment of tree quality (2nd edition by Ross Clark) or approved similar

(c) That trees 23, 24, 29, 30 and 31 be retained.

(d) That protection for trees 23, 24 be in accordance with Section 4.4, 4.5, 4.6 and 4.7 of the submitted AAR. No formal protection required for trees 29, 30, and 31.

**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) **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 the Principal Certifying Authority must:

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

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

(7) **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.

(8) **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.

(9) **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.

(10) **Driveway Crossing** - 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.

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

1. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development.
2. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development. The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(12) **Reinstate verge** - The person acting on this consent shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.

(13) **Completion of Road Works** - All approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with the Roads Act Approval.

(14) **Upgrade with the BCA** - All building upgrade measures required to be installed pursuant to Clause 94 of the EP&A Regulation 2000, shall be certified prior to use of the building for the purposes approved by this consent.

(15) **Bunding of Fuel Dispensing Area** - All wastewater from the refuelling point must have suitable bunding to the ground surface in the forecourt/fuel dispensing area to collect spilt fuel and/or contaminated water and direct this to an oil water separator for collection/treatment prior to discharge to the sewer under trade waste agreement.

(16) **Canopy of Fuel Dispensing Area** - The canopy over the bunded fuel dispensing area is to extend to the maximum reach of fuel dispensing nozzles and have a 10 degree-from-vertical overhang.

(17) **Noise Mitigation Measures - Workshop** - The rear wall of the workshops along the south western boundary will have soundproofing to the rear walls and ceiling/roof.

- Walls to achieve a Rw of 45

- Ceiling to achieve a Rw of 25

(18) **Noise Mitigation Measures** - Structures along the south western boundary will have soundproofing to the rear walls and ceiling/roof.

* Walls to achieve a Rw of 40 – 75mm concrete panel with minimum density 2,300 kg/m3 or sheet metal cladding (e.g. colorbond), 75mm Bradford Acoustigard 14kg/m3 and 13mm standard plasterboard.
* Ceiling to achieve a Rw of 25 – Sheet metal roof with Bradford Anticon 60MD (or equivalent).

**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 property is only to be open for business and used for the purpose approved within the following hours:

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday | 3:30 am – 7:00 pm |
| Tuesday | 3:30 am – 7:00 pm |
| Wednesday | 3:30 am – 7:00 pm |
| Thursday | 3:30 am – 7:00 pm |
| Friday | 3:30 am – 7:00 pm |
| Saturday | 3:30 am – 7:00 pm |
| Sunday and Public Holidays | 3:30 am – 7:00 pm |

Note 1: 24 hour a day operation is permitted during emergencies.

Note 2: Use of Waste vehicle parking area, Plant parking area and Street Sweeper Wash Bay are permitted to operate on the site until 11:00pm daily.

(4) **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.

(5) **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.

(6) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).

(7) **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.

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

(9) **State Environmental Planning Policy 33 - Hazardous and Offensive Development (SEPP 33)** - This development is prohibited from transporting to and from this site any dangerous goods which exceed the quantities listed in “Table 2. Transportation Screening Thresholds” or storing dangerous goods which exceed the quantities in “Table 3: General Screening Threshold Quantities” of the Hazardous and Offensive Development Application Guidelines Applying SEPP 33 dated January 2011.

(10) **Right of Carriageway** – The gates at the southern edge of the site leading on to No. 263 Camden Valley Way, Narellan shall be kept closed and locked at all times. The use of this right of carriageway is limited to emergency exit only.

(11) **Number of Staff** - The number of staff permitted on the site must not exceed 218 at any given time.

(12) **Maximum Vehicle Size** – The maximum vehicle size permitted to enter the premises for loading, unloading and deliveries is a prime mover and semi-trailer (19m long)

(13) **Storage of Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'. Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

(14) **Discharge into Waterways** - No wastewater, chemicals or other substances shall be permitted to discharge to the waterway that runs through the site or Council’s stormwater system. Only clean, unpolluted water is permitted to discharge. All liquids (such as oils lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals) shall be stored in a covered and suitably bunded area.

(15) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.

(16) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.

(17) **Chemical Bunding** - All paints, chemicals and other liquids shall be stored in approved receptacles, which shall be housed in a suitably constructed, covered, impervious bunded area. The bunded area shall be constructed of impervious material and being able to effectively store a minimum of 110% of the volume of the largest container stalled or 25% of total volume of the stored product for facilities storing small containers.

(18) **Pollution Control** - The use and operation of the premises shall not give rise to the discharge (by air, water or land) of any pollutant which may degrade the environment or be prejudicial to its inhabitants, in accordance with the requirements of the Protection of the Environment Operations Act 1997.

The use shall operate in accordance with the following:

1. all pollution control devices (Including drainage systems, sumps and traps) shall be regularly maintained;
2. all liquid wastes shall be collected and disposed of in a manner which does not pollute the stormwater system;
3. the repair, servicing and maintenance of all vehicles shall take place in a bunded work bay drained holding tank or like device so that any liquid wastes produced from such repair, servicing and maintenance can either be:

i. retained for recycling; or

ii. disposed of in accordance with the requirements of Sydney Water.

1. all paints chemicals and other liquids shall be stored in approved receptacles which are to be housed in a suitably constructed bunded area;

(19) **Acoustic Certification** - Within three months of the premises being occupied, an acoustic report prepared by a suitably qualified person, is to be submitted to the consent authority demonstrating that the noise emitted from the premises complies with the criteria contain in the acoustic report prepared by ATP consulting Engineers, Project no. ATP180135 Dated s May 2019. Where the criteria are not meet the acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria

(20) **Storage of Materials** - All materials intended for storage within the storage bays must be located within the confines of the bays determined by the concrete wall panels that form the bay boundary. Volumes of materials must not exceed the bay storage capacity. Any spilt materials must be cleaned up and not be tracked across the site or be allowed to be washed onto adjoining land.

The total of material and/or waste stored on the site must not exceed the quantities requiring an Environmental Protection Licence as outlined in Schedule 1 of the Protection of Environment Operation Act 1997.

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

(22) **Lighting** - All lighting must comply with AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the obtrusive effects of outdoor lighting for private land.