

Draft Conditions of Consent – 80 Hartley Road, Smeaton Grange

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
Job No. 24178 - DA001 – Rev. A	Site Locality Plan	Watson Young	11/11/2024
Job No. 24178 - DA002 – Rev. B	Subdivision Plan	Watson Young	25/2/2025
Job No. 24178 - DA003 – Rev. C	Demolition Plan	Watson Young	10/3/2025
Job No. 24178 - DA004 – Rev. C	Overall Site Plan	Watson Young	17/2/2025
Job No. 24178 - DA005 – Rev. A	Streetscape and Overall Sections	Watson Young	11/11/2024
Job No. 24178 - DA006 – Rev. A	Overall Sections – Warehouse 3	Watson Young	11/11/2024
Job No. 24178 - DA007 – Rev. B	Signage Plan	Watson Young	25/2/2025
Job No. 24178 - DA110 – Rev. B	Site and Ground Floor Plan – Warehouse	Watson Young	25/2/2025
Job No. 24178 - DA111 – Rev. B	GFA Plan – Warehouse 1	Watson Young	25/2/2025
Job No. 24178 - DA120 – Rev. A	Office 1A & 1B Floor Plans	Watson Young	11/11/2024
Job No. 24178 - DA121 – Rev. A	Office 1C Floor Plans	Watson Young	11/11/2024
Job No. 24178 - DA130 – Rev. B	Roof Plan – Warehouse 1	Watson Young	25/2/2025
Job No. 24178 - DA140 – Rev. A	Elevations – Warehouse 1	Watson Young	11/11/2024
Job No. 24178 - DA150 – Rev. A	Office 1A & 1B Elevations	Watson Young	11/11/2024
Job No. 24178 - DA151 – Rev. A	Office 1C Elevations	Watson Young	11/11/2024

Job No. 24178 – DA160 – Rev. A	Sections – Warehouse 1	Watson Young	11/11/2024
Job No. 24178 – DA210 – Rev. B	Site & Ground Floor Plan – Warehouse 2	Watson Young	25/2/2025
Job No. 24178 – DA211 – Rev. B	GFA Plan – Warehouse 2	Watson Young	25/2/2025
Job No. 24178 – DA220 – Rev. A	Office 2A Floor Plans	Watson Young	11/11/2024
Job No. 24178 – DA221 – Rev. A	Office 2B & 2C Floor Plans	Watson Young	11/11/2024
Job No. 24178 – DA230 – Rev. A	Roof Plan – Warehouse 2	Watson Young	11/11/2024
Job No. 24178 – DA240 – Rev. A	Elevations – Warehouse 2	Watson Young	11/11/2024
Job No. 24178 – DA250 – Rev. A	Office 2A, 2B & 2C – Elevations	Watson Young	11/11/2024
Job No. 24178 – DA260 – Rev. A	Sections - Warehouse 2	Watson Young	11/11/2024
Job No. 24178 – DA310 – Rev. P11	Site & Ground Floor Plan - Warehouse 3	Watson Young	25/2/2025
Job No. 24178 – DA311 – Rev. P3	GFA Plan – Warehouse 3	Watson Young	25/2/2025
Job No. 24178 – DA320 – Rev. A	Office 3 - Floor Plans	Watson Young	11/11/2024
Job No. 24178 – DA321 – Rev. A	Dock Office & Lunch 02 Floor Plans	Watson Young	11/11/2024
Job No. 24178 – DA330 – Rev. P6	Roof Plan – Warehouse 3	Watson Young	25/2/2025
Job No. 24178 – DA340 – Rev. A	Elevations – Warehouse 3	Watson Young	11/11/2024
Job No. 24178 – DA350 – Rev. A	Office 3 – Elevations	Watson Young	11/11/2024
Job No. 24178 – DA360 – Rev. A	Sections – Warehouse 3	Watson Young	11/11/2024
Issue H	Landscape Concept Plan - Cover Sheet	Habit 8	10/3/2025
Project No. H8 - 24036 - L-03 – Rev. H	Landscape Concept Masterplan	Habit 8	10/3/2025
Project No. H8 - 24036 - L-04 – Rev. H	Landscape Planting Strategy	Habit 8	10/3/2025
Project No. H8 - 24036 - L-06 – Rev. H	Landscape Concept Plan – Warehouse 1	Habit 8	10/3/2025

