**Recommended Conditions**

**Deferred Commencement**

**Relevant matters**

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

1. **Odour -** Compliance with the current NSW EPA Impact Assessment Criteria must be achieved. To this extent evidence of the following matters must be demonstrated:

* There must be a permanent change to the operations at the Greenlife Resource Recovery Facility at 761 The Northern Road, Bringelly (Lot 11 DP1218155) to lessen odour concentrations at the boundary of the nearest residential receptor (approved under this consent) to be less than 2 odour units, expressed as the 99th percentile value, as a nose response time average.
* Following the permanent change to the operations, a detailed odour assessment is provided to Council’s satisfaction that demonstrates that the actual odour impact at the boundary of the nearest residential receiver is compliant with the NSW EPA Impact Assessment Criteria (described above).
* A binding agreement or arrangement that has ongoing legal effect (to Council’s satisfaction) is to be put in place to ensure the ongoing operation of the Greenlife Resource Recovery Facility is maintained in the manner that achieves the NSW EPA Impact Assessment Criteria. Such measures may include a restrictive covenant on the title of the subject land (Lot 11 DP1218155) that benefits the Council; an appropriate modification to, or surrender of, the Environmental Protection Licence; and/or an appropriate modification to, or surrender of, the development consent relating to the land.

1. **Sub-arterial road –** The planned sub-arterial road proposed under DA/2024/467/1 must be constructed and dedicated as a public road.
2. **Easements and Restrictions** - Evidence of extinguishment of the following easements and restrictions on the use of the land:

* ‘R’ Right of way 10.06 wide (Book 27 Number 423) DP1289677
* (X) Restriction(s) on the use of land (DP872135)
* (X) Restriction(s) on the use of land (DP1043744)(No.4)
* (X) Restriction(s) on the use of land (DP1043744)(No.5)

Evidence of the above relevant matter(s) must be produced to the consent authority within 5 years of the date of the determination otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

**General**

**1.1 - General Conditions**

(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:

