**Recommended Conditions**

**1.0 - General Conditions of Consent**

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

(1) **Requirements of State Authorities** - The requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The requirements are:

1. Endeavour Energy correspondence dated 15th May 2020

(2) **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:

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| --- | --- | --- | --- |
| **Plan Reference/ Drawing No.** | **Name of Plan** | **Prepared by** | **Date** |
| Sheet 1 of 1 | Plan of subdivision of Lot \_ in DP\_ - Stage 1 | LTS | 13.03.20 |
| Sheet 1 of 4Sheet 2 of 4Sheet 3 of 4Sheet 4 of 4 | Plan of subdivision of Lot 3 - Stage 2 | LTS | 25.03.20 |
| Sheet 1 of 4Sheet 2 of 4Sheet 3 of 4Sheet 4 of 4 | Plan of subdivision of Lot 3 - Stage 2 | LTS | 25.03.20 |
| Sheet 1 of 4Sheet 2 of 4Sheet 3 of 4Sheet 4 of 4 | Plan of subdivision of Lot 3 - Stage 2 | LTS | 25.03.20 |
| DA-100-010 Rev E | Site – Context Plan | Turner | 19.11.20 |
| DA-100-020 Rev E | Site – Master Plan | Turner | 19.11.20 |
| DA-110-050 Rev F | GA Plans | Turner | 19.11.20 |
| DA-110-060 Rev F | GA Plans C9 + C10 Basement 01 | Turner | 19.11.20 |
| DA-110-070 Rev G | GA Plans C11 + C12 Basement 01 | Turner | 19.11.20 |
| DA-110-080 Rev E | GA Plans C9 + C10 Ground Level | Turner | 19.11.20 |
| DA-110-090 Rev E | GA Plans C11 + C12 Ground Level | Turner | 19.11.20 |
| DA-110-095 Rev G | GA Plans C9 + C10 Huntington Accessway + Garbage Holding | Turner | 19.11.20 |
| DA-110-101 Rev E | GA Plans C9 + C10 Level 01 | Tuner | 19.11.20 |
| DA-110-102 Rev E | GA Plans C11 + C12 Level 01 | Turner | 19.11.20 |
| DA-110-201 Rev E | GA Plans C9 + C10 Level 02 | Turner | 19.11.20 |
| DA-110-202 Rev E | GA Plans C11 + C12 Level 02 | Turner | 19.11.20 |
| DA-110-302 Rev E | GA Plans C11 + C12 Level 03 | Turner | 19.11.20 |
| DA-110-303 Rev E | GA Plans C9 + C10 Level 03 | Turner | 19.11.20 |
| DA-110-401 Rev E | GA Plans C9 + C10 Roof Level | Turner | 19.11.20 |
| DA-110-402 Rev E | GA Plans C11 + C12 Roof Level | Turner | 19.11.20 |
| DA-200-101 Rev E | GA Elevations C9 North, East, South + West Elevation | Turner | 19.11.20 |
| DA-200-102 Rev E | GA Elevations C10 North, East, South + West Elevation | Turner | 19.11.20 |
| DA-200-103 Rev E | GA Elevations C11 North, East, South + West Elevation | Turner | 19.11.20 |
| DA-200-104 Rev E | GA Elevations C12 North, East, South + West Elevation | Turner | 19.11.20 |
| DA-200-105 Rev E | GA Elevations Streetscape Elevations | Turner | 19.11.20 |
| DA-300-001 Rev E | GA Sections Section AA + BB | Turner | 19.11.20 |
| DA-300-101 Rev E | GA Sections Section CC + DD | Turner | 19.11.20 |
| DA-300-201 Rev E | GA Sections Section EE West | Turner | 19.11.20 |
| DA-300-202 Rev E | GA Sections Section EE East | Turner | 19.11.20 |
| DA-810-001 Rev D | Adaptable Plan Layouts Livable and Adaptable Apartments 01 | Turner | 19.11.20 |
| DA-890-001 Rev D | Materials & Finishes Board Materials & Finishes | Turner | 19.11.20 |
| DA-150-050 Rev D | A\_Precinct Plan | Altis | 19.11.20 |
| DA-150-060 Rev D | A \_ C1-C3 Basement Plan | Altis | 19.11.20 |
| DA-150-070 Rev G | A\_ C4-C8 Basement 01 | Altis | 19.11.20 |
| DA-150-080 Rev E | A\_C1-C3 Ground Level | Altis | 19.11.20 |
| DA-150-090 Rev G | A\_C4-C8 Ground Level | Altis | 19.11.20 |
| DA-150-101 Rev E | A\_C1-C3 Level 01 | Altis | 19.11.20 |
| DA-150-102 Rev E | A\_C4-C8 Level 01 | Altis | 19.11.20 |