Project No. H8 - 24036 - L-07 - Rev. H	Landscape Concept Plan – Warehouse 2	Habit 8	10/3/2025
Project No. H8 - 24036 - L-08 - Rev. H	Landscape Concept Plan – Warehouse 3	Habit 8	10/3/2025
Project No. H8 - 24036 - L-09 – Rev. H	Landscape Detail Plan	Habit 8	10/3/2025
Project No. H8 - 24036 - L-10 – Rev. H	Landscape Detail Plan – Outdoor Staff Area - A	Habit 8	10/3/2025
Project No. H8 - 24036 - L-11 – Rev. H	Landscape Detail Plan – Outdoor Staff Area - B	Habit 8	10/3/2025
Project No. H8 - 24036 - L-12 – Rev. H	Landscape Concept Plan – Front Setback (Typical)	Habit 8	10/3/2025
Project No. H8 - 24036 - L-13 – Rev. H	Landscape Sections AA + BB	Habit 8	10/3/2025
Project No. H8 - 24036 - L-14 – Rev. H	Landscape Sections C-C	Habit 8	10/3/2025
Project No. H8 - 24036 - L-15 – Rev. H	Indicative Plant Schedules	Habit 8	10/3/2025
Project No. H8 - 24036 - L-16 – Rev. H	Indicative Plant Schedule: Riparian Area	Habit 8	10/3/2025
Project No. H8 - 24036 - L-17 – Rev. H	Specification and Maintenance Notes	Habit 8	10/3/2025
Project No. H8 - 24036 - L-18 – Rev. H	Standard Details	Habit 8	10/3/2025
Project No. H8 - 24036 - L-19 – Rev. H	Typical Landscape Details	Habit 8	10/3/2025
Drawing No. CO12948.03 – DA100 – Rev. C	Drawing List & General Notes	Costin Roe Consulting	28/2/2025
Drawing No. CO12948.03 – DA201 – Rev. B	Sediment & Erosion Control Plan – Sheet 1	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA202 – Rev. B	Sediment & Erosion Control Plan – Sheet 2	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA250 – Rev. B	Sediment & Erosion Control Plan Details	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA301 – Rev. C	Bulk Earthworks Plan – Sheet 1	Costin Roe Consulting	28/3/2025
Drawing No. CO12948.03 – DA302 – Rev. C	Bulk Earthworks Plan – Sheet 2	Costin Roe Consulting	28/3/2025

Drawing No. CO12948.03 – DA400 – Rev. C	Drawing Key Plan	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA401 – Rev. E	Concept Stormwater Drainage Plan – Sheet 1	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA402 – Rev. E	Concept Stormwater Drainage Plan – Sheet 2	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA403 – Rev. E	Concept Stormwater Drainage Plan – Sheet 3	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA404 – Rev. D	Concept Stormwater Drainage Plan – Sheet 4	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA405 – Rev. E	Concept Stormwater Drainage Plan – Sheet 5	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA411 – Rev. B	Water Quality Catchment Plan – Sheet 1	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA412 – Rev. B	Water Quality Catchment Plan – Sheet 2	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA420 – Rev. B	Stormwater Drainage Catchment Plan	Costin Roe Consulting	29/10/2024
Drawing No. CO12948.03 – DA430 – Rev. B	1% AEP Flood Extent Overlay Plan	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA451 – Rev. B	Concept Stormwater Drainage Details – Sheet 1	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA452 – Rev. C	Concept Stormwater Drainage Details – Sheet 2	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA500 – Rev. B	Access Road Longsection and Typical Cross Section	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA501 – Rev. E	Finished Levels Plan – Sheet 1	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA502 – Rev. E	Finished Levels Plan – Sheet 2	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA503 – Rev. E	Finished Levels Plan – Sheet 3	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA504 – Rev. F	Finished Levels Plan – Sheet 4	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA505 – Rev. E	Finished Levels Plan – Sheet 5	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA550 – Rev. A	Typical Sections - Sheet 1	Costin Roe Consulting	8/11/2024

