

RECOMMENDED CONDITIONS

1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Ref.	Name of Plan	Prepared by	Date
DA00 Revision 2	Cover Page	Clarke Hopkins Clarke	10 February 2021
DA01 Revision 2	Site Plan	Clarke Hopkins Clarke	10 February 2021
DA02 Revision 2	Basement	Clarke Hopkins Clarke	10 February 2021
DA03 Revision 2	Ground Floor	Clarke Hopkins Clarke	10 February 2021
DA04 Revision 2	Level 1	Clarke Hopkins Clarke	10 February 2021
DA05 Revision 2	Roof Plan	Clarke Hopkins Clarke	10 February 2021
DA06 Revision 3	Elevations	Clarke Hopkins Clarke	16 March 2021
DA07 Revision 2	Sections	Clarke Hopkins Clarke	10 February 2021
DA08 Revision 2	Shadow Diagrams	Clarke Hopkins Clarke	10 February 2021
DA09 Revision 2	Signage Location Plan - Basement	Clarke Hopkins Clarke	10 February 2021
DA10 Revision 2	Signage Location Plan - Ground	Clarke Hopkins Clarke	10 February 2021
DA11 Revision 2	Signage Elevation	Clarke Hopkins Clarke	10 February 2021
DA12 Revision 3	Materials Schedule	Clarke Hopkins Clarke	16 March 2021
DA20 Revision 2	Artist Impression 01	Clarke Hopkins Clarke	10 February 2021
DA21 Revision 2	Artist Impression 02	Clarke Hopkins Clarke	10 February 2021
DA22 Revision 2	Artist Impression 03	Clarke Hopkins Clarke	10 February 2021
DA23 Revision 2	Artist Impression 04	Clarke Hopkins Clarke	10 February 2021
DA24 Revision 2	Artist Impression 05	Clarke Hopkins Clarke	10 February 2021
DA25 Revision 2	Artist Impression 06	Clarke Hopkins Clarke	10 February 2021
DA26 Revision 2	Artist Impression 07	Clarke Hopkins Clarke	10 February 2021
DA27 Revision 2	Artist Impression 08	Clarke Hopkins Clarke	10 February 2021

DA28 Revision 2	Artist Impression 09	Clarke Hopkins Clarke	10 February 2021
DA29 Revision 2	Artist Impression 10	Clarke Hopkins Clarke	10 February 2021
DA30 Revision 2	Artist Impression 11	Clarke Hopkins Clarke	10 February 2021
DA31 Revision 2	Artist Impression 12	Clarke Hopkins Clarke	10 February 2021
DA32 Revision 2	Artist Impression 13	Clarke Hopkins Clarke	10 February 2021
000 Issue F	Landscape Coversheet	Site Image	2 February 2021
001 Issue F	Landscape Masterplan	Site Image	2 February 2021
002 Issue F	Carpark Tree Canopy Cover	Site Image	2 February 2021
101 Issue F	Landscape Plan	Site Image	2 February 2021
102 Issue F	Landscape Plan	Site Image	2 February 2021
103 Issue F	Landscape Plan	Site Image	2 February 2021
104 Issue F	Landscape Plan	Site Image	2 February 2021
501 Issue F	Landscape Details	Site Image	2 February 2021
502 Issue F	Landscape Details	Site Image	2 February 2021
503 Issue F	Landscape Details	Site Image	2 February 2021
504 Issue F	Landscape Specification	Site Image	2 February 2021
19162_DA_C000 Revision 07	Cover Sheet, Drawing Schedule, Notes and Locality Sketch	Henry & Hymas	3 February 2021
19162_DA_C100 Revision 05	Overall Plan	Henry & Hymas	3 February 2021
19162_DA_C101 Revision 09	Detail Plan Sheet 1 of 3	Henry & Hymas	21 April 2021
19162_DA_C102 Revision 09	Detail Plan Sheet 2 of 3	Henry & Hymas	17 March 2021
19162_DA_C103 Revision 10	Detail Plan Sheet 3 of 3	Henry & Hymas	21 April 2021
19162_DA_C120 Revision 02	Road Details Typical Road Cross Section	Henry & Hymas	17 November 2020
19162_DA_C130 Revision 02	Service Road - Interim Longitudinal Section	Henry & Hymas	17 November 2020
19162_DA_C135 Revision 05	Road Cross Sections Rickard Road Sections	Henry & Hymas	3 December 2021
19162_DA_C136 Revision 06	Road Cross Sections Ingleburn Road - Sheet 1 of 2	Henry & Hymas	3 February 2021
19162_DA_C137 Revision 05	Road Cross Sections Ingleburn Road - Sheet 2 of 2	Henry & Hymas	10 December 2020
19162_DA_C200 Revision 07	Stormwater Miscellaneous	Henry & Hymas	21 April 2021

	Details and Pit Lid Schedule		
19162_DA_C201 Revision 07	OSD Tank Plan & Section	Henry & Hymas	17 March 2021
19162_DA_C202 Revision 04	Water Quality Plan & Details	Henry & Hymas	3 February 2021
19162_DA_C203 Revision 01	Water Quality Plan & Details Service Lanes	Henry & Hymas	3 February 2021
19162_DA_C205 Revision 05	Culvert Typical Section	Henry & Hymas	3 February 2021
19162_DA_C250 Revision 07	Stormwater Catchment Plan	Henry & Hymas	17 March 2021
19162_DA_C255 Revision 03	Stormwater Catchment Plan Overall	Henry & Hymas	3 February 2021
19162_DA_C300 Revision 01	Retaining Wall Sections	Henry & Hymas	3 February 2021
19162_DA_SE01 Revision 04	Sediment and Erosion Control Plan	Henry & Hymas	17 November 2020
19162_DA_SE02 Revision 04	Sediment and Erosion Control Typical Details	Henry & Hymas	17 November 2020
19162_DA_BE01 Revision 04	Bulk Earthworks Cut/Fill Plan	Henry & Hymas	17 November 2020
319162-01A.DP	Plan of Subdivision of Lot 3 in DP1012407 and Lot 2 in DP529937	Warren R. Saunders	N/A

Document Title	Prepared by	Date
Demolition and Construction Waste Management Plan	Waste Audit and Consultancy Services	March 2020
Operational Waste Management Plan	Waste Audit and Consultancy Services	February 2021
Revised Noise Impact Assessment	Reverb Acoustics	November 2020
Fire Safety Strategy	Peter Gardner & Associates	19 November 2020
BCA Assessment Report	Steve Watson & Partners	18 November 2020
Access Review	Morris Goding Access Consulting	19 November 2020
Civil Engineering Report	Henry & Hymas	November 2020
Report on Geotechnical Investigation	Douglas Partners	June 2019
Aboriginal Cultural Heritage Assessment	Austral Archaeology	13 February 2020
Aboriginal Archaeological Report	Austral Archaeology	13 February 2020

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

Subdivision Works Certificate

- (a) The western service lane must be provided with kerb and guttering along the western side of the road. The finish on the 3.5m wide western verge of the western service lane can be left as grass pending the application of its final finish as part of future development to the west.
- (b) The verges on all of the services lane (excluding the western verge of the western service lane) must be finished with in-situ concrete in accordance with Schedule 2, Table 4-1 of the Camden Growth Centre Precincts Development Control Plan.
- (c) The eastern verge of Rickard Road must be constructed as shown on the Rickard Road cross section plans that form part of the approved civil engineering plans. This includes kerb and gutter however the verge finish can be left as grass.
- (d) Update the plans to remove any indicative pedestrian crossing points across the approved service lanes. This must include 'filling in' the gap between the two landscaped areas adjacent to the access stairs to the at-grade car park with kerb, guttering and landscaping.
- (e) Update the subdivision plan to address the following matters:
 - Ensure that the bearing along the western side of the western service lane is perpendicular to Ingleburn Road.
 - Ensure that the bearing along the northern boundary of lot 103 is perpendicular to Ingleburn Road.
 - Ensure that the final subdivision plan reflects the dedication of the entire width of the northern and western service lanes to be constructed as approved by this development consent.
 - Ensure that the depth of lot 102 is 9.8m and the depth of lot 103 is 9m so that each lot is consistent with the land reservation acquisition layers for the site pursuant to State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Construction Certificate

- (a) The bin room must be modified to achieve the following:
 - The bin room door must be widened to 1.2m.
 - The ramp must be widened at the landing to ensure that deliveries can be manoeuvred around the landing.

