Recommended Conditions

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| **General Conditions** |
| **Condition Code and Stage** | **Condition Text** | **Condition Reason** |
| A101General | **1. Approved plans and documents**Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this development consent expressly require otherwise:

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| **Approved plans** |
| **Plan number** | **Revision number** | **Plan title** | **Drawn by** | **Date of plan** |
| 2023-0170, A000 | R | Cover Sheet | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A001 | R | Notes and Schedules | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A002 | R | Existing Conditions (Overall) | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A005 | R | Existing Conditions (Site) | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A006 | R | Demolition Plan | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A050 | R | Site Plan | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A100 | R | Ground Floor Plan | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A101 | R | First Floor Plan | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A200 | R | Elevations | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A201 | R | Elevations | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A300 | R | Sections | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A301 | R | Sections | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A700 | R | Materials Schedule | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A860 | R | Bin Path Diagrams | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A870 | R | Egress Path Plans | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A880 | R | Boundary Fence Detail | Rainsford Architecture and Design | 08/12/2023 |
| 2023-0170, A900 | R | Perspectives | Rainsford Architecture and Design | 08/12/2023 |
| SOMA2395-GEN-002 | B | Typography | MAAT | 19/12/2023 |
| SOMA2395-GEN-002 | B | Palette | MAAT | 19/12/2023 |
| SOMA2395-I1-001 | B | Precinct Identification  | MAAT | 19/12/2023 |
| SOMA2395-I1-002 | B | Precinct Identification | MAAT | 19/12/2023 |
| SOMA2395-I1-003 | B | Precinct Identification | MAAT | 19/12/2023 |
| SOMA2395-I1-004 | B | Precinct Identification | MAAT | 19/12/2023 |
| SOMA2395-I2-001 | B | Building Identification  | MAAT | 19/12/2023 |
| SOMA2395-I2-002 | B | Building Identification | MAAT | 19/12/2023 |
| SOMA2395-I2-003 | B | Building Identification | MAAT | 19/12/2023 |
| SOMA2395-I2-004 | B | Building Identification | MAAT | 19/12/2023 |
| SOMA2395-D1-001 | B | Precinct Vehicular Directional | MAAT | 19/12/2023 |
| SOMA2395-O1-001 | B | Operational Crossing | MAAT | 19/12/2023 |
| SOMA2395-P1-001 | B | Arrival Feature | MAAT | 19/12/2023 |
| SOMA2395-P1-002 | B | Arrival Feature | MAAT | 19/12/2023 |
| SOMA2395-P2-001 | B | Façade Feature | MAAT | 19/12/2023 |
| SOMA2395-P3-001 | B | Column Feature | MAAT | 19/12/2023 |
| SOMA2395-P3-002 | B | Column Feature | MAAT | 19/12/2023 |
| SOMA2395-P3-003 | B | Column Feature | MAAT | 19/12/2023 |
| C1 | D | Site Plan | Contour Landscape Architecture | 03/07/2023 |
| C2 | D | Playspace Concept Plan | Contour Landscape Architecture | 03/07/2023 |
| C3 | D | Playspace Concept Imagery | Contour Landscape Architecture | 03/07/2023 |
| C4 | D | Planting Plan - Ground Floor | Contour Landscape Architecture | 03/07/2023 |
| C5 | D | Planting Plan - First Floor | Contour Landscape Architecture | 03/07/2023 |
| C6 | D | Planting Details | Contour Landscape Architecture | 03/07/2023 |
| C7 | D | Section AA | Contour Landscape Architecture | 03/07/2023 |
| C8 | D | Section BB | Contour Landscape Architecture | 03/07/2023 |
| C9 | E | Childcare Shade Compliance Plan | Contour Landscape Architecture | 12/12/2023 |
| 230026-DA-C03.01 | 4 | Bulk Earthworks Erosion and Sediment Control Plan | Enspire Solutions | 22/03/2024 |