|  |  |  |  |
| --- | --- | --- | --- |
| **Approved plans** | | | |
| **Number** | **Title** | **Drawn by** | **Date** |
| 309-21G L04[14]-SHT 1-2 | Plan of proposed subdivision of Lot 1 in DP1275807 & Lot 120 in DP1289677 | Colliers | 14/10/2024 |
| 309-21G L04[14]-SHT 3-4 | Plan of proposed subdivision of Lot 1177 in DP (unregistered) being a resubdivision of Lot 1 in DP1275807 & Lot 120 in DP1289677 | Colliers | 14/10/24 |
| Page 2, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 3, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 4, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 5, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 6, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 7, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 8, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 9, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 10, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 11, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 12, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 13, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 14, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 15, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 16, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 17, rev H | Part site/ground floor plan | Studio block | 9/10/24 |
| Page 18, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 19, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 20, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 21, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 22, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 23, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 24, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 25, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 26, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 27, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 28, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 29, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 30, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Page 31, rev H | Part site/first floor plan | Studio block | 9/10/24 |
| Rev H | Lot 1007 & 1008 | Studio block | 9/10/24 |
| Rev H | Lot 1012 & 1013 | Studio block | 9/10/24 |
| Rev H | Lot 1031 & 1032 | Studio block | 9/10/24 |
| Rev H | Lot 1035 & 1036 | Studio block | 9/10/24 |
| Rev H | Lot 1050 & 1051 | Studio block | 9/10/24 |
| Rev H | Lot 1055 & 1056 | Studio block | 9/10/24 |
| Rev H | Lot 1068 & 1069 | Studio block | 9/10/24 |
| Rev H | Lot 1073 & 1074 | Studio block | 9/10/24 |
| Rev H | Lot 1097 & 1098 | Studio block | 9/10/24 |
| Rev H | Lot 1101 & 1102 | Studio block | 9/10/24 |
| Rev H | Lot 1116 & 1117 | Studio block | 9/10/24 |
| Rev H | Lot 1125 & 1126 | Studio block | 9/10/24 |
| Rev H | Lot 1133 & 1134 | Studio block | 9/10/24 |
| Rev H | Lot 1143 & 1144 | Studio block | 9/10/24 |
| Rev H | Lot 1147 & 1148 | Studio block | 9/10/24 |
| Rev H | Lot 1159 & 1160 | Studio block | 9/10/24 |
| Rev H | Lot 1162 & 1163 | Studio block | 9/10/24 |
| Rev H | Lot 2003 & 2004 | Studio block | 9/10/24 |
| Rev H | Lot 2013 & 2014 | Studio block | 9/10/24 |
| Rev H | Lot 2023 & 2024 | Studio block | 9/10/24 |
| Rev H | Lot 2027 & 2028 | Studio block | 9/10/24 |
| Rev H | Lot 2034 & 2035 | Studio block | 9/10/24 |
| Rev H | Lot 2038 & 2039 | Studio block | 9/10/24 |
| Rev H | Lot 2044 & 2045 | Studio block | 9/10/24 |
| Rev H | Lot 2054 & 2055 | Studio block | 9/10/24 |
| Rev H | Lot 2059 & 2060 | Studio block | 9/10/24 |
| Rev H | Lot 2064 & 2065 | Studio block | 9/10/24 |
| Rev H | Lot 1105 & 1106 | Studio block | 9/10/24 |
| Rev H | Lot 1111 & 1112 | Studio block | 9/10/24 |
| Rev H | Lot 2062 | Studio block | 9/10/24 |
| Rev H | Lot 2079 | Studio block | 9/10/24 |
| Rev H | Lot 2080 | Studio block | 9/10/24 |
| Rev H | Lot 2089 | Studio block | 9/10/24 |
| Rev H | Lot 1167 & 1168 | Studio block | 9/10/24 |
|  | Waste management plan | Studio block | 9/10/24 |
|  | Waste management plan | Studio block | 9/10/24 |
| C02.02 | Stormwater drainage Plan 1 | Engineering studio | 19/07/24 |
| C02.03 | Stormwater drainage Plan 2 | Engineering studio | 19/07/24 |
| C02.04 | Stormwater drainage Plan 3 | Engineering studio | 19/07/24 |
| C02.05 | Stormwater drainage Plan 4 | Engineering studio | 19/07/24 |
| C02.06 | Stormwater drainage Plan 5 | Engineering studio | 19/07/24 |
| C02.07 | Stormwater drainage Plan 6 | Engineering studio | 19/07/24 |
| C02.08 | Stormwater drainage Plan 7 | Engineering studio | 19/07/24 |
| C02.09 | Stormwater drainage Plan 8 | Engineering studio | 19/07/24 |
| C02.10 | Stormwater drainage Plan 9 | Engineering studio | 19/07/24 |
| C02.11 | Stormwater drainage details sheet | Engineering studio | 19/07/24 |
| 3012 LP-00, issue 05 | Landscape master Plan | John Lock & associates | 19/07/24 |
| 3012 LP-00.1, issue 05 | Landscape Master Plan – Sheet A | John Lock & associates | 19/07/24 |
| 3012 LP-00.2, issue 05 | Landscape Master Plan – Sheet B | John Lock & associates | 19/07/24 |
| 3012 LP-01, issue 05 | Landscape Site Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-01.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-02, issue 05 | Landscape Site Plan – Sheet 2 | John Lock & associates | 19/07/24 |
| 3012 LP-02.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-03, issue 05 | Landscape Site Plan – Sheet 3 | John Lock & associates | 19/07/24 |
| 3012 LP-03.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-03.2, issue 05 | Landscape Plan – Sheet 2 | John Lock & associates | 19/07/24 |
| 3012 LP-04, issue 05 | Landscape Site Plan – Sheet 4 | John Lock & associates | 19/07/24 |
| 3012 LP-04.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-05, issue 05 | Landscape Site Plan – Sheet 5 | John Lock & associates | 19/07/24 |
| 3012 LP-05.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-05.2, issue 05 | Landscape Plan – Sheet 2 | John Lock & associates | 19/07/24 |
| 3012 LP-06, issue 05 | Landscape Site Plan – Sheet 6 | John Lock & associates | 19/07/24 |
| 3012 LP-07, issue 05 | Landscape Site Plan – Sheet 7 | John Lock & associates | 19/07/24 |
| 3012 LP-07.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-08, issue 05 | Landscape Site Plan – Sheet 8 | John Lock & associates | 19/07/24 |
| 3012 LP-08.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-09, issue 05 | Landscape Site Plan – Sheet 9 | John Lock & associates | 19/07/24 |
| 3012 LP-09.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-09.2, issue 05 | Landscape Plan – Sheet 2 | John Lock & associates | 19/07/24 |
| 3012 LP-10, issue 05 | Landscape Site Plan – Sheet 10 | John Lock & associates | 19/07/24 |
| 3012 LP-10.1, issue 05 | Landscape Plan – Sheet 1 | John Lock & associates | 19/07/24 |
| 3012 LP-11, issue 05 | Landscape Site Plan – Sheet 11 | John Lock & associates | 19/07/24 |
| 3012 LP-50.1 issue 04 | Landscape Details – Sheet 1 | John Lock & associates | 15/4/24 |
| 3012 LP-50.2 issue 03 | Landscape Details – Sheet 2 | John Lock & associates | 7/11/23 |
| 2.2 Rev 1 | Master Plan (Stage 1) | Distinctive | 10/7/24 |
| 2.3.1 Rev 1 | Street tree diagram & Sheet directory | Distinctive | 10/7/24 |
| 2.3.2 Rev 1 | Streetscape plans 01 | Distinctive | 10/7/24 |
| 2.3.3 Rev 1 | Streetscape plans 02 | Distinctive | 10/7/24 |
| 2.3.4 Rev 1 | Streetscape plans 03 | Distinctive | 10/7/24 |
| 2.3.5 Rev 1 | Streetscape plans 04 | Distinctive | 10/7/24 |
| 2.3.6 Rev 1 | Streetscape typical sections 01 | Distinctive | 10/7/24 |
| 2.3.7 Rev 1 | Streetscape typical sections 02 | Distinctive | 10/7/24 |
| 2.4.1 Rev 1 | Strategy plan | Distinctive | 10/7/24 |
| 2.4.2 Rev 1 | Open space detail plan 01 | Distinctive | 10/7/24 |
| 2.4.3 Rev 1 | Open space detail plan 02 | Distinctive | 10/7/24 |
| 2.4.4 Rev 1 | Open space detail plan 03 | Distinctive | 10/7/24 |
| 2.4.5 Rev 1 | Open space parkland section | Distinctive | 10/7/24 |
| 3.1.1 Rev 1 | Streetscape material & plant palettes | Distinctive | 10/7/24 |
| 3.2.1 Rev 1 | Riparian material palette | Distinctive | 10/7/24 |
| 3.3.1 Rev 1 | Open space tree character | Distinctive | 10/7/24 |
| 3.3.2 Rev 1 | Open space plant palette | Distinctive | 10/7/24 |
| 3.3.3 Rev 1 | Open space material palette | Distinctive | 10/7/24 |
| 4.1 Rev 1 | Typical landscape details & schedule | Distinctive | 10/7/24 |
| 787-22C-DA-0002 Rev H | General Notes | Colliers | 19/08/24 |
| 787-22C-DA-0003 Rev H | Legend & Abbreviations | Colliers | 19/08/24 |
| 787-22C-DA-0004 Rev H | Key plan | Colliers | 19/08/24 |
| 787-22C-DA-0021 Rev H | Demolition Plan Sheet 1 of 4 | Colliers | 19/08/24 |
| 787-22C-DA-0022 Rev H | Demolition Plan Sheet 2 of 4 | Colliers | 19/08/24 |
| 787-22C-DA-0023 Rev H | Demolition Plan Sheet 3 of 4 | Colliers | 19/08/24 |
| 787-22C-DA-0024 Rev H | Demolition Plan Sheet 4 of 4 | Colliers | 19/08/24 |
| 787-22C-DA-0051 Rev I | Bulk earthworks Plan Sheet 1 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0052 Rev I | Bulk earthworks Plan Sheet 2 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0053 Rev I | Bulk earthworks Plan Sheet 3 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0054 Rev I | Bulk earthworks Plan Sheet 4 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0061 Rev I | Bulk earthworks site sections plan Sheet 1 of 5 | Colliers | 14/10/24 |
| 787-22C-DA-0062 Rev I | Bulk earthworks site sections plan Sheet 2 of 5 | Colliers | 14/10/24 |
| 787-22C-DA-0063 Rev I | Bulk earthworks site sections plan Sheet 3 of 5 | Colliers | 14/10/24 |
| 787-22C-DA-0064 Rev I | Bulk earthworks site sections plan Sheet 4 of 5 | Colliers | 14/10/24 |
| 787-22C-DA-0065 Rev I | Bulk earthworks site sections plan Sheet 5 of 5 | Colliers | 14/10/24 |
| 787-22C-DA-0101 Rev I | Road and drainage plan Sheet 1 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0102 Rev I | Road and drainage plan Sheet 2 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0103 Rev I | Road and drainage plan Sheet 3 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0104 Rev I | Road and drainage plan Sheet 4 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0105 Rev I | Road and drainage plan Sheet 5 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0106 Rev I | Road and drainage plan Sheet 6 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0107 Rev I | Road and drainage plan Sheet 7 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0108 Rev I | Road and drainage plan Sheet 8 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0109 Rev I | Road and drainage plan Sheet 9 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0110 Rev I | Road and drainage plan Sheet 10 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0111 Rev I | Road and drainage plan Sheet 11 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0112 Rev I | Road and drainage plan Sheet 12 of 12 | Colliers | 14/10/24 |
| 787-22C-DA-0121 Rev I | Proposed bin pad plan | Colliers | 14/10/24 |
| 787-22C-DA-0151 Rev I | Road typical cross sections Sheet 1 of 3 | Colliers | 14/10/24 |
| 787-22C-DA-0152 Rev I | Road typical cross sections Sheet 2 of 3 | Colliers | 14/10/24 |
| 787-22C-DA-0153 Rev I | Road typical cross sections Sheet 3 of 3 | Colliers | 14/10/24 |
| 787-22C-DA-0201 Rev I | Road No 01 Longitudinal section Sheet 1 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0202 Rev I | Road No 01 Longitudinal section Sheet 2 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0203 Rev I | Road No 02 Longitudinal section Sheet 1 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0204 Rev I | Road No 02 Longitudinal section Sheet 2 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0205 Rev I | Road No 03 Longitudinal section Sheet 1 of 3 | Colliers | 14/10/24 |
| 787-22C-DA-0206 Rev I | Road No 03 Longitudinal section Sheet 2 of 3 | Colliers | 14/10/24 |
| 787-22C-DA-0207 Rev I | Road No 03 Longitudinal section Sheet 1 of 3 | Colliers | 14/10/24 |
| 787-22C-DA-0208 Rev I | Road No 04 Longitudinal section Sheet 1 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0209 Rev I | Road No 04 Longitudinal section Sheet 2 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0210 Rev I | Road No 5 Longitudinal section | Colliers | 14/10/24 |
| 787-22C-DA-0211 Rev I | Road No 06 Longitudinal section Sheet 1 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0212 Rev I | Road No 06 Longitudinal section Sheet 2 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0213 Rev I | Road Nos 07 and 08 Longitudinal sections | Colliers | 14/10/24 |
| 787-22C-DA-0214 Rev I | Road 09 longitudinal section | Colliers | 14/10/24 |
| 787-22C-DA-0215 Rev I | Laneway Nos 01 and 02 longitudinal section | Colliers | 14/10/24 |
| 787-22C-DA-0216 Rev I | Laneway nos 03 and 03 longitudinal section | Colliers | 14/10/24 |
| 787-22C-DA-0701 Rev I | Pre-development catchment plan | Colliers | 14/10/24 |
| 787-22C-DA-0702 Rev I | Post-development catchment plan | Colliers | 14/10/24 |
| 787-22C-DA-0751 Rev I | Temporary OSD/WSUD interim plan | Colliers | 14/10/24 |
| 787-22C-DA-0752 Rev I | Bio-retention basin 13 ultimate plan | Colliers | 14/10/24 |
| 787-22C-DA-0753 Rev I | Basin sections | Colliers | 14/10/24 |
| 787-22C-DA-0754 Rev I | Basin details | Colliers | 14/10/24 |
| 787-22C-DA-0811 Rev I | Interface details Sheet 1 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0812 Rev I | Interface details Sheet 2 of 2 | Colliers | 14/10/24 |
| 787-22C-DA-0813 Rev I | Retaining wall details | Colliers | 14/10/24 |
| 787-22C-DA-0901 Rev I | Sediment and erosion control plan Sheet 1 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0902 Rev I | Sediment and erosion control plan Sheet 2 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0903 Rev I | Sediment and erosion control plan Sheet 3 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0904 Rev I | Sediment and erosion control plan Sheet 4 of 4 | Colliers | 14/10/24 |
| 787-22C-DA-0905 Rev I | Sediment and erosion control details Sheet 4 of 4 | Colliers | 14/10/24 |