| DA-150-401 Rev E | A\_C1-C3 Roof Level | Altis | 19.11.20 |
| DA-150-402 Rev E | A\_C4-C8 Roof Level | Altis | 19.11.20 |
| DA-250-001 Rev E | A\_North Elevation | Altis | 19.11.20 |
| DA-250-101 Rev E | A\_South Elevation | Altis | 19.11.20 |
| DA-250-201 Rev D | A\_C1-C3 Gym East + West Elevation | Altis | 19.11.20 |
| DA-250-202 Rev E | A\_C1-C3 Childcare East + West Elevation | Altis | 19.11.20 |
| DA-250-203 Rev E | A\_C4-C8 East + West Elevation | Altis | 19.11.20 |
| DA-350-001 Rev D | A\_Section AA | Altis | 19.11.20 |
| DA-350-101 Rev D | A\_Section BB | Altis | 19.11.20 |
| DA-550-001 Rev D | A\_Signage Details | Altis | 19.11.20 |
| DA-550-002 Rev D | A\_Signage Details | Altis | 19.11.20 |
| DA-890-001 Rev D | A\_Materials and Finishes | Altis | 19.11.20 |
| L001 Issue 01 | Legend | Oculus | 24.03.20 |
| L002 Issue 01 | Materials and finishes schedule | Oculus | 24.03.20 |
| L003 Issue 01 | Materials and finishes schedule | Oculus | 24.03.20 |
| L004 Issue 02 | Master Plant Schedule | Oculus | 21.08.20 |
| L005 Issue 02 | Site Plan Precinct C | Oculus | 21.08.20 |
| L100 Issue 01 | Surface Finishes and Materials: High Street | Oculus | 20.03.20 |
| L101 Issue 01 | Surface Finishes and Materials: Village Grove | Oculus | 20.03.20 |
| L102 Issue 01 | Surface Finishes and Materials: Playground | Oculus | 20.03.20 |
| L103 Issue 02 | Surface Finishes and Materials: Landscape Link 01 | Oculus | 28.08.20 |
| L104 Issue 01 | Surface Finishes and Materials: Landscape Link 02 | Oculus | 20.03.20 |
| L105 Issue 02 | Surface Finishes and Materials: Landscape Link 03 | Oculus | 21.08.20 |
| L106 Issue 02 | Surface Finishes and Materials: Green Way 01 | Oculus | 31.08.20 |
| L107 Issue 01 | Surface Finishes and Materials: Green Way 02 | Oculus | 20.03.20 |
| L108 Issue 02 | Surface Finishes and Materials: Green Way 03 | Oculus | 21.08.20 |
| L109 Issue 02 | Surface Finishes and Materials: Green Way 04 | Oculus | 21.08.20 |
| L110 Issue 02 | Surface Finishes and Materials: Green Way 05 | Oculus | 21.08.20 |
| L111 Issue 02 | Surface Finishes and Materials: Green Way 05 | Oculus | 28.08.20 |
| L200 Issue 01 | Planting Plan High Street | Oculus | 24.03.20 |
| L201 Issue 01 | Planting Plan Village Grove | Oculus | 24.03.20 |
| L202 Issue 01 | Planting Plan Playground | Oculus | 24.03.20 |
| L203 Issue 01 | Planting Plan Landscape Link 01 | Oculus | 24.03.20 |
| L204 Issue 01 | Planting Plan Landscape Link 02 | Oculus | 24.03.20 |
| L205 Issue 02 | Planting Plan Landscape Link 03 | Oculus | 21.08.20 |
| L206 Issue 01 | Planting Plan Green Way 01 | Oculus | 24.03.20 |
| L207 Issue 01 | Planting Plan Green Way 02 | Oculus | 24.03.20 |
| L208 Issue 02 | Planting Plan Green Way 03 | Oculus | 21.08.20 |
| L209 Issue 02 | Planting Plan Green Way 04 | Oculus | 21.08.20 |
| L210 Issue 02 | Planting Plan Green Way 05 | Oculus | 21.08.20 |
| L300 Issue 01 | Landscape Section Setout | Oculus | 24.03.20 |
| L301 Issue 01 | Sections & Elevations | Oculus | 24.03.20 |
| L302 Issue 01 | Landscape Section Providence Drive | Oculus | 24.03.20 |
| L303 Issue 02 | Landscape Section Green Way | Oculus | 04.09.20 |
| L304 Issue 01 | Landscape Section High Street 1/2 | Oculus | 24.03.20 |
| L305 Issue 01 | Landscape Section Village Grove | Oculus | 24.03.20 |
| L306 Issue 01 | Landscape Section Laneway 1/2 | Oculus | 24.03.20 |
| L307 Issue 01 | Landscape Section Laneway 2/2 | Oculus | 24.03.20 |