| 230026-DA-C03.21 | 3 | Erosion and Sediment Control Details | Enspire Solutions | 20/11/2023 |
| 230026-DA-C04.01 | 4 | Cut and Fill Plan | Enspire Solutions | 22/03/2024 |
| 230026-DA-C05.01 | 7 | Siteworks and Stormwater Management Plan Ground Floor Level | Enspire Solutions | 22/03/2024 |
| 230026-DA-C05.11 | 4 | Podium and Roof Plan | Enspire Solutions | 14/12/2024 |
| 230026-DA-C11.01 | 5 | Pavement, Signage and Line Marking plan | Enspire Solutions | 22/03/2024 |
| 230026-DA-C14.01 | 4 | Site Works and Stormwater Details – Sheet 01 | Enspire Solutions | 22/03/2024 |
| 230026-DA-C14.02 | 3 | Site Works and Stormwater Details – Sheet 02 | Enspire Solutions | 22/03/2024 |
| 230026-DA-C18.51 | 3 | On-Site Detention Tank Plan and Details | Enspire Solutions | 20/11/2023 |
| N0230242, SSK01 | A | Retaining Wall Options | Jones Nicholson | 12/03/2024 |

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| **Approved documents** |
| **Document title** | **Version number** | **Prepared by** | **Date of document** |
| Waste Management Plan | N/A | Mammoth Projects  | 07/09/2023 |
| Childcare Centre Noise Emission Assessment | 20230716.1, Revision 1 | Acoustic Logic | 21/08/2023 |

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails. | To ensure all parties are aware of the approved plans and supporting documentation that applies to the development |
| A102General | **2. Authority requirements**The development must be carried out in accordance with the following authority requirements:1. Endeavour Energy letter dated 12 October 2023 and conditions in letter dated 11 October 2023 for Modification DA/2017/45/13.
2. Sydney Water letter dated 7 November 2023.
 | To ensure the development complies with Authority requirements |
| A109General | **3. Approved signage illumination**This development consent approves the signage to have a level of illumination and/or lighting intensity that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces. | To protect the visual amenity of the surrounding area |
| **Construction Certificate Conditions** |
| **Condition Code and Stage** | **Condition Text** | **Condition Reason** |
| A201Construction Certificate | **4. Design amendments**Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:1. All parking spaces (including the space behind wheel stops) are to be clear of any obstructions such as proposed downpipes.
2. The proposed emergency overflow pipes from the above floor are required to be amended to discharge directly into the OSD tank via a piped system. Further, all pipe notation is to be consistent and clear on the plans.
3. Further details of the proposed 800mm high retaining wall adjacent to Lot 8441 are to be provided to clarify what the wall is retaining.
4. The landscaping plans are to detail how the yarning circle will display a physical acknowledgement of Country, so the connection to Country is clear.
5. Car parking spaces 01 to 04 and 40 to 43 closest to the car park entry are to be formally signposted for use by staff only. All relevant plans are to be updated to reflect this.
6. An additional rainwater tank shall be provided in the children’s upper floor external play area to supply water for vegetable gardens and planters, to reduce potable water consumption.
7. The three (3) rainwater tanks shown adjacent to the left turn access driveway on the architectural Site Plan shall be relocated immediately adjacent to the car park wall(s) on the eastern side of the left-turn driveway (behind the curved entry/directional sign), within the landscape garden bed.
8. The external façade of the eastern playground wall shall be treated with horizontal layers of anti-graffiti paint finishes, in neutral colours that complement the built form.
9. The internal reception desk/counter on ground floor shall include lower cut-out sections to be more welcoming for children.