|  |  |  |
| --- | --- | --- |
| **Approved documents** | | |
| **Title** | **Prepared by** | **Date** |
| Report on Salinity Investigation and Salinity Management Plan – Proposed Residential Subdivision, Stage 1, Vitocco Farm, Bringelly, NSW Project 213910.00. | Douglas Partners, | 26 July 2022 |
| Nonorrah West Precinct – Bringelly Noise Impact Assessment – Revision 3 | Acoustic Logic | 25 March 2024 |
| Bushfire assessment – Residential Subdivision – ‘Nonorrah’ 751 The Northern Road, Bringelly (Ref: 23076) | Peterson bushfire consulting services | 5 September 2024 |
| Tree Survey Plan | Biosis | 19 April 2024 |
| Lot 120 DP1289677: Lowes Creek Maryland Vegetation Management Plan | Biosis | 17 July 2024 |
| Aboriginal Cultural Heritage Assessment – Vitocco Farm Subdivision – Stage 1 Bringelly, NSW | Kelleher Nightingale Consulting Pty Ltd | 17 February 2023 |
| Supplementary Contamination Investigation Proposed Residential Development Stages 1 and 2, Nonorrah, The Northern Road, Bringelly NSW | Douglas Partners | 18 April 2024 |
| Flood Emergency Response Plan | Colliers | 18 April 2024 |
| Waste Management Plan | Haydn Dayes |  |

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails.

**Condition reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

1. **Authority requirements** - The development must be carried out in accordance with the following authority requirements:
2. Transport for NSW, Reference SYD24-00830-01, dated 30 September 2024.
3. New South Wales Rural Fire Service, DA20231120005264-CL55-1, dated 25 September 2024.
4. Department of Primary Industries and Regional Development, IDA24/84, dated 19 July 2024.
5. Department of Climate Change, Energy, the Environment and Water, DOC23/1011728-26, dated 1 May 2024.
6. Department of Planning and Environment, IDAS-2023-10735, dated 3 April 2024.
7. Sydney Water, 212872, 200280, dated 11 March 2024.

**Condition reason:** To ensure the development complies with Authority requirements.

(3) **Approved development stages and sequence** -The development must be carried out in the following stages and sequence:

1. Plan of proposed subdivision of Lot 1 in DP1275807 & Lot 120 in DP1289677, 309-21G L04[14]-SHT 1-2, prepared by Colliers, dated 14/10/2024 & Plan of proposed subdivision of Lot 1177 in DP (unregistered) being a re-subdivision of Lot 1 in DP1275807 & Lot 120 in DP1289677, L04[14]-SHT 3-4, prepared by Colliers, dated 14/10/2024.

**Condition reason:** To detail the approved staging and sequencing for the development.

1. **Approved tree work** - Trees T1-T24 as identified on Tree Survey Plan prepared by Bioss Pty Ltd. Project No.39087 dated 19 April 2024 are approved for removal.

**Condition reason:** To detail approved tree work and any replacement landscaping.

(5) **Fulfillment of BASIX commitments** -Each commitment listed in an approved BASIX certificate for the following development must be fulfilled:

1. BASIX development.

**Condition reason:** Prescribed condition under section 75 of the *Environmental Planning and Assessment Regulation 2021*.

**Building Work**

**2.1 - Before Issue of a Construction Certificate**

(1) **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.

**Condition reason:** To clarify the timing and need for approval under the *Roads Act 1993*.

(2) **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.

**Condition reason:** To ensure the long service levy is paid.

1. **Stormwater drainage for attached dwellings** - Before the issue of a construction certificate, if a drainage line(s) is proposed to pass underneath an attached dwelling, a drainage design certificate with associated hydraulic plans must be prepared by a suitably qualified hydraulic engineer, to the satisfaction of the certifier. The design certificate must certify that:
2. The stormwater drainage design can dispose of stormwater from the dwelling and the site to Council’s stormwater system in a controlled manner.
3. Any surcharge of stormwater or surface water will not enter the dwelling or adjoining properties.

The design certificate must be accompanied by a copy of the hydraulic engineer’s professional indemnity insurance.

**Condition reason:** To ensure that stormwater and surface water will not inundate the dwelling or adjoining properties.

(4) **Driveway design** - 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 approved driveway(s) will comply with AS 2890 - Parking Facilities and Council’s Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).

A driveway crossing approval must be obtained from Council before the issue of a construction certificate. Evidence of the approval must be provided to the certifier.

**Condition reason:** To ensure that driveways are designed to appropriate standards.

(5) **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.

**Condition reason:** To ensure that the development will comply with Council’s engineering specifications and the terms of this consent.

(6) **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.

**Condition reason:** To ensure that building elements are designed for the site conditions.

(7) **Detailed landscaping plans** - Before the issue of a construction certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier’s satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. Dwelling Landscape - Angophora floribunda to be substituted with any of the following:
   1. Corymbia citriodora scentuous,
   2. Lophostemon confertus
   3. Corymbia maculata 'Gamai'
   4. Corymbia maculate ‘Lowana’

**Condition reason:** To ensure that detailed landscaping requirements are documented.

**2.2 - Before Building Work Commences**

(1) **Controlled Activity Approval** – The attached GTA issued by the Department of Planning and Environment-Water do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.

**Condition reason:** To ensure that a Controlled Activity Approval has been obtained prior to the commencement of works.

1. **Public liability insurance policy** - Before any building 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.

**Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.

(3) **Site security and fencing** - Before any building work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

**Condition reason:** To ensure that access to the site is managed before works commence.

(4) **Sydney Water approval** - Before any building work commences, the approved construction 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.