| L308 Issue 01 | Landscape Section Laneway | Oculus | 24.03.20 |
| L309 Issue 01 | Landscape Section Landscape Link 01 | Oculus | 24.03.20 |
| L310 Issue 01 | Landscape Section Landscape Link 02 | Oculus | 24.03.20 |
| 180032-HV-DA-C01.21 Rev 5 | General Notes and Legends – Sheet 01 | Enspire | 27.07.20 |
| 180032-HV-DA-C01.22 Rev 5 | General Notes and Legends – Sheet 02 | Enspire | 27.07.20 |
| 180032-HV-DA-C01.41 Rev 5 | General Arrangement Plan | Enspire | 27.07.20 |
| 180032-HV-DA-C01.45 Rev 5 | Basement General Arrangement Plan | Enspire | 27.07.20 |
| 180032-HV-DA-C01.51 Rev 2 | Context Plan | Enspire | 23.11.20 |
| 180032-HV-DA-C02.01 Rev 6 | Demolition Plan | Enspire | 23.11.20 |
| 180032-HV-DA-C03.01 Rev 5 | Bulk Earthworks Erosion and Sedimentation Control Plan – Sheet 01 | Enspire | 27.07.20 |
| 180032-HV-DA-C03.02 Rev 5 | Bulk Earthworks Erosion and Sedimentation Control Plan – Sheet 02 | Enspire | 27.07.20 |
| 180032-HV-DA-C03.03 Rev 5 | Bulk Earthworks Erosion and Sedimentation Control Plan – Sheet 03 | Enspire | 27.07.20 |
| 180032-HV-DA-C03.04 Rev 5 | Bulk Earthworks Erosion and Sedimentation Control Plan – Sheet 04 | Enspire | 27.07.20 |
| 180032-HV-DA-C03.21 Rev 5 | Erosion and Sedimentation Control Details | Enspire | 27.07.20 |
| 180032-HV-DA-C03.31 Rev 5 | Sediment Basin Calculations | Enspire | 27.07.20 |
| 180032-HV-DA-C03.32 Rev 5 | Sediment Basin Cross Sections | Enspire | 27.07.20 |
| 180032-HV-DA-C04.01 Rev 5 | Cut and Fill Plan | Enspire | 27.07.20 |
| 180032-HV-DA-C05.01 Rev 7 | Siteworks and Stormwater Management Plan – Sheet 01 | Enspire | 27.07.20 |
| 180032-HV-DA-C05.02 Rev 6 | Siteworks and Stormwater Management Plan – Sheet 02 | Enspire | 23.11.20 |
| 180032-HV-DA-C05.03 Rev 5 | Siteworks and Stormwater Management Plan – Sheet 03 | Enspire | 27.07.20 |
| 180032-HV-DA-C05.04 Rev 6 | Siteworks and Stormwater Management Plan – Sheet 04 | Enspire | 23.11.20 |
| 180032-HV-DA-C05.10 Rev 6 | Siteworks and Stormwater Management Plan – The Hermitage Way | Enspire | 23.11.20 |
| 180032-HV-DA-C05.11 Rev 5 | Basement Siteworks and Stormwater Management Plan – Sheet 01 | Enspire | 27.07.20 |
| 180032-HV-DA-C05.12 Rev 5 | Basement Siteworks and Stormwater Management Plan – Sheet 02 | Enspire | 27.07.20 |
| 180032-HV-DA-C05.21 Rev 2 | Stage 24 Basin Siteworks and Stormwater Management Plan | Enspire | 23.11.20 |
| 180032-HV-DA-C06.01 Rev 7 | Road Typical Cross Sections – Sheet 01 | Enspire | 27.07.20 |
| 180032-HV-DA-C06.02 Rev 5 | Road Typical Cross Sections – Sheet 02 | Enspire | 27.07.20 |
| 180032-HV-DA-C07.01 Rev 7 | Road Longitudinal Sections | Enspire | 27.07.20 |
| 180032-HV-DA-C11.01 Rev 6 | Pavement, Signage and Linemarking Plan – Sheet 01 | Enspire | 23.11.20 |
| 180032-HV-DA-C11.02 Rev 6 | Pavement, Signage and Linemarking Plan – Sheet 02 | Enspire | 23.11.20 |
| 180032-HV-DA-C11.03 Rev 6 | Pavement, Signage and Linemarking Plan – Sheet 03 | Enspire | 23.11.20 |
| 180032-HV-DA-C11.04 Rev 6 | Pavement, Signage and Linemarking Plan – Sheet 04 | Enspire | 23.11.20 |
| 180032-HV-DA-C11.11 Rev 5 | Basement Pavement Plan – Sheet 01 | Enspire | 27.07.20 |
| 180032-HV-DA-C11.12 Rev 5 | Undercroft and Basement Pavement Plan – Sheet 02 | Enspire | 27.07.20 |
| 180032-HV-DA-C20.01 Rev 5 | Pre-Development Stormwater Catchment Plan | Enspire | 27.07.20 |
| 180032-HV-DA-C21.01 Rev 6 | Post-Development Stormwater Catchment Plan | Enspire | 27.07.20 |