10. The internal staircase shall include lower handrails to assist children.
11. The plans shall be updated to demonstrate that the fire hydrant booster assemblies will be enclosed within a cabinet. The cabinet is to complement the architectural features of the building facade and meet the requirements of Clause 11.2.3 Fire hydrant cabinets of AS 2419.1:2021.
 | To require minor amendments to the plans endorsed by the consent authority following assessment of the development |
| A204Construction Certificate | **5. Public infrastructure alterations**Before the issue of a construction certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier. | To clarify the timing and need for approval under the *Roads Act 1993*  |
| A206Construction Certificate | **6. Glass reflectivity index**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the glass reflectivity index for all glass used externally will not exceed 20%. | To ensure all glass used externally has a reasonable maximum level of reflectivity |
| A207Construction Certificate | **7. Long service levy**Before the issue of a construction certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of $250,000 or more. Evidence of the payment must be provided to the certifier. | To ensure the long service levy is paid |
| A212Construction Certificate | **8. Smoke alarms**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that the development will provide smoke alarms that comply with AS 3786 - Smoke Alarms Using Scattered Light, Transmitted Light or Ionization. | To ensure the provision of smoke alarms that comply with industry standards |
| A213Construction Certificate | **9. Outdoor lighting provision**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that the development will be provided with lighting in all outdoor areas that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces. | To ensure the provision of lighting in accordance with industry standards and to protect the amenity of the surrounding area |
| A215Construction Certificate | **10. Special infrastructure contribution payment**Before the issue of a construction certificate, a special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).Evidence of payment of the SIC shall be provided to Council and the certifier.Alternatively, the applicant must obtain written confirmation from the Department of Planning and Environment that the SIC is not required to be paid for the approved development.**More information**A request for assessment by the Department of Planning and Environment of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to SIContributions@planning.nsw.gov.au. | To require a special infrastructure contribution to be paid |
| B204Construction Certificate | **11. Mechanical exhaust systems**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that the mechanical exhaust systems will comply with AS 1668 - The Use of Ventilation and Air Conditioning in Buildings (including exhaust air quantities and discharge location points). | To ensure compliance with industry standards  |
| B205Construction Certificate | **12. Outdoor lighting plan (preparation)**Before the issue of a construction certificate, a lighting plan must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that all lighting will comply with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces. | To ensure compliance with industry standards and to protect the amenity of the surrounding area |
| B206Construction Certificate | **13. Salinity management**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that the development will comply with the salinity control measures in Council’s engineering specifications. | To ensure the development is designed to withstand the effects of salinity |
| C201Construction Certificate | **14. Sydney Water trade waste requirements**Before the issue of a construction certificate, information must be obtained from Sydney Water and a suitably qualified person and demonstrate, to the certifier’s satisfaction, any Sydney Water trade waste requirements and how the development will comply with them. | To ensure that provisions have been made for managing trade waste |
| C202Construction Certificate | **15. Food premises and/or storage areas**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that the development will comply with the following detailed design requirements:1. The *Food Act 2003*.
2. The *Food Regulation 2015*.
3. Food Standards Australia and New Zealand Food Standards Code 2003.
4. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
5. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical ventilation in Buildings.
6. AS 4674 - Design, Construction and Fit-Out of Food Premises.
 | To ensure that food premises and/or storage areas are designed to comply with statutory requirements and industry standards |
| C207Construction Certificate | **16. Mechanical ventilation**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that any room or area not provided with natural ventilation in accordance with the Building Code of Australia will instead be provided with a mechanical ventilation system that complies with the following requirements:1. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
2. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical Ventilation in Buildings.
 | To ensure that mechanical ventilation system(s) are provided where natural ventilation is not achieved |
| E201Construction Certificate | **17. Engineering specifications**Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier’s satisfaction, that the development has been designed to comply with Council’s engineering specifications, the approved plans and documents and the conditions of this development consent. | To ensure that the development will comply with Council’s engineering specifications and the terms of this consent |
| E205Construction Certificate | **18. Damages bond**Before the issue of a construction certificate, a bond must be lodged with Council in accordance with Council’s Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier. | To ensure that any damage to existing public infrastructure is rectified |
| E206Construction Certificate | **19. Structural engineer certificate**Before the issue of a construction certificate, a certificate must be prepared by a suitably qualified structural engineer and certify, to the certifier’s satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer’s current professional indemnity insurance. | To ensure that building elements are designed for the site conditions |
| E208Construction Certificate | **20. Civil engineering plans and information**Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate (the blue book) (as amended from time to time).