Drawing No. CO12948.03 – DA601 – Rev. C	Retaining Wall Layout Plan – Sheet 1	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA602 – Rev. B	Retaining Wall Layout Plan – Sheet 2	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA603 – Rev. B	Retaining Wall Elevations – Sheet 1	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – DA604 – Rev. C	Retaining Wall Elevations – Sheet 2	Costin Roe Consulting	21/2/2025
Drawing No. CO12948.03 – DA650 – Rev. C	Retaining Wall Details	Costin Roe Consulting	31/10/2024
Drawing No. CO12948.03 – SK01 – Rev. C	Functional Layout Plan Access Driveway Intersection – Inset Plan 1	Costin Roe Consulting	28/2/2025
Drawing No. CO12948.03 – SK02 – Rev. A	Functional Layout Plan Access Driveway Intersection – Inset Plan 2	Costin Roe Consulting	28/2/2025
51885 003DP – Stage 1 Option	Subdivision Plan - Stage 1 – Sheet 1	LTS Surveyors	10/3/2025
51885 003DP – Stage 2 Option	Subdivision Plan - Stage 1 – Sheet 1	LTS Surveyors	10/3/2025
51885 003DP – Stage 2 Option	Subdivision Plan - Stage 1 – Sheet 2	LTS Surveyors	10/3/2025

Approved documents		
Title	Prepared by	Date
Civil Engineering Report – Project No. 12948.03 – Revision E	Costin Roe Consulting	10/3/2025
Detailed Site Investigation – S21824_002_RPT_Rev. 2_DSI	Senversa Pty Ltd	23/5/2025
Bushfire Hazard Assessment – Project No. J3746 – Revision 1.1	Blackash Bushfire Consulting	21/11/2024
Biodiversity Development Assessment Report – 80 Hartley Road, Smeaton Grange – Revision 2	Ecologique	20/11/2024
Arboricultural Impact Assessment and Tree Protection Plan – Reference No. E-002154-24 – Version 2	Canopy Consulting	21/11/2024
Noise and Vibration Report - Report No. RWDI#2505073 – Revision B	RWDI (Australia) Pty Ltd	21/11/2024
Waste Management Plan - S21824_003_RPT_Rev. 1_WMP	Senversa Pty Ltd	18/11/2024

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.

- (2) **Authority requirements** - The development must be carried out in accordance with the following authority requirements:

1. Endeavour Energy – CNR-76833, advice dated 16 December 2024

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

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

Stage 1: Earthworks, servicing, retaining wall construction, the construction of Warehouse Building No. 3, construction of the private road and subdivision into one industrial lot and one residue lot.

Stage 2: Construction of Warehouse Building No. 1 or 2 and subdivision of residue lot into two industrial lots

Stage 3: Construction of Warehouse Building No.1 or 2.

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

- (4) **Approved uses** - This development consent approves the following parts of the development to be used for the following uses:

Building Tenancy Number /	Approved Use
Warehouse 1	Warehousing and distribution centre
Warehouse 2	Warehousing and distribution centre
Warehouse 3	Manufacture of ground control products for the mining industry and associated warehouse and distribution and office.

Condition reason: To detail the approved uses for the development.

- (5) **Approved tree work** - This development consent approves trees to be removed consistent with the recommendations contained within Arboricultural Impact Assessment and Tree Protection Plan – Reference No. E-002154-24 – Version 2, prepared by Canopy Consulting dated 17 September 2024.

Replacement landscaping must be installed in accordance with the approved landscaping plan(s) prior to the issue of the Occupation Certificate.

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

- (6) **Approved signage illumination** - This development consent approves the signage to have a level of illumination and/or lighting intensity that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

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

- (7) **Energy and water use for large commercial development under State Environmental Planning Policy (Sustainable Buildings) 2022** - Within the relevant period, the following information must be given to the consent authority using the NSW Planning Portal:

1. An assessment of the NABERS rating for water use achieved by the development, prepared by an assessor accredited under NABERS.
2. An assessment of the NABERS rating for energy use achieved by the development, prepared by an assessor accredited under NABERS.
3. Evidence that the offsets required for the development under section 79A of the *Environmental Planning and Assessment Regulation 2021* have been:
 - a. for ACCUs or large-scale generation certificates - purchased and surrendered, or
 - b. for Climate Active certification - obtained.
4. The assessment under point 3 of this condition must specify the following:
 - a. The rated annual electricity use.
 - b. If the development will not achieve the energy use standards - the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.
 - c. The rated use of on-site fossil fuels and the associated amount of carbon dioxide measured as carbon dioxide equivalent or CO₂e, calculated for the first 10 years of operation.