Following the above modifications, the bin room must be provided with a minimum area of 55m² (excluding the area of the ramp).

- (b) The bins stored in the commercial bin room adjacent to Rickard Road must be moved to the main bin room adjoining the loading dock internally through the building and not along Rickard Road. The plans must be modified to demonstrate a path of travel through the building that achieves this.
- (c) The retaining wall along the eastern side of the western service lane and the southern side of the car park must comply with the following parameters:
- Have a 1:40 lean consistent with the approved engineering plans.
 - Be constructed of a decorative core filled block with a split face and bevelled edge finish.
 - Be topped with a decorative metal safety barrier compliant with Council's engineering specifications and the relevant Australian Standards.
 - Be provided with wiring/trelliswork on the side of the wall facing the car park to allow the adjoining Star Jasmine to grow up and through the safety barrier and cascade down onto the public facing side of the wall.
- (d) The wall adjacent to the basement ramp that abuts part of the northern service lane must have a finish consistent with the retaining wall along the eastern side of the western service lane.
- (e) Decorative metal palisade fencing must be provided around the substations as indicated on the artist's impressions. If alternative requirements are stipulated by Endeavour Energy, an amended design for suitable substation screening must be provided to the satisfaction of Council and Endeavour Energy.
- (f) Under-awning lighting must be provided for all awnings.
- (g) The approved signs must comply with the following requirements:
- The minimum clearance from the bottom of the projecting signs overhanging Rickard Road (sign 36) to the ultimate Rickard Road footpath level (following the urban upgrade of the road by Council) must be 2.4m.
 - The approved flush mounted building identification sign above the first floor (sign 05 facing Ingleburn Road) must not project more than 125mm.
- (h) All masonry surfaces to a height of 3m must be protected with an approved anti-graffiti coating.
- (i) The development must incorporate water efficient fixtures including but not limited to taps and toilets. The fixtures must be rated to a minimum of 3 stars under the Water Efficiency Labelling and Standards Scheme.
- (j) The car parking spaces adjacent to the retaining walls within the at-grade car park are to be clearly sign posted/marked to delineate them for front end parking only.
- (k) The roof-mounted solar power array must have a minimum output of 250kw.

Subdivision Works Certificate and Construction Certificate

- (a) All works to be undertaken in existing or proposed public roads or public land must be consistent with the public domain controls in Schedule 2, Section 4.1 and Table 4-1 of the Camden Growth Centre Precincts Development Control Plan.
- (b) The pedestrian path within the land zoned SP2 Infrastructure (Drainage) along the site's Ingleburn Road frontage must have a consistent width of 3.4m. To achieve this the following modifications must be made:
- The planter box immediately adjoining the female toilets along the site's Ingleburn Road frontage must be removed.
 - The landscaping areas that project out from the main landscaping strip on this land towards the building line must be removed and replaced with the widened footpath.
- (c) No walls are to be constructed within the land zoned SP2 Infrastructure to be dedicated to Council as part of this development, except for the retaining walls immediately adjoining the bicycle racks and stairs at the corner of Rickard Road and Ingleburn Road.
- (d) The below ground on-site detention tank must incorporate a mesh screen and a minimum orifice outlet diameter of 25mm.

Amended plans or documentation demonstrating compliance shall be provided to the certifier and Council prior to the issue of a Construction Certificate or Subdivision Works Certificate as aforementioned in this condition.

- (3) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

- (a) General Terms of Approval from the Department of Planning, Industry and Environment dated 9 June 2020.
- (b) Letters from Endeavour Energy dated 24 April 2020 and 1 December 2020.
- (c) Letter from Sydney Water dated 22 June 2020.

- (4) **Approved Uses** - This development consent approves the following parts of the development to be used for the following purposes as defined by State Environmental Planning Policy (Sydney Region Growth Centres) 2006:

Part of the Development	Approved Use
Woolworths supermarket.	Shop. The customer pick-up facility and mezzanine staff offices and amenities are to operate ancillary to the shop.
Liquor.	Shop.
Specialty retail.	Shop or food and drink premises. Alfresco dining areas ancillary to any adjacent food and drink premises in these tenancies are approved in the

Part of the Development	Approved Use
	areas marked in red on the approved plans.
Kiosk.	Kiosk.
Ground floor commercial.	Business premises ¹ .
First floor commercial.	Business premises ¹ or office premises.

¹The business premises are not approved to operate as restricted premises.

The development must also comply with the approved plans and documents and the conditions of this development consent.

- (5) **Separate Approval for Fit Out** - A separate development application for the fit out of the Woolworths supermarket (including all ancillary elements) and each tenancy shall be provided to and approved by Council prior to the use of that tenancy commencing operations (unless the fit out is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).
- (6) **Separate Approval for Signs** - A separate development application for any proposed signs in addition to those approved by this development consent shall be provided to and approved by Council prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).
- (7) **National Construction Code - Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (8) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
 - (a) Protect and support the adjoining building, structure or work from possible damage from the excavation.
 - (b) Where necessary, underpin the building, structure or work to prevent any such damage.

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

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.
- (9) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (10) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

- (a) No additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval.
- (b) Pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

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

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

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

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

- (11) **Lighting** - The approved development must include lighting in all areas (including the basement car park and all pedestrian entrances to the site and building) that complies with AS 1158 and AS 4282. The lighting must also comply with the following requirements:
 - (a) Lighting must be positioned to highlight the clock feature at the corner of Rickard Road and Ingleburn Road.
 - (b) Lighting fixtures must be sturdy, durable, vandal resistant and easily maintainable.
 - (c) Lighting fixtures visible from the public domain must be mounted at a minimum height of 2.7m and their appearance must complement the architectural and landscape character of the development.
 - (d) Lighting in all public areas must be bright and even (to permit facial recognition of approaching persons at 15 metres).
- (12) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (13) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (14) **Shopfront Glazing and Security** - For all shopfronts facing public areas, the use of semi-transparent or obscured glazing is prohibited. Additionally, the use of security

shutters or grilles for such shopfronts is prohibited and any security devices must be transparent or at least 80% open.

- (15) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

- (16) **Infrastructure in Road and Footpath Areas** - Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

Note. The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

- (17) **Local Traffic Committee Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads and Transport for NSW on State roads.

These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line marking and devices.

Signage and line marking installation must include the regulation of one-way traffic movements on the service lanes to the satisfaction of the Local Traffic Committee.

- (18) **Street Lighting** - Street lighting for the subdivision shall be designed and installed in accordance with relevant Australian Standards and to the satisfaction of the Roads Authority (Council).

- (19) **Street Tree Establishment and Maintenance Period** - For a period of 12 months commencing from the installation date of the street trees and their protective guards, the applicant will be responsible for their successful establishment.

At the completion of the 12 month establishment and maintenance period all street trees plantings must have signs of healthy and vigorous growth and all protective guards must be in an undamaged, safe and functional condition.

- (20) **Tree Removal** - The trees identified on the approved plans as requiring removal to construct the development are approved for removal.

This work must only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification

Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

Where possible all green waste generated from the approved tree work is to be recycled into mulch or composted at a designated facility. All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.

- (21) **Landscaping and Embellishment Works on Future Public Land** - Prior to the transfer of land to Council's ownership, all landscaping and embellishment must be inspected and approved by Council.
- (22) **Demolition of Temporary Water Quality Facilities** - All temporary water quality facilities will be made redundant upon the provision of an approved permanent water quality facility. The temporary water quality facilities must be demolished and the area containing the facilities reinstated. Any resulting impediment to existing permanent infrastructure as a result of the removal of the associated stormwater drainage system is to be rectified to Council's standards.

Prior to the commencement of any such demolition all contributing stormwater flows to the facilities must be diverted to the permanent water quality facilities by way of a stormwater drainage system approved by Council.

- (23) **Construction of Permanent Water Quality Facilities** - Permanent water quality facilities must be constructed:
 - (a) In accordance with the approved plans and documents.
 - (b) To Council's standards.

2.0 - Prior to Issue of a Subdivision Works Certificate

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

- (1) **Performance Bond** - The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (2) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
 - (a) Retaining walls shall be designed and certified by a suitably qualified structural engineer.
 - (b) Retaining walls shall be of masonry construction.
 - (c) Retaining walls shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property.

(d) Adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries.

(e) All retaining walls facing public road reserves and public areas must be finished with an anti-graffiti coating.

- (3) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Subdivision Works Certificate application.

A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.