2. Earthworks.
3. Water quantity and quality facilities:
4. A detailed on-site detention and water quality report.
5. An electronic stormwater model
6. A validated Camden Council MUSIC-link report with electronic model.
7. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
8. For roads and car parks:
9. Pavement design.
10. Traffic management devices.
11. Line marking.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council’s engineering specifications. | To ensure that civil works are designed to appropriate standards |
| E210Construction Certificate | **21. Construction on-site detention/sediment control basins**Before the issue of a construction certificate, information detailing the location and design of construction on-site detention/sediment control basins within the site must be prepared by a suitably qualified person, to the certifier’s satisfaction. | To ensure that on-site detention and sediment control measures are provided |
| S201ConstructionCertificate | **22. Waste rooms**Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, that the waste rooms will comply with the following detailed design requirements:1. Constructed of solid, impact resistant materials and finished in a smooth, even surface.
2. Smooth, impervious walls to ensure no moisture, oils or similar material can soak in.
3. Impervious, coved and graded floors that will be drained to a floor waste connection.
4. Provision of ventilation in accordance with AS 1668 - The Use of Ventilation in Buildings, lighting, pest proofing and an external hose tap.
5. Roofed with a minimum ceiling height of 2.4m
 | To ensure that hygienic waste management facilities are provided |
| **Before Work Conditions** |
| **Condition Code and Stage** | **Condition Text** | **Condition Reason** |
| A402Before Work | **23. Public liability insurance policy**Before any site work commences, the developer must take out a public liability insurance policy with a minimum cover of $20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to the principal certifier. | To ensure adequate public liability insurance is obtained to cover development within public property |
| A403Before Work | **24. Site security and fencing**Before any site work commences, the site is to be secured and fenced to the satisfaction of the principal certifier. | To ensure that access to the site is managed before works commence |
| A404Before Work | **25. Sydney Water approval**Before any site work commences, the approved construction certificate and/or subdivision works certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit [www.sydneywater.com.au/tapin](https://www.sydneywater.com.au/plumbing-building-developing/building/sydney-water-tap-in.html) to apply. The Sydney Water approval must be provided to the principal certifier.For subdivision works certificates, stamped water servicing coordinator must be provided to the principal certifier. | To ensure that any impacts upon Sydney Water infrastructure have been approved |
| A407Before Work | **26. Demolition work (driveway)**Before any demolition work commences, the following requirements must be complied with to the satisfaction of the principal certifier (or Council where there is no requirement for a principal certifier):1. The developer must notify adjoining property occupiers of the demolition works 7 working days prior to demolition. The notification must be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every apartment, unit or the like) either side, immediately at the rear of and directly opposite the demolition site.
2. The developer must erect a sign at the front of the property with the demolisher’s name, licence number, contact phone number and site address.
3. The developer must erect a 1.8m high temporary fence and hoarding between the site and any public property (footpaths, roads, reserves, etc.). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or when the site is unoccupied.
4. All utilities (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant utility owner regarding their requirements for the disconnection of services.
5. Erosion and sediment control measures must be installed.
6. A work plan must be prepared by a suitably qualified person. The plan must:
7. Demonstrate compliance with AS 2601 - The Demolition of Structures.
8. The NSW Government’s Code of Practice for Demolition Work.
9. Identify hazardous materials including surfaces coated with lead paint.
10. Detail the method(s) of demolition.
11. Identify the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
12. Note that the burning of any demolished material on site is not permitted and that offenders will be prosecuted.
13. If the property was built prior to 1987, an asbestos survey must be carried out by a suitably qualified person. If asbestos is found, a SafeWork NSW licensed asbestos removalist must remove all asbestos in accordance with SafeWork NSW requirements and include notification to adjoining property occupiers of the asbestos removal.
 | To ensure that demolition works are carried out to appropriate standards |
| B404Before Work | **27. Site management plan (preparation)**Before any site work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the blue book) (as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council’s engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
8. Cover the material so as to minimise sediment transfer.
9. Do not track soil and other waste material onto any public road.
10. Fully traverse the site’s stabilised access point.
11. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
12. Hazardous materials management.
13. Work health and safety.
14. Complaints recording and response.
 | To ensure site management practices are established before any works commence |
| E401Before Work | **28. Utility services protection**Before any site work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:1. Undertake a ‘Before You Dig Australia’ services search and liaise with the relevant utility owners.