Condition reason: Prescribed condition under section 79A of the *Environmental Planning and Assessment Regulation 2021*.

Subdivision Work

2.1 - Before Issue of a Subdivision Works Certificate

- (1) **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.

- (2) **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*.

- (3) **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.

- (4) **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.

- (5) **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.

- (6) **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.

2.2 - Before Subdivision Work Commences

- (1) **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.

- (2) **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 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.

- (3) **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):

- a. Road carriageways.
- b. Kerbs.
- c. Footpaths.
- d. Drainage structures.
- e. 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 caused by works can be identified and rectified.

- (4) **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 Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and 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:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
8. 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.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

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

- (5) **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.

- (6) **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*.

- (7) **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 and excavated natural material.

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

2.3 - 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 \$30,000 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) **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.

- (6) **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.

- (7) **Fill material (virgin excavated natural material and/or excavated natural material)** – A qualified professional environmental consultant must certify that the fill material imported to the site is VENM or ENM, provide evidence that it is tested in accordance with the NEPM at the source site prior to exporting, and prior to the placement on site, provide evidence of visual inspection at the source to confirm that the fill material is consistent with the export site certification.

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

- (8) **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 be managed in accordance with the unexpected finds protocol contained within the Detailed Site Investigation prepared by Senersa (Rev. 2 dated 23/5/2025) submitted as part of the development application. The use of a containment cell as a method to address an unexpected find is not permitted.

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

- (9) **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 or involving vegetation is carried out to industry standards.

- (10) **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.

- (11) **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.

- (12) **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*.

Demolition Work

3.1 - Before Demolition Work Commences

- (1) **Site security and fencing** - Before any demolition work commences, the site is to be secured and fenced to the satisfaction of the Principle Certifying Authority.

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

- (2) **Dilapidation report** - Before any demolition work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the Principle Certifying Authority.

The report must include:

1. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
 - a. Road carriageways.
 - b. Kerbs.
 - c. Footpaths.
 - d. Drainage structures.
 - e. 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 Council 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 Council 2 days before any demolition work commences. The development must comply with all conditions that the report imposes.

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

- (3) **Demolition work** - Before any demolition work commences, the following requirements must be complied with to the satisfaction of the Principle Certifying Authority.
1. The developer must notify adjoining property occupiers of the demolition works 7 working days prior to demolition. The notification must be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every apartment, unit or the like) either side, immediately at the rear of and directly opposite the demolition site.
 2. The developer must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
 3. The developer must erect a 1.8m high temporary fence and hoarding between the site and any public property (footpaths, roads, reserves, etc.). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or when the site is unoccupied.
 4. All utilities (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant utility owner regarding their requirements for the disconnection of services.
 5. Erosion and sediment control measures must be installed.
 6. A work plan must be prepared by a suitably qualified person. The plan must:
 - a. Demonstrate compliance with AS 2601 - The Demolition of Structures.
 - b. The NSW Government's Code of Practice for Demolition Work.
 - c. Identify hazardous materials including surfaces coated with lead paint.
 - d. Detail the method(s) of demolition.
 - e. Identify the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - f. Note that the burning of any demolished material on site is not permitted and that offenders will be prosecuted.
 7. If the property was built prior to 1987, an asbestos survey must be carried out by a suitably qualified person. If asbestos is found, a SafeWork NSW licensed asbestos removalist must remove all asbestos in accordance with SafeWork NSW requirements and include notification to adjoining property occupiers of the asbestos removal.

Condition reason: To ensure that demolition works are carried out to appropriate standards.

- (4) **Hazardous building materials assessment (preparation)** - Before any demolition work commences, a hazardous building materials assessment (HBMA) must be prepared by a suitably qualified person. The report must demonstrate, to the satisfaction of Council, that:

1. The HBMA has assessed all building and structures to be demolished.
2. All hazardous components on the site have been identified.