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| **Document Title** | **Prepared by** | **Date** |
| Gledswood Village, The Hermitage Way, Gledswood Hills Ref: SY193039-AUR01, Rev O | Northrop | 13 November 2020 |
| Salinity Investigation and Management Plan Stage 25, Stage 18B, Entertainment Precinct and the proposed school site The Hermitage Estate, Gledswood Hills project 34295.75, Revision 0 | Douglas Partners | June 2016 |
| Gledswood Village Development Application Civil Engineering & Stormwater Management Report R05 | Enspire Solutions Pty Ltd | 19 November 2020 |
| Preliminary Geotechnical Assessment Project 76631.29 R.001 Rev 1 | Douglas Partners | 10 February 2020 |
| Operational Waste Management Plan Report No. SO462 Rev E | Elephants Foot | 26 March 2020 |
| Gledswood Village Staging Strategy | Sparc Development Pty Ltd | 26 March 2020 |

(3) **Modified Documents and Plans** - The development shall be modified as follows:

1. The new proposed pram ramps at the intersection of Providence Drive are not approved and are to be removed from the plans. The formal pedestrian crossing to be provided in Providence Drive is to be the only single crossing. The removal of the proposed pram ramps must be supplemented by the installation of pedestrian fencing at the kerb returns at the intersection of Providence Drive and The Hermitage Way or dense mass planting to eliminate a pedestrian desire line to cross directly across the intersection. The adopted treatment must also be replicated at the intersection of The Hermitage Way and Huntington Street.

Note: The aim of the pedestrian fencing or mass planting is to direct pedestrians to the proposed formal pedestrian crossing in Providence Drive

1. The overland flow that results from the sag pit at the northern extent of the Huntington Street cul-de-sac results in increased flow to basin in golf course that is approximately 150m north-west of the cul-de-sac. The applicant must thus prove and supply information that shows that the flooding levels associated with the basin in the golf course land are not impacted on and do not cause non-compliances with the design of the basin as per DA/2015/840. To this effect flooding levels inclusive of flood planning levels must be provided. In addition, under no circumstances must post-development flows exceed pre-development flows at the basin outlet. To this effect on-site detention may need to be provided to offset the increased flows into the golf course land. A Positive Covenant to support the operation and maintenance of the on-site detention system will also be required to be provided at Subdivision Certificate Stage to which, evidence must be supplied to the Principal certifying Authority at the subdivision certificate stage which seeks to register such a covenant.
2. The development plans shall be amended as shown in red to achieve the following:
3. Suitable measures are to be put in place to prevent run off / discharge from compactors and retail waste areas entering stormwater systems e.g. grading, bunding, first flush systems etc.
4. The public toilet and service corridor shall be redesigned to create a separate entrance to the service corridor and to the toilets. The service corridor and doors shall achieve a minimum width of 1.8m.
5. The commercial med. waste holding room No. 2 doors shall not open directly onto the roadway. Openable doors shall be replaced with a roller shutter or equivalent arrangement.