2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners’ directions.
3. Obtain approval to proceed with the site works from utility owners.
 | To ensure that utilities are not adversely affected by development |
| Z402Before work | **29. Erection of signs**Before any site work commences, a sign must be erected in a prominent position on the site:1. Showing the name, address and telephone number of the principal certifier for the work.
2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:1. Maintained while the work is being carried out.
2. Removed when the work has been completed.

This condition does not apply in relation to:1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.
 | Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021* |
| **During Work Conditions** |
| **Condition Code and Stage** | **Condition Text** | **Condition Reason** |
| A504During Work | **30. Work hours**While site work is being carried out, all work (including the delivery of materials) must be:1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council. | To protect the amenity of the surrounding area |
| A505During Work | **31. Work noise**While site work is being carried out, noise levels must comply with:1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.
 | To protect the amenity of the surrounding area |
| A508During Work | **32. Stormwater collection and discharge**While site work is being carried out, the roof of the approved building work must be provided with guttering and downpipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, must be conveyed to the drainage easement in accordance with the approved stormwater plan(s).All roof water must be connected to the approved roof water disposal system immediately after the roofing material has been fixed to the framing members. The principal certifier must not permit construction works beyond the frame inspection stage until this work has been carried out.Connection to the street gutter or drainage easement must only occur at the designated connection point for the site. New connections that require work to an easement pipe or kerb must only occur with Council’s approval. | To ensure that stormwater is properly collected and discharged |
| A511During Work | **33. Survey report**Before concrete is poured, the building(s) must be set out by a registered surveyor and a peg out survey must be prepared. The survey must confirm, to the satisfaction of the principal certifier, that the building will be sited in accordance with the approved plans and this development consent. | To ensure that the building(s) will be sited in accordance with the approved plans and this development consent |
| A513During Work | **34. Pollution warning sign**While site work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:‘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 must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.The sign(s) must be maintained until the works have been completed. | To ensure that potential fines for pollution are clearly advertised |
| B504During Work | **35. Site management plan (during work)**While site work is being carried out, the approved site management plan must be complied with.A copy of the plan must be kept on the site at all times and provided to Council upon request. | To protect the amenity of the surrounding area |
| B511During Work | **36. Unexpected contamination finds contingency (general)**While site work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of the principal certifier.Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation. | To ensure a procedure is in place to manage unexpected contamination finds encountered during site works |
| E501During Work | **37. Redundant driveway laybacks**While site work is being carried out, all redundant driveway laybacks along all of the site’s road frontages must be sealed and restored to match the existing standards along those roads, to the satisfaction of the principal certifier. | To ensure that road frontages are provided with consistent conditions |
| E502During Work | **38. Fill compaction (non-subdivision)**While site work is being carried out, all fill must be compacted in accordance with Council’s current engineering specifications, to the satisfaction of the principal certifier. | To ensure that fill is compacted to appropriate standards |
| L501During work | **39. Archaeological discovery**While site work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of the principal certifier:1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.
 | To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements |
| Z501During work | **40. Compliance with *Building Code of Australia***While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).This condition does not apply:1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the [*Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0689).
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.
 | Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021* |
| Z502During work | **41. Shoring and adequacy of adjoining property**While site work is being carried out, the person having the benefit of the development consent must, at the person’s own expense:1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.
 | Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021* |
| **Occupation Certificate Conditions** |
| **Condition Code and Stage** | **Condition Text** | **Condition Reason** |
| A606Occupation Certificate | **42. Special infrastructure contribution payment evidence**Before the issue of an occupation certificate, a document from the Planning Secretary certifying that the payment of a special infrastructure contribution:1. is not required at any time before the issue of an occupation certificate, or
2. is required and the requirement has been met,

must be provided to the principal certifier.An occupation certificate must not be issued unless the principal certifier has received a copy of the document and has confirmed with the Planning Secretary that:1. The Planning Secretary issued the document.