Condition reason: To ensure hazardous building materials are identified before any works commence.

- (5) **Site management plan (preparation)** - Before any demolition work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the Principle Certifying Authority, 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 Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and 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:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.

8. 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.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

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

- (6) **Erection of signs** - Before any demolition work commences, a sign must be erected in a prominent position on the site:

1. Showing the name of the principal contractor, if any, for the work and a telephone number on which the contractor may be contacted outside working hours.
2. 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*.

- (7) **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 the Principle Certifying Authority, the following requirements:

1. The location, type and condition of trees approved to be removed.
2. Whether tree hollows or active nests are present in any trees approved to be removed.
3. 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.

3.2 - During Demolition Work

- (1) **Priority (noxious) weeds management (during work)** - While demolition 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 Council. 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 demolition 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 demolition 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) **Hazardous building materials assessment (during work)** - While demolition work is being carried out, the approved hazardous building materials assessment must be complied with.

All site personnel and occupants of adjoining properties must be protected from risk of exposure to hazardous building materials in accordance with SafeWork NSW requirements and the NSW Government's Code of Practice for Demolition Work.

All materials not suitable for reuse or recycling must be disposed of at a waste facility.

Condition reason: To ensure hazardous building materials are appropriately managed during work.

- (5) **Site management plan (during work)** - While demolition 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.

- (6) **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 be managed in accordance with the unexpected finds protocol contained within the Detailed Site Investigation prepared by Senersa (Rev. 2 dated 23/5/2025) submitted as part of the development application. The use of a containment cell as a method to address an unexpected find is not permitted.

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

- (7) **Work near or involving vegetation** - While demolition work is being carried out, the following requirements must be complied with to the satisfaction of Council:

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 or involving vegetation is carried out to industry standards.

- (8) **Archaeological discovery** - While demolition 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 Council:

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.

- (9) **Shoring and adequacy of adjoining property** - While demolition 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*.

Building Work

4.1 - Before Issue of a Construction Certificate

- (1) **Design amendments** - Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. The height of the proposed pylon sign located on the Hartley Road frontage be amended so that it is a maximum height of 6.0 metres in accordance with Camden Development Control Plan 2019.

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

- (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.

- (3) **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*.

- (4) **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a construction certificate, written evidence from the carrier must be obtained that demonstrates, to the 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.

- (5) **Glass reflectivity index** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the glass reflectivity index for all glass used externally will not exceed 20%.

Condition reason: To ensure all glass used externally has a reasonable maximum level of reflectivity.

- (6) **Outdoor lighting provision** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will be provided with lighting in all outdoor areas that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

Condition reason: To ensure the provision of lighting in accordance with industry standards and to protect the amenity of the surrounding area.

- (7) **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.

- (8) **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.

- (9) **Performance bond** - Before the issue of a construction 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.

- (10) **Damages bond** - Before the issue of a construction certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

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

- (11) **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.

- (12) **Civil engineering plans and information** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Earthworks.
3. Water quantity and quality facilities:

- a. A detailed on-site detention and water quality report.
 - b. An electronic stormwater model.
 - c. A validated Camden Council MUSIC-link report with electronic model.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
 5. For roads and car parks:
 - a. Pavement design.
 - b. Traffic management devices.
 - c. Line marking.
 6. 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) **Detailed landscaping plan** - 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. The Cupaniopsis anacardiodes plant species shown on the landscape plan shall be substituted with a mix of Callistemon viminalis, Banksia serrata and Waterhouse floribunda.
4. Soil Volumes for the landscape bays within the car parking shall be consistent with those contained within the Apartment Design Guide as follows:

Tree Size	Height	Spread	Soil Volume
Large Trees	13-18 metres	16 metres	80 cubic metres
Medium Trees	9-12 metres	8 metres	35 cubic metres
Small Trees	6-8 metres	4 metres	15 cubic metres

5. Additional planting within the existing landscaped earth mound (outside the easement area) shall be provided consistent with existing species used to further mitigate potential visual impacts of the proposed built form when viewed from the public domain in the adjoining residential subdivision to the east.