Amended plans or documentation demonstrating compliance shall be provided to the certifier and Council prior to the issue of a Construction Certificate / Subdivision Works Certificate.

(4) **Separate Approval for Use** – Approval is given for the construction of a mixed use development and the use of individual tenancy spaces for ‘centres based child care facility’, ‘entertainment facility’, ‘food and drink premises’, ‘medical centre’, ‘recreational facility (indoor)’, ‘retail premises’, ‘business premises’ and ‘shop’, as defined under State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The fitout of individual tenancies may be undertaken pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Any proposed fitout unable to be undertake pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2006 is required to be in accordance with this consent. Otherwise, any such fitout inconsistent with this consent or unable to be undertaken pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will require the lodgement of a separate Development Application.

Any use inconsistent with the approved nominated uses and not permitted to be undertaken as a change of use pursuant to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 must be the subject to a separate development consent prior to that use occurring.

(5) **Signage Details** – Detailed signage elevations showing construction details, colour, content and graphics shall be submitted to the Certifying Authority with the Construction Certificate Application.

(6) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.

(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) **Home Building Act** - Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates:

1. in the case of work for which a principal contractor has been appointed:
2. has been informed in writing of the name and licence number of the principal contractor; and
3. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
4. in the case of work to be carried out by an owner-builder;
5. has been informed in writing of the name of the owner-builder; and
6. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.

(9) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

1. to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or

to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.

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

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

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

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

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

(12) **Local Traffic Committee Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council’s Local Traffic Committee on local roads, and the Roads and Maritime Services on State roads.

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

(13) **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).

(14) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

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

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

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

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

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

(15) **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.

(16) **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.

(17) **Medical Practice Licencing Requirements** – Private medical practice(s) must satisfy the licencing requirements of the *Private Health Facilities Act 2007* and the Private Health Facilities Regulation 2010, as required.

(18) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.

(19) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.

(20) **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*.

(21) **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.

(22) **Graffiti Resistant Materials and Finishes** – Graffiti resistant materials and finishes must be used where possible.

(23) **Strata Subdivision Requirements** – Any future Strata Subdivision of the residential flat buildings approved by this consent shall ensure the following:

* Each unit is allocated at least one car parking space:
* All visitor car parking spaces shall be shown as common property and must not be allocated to individual units; and
* No car parking space is to be in an individual lot within the strata scheme.

**2.0 - Prior to Issue of a Construction Certificate / Subdivision Works Certificate**

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

1. **Drainage Easement** – Prior to the issue of the Construction Certificate and Subdivision Works Certificate, an easement to drain water is to be registered over the golf course lands to the north of the site to cater for the overland flow produced by the development.
2. **Validation Report** – A validation report prepared by a suitability qualified person shall be provided to the certifier and Council within 30 days following completion of the remediation works under DA/2016/1180/2, and the RAP titled ‘Report on Remedial Action Plan Proposed Entertainment Precinct The Hermitage, Gledswood Hills’, prepared by Douglas Partners, Project No. 76631.27, dated March 2019, which demonstrates:
3. Compliance with the approved RAP;
4. That the remediation acceptance criteria (in the approved RAP) has been fully complied with;
5. That all remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997, SEPP 55* and Council’s Management of Contaminated Lands Policy;

and includes;

1. Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
2. A “notice of completion of remediation work” as required under Clause 18 of SEPP 55; and
3. Statement confirming that the site following remediation of contamination is suitable for the intended use.

(3) **Staging of Construction Works**- The development is to be completed in stages in accordance with the approved Staging Strategy, Plan, prepared by Sparc Development Pty Ltd and dated 26 March 2020.

One Construction Certificate / Subdivision Works Certificate may be issued for all stages, or a single Construction Certificate / Subdivision Works Certificate may be issued with respect to each stage or a combination of stages.

(4) **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.