2. No contributions or levies have been required since the document was issued.
 | To require evidence that a special infrastructure contribution has been paid if required |
| A608Occupation Certificate | **43. Smoke alarms installation**Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier’s satisfaction, that smoke alarms that comply with AS 3786 - Smoke Alarms Using Scattered Light, Transmitted Light or Ionization have been provided in the development. | To ensure the provision of smoke alarms that comply with industry standards |
| A612Occupation Certificate | **44. Survey certificate**Before the issue of an occupation certificate, a survey certificate must be prepared by a registered surveyor and demonstrate, to the principal certifier’s satisfaction, that the siting of the building(s) complies with the approved plans and this development consent. | To ensure that the building(s) are sited in accordance with the approved plans and this development consent |
| A618Occupation Certificate | **45. Services**Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development.
 | To ensure that energy, water and wastewater services are provided for the development |
| B608Occupation Certificate | **46. Mechanical exhaust systems**Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier’s satisfaction, that:1. The mechanical exhaust systems have been designed, constructed and installed in accordance with the *Building Code of Australia* and AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
2. The installed air handling system has been tested and complies with the construction certificate plans and specifications (including ventilation requirements and fire precautions).
 | To ensure that mechanical exhaust system(s) are installed in accordance with industry standards |
| B609Occupation Certificate | **47. Acoustic compliance report**Before the issue of an occupation certificate, an acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier’s satisfaction, that noise from the development will comply with the following criteria when measured at the nearest boundary:1. 7am-6pm - 49db(A).

All noise attenuation structures and materials used for the mitigation of noise must be in accordance with the conditions of this development consent.For any acoustic non-compliance(s), the compliance report must make recommendations for compliance or further mitigation of noise sources, to the satisfaction of Council. The developer must then comply with the recommendations of the compliance report and a further acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier’s satisfaction, that the noise criteria in this condition has been achieved. | To ensure that operational noise levels will comply with the approved acoustic report |
| C601Occupation Certificate | **48. Development registration with Council**Before the issue of an occupation certificate, the development must be inspected by and registered with Council. Evidence of the inspection and registration must be provided to the principal certifier. | To support Council’s regulatory functions related to the development |
| E603Occupation Certificate | **49. Water management facilities positive covenant**Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier’s satisfaction, that a positive covenant has been registered with NSW Land Registry Services. The positive covenant must be created under Section 88E of the *Conveyancing Act 1919* and burden the property owner with a requirement to maintain any on-site detention, on-site retention/re-use and water quality facilities on the property.The terms of the positive covenant must include the following:1. The property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
2. The property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities’ design specifications.
3. Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities.
4. Council will have the right to recover as a liquidated debt the cost of any remedial work from the property owner upon demand.
5. The property owner will indemnify Council and all adjoining property owners against damage to their properties arising from the failure of any component of the facilities or the failure to clean, maintain and repair the facilities.
 | To provide a legal mechanism for the long-term maintenance of water management facilities |
| E604Occupation Certificate | **50. On-site detention facility plan of management (preparation)**Before the issue of an occupation certificate, an on-site detention facility plan of management (POM) must be prepared by a suitably qualified person, to the satisfaction of the principal certifier. The POM must describe all design and operational parameters for the facility including:1. Design levels.
2. Hydrology and hydraulics.
3. Inspection and maintenance requirements (including time intervals for inspections and maintenance).
 | To provide a management regime for on-site detention facilities |
| E605Occupation Certificate | **51. Geotechnical certification**Before the issue of an occupation certificate, certification must be prepared by a suitably qualified geotechnical engineer and demonstrate, to the satisfaction of the principal certifier, that:1. All works detailed in any geotechnical report applicable to the site have been undertaken under the engineer’s supervision and to the engineer’s satisfaction.