**Condition reason:** To ensure that any impacts upon Sydney Water infrastructure have been approved.

(5) **Dilapidation report** - Before any building work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:

1. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
2. Road carriageways.
3. Kerbs.
4. Footpaths.
5. Drainage structures.
6. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail 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 approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council’s assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer’s damages bond.

The report must be submitted to the principal certifier and Council 2 days before any building work commences. The development must comply with all conditions that the report imposes.

**Condition reason:** To ensure that any damage causes by works can be identified and rectified.

(6) **Site management plan (preparation)** - Before any building 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.

**Condition reason:** To ensure site management practices are established before any works commence.

1. **Utility services protection** - Before any building work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:
2. Undertake a ‘Before You Dig Australia’ services search and liaise with the relevant utility owners.
3. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners’ directions.
4. Obtain approval to proceed with the site works from utility owners.

**Condition reason:** To ensure that utilities are not adversely affected by development.

(8) **Residential building work insurance** -Before any residential building work commences for which a contract of insurance is required under Part 6 of the *Home Building Act 1989*, a contract of insurance must be in force.

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.

**Condition reason:** Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

(9) **Erection of signs** -Before any building 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 is being 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*.

**Condition reason:** Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

(10) **Notification of *Home Building Act 1989* requirements** -Before any residential building work commences, the principal certifier must give Council written notice of the following:

1. For work that requires a principal contractor to be appointed:
2. The name and licence number of the principal contractor.
3. The name of the insurer of the work under Part 6 of the *Home Building Act 1989*.
4. For work to be carried out by an owner-builder:
5. The name of the owner-builder.
6. If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the information required by this condition is no longer correct, work must not be carried out unless the principal certifier gives Council written notice of the updated information.

This condition does not apply in relation to Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

**Condition reason:** Prescribed condition under section 71 of the *Environmental Planning and Assessment Regulation 2021*.

**2.3 - During Building Work**

(1) **Priority (noxious) weeds management (during work)** - While building work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

**Condition reason:** To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

(2) **Work hours** - While building 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.

**Condition reason:** To protect the amenity of the surrounding area.

1. **Work noise -** While building work is being carried out, noise levels must comply with:
2. 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).
3. 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).
4. 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.

**Condition reason:** To protect the amenity of the surrounding area.

(4) **Fill material (dwellings)** -Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a person with experience in both contamination and geotechnical assessments. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. For virgin excavated natural material, the report and plan have been prepared in accordance with:
2. The Department of Land and Water Conservation publication ‘Site investigation for Urban Salinity’, and
3. The Department of Environment and Conservation - Contaminated Sites Guidelines ‘Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW’.
4. A minimum of 2 samples from different locations is required.
5. For excavated natural material, the report and plan have been prepared in accordance with:
6. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
7. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
8. The Excavated Natural Material Order and Exemption 2014.
9. The fill material has had its salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication ‘Site investigation for Urban Salinity’), and that it is compatible with any salinity management plans approved for the site.

**Condition reason:** To ensure that fill material has been adequately assessed before placement on the site.

(5) **Stormwater collection and discharge** -While building 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 street gutter or 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.

**Condition reason:** To ensure that stormwater is properly collected and discharged.

1. **Building height** - Before the development proceeds beyond frame stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the building height complies with the approved plans and this development consent.

**Condition reason:** To ensure that the building height complies with the approved plans and this development consent.

(7) **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.

**Condition reason:** To ensure that the building(s) will be sited in accordance with the approved plans and this development consent.

1. **Pollution warning sign** - While building 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 (12 22 63) - 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.

**Condition reason:** To ensure that potential fines for pollution are clearly advertised.

(9) **Site management plan (during work)** - While building 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.

**Condition reason:** To protect the amenity of the surrounding area.

(10) **Unexpected contamination finds contingency (general)** -While building 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.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

(11) **Work near or involving vegetation** -While building work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council’s engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

**Condition reason:** To ensure that work near of involving vegetation is carried out to industry standards.

(12) **Archaeological discovery** - While building 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.

**Condition reason:** To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

(13) **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.

**Condition reason:** Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

(14) **Shoring and adequacy of adjoining property** - While building 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.

**Condition reason:** Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

(15) **Salinity Management** - Bulk earthworks, civil construction, service installation, and residential construction is to comply with the salinity management plan outlined in *Salinity Investigation and Salinity Management Plan – Proposed Residential Subdivision, Stage 1, Vitocco Farm, Bringelly, NSW* prepared by Douglas Partners, Project 213910.00, dated July 2022.

**Condition reason:** To ensure the development is designed to withstand the effects of salinity.

**2.4 - Before Issue of an Occupation Certificate**

(1) **House numbering** - Before the issue of an occupation certificate, the dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the adjoining road by displaying their Council allocated house numbers, to the satisfaction of the principal certifier. E-mail Council at [sis.mailbox@camden.nsw.gov.au](mailto:sis.mailbox@camden.nsw.gov.au) to obtain the allocated house numbers.

**Condition reason:** To ensure the dwellings on the site are officially and clearly numbered.

1. **Contributions payment evidence** - Before the issue of an occupation certificate, a document from Council certifying that the payment of section 7.11 contributions:
2. is not required at any time before the issue of an occupation certificate, or
3. 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 Council that:

1. Council issued the document.
2. No contributions or levies have been required since the document was issued.

**Condition reason:** To require evidence that section 7.11 contributions have been paid if required.

1. **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:
2. is not required at any time before the issue of an occupation certificate, or
3. 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.

**Condition reason:** To require evidence that a special infrastructure contribution has been paid if required.

(4) **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.

**Condition reason:** To ensure that the building(s) are sited in accordance with the approved plans and this development consent.

1. **Building height** - Before the issue of an occupation certificate, a certificate from a registered surveyor must be prepared and certify, to the principal certifier’s satisfaction, that the building height complies with the approved plans and this development consent.

**Condition reason:** To ensure that the building height complies with the approved plans and this development consent.

1. **Lot registration** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier’s satisfaction, that the approved lots have been registered with NSW Land Registry Services.

**Condition reason:** To ensure that the approved lots have gained legal title before the approved building(s) thereon are occupied.

1. **Acoustic report compliance** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier’s satisfaction, that the building(s) have been constructed in accordance with the acoustic report that applies to the lot.

**Condition reason:** To ensure that the building(s) has been constructed to mitigate noise impacts upon future occupants.

(8) **Driveway crossing construction** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier’s satisfaction, that a driveway crossing has been constructed in accordance with this development consent and the driveway crossing approval.

**Condition reason:** To ensure that the building(s) is provided with vehicular access.

1. **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:
2. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
3. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water website](https://www.sydneywater.com.au/plumbing-building-developing/developing/section-73-compliance-certificates.html) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

**Condition reason:** To ensure that energy, water and wastewater services are provided for the development.

(10) **Verge reconstruction** - Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species listed in Council’s engineering specifications.

**Condition reason:** To ensure that road verges are reconstructed with grass following building works.

(11) **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.

**Condition reason:** To ensure that all approved landscaping works have been completed to an appropriate standard.

**2.5 - Occupation and Ongoing Use**

1. **Landscaping works maintenance** - During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

**Condition reason:** To ensure that approved landscaping works are perpetually maintained to an appropriate standard.

**Demolition Work**

**3.1 - Before Demolition Work Commences**

1. **Tree survey plan, hollow bearing trees and active nests** - Before any demolition work commences, a tree survey plan must be prepared by a suitably qualified person and demonstrate, to the satisfaction of Council, the following requirements:
2. The location, type and condition of trees approved to be removed.
3. Whether tree hollows or active nests are present in any trees approved to be removed.
4. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan. The nest box installation and active nest relocation plan must provide fauna with short-term habitat during approved vegetation clearance and restoration works. Each tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.