Note. Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (4) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Where a Subdivision Works Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Subdivision Works Certificate plans shall be provided to the certifier with the Subdivision Works Certificate application.

- (5) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater - Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Subdivision Works Certificate application.
- (6) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to works commencing.
- (7) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscape plan must also include:

- (a) For trees planted within or adjacent to hardstand areas, StrataCell or equivalent root management systems must be provided beneath all adjoining hardstand areas, with integrated sub-surface irrigation and conditioned soil to be provided to a minimum cell area of 60.75m³, based on the proposed species *Lophostemon confertus*, and within the projected mature canopy spread/dripline of proposed trees, or no less than 5m from trunks. Where tree spacing is less than 5m, the StrataCell system must be provided to the entire hardstand area.

(b) The following trees shall be deleted and replaced with more suitable genus for local climatic conditions:

- Ginko.
- Magnolia.
- Elaeocarpus.

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

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

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

(9) **Section 7.11 Contributions - Works In Kind** - Section 7.11 contributions may be offset by the value of land and/or works as part of a 'Works in Kind' agreement with Council. Works in kind to be carried out shall be agreed to by Council in writing prior to the payment of the contributions and issue of a Subdivision Works Certificate (related to the works in kind). All such agreements shall be in accordance with Council's Works In Kind Policy.

(10) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

Note. A fee is payable for the lodgement of the bond.

(11) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.

(12) **Provision of Kerb Outlets** - Where proposed lots grade to an existing/proposed public road, kerb outlets shall be provided in the kerb and gutter adjacent to those lots.

The outlets shall be located within 2m downstream of the prolongation of the lot corner with the lowest reduced level and to the requirements of the principal certifier.

(13) **Tree Survey Plan and Hollow Bearing Trees/Active Nests** - A tree survey plan to identify the location, type and condition of existing trees proposed to be removed, including whether tree hollows or active nests are present, must be prepared.

All hollow-bearing and active nest trees removed from the site are to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence, in line with the *National Parks and Wildlife Act 1974*. A qualified ecologist or wildlife carer must be present throughout vegetation clearing activities to relocate fauna or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).

(14) **Paving Materials and Areas** - Paving materials and areas must comply with the following requirements:

- (a) All paving materials must conform to the relevant standards for durability, non-slip textures, strength and surface treatment to withstand use by light automobiles, service vehicles, pedestrians and bicycles.
- (b) Paving materials must be certified colour stable for a period of at least 10 years to ensure a reasonable match to existing paving when damaged sections are replaced.
- (c) All paving areas must be adequately drained and follow 'best practices' in installation, including sub-surface preparation and stormwater management.
- (d) All paved areas must be designed to facilitate use by elderly and disabled persons.

Details demonstrating compliance must be provided to the certifier.

(15) **Ingleburn Road Frontage** - The interim and permanent batters along Ingleburn Road must have no more than a 1:4 maximum grade with overland flows directed towards the western service lane. The design must also be amended to include:

- (a) Adjustment of the levels between the footpath directly adjoining the building and landscaped batters.

Details demonstrating compliance must be provided to Council's satisfaction.

(16) **Additional Salinity Investigations** - Where the approved development involves excavation deeper than 3 metres, additional soil and ground water investigations must be undertaken by deep test pitting and /or drilling. These investigations must test soil and (potentially) water for: pH, electrical conductivity, resistivity TDS, sodicity, sulphates and chlorides. Where results indicate a change in salinity outcomes when compared to the salinity management plan approved by this development consent, a modified plan must be submitted to the certifier for approval with a copy provided to Council.

(17) **Construction Staging Plan** - A construction staging plan must be prepared that caters for the management of existing stormwater flows through the site during bulk earthworks and construction.

Details demonstrating compliance must be provided to the certifier.

(18) **Endeavour Energy Requirements** - All requirements of Endeavour Energy regarding existing electricity infrastructure on and within the vicinity of the site must be complied with. This includes the existing power lines within the western Rickard Road verge.

Details demonstrating compliance must be provided to the certifier.

- (19) **Water Quantity and Quality** - The applicant must submit to Council amended engineering plans and a stormwater management report to demonstrate that the collection and treatment of stormwater run-off from the development are in accordance with Council's Engineering Specifications. The total site discharge at the developed condition must be equal to or less than the total discharge in its existing condition. Water quality treatment must be provided that achieves the requirements of Council's Engineering Specifications and the Camden Growth Centre Precincts Development Control Plan. The water quality treatment must be generally consistent with the details shown on the approved civil plans.

The plans and documents approved by Council in satisfaction of this condition must be incorporated into the detailed design of the development and the Subdivision Works Certificate application.

- (20) **Fence Atop Retaining Wall Along the Northern Service Lane** - A standard 1.5m high pool type fence must be provided atop the retaining wall along the northern service lane. The fence must be designed in accordance with Austroads guidelines.

Details demonstrating compliance must be provided to the certifier.

- (21) **50% Blockage Factor** - The development's drainage system must be designed to include a 50% blockage factor in accordance with Council's Engineering Specifications.

Details demonstrating compliance must be provided to the certifier.

3.0 - Prior to Issue of a Construction Certificate

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

- (1) **Performance Bond** - The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (2) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.

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

- (a) Retaining walls shall be designed and certified by a suitably qualified structural engineer.
- (b) Retaining walls shall be of masonry construction.
- (c) Retaining walls shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property.

- (d) Adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries.
 - (e) All retaining walls facing public road reserves and public areas must be finished with an anti-graffiti coating.
- (4) **External Walls and Cladding Flammability** - The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:
- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC.
 - (b) Ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (5) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.
- Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.
- (6) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.
- Where a Construction Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the certifier with the Construction Certificate application.
- (7) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater - Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (8) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to works commencing.
- (9) **Car Park Noise Control** - All off-street (including basement) car parks must have a coved finish with Slabseal 2000 SR sealant (or similar equivalent product) applied to the concrete floor. The coved finish and sealant must be suitably maintained on the

floor of all car parks at all times to a standard that eliminates tyre squeal noise from being audible.

Details demonstrating compliance must be provided to the certifier.

- (10) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscape plan must also include:

- (a) For trees planted within or adjacent to hardstand areas, StrataCell (or equivalent root management systems) or structural soil as shown on the approved landscaping plans must be provided beneath all adjoining hardstand areas. Where a StrataCell is used it must be provided with integrated sub-surface irrigation and conditioned soil to a minimum cell area of 30m³ (the exact soil volume is to be calculated based on the relevant species using the manufacturer's specifications), and within the projected mature canopy spread/dripline of proposed trees, or no less than 5m from trunks. Where tree spacing is less than 5m, the StrataCell system must be provided to the entire hardstand area.
- (b) All other proposed trees must be provided with either:
 - Structural soil with a minimum volume of 30m³, or
 - A minimum 2m x 2m planting area with a 9m² area free of intrusions, or
 - A sub-surface StrataCell system with integrated sub-surface irrigation and conditioned soil provided to a minimum cell area of 30m² (the exact soil volume is to be calculated based on the relevant species using the manufacturer's specifications).
- (c) Proposed plantings within planter boxes on structures must provide a minimum planter bed soil depth of 600mm and adequate drainage.
- (d) Where trees are proposed within planter boxes or on structures, adequate soil volumes must be provided and detailed in accordance with Table 5, Section 4P of the Apartment Design Guide.
- (e) The following trees must be deleted and replaced with more suitable genus for local climatic conditions:
 - Ginko.
 - Magnolia.
 - Elaeocarpus.

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

- (a) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must

confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose.

- (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

- (12) **Section 7.11 Contributions - Works In Kind** - Section 7.11 contributions may be offset by the value of land and/or works as part of a 'Works in Kind' agreement with Council. Works in kind to be carried out shall be agreed to by Council in writing prior to the payment of the contributions and issue of a Construction Certificate (related to the works in kind). All such agreements shall be in accordance with Council's Works In Kind Policy.

- (13) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

Note. A fee is payable for the lodgement of the bond.

- (14) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.

- (15) **Tree Survey Plan and Hollow Bearing Trees/Active Nests** - A tree survey plan to identify the location, type and condition of existing trees proposed to be removed, including whether tree hollows or active nests are present, must be prepared.

All hollow-bearing and active nest trees removed from the site are to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence, in line with the *National Parks and Wildlife Act 1974*. A qualified ecologist or wildlife carer will be present throughout vegetation clearing activities to relocate fauna or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).