2. The assumptions relating to the site conditions made in preparation of the geotechnical report were validated during construction.
 | To ensure that geotechnical works have been complete to appropriate standards |
| E607Occupation Certificate | **52. Water management basins certificate**Before the issue of an occupation certificate, a certificate must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, that the water management basins comply with the following requirements:1. The basins have been completed in accordance with the approved construction certificate plans or that any variations that have been made will not impair the performance of the basins.
2. The basins will function in accordance with the design intent approved by the construction certificate.
 | To ensure that water management basins will comply with the construction certificate |
| E608Occupation Certificate | **53. Works as executed plans**Before the issue of an occupation certificate, works as executed plans in accordance with Council’s engineering specifications must be prepared by a suitably qualified person and demonstrate, to the principal certifier’s satisfaction, the following requirements:1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:
3. Levels and dimensions to verify the storage volume of any water management facilities.
4. Levels and other relevant dimensions of:
* Internal drainage pipes.
* Orifice plates.
* Outlet control devices and pits.
* Weirs (including widths).
1. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
2. Verification that trash screens are installed.
3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council’s Flood Risk Management Policy.
 | To ensure that the completed works are recorded |
| J601Occupation Certificate | **54. Landscaping works completion**Before the issue of an occupation certificate, all of the landscaping works approved by this development consent and the construction certificate must be completed to the satisfaction of the principal certifier. This must include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use. | To ensure that all approved landscaping works have been completed to an appropriate standard |
| J602Occupation Certificate | **55. Existing street trees inspection**Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the satisfaction of Council. Evidence of the inspection and Council’s satisfaction of any required rectification works must be provided to the principal certifier. | To ensure that existing street trees are inspected for damage and rectified where required |
| Non-standard Occupation Certificate | **56. Compliance with acoustic requirements**Prior to the issue of any Occupation Certificate documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved acoustic report “Section4.2 -Recommended building construction of report titled 9 Gregory Hills Drive, Gledswood Hills Child Care Centre Noise Emission Assessment prepared by Acoustic Logic dated 21 August 2023. | To ensure that all required acoustic mitigation measures  |
| Non-standard Occupation Certificate | **57. Emergency and evacuation plan**A written Emergency and Evacuation Plan shall be prepared in accordance with the NSW Child Care Regulations and Guidelines. | The ensure the safe evacuation of children, staff and visitors |
| F902Ongoing Use | **58. Flood evacuation**Prior to occupation and use of the development, the occupiers must be aware of and comply with all applicable flood evacuation requirements. Visit Council’s website at <https://www.camden.nsw.gov.au/environment/flood-information/> for more information.To manage flood risks from the surrounding roads in peak storm events, a Flood Emergency Management Response Plan (FERP) is to be developed by the business director/manager, in conjunction with Council and the SES with adequate documentation (signs) of the plan to be displayed around the premises. Any proposed evacuation arrangements shall not increase the burden on emergency SES services. The FERP is to be updated every 2 years. | To ensure that occupiers are aware of and comply with flood evacuation requirements |
| Non-standard OC | **59. Safety and security requirements**Prior to the issue of an Occupation Certificate, the development is to incorporate the following:1. Access doors to ground level plant rooms are to have Power Company locks;