 This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(5) **Hoarding Application** - A hoarding application for the erection of a class A (fence type) or class B (overhead type) hoarding along the street frontage complying with WorkCover requirements shall be provided to Council for approval with a footpath occupancy fee based on the area of footpath to be occupied.

A Public Risk Insurance Policy with a minimum cover of $20 million in relation to the occupation of and works within Council’s road reserve, for the full duration of the proposed works, shall be obtained with a copy also provided to the Roads Authority. The Policy is to note Council as an interested party and nominate the location of works. Hoardings shall not be erected until written approval has been received from Council. The copy of the Public Risk Insurance Policy is to be provided to the Roads Authority.

 This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(6) **Acoustic Report** - The development must be constructed in accordance with Section 7 Gledswood Village, The Hermitage Way, Gledwood Hills Ref: SY193039-AUR01 Rev O, dated 13 November 2020, prepared by Northrop. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

 This condition applies to the Construction Certificate application.

(7) **Mechanical Plant** - Prior to the issue of the Construction Certificate, an acoustic report for all mechanical plant shall be submitted to the principal certifying authority for compliance with the Project Trigger noise levels outlined in the Acoustic report Gledswood Village, The Hermitage way, Gledswood Hills Ref: SY193039-AUR01 Rev O dated 13 November 2020 prepared by Northrop.

This condition applies to the Construction Certificate application.

(8) **Car Parking Design** - All proposed car parking is to be designed and constructed in accordance with all of the relevant parts of AS2890. On-road disabled car spaces are to be in accordance with AS2890.5-2020 for disabled car space requirements that are on-road.

This condition applies to the Construction Certificate application.

(9) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking’ and:

1. the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
2. the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
3. the level for the driveway across the footpath area shall achieve a gradient of 4%; and
4. a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

(10) **Long / Heavy Vehicle Signage** – The development plans shall detail that no left turn and right turn signs (for west and east traffic respectively) for vehicles over 7.5m long must be provided at the intersection of the Hermitage Way and Huntingwood Street to deter heavy vehicle traffic into the precinct on local road pavements. Furthermore, no left turn signage for vehicles over 7.5m long must be provided opposite the loading dock driveway on the northern side of The Green Way. Signage that also restricts vehicles over 7.5m long travelling west of the loading dock driveway must also be provided. The proposed restrictive signage as detailed in this condition signage is to be approved by LTC prior to installation.

This condition applies to the Subdivision Works Certificate application.

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

1. retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;
2. 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;
3. retaining walls shall not be erected within drainage easements; and
4. retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

This condition applies to the Subdivision Works Certificate application.

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

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

(13) **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 and Subdivision Works Certificate applications.

 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.

(14) **Stormwater Detention and Water Quality** – A 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 / Subdivision Works Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate / Subdivision Works Certificate plans shall be provided to the certifier with the Construction Certificate / Subdivision Works Certificate application.

(15) **Amendments to Western On-site Detention Facility** - The design associated with the amendments to on-site detention facility that caters for the western catchment of the Entertainment Precinct must reflect the works as executed information of the facility as constructed per DA/2014/268. All elements of the facility must remain compliant with Camden Council’s Engineering Design Specifications after considering and incorporating the works as executed information associated with the facility.

 This condition applies to the Subdivision Works Certificate application.

(16) **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.

(17) **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.

This condition applies to the Subdivision Works Certificate application.

(18) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the accredited certifier for approval. Garbage room(s) are to be constructed of solid material and finished as 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.

This condition applies to the Construction Certificate application.

(19) **Mechanical Exhaust System** - Mechanical exhaust system(s) shall comply with the BCA and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge location points). Details demonstrating compliance shall be provided to the accredited certifier.

This condition applies to the Construction Certificate application.

(20) **Detailed Lighting Plan** – A detailed lighting plan shall be submitted to the accredited certifier with the Construction Certificate application. The plan must demonstrate that the orientation and intensity of lighting will comply with AS 4282 and AS 1158.

(21) **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 shall be provided to the accredited certifier with the Construction Certificate application.

(22) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council’s Engineering Specifications and Appendix B of Council’s DCP.