**Condition reason:** To ensure that fauna habitat approved for removal is replaced by nest boxes and/or by relocating active nests.

**Subdivision Work**

**4.1 - Before Issue of a Subdivision Works Certificate**

(1) **Public infrastructure alterations** - Before the issue of a subdivision works 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.

**Condition reason:** To clarify the timing and need for approval under the *Roads Act 1993*.

1. **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a subdivision works certificate, written evidence from the carrier must be obtained that demonstrates, to the certifier’s satisfaction, that arrangements have been made for:
2. The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Written confirmation that the carrier is satisfied that the fibre ready facilities are fit for purpose is also required.
3. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

**Condition reason:** To ensure fibre-ready telecommunications facilities are installed for new development.

(3) **Salinity management** - Before the issue of a subdivision works 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.

**Condition reason:** To ensure the development is designed to withstand the effects of salinity.

(4) **Long service levy** - Before the issue of a subdivision works 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.

**Condition reason:** To ensure the long service levy is paid.

(5) **Engineering specifications** - Before the issue of a subdivision works 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.

**Condition reason:** To ensure that the development will comply with Council’s engineering specifications and the terms of this consent.

1. **Street lighting** - Before the issue of a subdivision works certificate, a design brief for the development’s detailed street lighting design must be obtained from Council. E-mail Council at [lighting@camden.nsw.gov.au](mailto:lighting@camden.nsw.gov.au) to request the design brief. The design brief must be provided to the certifier.

**Condition reason:** To ensure that the safety and amenity of road users is protected.

(7) **Subdivision works certificate information** - Before the issue of a subdivision works certificate, the following information must be prepared by a suitably qualified person to the certifier’s satisfaction:

1. Pram ramps shall be amended in accordance with Camden Council SD03 (refer to pram ramp detail for paths perpendicular and parallel to kerb).
2. Lintels shall be further away from kerb return tangent points so pram ramps can be located closer to the kerb return tangent points.
3. Swept paths are to be provided showing that suitable access and egress to all laneways is provided for 12.5m HRVs. Additionally, a swept path for a 12.5m HRV exiting left from Laneway No. 05 onto Road No.01 with no encroachment onto the opposite lane shall be provided. The swept path can use the entire width of the lane and splay to ensure that this manoeuvre can be made.
4. Calculations for the southern & western cutoff drains capacities and the swale capacity that are indicative of the 1% AEP storm are to be provided.
5. Lots 1088 and 1130 shall connect to the IAD line at an IAD pit. Sloped junctions are not permitted.
6. Batters are to be maximum 1 in 4.
7. RL of basin emergency spillway shall comply with the Camden Council Engineering Design Specification.
8. The ultimate bioretention basin design is to be provided in line with Camden Council Engineering Design Specification.
9. Interallotment drainage lines are to be laid centrally within easements to drain water.
10. Subdivision plan to be updated to show Right of Access for access driveways for Lots 1087-1089 and 1128-1130.
11. Subdivision plan to be updated to show overland flow easement to drain water for the southern swale and cut off drain located at Lots 2069-2073.
12. The minimum regraded level for subdivided land to be 0.5m above the 1% AEP flood level at the site.
13. The maximum depth of flow in the roadway formation shall not exceed 200 mm for the 1% AEP flow.
14. Flood model must be revised to demonstrate no overland flow along the subdivision roads for 5% and 20% AEP flood events.
15. Details of the hydraulic structure/culvert across proposed Road 2 creek crossing shall be provided.
16. Submission of Lowes Creek post development Flood level longitudinal profile within the site at 5%, 1% AEP and PMF for pre and post development scenario. The profile must show chainage, creek bed and water level.
17. Demonstrate that subcritical flow with Froude Number not greater than 0.8 is maintained along the entire reach of Lowes Creek within the site. Otherwise measures have to be installed e.g. drop structures to reduce the bed slope;
18. Adequate scour protection shall be designed for all discharge points into and out of the channel, or at any point in the channel where there is a significant change in flow conditions.
19. The Vegetation Management Plan shall be amended to replace Melaleuca decora with Melaleuca Linarifolia.

**Condition reason:** To ensure that required information is provided to the certifier.

(8) **Performance bond** - Before the issue of a subdivision works certificate, a performance 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.

**Condition reason:** To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.

(9) **Damages bond** - Before the issue of a subdivision works 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.

**Condition reason:** To ensure that any damage to existing public infrastructure is rectified.

(10) **Structural engineer certificate** -Before the issue of a subdivision works certificate, a certificate must be prepared by a suitably qualified structural engineer and demonstrate, 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.

**Condition reason:** To ensure that infrastructure elements are designed for the site conditions.

(11) **Dam and/or watercourse beds desilting** -Before the issue of a subdivision works certificate, a geotechnical report must be prepared by a suitably qualified geotechnical engineer and detail, to the satisfaction of the certifier, the works required to desilt the dam or watercourse beds.

**Condition reason:** To ensure that the works required to desilt dam and/or watercourse beds are documented.

(12) **Civil engineering plans and information** -Before the issue of a subdivision works 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. Kerb outlets or street pit stubs must be provided where lots drain to public roads.
9. The outlets must be located within 2m of the prolongation of the lot corner with the lowest reduced level.
10. Outlets must be extended under the road verge and capped within the lot boundaries with surface identifier markers.
11. Where lots drain to an inter-allotment drainage pit a stub for future connection must be provided within the pit.
12. For roads and car parks:
13. Pavement design.
14. Traffic management devices.
15. Line marking.
16. Temporary turning facilities at the end of all temporary or staged dead-end roads (including the provision of reflective guideposts spaced 1.5m apart and ‘No Stopping’ regulatory signage around the turning head).
17. Clearly delineate the extent/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 (only if the site is flood affected). The FPL is defined in Council’s Flood Risk Management Policy.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council’s engineering specifications.

**Condition reason:** To ensure that civil works are designed to appropriate standards.

(13) **Construction on-site detention/sediment control basins** -Before the issue of a subdivision works 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.

**Condition reason:** To ensure that on-site detention and sediment control measures are provided.

(14) **De-watering plan** -Before the issue of a subdivision works certificate, a de-watering plan for the site’s waterbodies that are approved to be removed must be prepared by a suitably qualified person to the certifier’s satisfaction.

**Condition reason:** To ensure that a plan is in place to regulate how waterbodies will be de-watered.

(15) **Pavement design report** -Before the issue of a subdivision works certificate, a pavement design report in accordance with Council’s engineering specifications must be prepared by a suitably qualified person, to the certifier’s satisfaction.

**Condition reason:** To ensure that pavement designs are in accordance with Council’s engineering specifications.

(16) **Detailed landscaping plans** -Before the issue of a subdivision works certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier’s satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. Street trees must not be positioned within 10m of road intersections, beneath street lighting or adjacent to stormwater inlets.
4. Street trees must be positioned as close as possible to align with property boundaries at approximately 10m centres.
5. Street trees must be sourced in accordance with the tests and measurements contained within AS 2303 - Tree Stock for Landscape Use.
6. Tree planting details and section drawings specifying root barriers where trees will be planted in close proximity to hard surfaces, i.e., at the back of the kerb and adjoining footpaths.
7. Street trees must be centred within planting bays and no closer than 0.5m to the back of the kerb.
8. Syzygium paniculatum to be substituted with any of the following:
   1. Corymbia citriodora scentuous,
   2. Lophostemon confertus
   3. Corymbia maculata 'Gamai'
   4. Corymbia maculate ‘Lowana’

**Condition reason:** To ensure that detailed landscaping requirements are documented.

(17) **Waste bin collection points** -Before the issue of a subdivision works certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier’s satisfaction, the following detailed design requirements:

1. A waste bin collection point for 3 Council waste bins for each approved lot.
2. Each collection point must have dimensions of 3m wide by 1m deep, a minimum vertical clearance of 3.9m and be clear of the positioning of driveways, trees (including tree canopies), street lighting and other fixtures.