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

- (14) **Construction certificate information** - Before the issue of a construction certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:

1. An updated Demolition Waste Management Plan to include a site plan and facilities that will be used for the disposal and recycling of waste materials for each stage of construction.

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

- (15) **Construction on-site detention/sediment control basins** - Before the issue of a construction certificate, information detailing the location and design of construction on-site detention/sediment control basins within the site must be prepared by a suitably qualified person, to the certifier's satisfaction.

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

- (16) **Flood evacuation plan** - Before the issue of a construction certificate, a flood evacuation plan must be prepared and demonstrate, to the certifier's satisfaction, compliance with the Camden Local Flood Plan 2016. The plan must include:

1. Trigger levels.
2. Evacuation routes.
3. Evacuation centres.
4. The effective warning time to help facilitate the safe evacuation of people and vehicles from the site.
5. How permanent, fail-safe, and maintenance-free measures will be incorporated into the development to ensure that the timely, orderly and safe evacuation of people and potential pollutant material from the site can occur in a flood event.

Condition reason: To ensure that the development can be evacuated quickly, orderly and safely in a flood event.

- (17) **Flood Emergency Response Plan** - A Flood Emergency Response Plan (FERP) has to be submitted prior to the issue of Construction Certificate, with consideration of the SES Camden Local Flood Plan and the Emergency Management Strategy for the wider Nepean River floodplain. The FERP is to be updated every 2 years. The FERP is to be supported by signage which describes how to respond to a flood, and which is displayed prominently around the premises.

Condition reason: To ensure that the suitable measures are in place in the event of an emergency flood event.

- (18) **Section 7.12 contributions** - Before the issue of a construction certificate, contributions must be made to Council under section 7.12 of the *Environmental Planning and Assessment Act 1979*:

Camden Section 7.12 Development Contribution Plan	
1 % of development cost	1%
Amount payable	\$990,600.00

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 consumer price index.

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

- (19) **Housing and productivity contribution** - Before the issue of a construction certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made:

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$1,054,400.56
Total housing and productivity contribution	\$1,054,400.56

The HPC must be paid using the NSW Planning Portal.

At the time of payment, the amount of HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions Order) 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

Condition reason: To require contributions towards the provision of regional infrastructure.

4.2 - Before Building Work Commences

- (1) **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*.

- (2) **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.

- (3) **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 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 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):
 - a. Road carriageways.
 - b. Kerbs.
 - c. Footpaths.
 - d. Drainage structures.

e. 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 caused by works can be identified and rectified.

- (5) **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 Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and 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:
 - a. Cover the material so as to minimise sediment transfer.

- b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
- 8. 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.
 - 9. Hazardous materials management.
 - 10. Work health and safety.
 - 11. Complaints recording and response.

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

- (6) **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:

- 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.

- (7) **Construction Noise Mitigation and Vibration Management Plan** – Prior to the commencement of works, Construction Noise Mitigation and Vibration Management Plan (CNVMP) shall be prepared in accordance with the requirements of the Interim Construction Noise Guideline (ICNG) and requirements of the Noise and Vibration Report, prepared by RWDI (Australia) Pty Ltd accompanying DA/2024/624/1. The CNVMP shall consider noise mitigation measures to reduce impact from construction activities and include, but not limited to the following matters:

- 1. Site Induction Training
- 2. Operation Instruction
- 3. Site Noise Planning
- 4. Scheduling
- 5. Plant Equipment Selection
- 6. Community Consultation
- 7. Response to Complaints

Condition reason: To ensure that noise from construction activities are minimised and measures are in place in the event of noise complaints.

4.3 - During Building Work

- (1) **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.

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

- (3) **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*.
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*.

- (4) **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.

- (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 existing drainage system 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.

- (6) **Finished floor level** - Before the development proceeds beyond floor level stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the finished floor level complies with the approved plans and this development consent.

Condition reason: To ensure that the finished floor level 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.

- (8) **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 \$30,000 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) **Fill delivery register** - Once building 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.

- (11) **Fill material (virgin excavated natural material or excavated natural material)** – A qualified professional environmental consultant must certify that the fill material imported is VENM or ENM, provide evidence that it is tested in accordance with NEPM at the source site prior to exporting, and prior to placement at the site, provide evidence of visual inspection at the source to confirm that the fill material is consistent with the export site certification.