- (16) **Paving Materials and Areas** - Paving materials and areas must comply with the following requirements:

- (a) All paving materials must conform to relative standards for durability, non-slip textures, strength and surface treatment to withstand use by light automobiles, service vehicles, pedestrians and bicycles.
- (b) Paving materials must be certified colour stable for a period of at least 10 years to ensure a reasonable match to existing paving when damaged sections are replaced.
- (c) All paving areas must be adequately drained and follow 'best practices' in installation, including sub-surface preparation and stormwater management.

- (d) All paved areas must be designed to facilitate use by elderly and disabled persons.

Details demonstrating compliance must be provided to the certifier.

- (17) **Rainwater Re-Use** - Rainwater must be collected from roof areas and be used for non-potable uses including toilet flushing, cleaning and landscaping irrigation. Mains water must only be used as a back-up.

The capacity of on-site rainwater storage is to consider the likely water consumption required to maintain the landscaped areas within the site.

The rainwater tank must be:

- (a) Equipped with a 'first flush' diversion system to exclude the initial wash-off (first 5mm of rainfall) from a roof.
- (b) Connected to toilets, cleaning and irrigation fixtures.
- (c) Provided with screens on inlets and overflows to reduce mosquito risk.

Rainwater tanks must be designed to operate in accordance with the requirements of NSW Health, Sydney Water and the relevant Australian Standards.

Details demonstrating compliance must be provided to the certifier.

- (18) **Tenancy Metering** - Each tenancy must be separately metered or sub-metered for electricity, gas and water (hot and cold) where those tenancies require those utilities.

Details demonstrating compliance must be provided to the certifier.

- (19) **Hot Water System** - Hot water is to be supplied from solar or heat pump systems before resort to other systems to meet hot water needs.

Details demonstrating compliance must be provided to the certifier.

- (20) **Greenstar Rating** - The development must achieve a minimum Greenstar rating of 4 stars in accordance with the Green Building Council of Australia's 'As Built' rating tool.

Details demonstrating compliance, including certification from a Greenstar professional, must be provided to the certifier.

- (21) **Low Volatile Organic Compounds Emissions Content** - Materials used for construction must have low volatile organic compounds emissions content.

Details demonstrating compliance must be provided to the certifier.

- (22) **Timber Building Materials** - Timber building materials must be sourced from sustainable suppliers such as products certified by the Forestry Stewardship Council.

Details demonstrating compliance must be provided to the certifier.

- (23) **Construction Environmental Management Plan** - A construction environmental management plan (CEMP) must be prepared and address the following matters:
- (a) Measures to reduce the consumption of materials and resources during construction.
 - (b) The use of recycled or reclaimed materials in construction.
 - (c) Construction waste minimisation measures, including opportunities to re-use materials on site.
 - (d) Measures to minimise the use of water and maximise water re-use during construction.
 - (e) The embodied energy of the main construction materials, options considered to reduce the embodied energy of materials and (if applicable) the reasons for not choosing materials with the least embodied energy.
 - (f) Training, monitoring and reporting on the compliance of construction contractors with the requirements of the CEMP.

Details demonstrating compliance must be provided to the certifier.

- (24) **Tactile Surfaces and Handrails** - Tactile surfaces and handrails must be provided in locations as required by the applicable Australian Standards.

Details demonstrating compliance must be provided to the certifier.

- (25) **Television Antennas/Communication Devices** - No television antennas and other communication devices are to be visible from any public road.

Details demonstrating compliance must be provided to the certifier.

- (26) **Bin Rooms** - Plans showing the location and details of bin rooms and rooms used for the washing and storage of bins must be provided to the certifier for approval. Bin rooms are to be constructed of solid material and finished with a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.

- (27) **Bin Wash Area** - The bin wash area is to be covered, bunded, graded and drained to sewer. The walls and floors are to be constructed of solid material and finished with a smooth impervious surface. A hose tap must be provided within the bin wash area.

- (28) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance must be provided to the certifier and Council.

- (29) **Food Premises** - The design, construction, use and ongoing operation of the food premises and/or food storage areas must comply with all applicable Acts, Regulations, codes and standards including:

- (a) The *Food Act 2003*.

- (b) *The Food Regulation 2015.*
- (c) Food Standards Australia and New Zealand - Food Standards Code 2003.
- (d) AS 1668.1-2015 and 1668.2-2012.
- (e) The BCA.
- (f) AS 4674-2004.

Details demonstrating compliance must be provided to the certifier.

- (30) **Ancillary or Remote Storage Areas to be Used by Food and Drink Premises** - The construction of all ancillary and/or remote facilities used for the storage of food and drink product or equipment must comply with the requirements of AS4674-2004.

Details demonstrating compliance must be provided to the certifier.

- (31) **Facilities for the Cleaning of Communal Property (Internal and External)** - Facilities for the storage and maintenance of cleaning and maintenance equipment (including mobile plant) and the storage of chemicals must be:

- (a) Provided with a cleaner's sink supplied with hot and cold running water.
- (b) Provided with connections for the filling and emptying of mobile cleaning equipment.
- (c) Connected to sewer for the disposal of wastewater.
- (d) Graded and drained to sewer.

Details demonstrating compliance must be provided to the certifier.

- (32) **Mechanical Exhaust Systems** - Mechanical exhaust systems must comply with the BCA and AS 1668, parts 1 and 2 (including exhaust air quantities and discharge location points).

Details demonstrating compliance must be provided to the certifier.

- (33) **Regulated Systems** - Regulated systems must be designed and installed in accordance with the relevant provisions of:

- (a) *Public Health Act 2010.*
- (b) *the Public Health Regulation 2012.*
- (c) AS/NZS 3666.
- (d) AS 1470 and AS 1657.
- (e) AS/NZS 1892.1 and 2865.

- (f) The relevant provisions for safe access in accordance with SafeWork NSW - Code of Practice for Safe Work on Roofs Part 1: Commercial and Industrial Buildings.

Plans and specifications for the design, installation, operation and maintenance of regulated systems, including details on the locations of all plant and equipment, must be provided to the certifier.

- (34) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, parts 1 and 2.

Details demonstrating compliance must be provided to the certifier.

- (35) **Rooftop Plant Selection** - The selection and location of all roof top mechanical plant must be certified as compliant with the approved noise criteria by a suitably qualified and experienced acoustic consultant.

- (36) **Detailed Lighting Plan** - A detailed lighting plan that demonstrates that the orientation and intensity of lighting will comply with AS 4282 and AS 1158 must be prepared.

Details demonstrating compliance must be provided to the certifier.

- (37) **Additional Salinity Investigations** - Where the approved development involves excavation deeper than 3 metres, additional soil and ground water investigations must be undertaken by deep test pitting and /or drilling. These investigations must test soil and (potentially) water for: pH, electrical conductivity, resistivity TDS, sodicity, sulphates and chlorides. Where results indicate a change in salinity outcomes when compared to the salinity management plan approved by this development consent, a modified plan must be submitted to the certifier for approval with a copy provided to Council.

- (38) **Irrigation System Plan** - A fully documented irrigation system plan must be developed. The system must be a fully automated commercial grade drip irrigation system and installed in all landscaped areas (excluding land to be dedicated to Council) and planter boxes by a suitably qualified and licensed contractor in accordance with the applicable Australian Standards, the Sydney Water Codes and current best work practices. The system must utilise in-line drippers where possible to limit water wastage. Connection to rainwater tanks is also required.

Details demonstrating compliance must be provided to the certifier.

- (39) **Construction Staging Plan** - A construction staging plan must be prepared that caters for the management of existing stormwater flows through the site during bulk earthworks and construction.

Details demonstrating compliance must be provided to the certifier.

- (40) **Endeavour Energy Requirements** - All requirements of Endeavour Energy regarding existing electricity infrastructure on and within the vicinity of the site must be complied with. This includes the existing power lines within the western Rickard Road verge.

Details demonstrating compliance must be provided to the certifier.

- (41) **NSW Police Force Requirements (Design)** - The following requirements of the NSW Police Force must be complied with:

- (a) Doors and door frames must be of solid construction and fitted with locks that comply with AS 4145.
- (b) A closed circuit television (CCTV) system must be installed in the development. The system must:
 - Comply with AS 4806.
 - Conform with all applicable Federal and State privacy and surveillance legislation.
 - Be implemented to receive, hold and process data for the identification of people involved in anti-social or criminal behaviour.
 - Include CCTV cameras strategically located within and around the development to provide maximum surveillance coverage.
- (c) Strategically place warning signs to warn intruders that trespassers will be prosecuted and that the development is under electronic surveillance.
- (d) Implement signage to assist occupants of the development to identify fire suppression equipment.