**Condition reason:** To ensure that suitably designed waste bin collection points are provided for new lots.

(18) **Pedestrian fencing** - Fencing consisting of chain wire to a height of 1.8 metres, shall be provided surrounding the swale within the western verge of road No. 03 to ensure no trips or hazards are introduced into the verge area.

**Condition Reason:** To ensure adequate safety measures are in place to surround the temporary swale.

**5.2 - Before Subdivision Work Commences**

(1) **Public liability insurance policy** -Before any subdivision 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.

**Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.

(2) **Site security and fencing** -Before any subdivision work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

**Condition reason:** To ensure that access to the site is managed before works commence.

(3) **Sydney Water approval** -Before any subdivision work commences, the approved 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.

**Condition reason:** To ensure that any impacts upon Sydney Water infrastructure have been approved.

(4) **Dilapidation report** -Before any subdivision work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:

1. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
2. Road carriageways.
3. Kerbs.
4. Footpaths.
5. Drainage structures.
6. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail 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 approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council’s assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer’s damages bond.

The report must be submitted to the principal certifier and Council 2 days before any subdivision work commences. The development must comply with all conditions that the report imposes.

**Condition reason:** To ensure that any damage causes by works can be identified and rectified.

(5) **Site management plan (preparation)** -Before any subdivision 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.

**Condition reason:** To ensure site management practices are established before any works commence.

(6) **Fill management plan (preparation)** -Before any subdivision work commences, a fill management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that all fill material imported into the site will be virgin excavated natural material.

**Condition reason:** To ensure that only virgin excavated natural fill material is imported into the site.

(7) **Utility services protection** -Before any subdivision 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.

**Condition reason:** To ensure that utilities are not adversely affected by development.

(8) **Erection of signs** -Before any subdivision 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*.

**Condition reason:** Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

**5.3 - During Subdivision Work**

(1) **Priority (noxious) weeds management (during work)** -While subdivision work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

**Condition reason:** To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

(2) **Work hours** -While subdivision 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.

**Condition reason:** To protect the amenity of the surrounding area.

(3) **Work noise** -While subdivision 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.

**Condition reason:** To protect the amenity of the surrounding area.

(4) **Pollution warning sign -** While subdivision 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 (13 22 63) - 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.

**Condition reason:** To ensure that potential fines for pollution are clearly advertised.

(5) **Fill management plan (during work)** -While subdivision work is being carried out, the approved fill management plan must be complied with.

**Condition reason:** To ensure that only virgin excavated natural fill material is imported into the site.

(6) **Site management plan (during work)** -While subdivision 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.

**Condition reason:** To protect the amenity of the surrounding area.

(7) **Fill material (virgin excavated natural material and/or excavated natural material)** -Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. The report and plan have been endorsed by a practising engineer with specific area of practice in subdivisional geotechnics.
2. For virgin excavated natural material, the report and plan have been prepared in accordance with:
3. The Department of Land and Water Conservation publication ‘Site investigation for Urban Salinity’.
4. The Department of Environment and Conservation - Contaminated Sites Guidelines ‘Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW’.
5. For excavated natural material, the report and plan have been prepared in accordance with:
6. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
7. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
8. The Excavated Natural Material Order and Exemption 2014.
9. The fill material:
10. Provides no unacceptable risk to human health and the environment.
11. Is free of contaminants.
12. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication ‘Site investigation for Urban Salinity’).
13. Is suitable for its intended purpose and land use.
14. Has been lawfully obtained.
15. The sampling of the material for salinity complies with:
16. Less than 6,000m³ - 3 sampling locations.
17. Greater than 6,000m3 - 3 sampling locations with 1 extra location for each additional 2,000m3 or part thereof.
18. A minimum of 1 sample from each sampling location must have been provided for assessment.
19. The sampling of the material for contamination must comply with:
20. Virgin excavated natural material (1,000m² or part thereof) - 1 sampling location. For volumes less than 1,000m², a minimum of 2 separate samples from different locations must be taken.
21. Excavated natural material - Refer to the Resource Recovery Exemption.

**Condition reason:** To ensure that fill material has been adequately assessed before placement on the site.

(8) **Fill delivery register** -Once subdivision work is completed, the delivery register for the site work must be submitted to Council.

**Condition reason:** To ensure that Council has a record of all fill deliveries to the site.

(9) **Fill assessment report** -While subdivision work is being carried out, a fill assessment report must be prepared by a suitably qualified person each month. The report must facilitate, to the satisfaction of the principal certifier, a monthly audit of compliance with the approved fill management plan.

**Condition reason:** To confirm that only virgin excavated natural fill material is imported into the site.

(10) **Unexpected contamination finds contingency (general)** -While subdivision 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.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

(11) **Fill compaction (subdivision)** - While subdivision work is being carried out, a suitably qualified geotechnical engineer must supervise the placement of all fill material and certify that the work has, to the satisfaction of the principal certifier, been:

1. Carried out to level 1 inspection and testing responsibility in accordance with Appendix B of AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments.
2. Compacted in accordance with Council’s engineering specifications.

**Condition reason:** To ensure that fill is compacted to appropriate standards.

(12) **Material sampling and testing** - While subdivision work is being carried out and before any material is delivered to the site, sampling and testing of all material in accordance with Council’s engineering specifications must be completed by a suitably qualified testing organisation, to the satisfaction of the principal certifier. The testing results must include a certificate from the testing organisation that certifies compliance with the criteria in Council’s engineering specifications. The testing results must be updated every 3 months or when the material source changes.

**Condition reason:** To ensure that material used in construction complies with Council’s engineering specifications.

(13) **Pavement layer thickness** – While site work is being carried out and at the completion of each pavement layer, a site survey plan must be prepared by a registered surveyor and demonstrate, to the satisfaction of the principal certifier, the following information:

1. The reduced level (to Australian height datum level) of the finished surface layer after trimming and before the next course material is laid.
2. Survey readings at the lip of gutter (two sides) and the centre line of the road at least every 50m of road chainage or part thereof, with a minimum of two chainage locations per continuous length of pavement design profile along a single road.
3. The variation from the design level and whether the points are within Council’s acceptable tolerances. The tolerances for each layer are specified in the table below:

|  |  |
| --- | --- |
| Layer | Tolerance |
| Subgrade (surface layer) | -30mm / +10mm |
| Subbase Course (thickness) | -10mm / +20mm |
| Base Course (thickness) | -0mm - +20mm |
| Finished Surface Level | -15mm / +12mm |

The construction of the next pavement layer must not commence until written approval is given by the principal certifier.

**Condition reason:** To ensure that pavement layer thickness complies with Council’s engineering specifications.

(14) **Fauna relocation** - While subdivision work is being carried out,all waterbodies, hollow bearing and active nest trees approved to be removed from the site must be inspected prior to removal. Appropriate measures must be taken to ensure that fauna inhabiting waterbodies, tree hollows or active nests is treated humanely and relocated before site works commence consistent with the *National Parks and Wildlife Act 1974*, to the satisfaction of the principal certifier. A suitably qualified ecologist or wildlife carer must be present throughout vegetation clearing works to relocate fauna or take fauna into care where appropriate (i.e., juvenile or nocturnal fauna). Nesting animals must be left in situ until young have fledged and/or left the nest.