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

- (12) **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 be managed in accordance with the unexpected finds protocol contained within the Detailed Site Investigation prepared by Senersa (Rev. 2 dated 23/5/2025) submitted as part of the development application. The use of a containment cell as a method to address an unexpected find is not permitted.

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

- (13) **Fill compaction (non-subdivision)** - While building work is being carried out, all fill must be compacted in accordance with Council's current engineering specifications, to the satisfaction of the principal certifier.

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

- (14) **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.

- (15) **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*.

- (16) **Material sampling and testing** - While building 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.

- (17) **Fauna relocation** - While building 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.

- (18) **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.

- (19) **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.

- (20) **Fill management plan (during work)** - While building 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 or excavated natural fill material is imported into the site.

- (21) **Fill assessment report** - While building 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.

- (22) **Fill material (virgin excavated natural material and/or excavated natural material)** – A qualified professional environmental consultant must certify that the fill material imported is VENM or ENM, provide evidence that it is tested in accordance with the NEPM at the source site prior to exporting, and prior to placement at the site, provide evidence of visual inspection at the source site to confirm that the fill material is consistent with the export site certification.

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

- (23) **Salinity Management** - Installation of services and any buried concrete and/or steel structures is to comply with the recommendations outlined in *80 Hartley Road, Smeaton Grange – Salinity Management Plan* prepared by PSM, dated 13 November 2024.
- (24) **Noise Compliance** – All earthworks and construction works are to comply with the recommendations outlined in *Noise and Vibration Impact Assessment*, prepared by RWDI, dated 21 November 2024.

4.4 - Before Issue of an Occupation Certificate

- (1) **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.

- (2) **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.

- (3) **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.

- (4) **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.

- (5) **Services** - Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:

1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development. 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](#) 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.

- (6) **Mechanical exhaust systems** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that:

1. The mechanical exhaust systems have been designed, constructed and installed in accordance with the *Building Code of Australia* and AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
2. The installed air handling system has been tested and complies with the construction certificate plans and specifications (including ventilation requirements and fire precautions).

Condition reason: To ensure that mechanical exhaust system(s) are installed in accordance with industry standards.

- (7) **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.

- (8) **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.

- (9) **Existing street trees inspection** - Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the satisfaction of Council. Evidence of the inspection and Council's satisfaction of any required rectification works must be provided to the principal certifier.

Condition reason: To ensure that existing street trees are inspected for damage and rectified where required.

- (10) **Water management facilities positive covenant** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a positive covenant has been submitted with evidence of lodgement to NSW Land Registry Services. The positive covenant must be created under Section 88E of the *Conveyancing Act 1919* and burden the property owner with a requirement to maintain any on-site detention, on-site retention/re-use and water quality facilities on the property.

The terms of the positive covenant must include the following:

1. The property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
2. The property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities' design specifications.
3. Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities.
4. Council will have the right to recover as a liquidated debt the cost of any remedial work from the property owner upon demand.

Condition reason: To provide a legal mechanism for the long-term maintenance of water management facilities.

- (11) **On-site detention facility plan of management (preparation)** - Before the issue of an occupation certificate, an on-site detention facility plan of management (POM) must be prepared by a suitably qualified person, to the satisfaction of the principal certifier. The POM must describe all design and operational parameters for the facility including:

1. Design levels.
2. Hydrology and hydraulics.
3. Inspection and maintenance requirements (including time intervals for inspections and maintenance).

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

- (12) **Geotechnical certification** - Before the issue of an occupation certificate, certification must be prepared by a suitably qualified geotechnical engineer and demonstrate, to the satisfaction of the principal certifier, that:

1. All works detailed in any geotechnical report applicable to the site have been undertaken under the engineer's supervision and to the engineer's satisfaction.
2. The assumptions relating to the site conditions made in preparation of the geotechnical report were validated during construction.

Condition reason: To ensure that geotechnical works have been complete to appropriate standards.

- (13) **Water management basins certificate** - Before the issue of an occupation certificate, a certificate must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, that the water management basins comply with the following requirements:

1. The basins have been completed in accordance with the approved construction certificate plans or that any variations that have been made will not impair the performance of the basins.