Details demonstrating compliance must be provided to the certifier.

- (42) **Water Quantity and Quality** - The applicant must submit to Council amended engineering plans and a stormwater management report to demonstrate that the collection and treatment of stormwater runoff from the development are in accordance with Council's Engineering Specifications. The total site discharge at the developed condition must be equal to or less than the total discharge in its existing condition. Water quality treatment must be provided that achieves the requirements of Council's Engineering Specifications and the Camden Growth Centre Precincts Development Control Plan. The water quality treatment must be generally consistent with the details shown on the approved civil plans.

The plans and documents approved by Council in satisfaction of this condition must be incorporated into the detailed design of the development and the Construction Certificate application.

- (43) **Car Park and Loading Dock Design** - The car parks and loading dock must be designed to comply with parts 1, 2 and 6 of AS 2890.

Details demonstrating compliance must be provided to the certifier.

- (44) **50% Blockage Factor** - The development's drainage system must be designed to include a 50% blockage factor in accordance with Council's Engineering Specifications.

Details demonstrating compliance must be provided to the certifier.

- (45) **Contributions Payment Timing** - If no construction certificate in respect of the erection of any building to which this development consent relates has been issued on or before 25 September 2022, the monetary contributions detailed in this development consent must be paid prior to the issue of the first construction certificate after that date for any such building.

4.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- (a) A description of the work to be carried out.
 - (b) The address of the land on which the work is to be carried out.
 - (c) The registered number and date of issue of the relevant development consent.
 - (d) The name and address of the principal certifier, and of the person by whom the principal certifier was appointed.
 - (e) The certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier.
 - (f) A telephone number on which the principal certifier may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- (a) The name and address of the person by whom the notice is being given.
 - (b) A description of the work to be carried out.
 - (c) The address of the land on which the work is to be carried out.
 - (d) The registered number and date of issue of the relevant development consent and construction certificate.
 - (e) A statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied.
 - (f) The date on which the work is intended to commence.

- (4) **Construction Certificate and Subdivision Works Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building and subdivision works approved by this consent shall not commence until the following has been satisfied:
- (a) A Construction Certificate and Subdivision Works Certificate has been issued by a certifier.
 - (b) A principal certifier has been appointed by the person having benefit of the development consent.
 - (c) If Council is not the principal certifier, Council is notified of the appointed principal certifier at least two days before building work commences.
 - (d) The person having benefit of the development consent notifies Council of the intention to commence building work at least two days before building work commences.
 - (e) The principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- (a) That unauthorised entry to the work site is prohibited.
 - (b) The name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours.
 - (c) The name, address and telephone number of the principal certifier.

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

- (6) **Site is to be Secured** - The site must be secured and fenced.
- (7) **Sydney Water Approval** - The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.
- A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.
- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater - Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (9) **Dilapidation Report - Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must

be submitted to the principal certifier and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk provided the applicant has been afforded an opportunity to rectify the damage and/or risk prior to Council undertaking the rectification works (except in circumstances where there is imminent threat to life or property). The costs incurred will be deducted from the applicant's damages bond.

- (10) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (11) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.
- (12) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- (a) Measures to control noise emissions from the site.
 - (b) Measures to suppress odours and dust emissions.
 - (c) Soil and sediment control measures.
 - (d) Measures to control air emissions that includes odour.
 - (e) Measures and procedures for the removal of hazardous materials that includes waste and their disposal.
 - (f) Any other recognised environmental impact.
 - (g) Work, health and safety.
 - (h) Community consultation.
- (13) **Construction Noise Management Plan** - A construction noise management plan shall be provided to the principal certifier and include the following:
 - (a) Noise mitigation measures.
 - (b) Noise and/or vibration monitoring.
 - (c) Use of respite periods.
 - (d) Complaints handling.

(e) Community liaison and consultation.

- (14) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

- (15) **Protection of Trees to be Retained** - Protection of trees to be retained shall be in accordance with Council's Engineering Specifications. The area beneath the canopies of the tree(s) to be retained shall be fenced. Tree protection signage is required to be attached to each tree protection zone and displayed in a prominent position.

- (16) **Demolition Work** - Consent is granted for the demolition of four existing dwelling houses, sheds and structures currently existing on the property, subject to compliance with the following conditions:

- (a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
- (b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
- (c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.
- (d) Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services.
- (e) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times.
- (f) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the principal certifier for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

- (g) All lead contaminated materials in the buildings must be handled and disposed of in accordance with the NSW Environment Protection Authority's requirements.
 - (h) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a SafeWork NSW licensed contractor shall remove all asbestos in accordance with the requirements of SafeWork NSW, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained.
 - (i) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
 - (j) Care must be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.
- (17) **Hazardous Building Materials Assessment** - A hazardous building material assessment (HBMA) must be undertaken on all buildings and structures to be demolished that identifies all hazardous components on site. A HBMA report shall be provided to the certifier and Council.

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

- (18) **Dam Dewatering Management Plan** - A dam dewatering management plan must be prepared by a suitably qualified and experienced environmental consultant.

The management plan must include:

- (a) Water quality information.
 - (b) Method of dewatering (disposal/irrigation/discharge) including erosion control and any environmental protection measures. Dam dewatering must not cause the pollution of waters as defined by the *Protection of the Environment Operations Act 1997*.
 - (c) Anticipated dewatering flow rate, duration and total volume.
 - (d) Potential salinity impacts.
- (19) **Decommissioning of On-Site Sewerage Management System** - Written confirmation verifying that the existing on-site sewerage management facility has been decommissioned in accordance with the following requirements shall be provided to the principal certifier and Council:

Option 1: (Removal of System From Site)

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

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

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

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

Option 2: (Decommissioning On Site)

The septic tank system shall be de-commissioned in the following manner:

- (a) The septic tank/holding well and grease trap shall be emptied by a liquid wastewater contractor and the contents disposed of at an approved wastewater depot. A copy of the receipt is to be provided to Council.
- (b) The septic tank and holding well shall be thoroughly dusted with commercial grade agricultural lime.
- (c) The base(s) of the tank(s) is to be punctured (to prevent future holding of water), the lids broken in and the top edges broken down 300mm below ground level.
- (d) The tanks are to be backfilled with clean filling material and finished to the surrounding ground level.

5.0 - During Works

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

- (1) **Certificate From Occupational Hygienist** - A certificate from an Occupational Hygienist must be provided to the principal certifier certifying that the site is free from hazardous building material/asbestos after demolition of all dwellings, sheds and outbuildings on the site.
- (2) **Work Hours** - All work (including delivery of materials) must be:
 - (a) restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive),

(b) not carried out on Sundays or public holidays,

unless approved in writing by Council.

- (3) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (4) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

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

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

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

- (5) **Stormwater - Collection and Discharge Requirements** - The roof of the approved building must be provided with guttering and down pipes. Stormwater drainage is to be installed as per the approved hydraulic drainage plans.

Connection to the drainage easement or kerb must only occur at the designated connection points for the development. New connections that require the rectification of an easement pipe or kerb must only occur with the prior approval of Council.

All roofwater must be connected to the approved roofwater disposal system immediately after the roof covering 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.

- (6) **Site Management** - The following practices are to be implemented during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.

- (c) Waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility.
- (d) A waste storage area shall be located on the site.
- (e) All building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc.).
- (f) Toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site, or in accordance with any applicable minimum requirements of SafeWork NSW, whichever is the lesser. Each toilet shall:
 - i) Be a standard flushing toilet connected to a public sewer.
 - ii) Have an on-site effluent disposal system approved under the *Local Government Act 1993*.
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (7) **Finished Floor Level** - A survey report must be prepared by a registered land surveyor confirming the structural floor level. The survey report must be accompanied by an architectural plan/report confirming that the finished floor level will comply with the approved plans or floor levels specified by the development consent. The report must be provided to the principal certifier prior to the development proceeding beyond floor level stage.
- (8) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the principal certifier prior to the development proceeding beyond frame stage.
- (9) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.
- (10) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (11) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

"WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) - Solution to Pollution."

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the

remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (12) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- (a) All vehicles transporting material from the site cover such material so as to minimise sediment transfer.
 - (b) The wheels of vehicles leaving the site:
 - Do not track soil and other waste material onto any public road adjoining the site.
 - Fully traverse the site's stabilised access point.
- (13) **Fill Compaction** - All fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (14) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)
- Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.
- (15) **Soil, Erosion, Sediment and Water Management - Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (16) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.

Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection Authority's Environmental Noise Control Manual.

Noise levels emitted during works must comply with:

- (a) Construction period of 4 weeks and under:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

- (b) Construction period greater than 4 weeks and not exceeding 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

(c) Construction period greater than 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 5 dB(A).

Alternatively, noise levels emitted during works shall be restricted to comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

- (17) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (18) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (19) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (20) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

- (a) Be prepared by a person with experience in the geotechnical aspects of earthworks.
- (b) Be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics.
- (c) Be prepared in accordance with:

Virgin Excavated Natural Material (VENM):

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

(d) Confirm that the fill material.

- Provides no unacceptable risk to human health and the environment.
- Is free of contaminants.

- Has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity").
- Is suitable for its intended purpose and land use.
- Has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) Less than 6000m³ - 3 sampling locations.
- (f) Greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

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

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

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note)	1,000 or part thereof

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

- (21) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (22) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction - Managing Urban Stormwater manual (Blue Book).

Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

- (23) **Protection for Existing Trees** - The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.
- (24) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a certified contaminated land consultant has been contacted and conducted a thorough assessment.

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

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

- (25) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the approved salinity management plan titled "Report on Geotechnical Investigation, Proposed Shopping Centre, 108-116 Ingleburn Road and 97 Rickard Road, Leppington", prepared by Douglas Partners and dated June 2019 and the additional salinity management plan that may result from the condition titled "Additional Salinity Investigations" in this development consent.
- (26) **Relics Discovery During Works** - If any relic surviving from the past is uncovered during the work that could have historical significance (but is not an Aboriginal object):
 - (a) All work must stop immediately in that area.
 - (b) Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*.
 - (c) Any requirements of Heritage NSW must be implemented.
- (27) **Aboriginal Objects Discovered During Works** - If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:
 - (a) All excavation or disturbance of the area must stop immediately in that area.
 - (b) NSW Heritage must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*.
 - (c) Any requirements of Heritage NSW must be implemented.
- (28) **Compaction (Lots)** - The approved lots, which are subject to filling must be compacted in accordance with Council's current Engineering Construction Specifications. A suitably qualified and experienced geotechnical engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798.
- (29) **Reuse of Native Plants and Topsoil** - Native plants and topsoil that contain known or potential seed bank are to be re-used on the site where possible and practical.
- (30) **Mechanical Plant Room Acoustic Louvres** - Acoustic louvres must be fitted to the plant room to achieve insertion loss values consistent with the table in Section 4.3.5 of the report titled "Revised Noise Impact Assessment, Proposed Retail Development 116 Ingleburn Road Leppington NSW", prepared by Reverb Acoustics and dated November 2020.
- (31) **Rooftop Mechanical Plant Selection and Attenuation** - Rooftop mounted mechanical plant must be compliant with the table in "Section 4.3.2" or be attenuated to be consistent with Section 4.3.3 of the report titled "Revised Noise Impact

Assessment, Proposed Retail Development 116 Ingleburn Road Leppington NSW”, prepared by Reverb Acoustics and dated November 2020.

- (32) **Rooftop Mechanical Plant Selection and Attenuation** - For mechanical plant not located on the rooftop plant deck that exceeds the noise criteria in the table in “Section 4.3.2” attenuation must be in accordance with Section 4.3.6 of the report titled “Revised Noise Impact Assessment, Proposed Retail Development 116 Ingleburn Road Leppington NSW”, prepared by Reverb Acoustics and dated November 2020.
- (33) **Loading Dock Noise Attenuation** - Acoustic treatment for the loading dock area must be consistent with Section 4.2.2 and Section 4.2.4 of the report titled “Revised Noise Impact Assessment, Proposed Retail Development 116 Ingleburn Road Leppington NSW”, prepared by Reverb Acoustics and dated November 2020.
- (34) **Hazardous Building Materials Assessment** - All works (including demolition and materials handling, storage, transport and disposal) must be undertaken in accordance with the requirements outlined in the hazardous building material assessment. All material not suitable for recycling or reuse must be disposed of at a licenced waste facility authorised to accept that waste.
- (35) **De-Watering Activities** - Measures must be taken consistent with *National Parks and Wildlife Act 1974* to ensure that any fauna inhabiting the water body, or surrounding vegetation, are treated humanely and relocated before development activities commence. A qualified ecologist or wildlife carer must be present throughout de-watering activities 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.
- (36) **Dam Dewatering** - No dams are to be breached for the purpose of water removal. All surplus dam water must be irrigated onto the property and this irrigated water must be contained within the property boundary. No dam water is allowed to discharge or flow directly into any stream, creek or river unless the water being discharged meets the relevant water quality discharge criteria as contained within the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZAST, August 2018).
- (37) **CCTV Camera Installation** - CCTV cameras must be installed by licensed and qualified security professionals.

6.0 - Prior to Issue of a Subdivision Certificate

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

- (1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Show Easements/Restrictions on the Plan of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Burdened Lots to be Identified** - Any lots subsequently identified during the subdivision as requiring restrictions shall also be suitably burdened.

- (4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent relating to the approved subdivision works have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the principal certifier.
- (5) **Fill Plan** - A fill plan shall be provided to the principal certifier prior to the issue of any Subdivision certificate. The plan must show (where applicable):
- (a) Lot boundaries.
 - (b) Road/drainage/public reserves.
 - (c) Street names.
 - (d) Final fill contours and boundaries.
 - (e) Depth in filling in maximum 0.5m increments.

The plan is to be provided electronically in portable document format (.PDF).

- (6) **Incomplete Works Bond** - Where the applicant proposes deferral of work in accordance with Council's engineering specifications, a bond is to be lodged with Council for the construction of incomplete works in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the principal certifier, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (8) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.
- (9) **Electricity Notice of Arrangement** - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy must be submitted to the principal certifier (Council). The arrangement must include the provision of street lighting in accordance with the electrical design approved by Council.
- (10) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
- (a) Energy supplier - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development.
 - (b) Water supplier - A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (11) **Works As Executed Plans** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

- (12) **Compaction Report** - A compaction report must be submitted that demonstrates that all roads and lots have been compacted in accordance with Council's Engineering Specifications.

- (13) **Street Names** - Street names must be stencilled on the face of kerb or in alternative locations directed by the principal certifier.

The stencil medium must be of good quality UV stabilised paint and applied to the kerb thusly:

- (a) Street names - White lettering on Brunswick Green background at kerb and gutter tangent points.

- (14) **Stencilled Pit Lintels** - Pit lintels must be labelled with permanent stencilled signs in accordance with Council's current Engineering Design Specifications.

- (15) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.

Certification for compliance with AS2303-2018 - Tree Stock for Landscape Use from the grower/supplier of the trees must be provided to the principal certifier.

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

- (a) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose.

- (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the principal certifier.

- (17) **Defects and Liability Bond** - The applicant is to lodge a bond with Council to cover any defects and liabilities of any new public infrastructure in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (18) **Landscape Certification** - Certification is to be provided to the principal certifier from the designer of the approved landscaping plans that all tree planting and landscape works have been carried out in accordance with the approved landscape plan. If Council is the principal certifier the certification is to be submitted to Council prior to or at the final landscape inspection.

- (19) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the principal certifier which incorporates the following easements, positive covenants and restrictions to user where necessary:

- (a) Easement to drain water and drainage easement(s) over overland flow paths.
- (b) Easement for on-site-detention.
- (c) Positive covenant over the on-site detention/water quality facility for the maintenance, repair and insurance of such a facility.
- (d) Easement for water quality facility.
- (e) Restricted building zone over the 1% flood inundation area of the natural watercourse which prohibits the erection of structures, including fences, the placement of fill and the planting of trees.
- (f) Restriction as to user defining minimum floor levels for any lots which have any part of the lot below the 1% AEP flood level (the developer shall provide the 1% AEP flood profile of the natural watercourse with superimposed lot boundary location).
- (g) Restriction as to user preventing the alteration of the final overland flow path shape, and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council.
- (h) Restriction as to user on those lots adjacent to the overland flow paths to ensure that the floor level of any habitable room is not less than 600mm above the 1% AEP level, such levels to be detailed on the Section 88B Instrument and related to AHD.
- (i) Restriction as to user on all lots containing a drainage easement that prohibits the alteration of the surface levels within the drainage easement and limits fencing across the easement to open form fencing.
- (j) An easement for batter and support over the area of the batters approved on lot 2, DP 529937 (116 Rickard Road, Leppington).
- (k) A drainage easement over approved lot 101 for road shoulder drainage along the Ingleburn Road frontage and the swale for drainage discharge into the existing dam on 116 Ingleburn Road. The size of the easement must be in accordance with the approved Subdivision Works Certificate.