**Condition reason:** To ensure that any required fauna relocation occurs humanely.

(15) **Work near or involving vegetation** - While subdivision work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council’s engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

**Condition reason:** To ensure that work near of involving vegetation is carried out to industry standards.

(16) **Archaeological discovery** - While subdivision 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.

**Condition reason:** To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

(17) **Local traffic committee approval** - Before the installation of or any changes to regulatory road signage, line marking and/or devices, approval must be obtained from Council’s Local Traffic Committee for the installation of or any changes to regulatory road signage, line marking and/or devices. Evidence of the approval must be provided to the principal certifier.

**Condition reason:** To ensure that regulatory road elements are formally approved.

(18) **Shoring and adequacy of adjoining property** - While subdivision 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.

**Condition reason:** Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

(19) **Salinity Management** - Bulk earthworks, civil construction, service installation, and residential construction is to comply with the salinity management plan outlined in *Salinity Investigation and Salinity Management Plan – Proposed Residential Subdivision, Stage 1, Vitocco Farm, Bringelly, NSW* prepared by Douglas Partners, Project 213910.00, dated July 2022.

**Condition reason:** To ensure the development is designed to withstand the effects of salinity.

**5.4 - Before Issue of a Subdivision Certificate**

(1) **Fibre-ready facilities and telecommunications infrastructure** -Before the issue of a subdivision certificate, written evidence from the carrier must be obtained that demonstrates, to the principal certifier’s satisfaction, that arrangements have been made for:

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

**Condition reason:** To ensure fibre-ready telecommunications facilities are installed for new development.

(2) **Incomplete works bond** -Before the issue of a subdivision certificate, and where the developer proposes work to be deferred in accordance with Council’s engineering specifications, an incomplete works 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 principal certifier.

**Condition reason:** To ensure that the cost to rectify incomplete public infrastructure works is captured.

(3) **Defects and liability bond** -Before the issue of a subdivision certificate, a defects and liability 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 principal certifier.

**Condition reason:** To ensure that the cost to rectify defects and liabilities in new public infrastructure works is captured.

(4) **Water quality basins/facilities bond** -Before the issue of a subdivision certificate, a water quality basins/facilities 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 principal certifier.

**Condition reason:** To ensure that water quality facilities are constructed in accordance with the development consent and to appropriate standards.

(5) **Fill plan** -Before the issue of a subdivision certificate, a fill plan (in .pdf format) must be prepared by a suitably qualified person and detail, to the principal certifier’s satisfaction, the following information:

1. Lot boundaries.
2. Road, drainage and public reserves.
3. Street names.
4. Final fill contours and boundaries.
5. Total filling depth in maximum 0.5m increments.

The plan must cover the full extent of the development and include all residue lots and reserves. The plan must also include all basins, swales and dams filled during works.

**Condition reason:** To ensure that site filling has been adequately documented.

(6) **Surveyor’s certificate** -Before the issue of a subdivision certificate, a certificate must be prepared by a registered surveyor and certify, to the principal certifier’s satisfaction, that:

1. All drainage lines, services, retaining walls, accessways and basins have been laid within their proposed easements.
2. No services or accessways encroach over the proposed boundaries other than those provided for by easements as created by the final plan of subdivision.

**Condition reason:** To ensure that infrastructure is located within an easement.

(7) **Value of works** -Before the issue of a subdivision certificate, itemised data and values of civil works must be prepared by a suitably qualified person, to the satisfaction of the principal certifier, for inclusion in Council's asset management system.

**Condition reason:** To ensure that the value of new civil works is recorded.

(8) **Electricity notice of arrangement** -Before the issue of a subdivision certificate, a notice of arrangement for the provision of electricity from Endeavour Energy must be provided to the principal certifier’s satisfaction. The arrangement must include the provision of electricity for street lighting in accordance with the electrical design approved by Council.

**Condition reason:** To ensure that electricity is provided for the development.

(9) **Section 73 compliance certificate** -Before the issue of a subdivision certificate, a section 73 compliance certificate demonstrating that satisfactory arrangements have been made with Sydney Water for the supply of water and sewer services must be provided to the principal certifier’s satisfaction. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water website](https://www.sydneywater.com.au/plumbing-building-developing/developing/section-73-compliance-certificates.html) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

**Condition reason:** To ensure that water and sewer services are provided for the development.

(10) **Soil classification report** -Before the issue of a subdivision certificate, a soil classification report in accordance with AS 2870 - Residential Slabs and Footings must be prepared by a suitably qualified person and detail, to the principal certifier’s satisfaction, the classification of soil types found within the subdivision. The report must include a soil type classification for each lot.

**Condition reason:** To ensure that the development’s soil types are recorded.

(11) **Water quality facility manuals** -Before the issue of a subdivision certificate, operating, maintenance and monitoring manual(s) for water quality facilities must be prepared in accordance with Council’s engineering specifications by a suitably qualified person to the satisfaction of the principal certifier.

**Condition reason:** To ensure that the operation, maintenance and monitoring requirements for water quality facilities is documented.

(12) **Compaction report** -Before the issue of a subdivision certificate, a compaction report must be prepared by a suitably qualified person and demonstrate, to the principal certifier’s satisfaction, the results of field testing and that all roads and lots have been compacted in accordance with Council’s engineering specifications.

**Condition reason:** To ensure that roads and lots have been compacted to an appropriate standard.

(13) **Works as executed plans** -Before the issue of a subdivision 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:
5. Internal drainage pipes.
6. Orifice plates.
7. Outlet control devices and pits.
8. Weirs (including widths).
9. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
10. Verification that trash screens are installed.
11. 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.

**Condition reason:** To ensure that the completed works are recorded.

(14) **Stencilling** -Before the issue of a subdivision certificate, stencilling must occur as described below to the satisfaction of the principal certifier:

1. Lot numbers and street names on the face of kerb or in alternative locations as directed by the principal certifier. The stencil medium must be of a good quality UV stabilised paint and comply with the following requirements:
2. Lot numbers must have a white number on a brunswick green background and be located on the prolongation of both common lot boundaries.
3. Street names must have white lettering on a brunswick green background and be located at kerb and gutter tangent points.
4. Pit lintels must be labelled with permanent stencilled signs in accordance with Council’s engineering specifications.

**Condition reason:** To ensure that lot numbers, street names and pit lintels can be identified.

(15) **Existing and identified easements, restrictions and/or covenants** -Before the issue of a subdivision certificate, the final plan of subdivision must detail the following elements to the satisfaction of the principal certifier:

1. All existing easements and covenants.
2. Any required easements and covenants identified following approval of the development application.

**Condition reason:** To ensure that all existing and identified easements, restrictions and/or covenants are detailed on the final plan of subdivision.

(16) **Water management basins certificate** -Before the issue of a subdivision 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 subdivision works 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 subdivision works certificate.