2. The basins will function in accordance with the design intent approved by the construction certificate.

Condition reason: To ensure that water management basins will comply with the construction certificate.

- (14) **Works as executed plans** - Before the issue of an occupation certificate, works as executed plans in accordance with Council's engineering specifications must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:

1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:
 - a. Levels and dimensions to verify the storage volume of any water management facilities.
 - b. Levels and other relevant dimensions of:
 - i. Internal drainage pipes.
 - ii. Orifice plates.
 - iii. Outlet control devices and pits.
 - iv. Weirs (including widths).
 - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
 - d. Verification that trash screens are installed.
3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

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

- (15) **Private waste collection contract** - Before the issue of an occupation certificate, a private waste collection contract must be entered into for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be provided to the principal certifier and Council.

Condition reason: To ensure that a formal arrangement is in place for the private collection of waste.

- (16) **Contributions payment evidence** - Before the issue of an occupation certificate, a document from Council certifying that the payment of applicable section 7.11 or 7.12 contributions:

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

2. is required and the requirement has been met,
must be provided to the principal certifier.

An occupation certificate must not be issued unless the principal certifier has received a copy of the document and has confirmed with 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 or section 7.12 contributions have been paid if required.

4.5 - Occupation and Ongoing Use

- (1) **Goods, materials, equipment and/or waste storage** - During occupation and ongoing use of the development, all goods, materials, equipment and/or waste must be stored inside the building.

Condition reason: To protect the visual amenity of the surrounding area and not impact the public domain.

- (2) **Loading and unloading** - During occupation and ongoing use of the development, all loading and unloading activities must take place within the development's approved loading area.

Condition reason: To maintain the visual amenity of the area and off-street car parking spaces and driveways approved for the development.

- (3) **Graffiti removal** - During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application.

Condition reason: To protect the visual amenity of the area surrounding the development.

- (4) **Operating hours** - During occupation and ongoing use of the development, the development is approved to operate within the following hours:

Day	Operating Hours
Monday to Sunday	24 hours per day

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

- (5) **Private waste collection contract** - During occupation and ongoing use of the development, a private waste collection contract must be maintained for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be kept on the site.

Condition reason: To ensure that a formal arrangement is in place for the private collection of waste.

- (6) **Liquid spills management** - During occupation and ongoing use of the development, the management of liquid spills must comply with the following requirements:

1. Supplies of spill prevention, absorbent and clean-up materials must be kept on site to recover any spilled liquid.
2. Liquid spills must be cleaned up using dry methods (by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin).
3. Materials used for clean-up must be disposed of at a waste facility.

Condition reason: To protect the environment from pollution.

- (7) **Offensive noise and noise compliance** - During occupation and ongoing use of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Operational noise must also comply with the NSW Noise Policy for Industry 2017.

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

- (8) **Priority (noxious) weeds management (ongoing)** - During occupation and ongoing use of the development, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. All new infestations must be reported to Council.

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

- (9) **Car park noise control (ongoing)** - During occupation and ongoing use of the development, the coved finish and sealant applied to all car parks must always be maintained to a standard that eliminates tyre squeal noise from being audible.

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

- (10) **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.

- (11) **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.

- (12) **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.

- (13) **Flood evacuation** - During occupation and ongoing use of the development, the occupiers must be aware of and comply with all applicable flood evacuation requirements. Visit Council's website at <https://www.camden.nsw.gov.au/environment/flood-information/> for more information.

Condition reason: To ensure that occupiers are aware of and comply with flood evacuation requirements.

Land Subdivision

4.1 - Before Issue of a Subdivision Certificate

- (1) **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.

- (2) **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.

- (3) **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.

- (4) **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.

- (5) **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.

- (6) **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](#) 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.

- (7) **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.

- (8) **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.

- (9) **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:
 - a. Levels and dimensions to verify the storage volume of any water management facilities.
 - b. Levels and other relevant dimensions of:
 - i. Internal drainage pipes.
 - ii. Orifice plates.
 - iii. Outlet control devices and pits.
 - iv. Weirs (including widths).
 - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
 - d. Verification that trash screens are installed.
 3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

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

- (10) **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.

- (11) **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.