- (l) Restriction on approved lot 101 stipulating that the western verge of the western service lane must have its final finish applied in accordance with the Camden Growth Centre Precincts Development Control Plan and Council's Engineering Specifications as part of the future development of that lot.
- (20) **Water Quality Facility** - A water quality facility must be constructed for the site in accordance with the approved plans and Council's Engineering Specifications.
- (21) **Water Quality Facility Operation, Maintenance and Monitoring Manual(s)** - Operation, Maintenance and Monitoring Manual(s) ('Manuals') for the permanent water quality facility shall be provided for approval to the principal certifier. The Manuals shall be prepared by a suitably qualified person in accordance with Council's Engineering Specifications.
- (22) **Water Quality Facility Works Bond** - Where the applicant proposes deferral of work in accordance with Council's engineering specifications, a bond is to be lodged with Council for the construction of approved water quality facilities in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

7.0 - Prior to Issue of an Occupation Certificate

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

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- (3) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the principal certifier.
- (4) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the principal certifier.
- (5) **Driveway Crossing Construction** - A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (6) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
 - (a) Energy supplier - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development.

- (b) **Water supplier** - A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (7) **External Walls and Cladding Flammability** - The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:
- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC.
 - (b) Ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (8) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass and soft landscaping approved by Council.
- (9) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (10) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (11) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.
- (12) **Mechanical Ventilation Compliance Certificate** - A compliance certificate prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, must be provided to the principal certifier. Certification must be provided that the air handling system as installed has been tested and complies with the approved plans and specifications (including ventilation requirements and fire precautions).
- (13) **Food Premises** - The following notifications must occur:
- (a) Council must be notified that the premises is being used for the preparation, manufacture or storage of food for sale and an inspection of the completed fit out must be conducted. A 'Food Business Registration' form can be found on Council's website.

(b) The NSW Food Authority must be notified and a copy of the notification must be provided to Council. Notification can be completed on the NSW Food Authority website.

- (14) **Regulated Systems** - Evidence of commissioning of regulated systems (if a regulated system is required) is to be provided by a suitably qualified person in accordance with the *Public Health Act 2010* and the Public Health Regulation 2012 and AS/NZS 3666. A detailed report from the person who commissioned the regulated system must be provided to the principal certifier.

The owner or occupier of the premises must apply to Council to notify the regulated system. Council must conduct an inspection of the completed fit out.

- (15) **Trolley Management Plan** - A management plan that addresses the management of trolleys must be prepared for the development. The plan must include, but not necessarily limited to:

- (a) Physical mechanisms to prevent trolleys being removed from the site.
- (b) Display of signage advising customers not to remove trolleys from the site.
- (c) Daily collection of trolleys deposited informally around the site.
- (d) Displaying the retailer's name.
- (e) In the event that trolleys are removed from the site, collection of those trolleys within 24 hours of receiving report of their off-site location.

A copy of the management plan must be provided to and approved by Council. The management plan must be fully implemented at all times.

- (16) **Contributions Payment Evidence** - A document from Council certifying that the payment of Section 7.11 contributions:

- (a) is not required at any time before the issue of an occupation certificate, or
- (b) is required and the requirement has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with Council that:

- (a) Council issued the document, and
- (b) no contributions or levies have been required since the document was issued.

- (17) **Special Infrastructure Contribution Payment Evidence** - A document from the Planning Secretary certifying that the payment of a special infrastructure contribution:

- (a) is not required at any time before the issue of an occupation certificate, or
- (b) is required and the requirements has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with the Planning Secretary that:

- (a) the Planning Secretary issued the document, and
 - (b) no contributions or levies have been required since the document was issued.
- (18) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the development has been constructed in accordance with the report titled "Revised Noise Impact Assessment, Proposed Retail Development 116 Ingleburn Road Leppington NSW", prepared by Reverb Acoustics and dated November 2020.
- (19) **Rainwater Harvesting Operations Manual** - A detailed operations and procedures manual must be developed and submitted to the principle certifier detailing the rainwater harvesting system, site specific risks and treatments. Specific reference must be made to address the requirements of "Table 2.1 - Inspection and Maintenance of Roofwater Reuse Systems" of "Section 2 - Application of Standard Approach" within the "Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) Stormwater Harvesting and Re-Use, July 2009," including who shall carry out inspections and when, details of emergency shutdown procedures and periodic testing to ensure water quality.
- (20) **Irrigation** - Certification is to be provided to the principal certifier from a suitably qualified and licensed contractor that the required fully automated commercial grade drip irrigation system has been designed and installed to all common landscaped areas in accordance with the requirements of the applicable Australian Standards, the Sydney Water Codes and current best work practices. If Council is not the principal certifier a copy of the certification must be provided to Council.
- (21) **Landscape Certification** - Certification is to be provided to the principal certifier from the designer of the approved landscaping plans that all tree planting and landscape works have been carried out in accordance with the approved landscape plan. If Council is the principal certifier the certification is to be submitted to Council prior to or at the final landscape inspection. If Council is not the principal certifier a copy of the certification must be provided to Council.
- (22) **Subdivision Before Occupation** - A Subdivision Certificate must be issued for the approved subdivision and the subdivision must be registered with NSW Land Registry Services prior to the issue of an Occupation Certificate for the development.
- (23) **Completion of Road Works** - All approved road, footpath and/or drainage works, including vehicle crossings, must be completed in the road reserves in accordance with the *Roads Act* approval.
- (24) **Positive Covenant - On Site Detention (OSD) / On Site Retention (OSR) / Water Quality Facility** - A positive covenant must be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property.

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

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

The proprietor or successor must bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services must be provided to the principal certifier.

- (25) **Stormwater Plan of Management (POM)** - The registered proprietor of the land must prepare a plan of management (POM) for the on-site detention facilities. The POM must set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM must be provided to the principal certifier for approval.
- (26) **Street Numbering** - The development's street number must be clearly and legibly displayed at the building's street entrances.
- (27) **Section 7.11 Contributions - Monetary (Leppington North Precinct)** - A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
Camden Growth Areas Contributions Plan - Essential Infrastructure	Open Space - Land	\$2,255 per 100m ² of non-residential GFA	\$213,663.00
Camden Growth Areas Contributions Plan - Essential Infrastructure	Open Space - Works	\$959 per 100m ² of non-residential GFA	\$90,866.00
Camden Growth Areas Contributions Plan - Essential Infrastructure	Roads - Land	\$142,701 per net developable hectare	\$214,480.00
Camden Growth Areas Contributions Plan - Essential Infrastructure	Roads - Works	\$169,575 per net developable hectare	\$254,871.00
Camden Growth Areas Contributions Plan - Essential Infrastructure	Drainage - Land	\$135,690 per net developable hectare	\$203,942.00
Camden Growth Areas	Drainage - Works	\$85,741	\$128,869.00

Contributions Plan - Essential Infrastructure		per net developable hectare	
Camden Growth Areas Contributions Plan - Essential Infrastructure	Plan Administration Allowance	\$5,197 per net developable hectare	\$7,811.00
Total Contributions - Essential Infrastructure			\$1,114,502.00
Camden Growth Areas Contributions Plan - Non-Essential Infrastructure	Open Space - Works	\$59 per 100m ² of non-residential GFA	\$5,590.00
Total Contributions - Non-Essential Infrastructure			\$5,590.00
Total Contributions			\$1,120,092.00

A copy of the Camden Growth Areas Contributions Plan may be inspected at Council's Camden office at 70 Central Avenue Oran Park or can be accessed on Council's website at www.camden.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (28) **Special Infrastructure Contribution** - A special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Evidence of payment of the SIC shall be provided to Council and the certifier.

Alternatively, the applicant must obtain written confirmation from DPIE that the SIC is not required to be paid for the approved development.

More information

A request for assessment by the Department of Planning, Industry and Environment of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to SIContributions@planning.nsw.gov.au.