**Condition reason:** To ensure that water management basins will comply with the subdivision works certificate.

(17) **New easements, restrictions and/or covenants** -Before the issue of a subdivision certificate, the developer must prepare the following easements, restrictions and/or covenants to the satisfaction of the principal certifier:

1. A positive covenant will need to be created burdening Lots 2069-2073 indicating that the owners of the burdened lots will not object should the owners of Lot 2 DP1216380 develop and propose to fill in the land between the Lot 2 boundary and the temporary retaining wall on the burdened lot.
2. Easements for services.
3. Easements to drain water including over overland flow paths.
4. Easements for on-site detention facilities.
5. Easements for water quality facilities.
6. Positive covenants over the on-site detention/water quality facilities for the maintenance, repair and insurance of the facilities.
7. Restrictive covenant on lots containing temporary on-site detention/water quality facilities to prevent the further development of those lots until the facilities have either been converted into permanent facilities or have been decommissioned and the lots filled and compacted in accordance with Council’s engineering specifications.
8. Positive covenants and restrictions for retaining wall maintenance and support.
9. Reciprocal right of carriageway.
10. Restriction as to user on lots preventing the alteration of the final overland flow path shape and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council. The construction of driveways is permitted provided that over land flow paths are maintained.
11. Restriction as to user on lots  
     which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
12. Restriction as to user directing that the lot must not be developed other than in accordance with the approved plans.
13. Party wall easements.
14. Reciprocal easements/positive covenants for roof water drainage and gutter maintenance.
15. Lots within “Zone A” include Lots 1001-1003, 1039-1043, 1079, 1087-1090, 1127-1037, 1151, and 1171. The identified lots will require specific construction requirements to achieve acoustic amenity as outlined in Section 5.2 Evaluation of Traffic Noise Intrusion, of report Nonorrah West Precinct – Bringelly, Noise Impact Assessment, prepared by Acoustic Logic, Project ID 20230557.1, dated 25 March 2024.

**Condition reason:** To ensure that necessary easements, restrictions and or/covenants are imposed on land.

(18) **Gross pollutant trap certification** -Before the issue of a subdivision certificate, a suitably qualified gross pollutant trap inspector must complete a comprehensive inspection of all gross pollutant traps and provide a certification report to the satisfaction of Council. The inspection and report must be completed in accordance with Council’s ‘Technical Specification for Gross Pollutant Trap Comprehensive Inspection’ (available at <https://www.camden.nsw.gov.au/assets/Uploads/GPT-Comprehensive-Inspection-Specification-for-Condition-Consent.pdf>).

**Condition reason:** To ensure that all gross pollutant traps have been constructed in accordance with Council’s technical specification for gross pollutant trap comprehensive inspections.

(19) **Stormwater pipe CCTV camera reports** -Before the issue of a subdivision certificate, a minimum of two CCTV camera reports of all stormwater drainage pipes must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, the following requirements:

1. Hard copy reports and electronic reports in a format directed by the principal certifier.
2. The CCTV inspection must be carried out in accordance with the Water Services Association of Australia publications ‘Sewer Inspection Report Code of Australia’ and the ‘Sewerage Code of Australia’ (Sydney Water Edition).
3. CCTV field assessors must have National Association of Testing Authorities accreditation under the Sydney Water Field Testing Services Program for CCTV inspections and have adequate professional indemnity insurance to cover the value of the works they are inspecting.
4. A minimum of two CCTV reports must be undertaken. The first report must be completed after the placement of AC pavement layer and not more than 2 weeks before the final inspection date. The second report must be completed at the end of the defects and liability period.
5. As a minimum, stormwater pipes must be inspected and the following must be reported on:
6. Horizontal alignment.
7. Vertical alignment.
8. Cracks and defects.
9. Pipe joints.
10. Joints in manholes and other pipes (including both existing and new).
11. Ovality.
12. The camera must stop perpendicular to all cracks, defects, intrusions, joints and manholes and pan 360 degrees. The camera speed must not exceed 0.2m/sec (or as agreed by the principal certifier).
13. The reports and camera footage must be in colour.

**Condition reason:** To record the state of all stormwater drainage pipes for the development.

(20) **Updated flood mapping information** - Before the issue of a subdivision certificate, updated flood mapping information based upon the completed subdivision layout must be prepared by a suitably qualified person and demonstrate, to the principal certifier’s satisfaction, the following requirements:

1. Delineate the following flood levels:
2. The probable maximum flood level.
3. The flood planning level.
4. The 1% annual exceedance probability (AEP) level.
5. The 5% AEP level.
6. Provided as a separate layer in .dxf of .dwg format for integration into Council’s database.
7. Include digital flood models with result files for each flood event and a GIS file for integration into Council’s mapping system.

**Condition reason:** To ensure that Council can record accurate flood mapping information as development occurs.

(21) **Landscaping works completion** -Before the issue of a subdivision certificate, all of the landscaping works approved by this development consent and the subdivision works 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.

**Condition reason:** To ensure that all approved landscaping works have been completed to an appropriate standard.

(22) **Section 7.11 contributions** - Before the issue of a subdivision certificate, contributions must be made to Council for the following services and amounts under section 7.11 of the *Environmental Planning and Assessment Act 1979*:

|  |  |  |
| --- | --- | --- |
| Camden Growth Areas Contribution Plan (Lowes Creek Maryland Precinct | | |
| Contribution type | Indexed rate | Amount payable |
| Open space Land | $22,038 per lot or dwelling | $5,711,283 |
| Open space works | $18,885 per lot or dwelling | $4,894,167 |
| Community Facilities Land | $203 per lot or dwelling | $52,609 |
| Roads Land | $133,546 per lot or dwelling | $1,979,152 |
| Roads Works | $283,666 per net developable hectare | $4,203,903 |
| Drainage Land | $151,183 per net developable hectare | $2,240,532 |
| Drainage Works | $278,254 per net developable hectare | $4,123,724 |
| Plan Administration Allowance | $14,337 per net developable hectare | $212,474 |
| **Total cash contributions** | | **$23,417,871** |

A copy of the Camden Growth Areas Contribution Plan may be inspected at Council’s office at 70 Central Avenue, Oran Park or can be accessed on Council’s website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at the date of determination. In accordance with the provisions of the contributions plan, this amount shall be indexed at the time of actual payment in accordance with the applicable index.

Evidence of the contribution payment must be provided to the certifier.

Land may be dedicated to fully satisfy Section 7.11 requirements, in line with Clause 5a section 7.11 of the Environmental Planning and Assessment Act (EP&A Act). The [Camde Growth Areas Contributions Plan] identifies land for a public purpose associated with the area included in this application. The specified amount of land may be dedicated to Council, at no cost, prior to the release of a Subdivision Works Certificate.

The value of the land under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment of S7.11 Contribution requirements in accordance with the applicable index.

**Condition reason:** To ensure that development makes contributions towards services identified in the applicable contributions plan.

**5.5 - Ongoing Use**

(1) **Demolition of temporary water quantity and quality facilities** -During occupation and ongoing use of the development, temporary water quantity and quality facilities must be demolished in accordance with the following requirements:

1. Upon the provision of approved permanent facilities.
2. All stormwater flows to the temporary facilities must be diverted to the permanent facilities via a Council approved stormwater drainage system.
3. The temporary facilities must be demolished and the area that contained them reinstated. This includes any tail out swales and diversion bunds.
4. Any impediments to the provision of approved permanent facilities resulting from the demolition of the temporary water quality facilities must be rectified in accordance with Council’s engineering specifications.

**Condition reason:** To ensure that temporary water quality facilities are removed in a manner that facilitates permanent water quality facilities.

(2) **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.

**Condition reason:** To ensure that permanent, ongoing stormwater quality treatment occurs.

(3) **Public domain landscaping works establishment period** -Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.

**Condition reason:** To ensure that approved public domain landscaping works are established to an appropriate standard.

1. **Vegetation management plan monitoring reports -** During occupation and ongoing use of the development, annual monitoring reports that report on the progress of the implementation of the approved vegetation management plan must be provided to the satisfaction of Council. This must also include at completion of the primary planting and a final report at the completion of the works.

**Condition reason:** To allow the monitoring of the progress of approved vegetation management plan works.

**8.1 - Ongoing Use**

(1) **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.

**Condition reason:** To provide a management regime for on-site detention facilities.

(2) **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.

**Condition reason:** To ensure that permanent, ongoing stormwater quality treatment occurs.