2. CCTV cameras are to be installed in and around the building, car park and driveways;
3. Warning signs for CCTV camera surveillance are to be erected at prominent façade locations;
4. Doors and door frames are to be solid construction and fitted with mechanical lock sets as per AS:4145:1993.
 | To ensure safety for patrons and visitors |
| **Ongoing Use Conditions** |
| **Condition Code and Stage** | **Condition Text** | **Condition Reason** |
| A904Ongoing Use | **60. Goods, materials, equipment and/or waste storage**During occupation and ongoing use of the development, all goods, materials, equipment and/or waste must be stored inside the building. | To protect the visual amenity of the surrounding area and not impact the public domain |
| A908Ongoing Use | **61. Graffiti removal**During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application. | To protect the visual amenity of the area surrounding the development |
| A909Ongoing Use | **62. Operating hours**During occupation and ongoing use of the development, the development is approved to operate within the following hours:

|  |  |
| --- | --- |
| **Day** | **Operating Hours** |
| Monday to Friday | 6:30am to 6:00pm |
| Saturday, Sunday and Public Holiday | Closed |

 | To protect the amenity of the surrounding area |
| A911Ongoing Use | **63. Maximum centre-based child care facility places**During occupation and ongoing use of the development, the development is approved to accommodate 197. However, this maximum number must be reduced to any lower number that is separately approved for the facility by the Department of Education. | To clarify the maximum number of children approved for the facility  |
| A912Ongoing Use | **64. Department of Education requirements**During occupation and ongoing use of the development, the development must comply with all requirements of the Department of Education. Should the Department of Education requirements be modified at any time, details of the modifications must be submitted to Council. | To ensure compliance with and record of Department of Education requirements |
| A924Ongoing | **65. Private waste collection contract**During occupation and ongoing use of the development, a private waste collection contract must be maintained for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be kept on the site.All waste collection vehicles shall be able to enter and exit the site in a forward direction. Waste collections must be scheduled to occur outside of the peak drop off and collection periods for children; or outside of the approved business hours.Small rigid Vehicles (SRVs) may enter the site/car park from Gregory Hills Drive. Heavy Rigid Vehicles (HRVs) may only access the site via No. 4 Digitaria Drive (Lot 8441, DP 1272530), via an existing access easement. | To ensure that a formal arrangement is in place for the private collection of waste |
| B906Ongoing Use | **66. Outdoor lighting plan (ongoing)**During occupation and ongoing use of the development, the approved lighting plan must be complied with. | To ensure compliance with industry standards and to protect the amenity of the surrounding area |
| B917Ongoing Use | **67. Offensive noise and noise compliance**During occupation and ongoing use of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Operational noise must also comply with the NSW Noise Policy for Industry 2017. | To protect the amenity of the surrounding area |
| C906Ongoing Use | **68. Noise generating equipment in common areas**During occupation and ongoing use of the development, the use of noise generating equipment for the cleaning or maintenance of common areas must only occur between 7am-10pm each day. | To protect the amenity of the surrounding area |
| Non-standardOngoing Use | **69. Operation of mechanical plant**Mechanical plant shall only be operated during the approved hours of operation for the centre. | To protect the amenity of the surrounding area |
| D901Ongoing Use | **70. Fire safety schedule**During occupation and ongoing use of the development, the fire safety schedule issued by Council with this development consent and all fire safety measures detailed therein must be complied with and maintained at all times. | To ensure that the required fire safety measures for the development are maintained |
| E901Ongoing Use | **71. Permanent water quantity and quality facilities**During occupation and ongoing use of the development, permanent water quantity and quality facilities must be provided in accordance with the following requirements:1. When 80% of the catchment is built out.
2. The approved plans and Council’s engineering specifications.
3. Earth batters associated with the facilities must be compacted and stabilised to ensure that their integrity is maintained.
 | To ensure that permanent, ongoing stormwater quality treatment occurs |
| E903Ongoing Use | **72. On-site detention facility plan of management (ongoing)**During occupation and ongoing use of the development, the on-site detention facility plan of management plan required by this development must be complied with. | To provide a management regime for on-site detention facilities |
| J901Ongoing Use | **73. Landscaping works maintenance**During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition. | To ensure that approved landscaping works are perpetually maintained to an appropriate standard |
| Non-standardOngoing Use | **74. Adequate space**Adequate space must be maintained for the approved food activities. | To ensure adequate space for food preparation |
| Non-standardOngoing Use | **75. Cold food storage facilities**Cold food storage equipment shall be of sufficient size to store all potentially hazardous food for use in the childcare facility within the designated kitchen and bottle preparation areas. | To ensure adequate food storage |