- (29) **Directional Traffic Flow Signs** - All driveways shall be suitably signposted and have directional arrows painted on them. All signs shall be maintained in good repair at all times.
- (30) **Geotechnical Compliance Certificate** - A certificate of compliance prepared by a suitably qualified and experienced geotechnical engineer shall be provided to the principal certifier stating that the works detailed in the geotechnical report have been undertaken under the engineer's supervision and to the engineer's satisfaction, and that the assumptions relating to site conditions made in preparation of the report were validated during construction. This certificate shall accompany the Works as Executed plans.

- (31) **Incomplete Works Bond** - Where the applicant proposes deferral of work in accordance with Council's engineering specifications, a bond is to be lodged with Council for the construction of incomplete works in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (32) **Defects and Liability Bond** - The applicant is to lodge a bond with Council to cover any defects and liabilities of any new public infrastructure in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (33) **Deed of Agreement** - A deed of agreement must be signed between Council and the developer to cover the maintenance of the following items:

- (a) Water quality treatment infrastructure in any public road reserve that provides water quality treatment for the development (for a maintenance period of 10 years).
- (b) The stormwater pits along the northern and western service lanes (perpetual maintenance to avoid blockages).

The deed must incorporate terms to the satisfaction of Council that require the developer to maintain these items in a fully functional condition.

8.0 - Ongoing Use

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

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

Woolworths Supermarket and Ancillary Customer Pick-Up Facility, Staff Offices and Amenities

Day	Hours of Operation
Monday	7am-12 midnight
Tuesday	7am-12 midnight
Wednesday	7am-12 midnight
Thursday	7am-12 midnight
Friday	7am-12 midnight
Saturday	7am-12 midnight
Sunday and Public Holidays	7am-12 midnight

Shops (Including the BWS Liquor Shop) and Kiosks

Day	Hours of Operation
Monday	8am-12 midnight
Tuesday	8am-12 midnight
Wednesday	8am-12 midnight
Thursday	8am-12 midnight
Friday	8am-12 midnight
Saturday	8am-12 midnight
Sunday and Public Holidays	8am-12 midnight

Food and Drink Premises

Day	Hours of Operation
Monday	7am-12 midnight (internal areas) 7am-10pm (alfresco dining areas)
Tuesday	7am-12 midnight (internal areas) 7am-10pm (alfresco dining areas)
Wednesday	7am-12 midnight (internal areas) 7am-10pm (alfresco dining areas)
Thursday	7am-12 midnight (internal areas) 7am-10pm (alfresco dining areas)
Friday	7am-12 midnight (internal areas) 7am-10pm (alfresco dining areas)
Saturday	7am-12 midnight (internal areas) 7am-10pm (alfresco dining areas)
Sunday and Public Holidays	8am-10pm (internal areas) 8am-10pm (alfresco dining areas)

Offices and Business Premises

Day	Hours of Operation
Monday	8am-10pm
Tuesday	8am-10pm
Wednesday	8am-10pm
Thursday	8am-10pm
Friday	8am-10pm
Saturday	8am-10pm
Sunday and Public Holidays	8am-10pm

Loading Dock

Day	Hours of Operation
Monday	6am-10pm
Tuesday	6am-10pm
Wednesday	6am-10pm
Thursday	6am-10pm
Friday	6am-10pm
Saturday	6am-10pm
Sunday and Public Holidays	6am-10pm

- (4) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the site. The loading dock must be used for loading and unloading operations in connection with the approved development.
- (5) **Driveways to be Maintained** - All access crossings and driveways must be maintained in good order for the life of the development.
- (6) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths must be kept clear of goods and shall not be used for storage purposes.
- (7) **Amenity** - The approved development must be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpaths, adjoining occupations or residential/business premises.
- (8) **Offensive Noise and Noise Compliance** - 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*. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (9) **No Waste to Be Stored Outside of the Site** - No waste must be placed on any public land (e.g. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (10) **Maintenance of Landscaping** - Landscaping must be permanently maintained in a complete condition in accordance with the approved landscaping plans and the conditions of this development consent.

This includes ensuring that the Star Jasmine planted around the perimeter of the at-grade car park grows up from its beds and cascades down the public facing side of the retaining walls in order to provide softening for those structures.

- (11) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in

full working order.

- (12) **Approved Signage Maintenance** - The approved signs must be maintained in a presentable and satisfactory state of repair. Where illumination has been approved, the level of illumination and/or lighting intensity used to illuminate the signs must comply with AS 1158 and AS 4282.
- (13) **Bin Storage** - The bins must only be stored in the approved bin room.
- (14) **Bins Moved Internally** - The bins stored in the bin room adjacent to Rickard Road must be moved to the bin room adjoining the loading dock internally through the building and not along Rickard Road.
- (15) **Clock Maintenance** - The clock feature at the corner of Rickard Road and Ingleburn Road must be permanently maintained in good working order and to the correct local time.
- (16) **Pollution Control** - The use and operation of the premises must not give rise to the discharge (by air, water or land) of any pollutant which may degrade the environment or be prejudicial to its inhabitants, in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

The development must operate in accordance with the following requirements:

- (a) All pollution control devices (including drainage systems, sumps and traps) must be regularly maintained.
 - (b) All liquid wastes must be collected and disposed of in a manner which does not pollute the stormwater system.
 - (c) All paints, chemicals and other liquids must be stored in approved receptacles which must be housed in a suitably constructed bunded area.
 - (d) Appropriate equipment and absorbent material must be provided and maintained in a prominent position in order to combat any spills.
- (17) **Project Specific Noise Criteria** - All approved shops in the development must comply with the following project specific noise criteria when measured at the nearest residential receiver location:
 - (a) Day 47dB LAeq, 15 Minute 7am to 6pm Monday to Saturday or 8am to 6pm Sunday and public holidays.
 - (b) Evening 47dB LAeq, 15 Minute 6pm to 10pm.
 - (c) Night 37dB LAeq, 15 Minute 10pm to 7am Monday to Saturday or 10pm to 8am Sunday and public holidays.
 - (18) **Food and Drink Premises Noise Restriction** - Amplified entertainment is not permitted in alfresco dining areas except for background 'incidental' music from volume controlled speakers that generate a sound pressure level of 70 dB(A) Lmax when measured at a distance of 3 metres from each speaker.
 - (19) **Loading Dock** - Only one large delivery vehicle is permitted to use the loading dock between 6am and 7am.

- (20) **Substation Noise Levels** - Noise levels for the substations must not exceed 55dB(A) Leq 15 minutes when measured at a distance of 3 metres.
- (21) **Night-Time Noise Criteria** - Noise from all business operations must comply with night time (10pm-7am) noise criteria of 37 dB LAeq, 15 minutes when measured at the nearest most noise affected residential receiver.
- (22) **Rainwater Harvesting** - For rainwater harvesting, only rainwater captured from the roof catchment areas must be reused for the flushing of toilets/urinals and cooling tower supply (if required).

The proposed usage of rainwater on the site must comply with the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) Stormwater Harvesting and Re-use, July 2009, and in particular Section 2 - Roofwater Reuse.

- (23) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials must be kept on site to recover any liquid spillage. 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. Materials used to clean up must be disposed of to an appropriately licensed waste facility.
- (24) **Music and/or Amplifiers** - Music and other amplified sound, including recorded or broadcast programmes or the like, played on the premises, must be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists, and shall only be audible within the property boundaries.
- (25) **Illuminated Signs** - Illuminated signs facing residential areas must only be illuminated within the development's approved operating hours.
- (26) **Signage Content** - The projecting signs overhanging Rickard Road (sign 36) are only approved to display wording and graphics that relate to the tenancies operating within the development.
- (27) **Alfresco Dining Areas** - The configuration of any tables and chairs in the approved alfresco dining areas must allow for the safe and efficient movement of pedestrians and deliveries through the site.
- (28) **Access to Council Land (Ingleburn Road Frontage)** - A continuous, safe and efficient path of travel from the entry stairs and ramps at the corner of Rickard Road and Ingleburn Road to the Council land along the site's Ingleburn Road frontage must be maintained at all times.
- (29) **NSW Police Force Requirements (Ongoing Use)** - The following requirements of the NSW Police Force must be complied with:
 - (a) Doors to service areas must be kept locked at all times when not in use.
 - (b) CCTV equipment must be regularly checked and maintained.
 - (c) A current Fire Safety Statement must be prominently displayed within the development.

- (30) **Greenstar Rating** - The development must maintain a minimum Greenstar rating of 4 stars in accordance with the Green Building Council of Australia's 'As Built' rating tool.