The detailed landscape plan must include:

* For trees planted within or adjacent to hardstand areas StrataCell or equivalent root management system shall be provided beneath all adjoining hardstand areas, with integrated sub-surface irrigation and conditioned soil to be provided to a minimum cell area of 20m², 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 shall be provided to the entire hardstand area e.g. Village Centre
* All other proposed trees must be provided with a minimum 2m x 2m planting area, with a nine square metre area free of intrusions, or alternatively a sub-surface StrataCell system with integrated sub-surface irrigation and conditioned soil be provided to a minimum cell area of 20m².
* Proposed plantings within planter boxes on structures shall provide a minimum planter bed soil depth of 600mm and provide for and detail adequate drainage.
* Where trees are proposed within planter boxes and/or on structures, adequate soil volumes shall be provided and detailed in accordance with Section P4 of the ADG.
* The following tree species shall be deleted from the planting schedule due to known impacts on infrastructure, and replaced with the alternative species:
	1. Fraxinus ssp, change to Quercus palustris
	2. Ulmus ssp, to Acer rubrum ‘October Glory’
	3. Syzyigium luehmannii, to Elaeocarpus Eumundi
* The following tree shall be amended to more suitable species/cultivars:
1. Betula pendula, change to Betula nigra
2. Waterhousea floribunda, to Waterhousea floribunda ‘Sweeper’
3. Brachychiton acerifolious, to Brachychiton x ‘Jerilderie Red’

 Details demonstrating compliance shall be provided to the certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(23) **Irrigation Plan** - A fully documented irrigation plan shall be submitted to the accredited certifier for approval. A copy of the irrigation plan shall be submitted to Council. The irrigation system must be of a fully automated commercial grade drip irrigation system and is to be designed and installed to all common landscape areas and planter boxes, by a suitably qualified and licensed contractor in accordance with the current relevant Australian Standards, the Sydney Water Code, and current best work practices. The system is to utilise in-line drippers where possible to limit water wastage. The control panel is to be located in a secure position within a common area for Council to gain access.

This condition applies to the Construction Certificate application.

(24) **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 shall be provided to the accredited certifier and Council.

This condition applies to the Construction Certificate application.

(25) **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 & 2. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

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

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

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.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications

(27) **Plumbing and Ductwork** – All plumbing and ductwork (Including stormwater downpipes) must be concealed within the outer walls of the building so that it is not visible. Plans and elevations detailing the method of concealment must be submitted to the certifier with the Construction Certificate application.

(28) **Design Quality Statement (Construction)** - A statement from a qualified designer verifying that the plans and specifications achieve or improve the design quality of the development, having regard to the design quality principles in Schedule 1 of State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development, must be submitted to the certifier with the Construction Certificate application.

(29) **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.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications

(30) **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.

This condition applies to the Construction Certificate application.

(31) **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.

(32) **Special Infrastructure 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 Special Infrastructure Contribution detailed in this development consent must be paid prior to the issue of the first construction certificate after that date for any such building.

**3.0 - Prior to Issue of a Construction Certificate for the Fit-out of Individual Tenancies**

* + 1. **Food Premises** - The design, construction and fit-out of food premises and / or food storage areas shall comply with all applicable Acts, Regulation, codes and standards including:
1. the *Food Act 2003;*
2. the Food Regulation 2015;
3. Food Standards Australia and New Zealand – Food Standards Code 2003;
4. AS 1668.1-2015 and 1668.2-2012;
5. the BCA; and
6. AS 4674-2004 Design, construction and fit-out of food premises.

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

(2) **Skin Penetration Premises** - The design, construction and fit-out of premises used for Skin Penetration services as defined under the Public Health Act 2010 and Public Health Regulation 2012, shall comply with all applicable Acts, Regulations, codes and standards including:

1. the *Public Health Act 2010*;
2. the Public Health Regulation 2012;
3. the Local Government (General) Regulation 2005; and
4. the BCA.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(3) **Hair Dressing Salons** - The design, construction and fit-out of hair dressing salon(s) shall comply with relevant provisions of the Local Government (General) Regulation 2005. Details demonstrating compliance shall be provided to the accredited certifier.

(4) **Public** **Swimming Pools** -The design, construction and fit-out of the public swimming pools shall comply with:

1. the *Public Health Act 2010;*
2. the *Public Health Regulation 2012*; and
3. Public Swimming Pool and Spa Pool Advisory Document NSW Health 2013.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(5) **Amended Plans** - The plans provided for the proposed child-care centre do not comply with Council and the legislative requirements in relation to kitchen and bottle preparation areas.

Amended plans and specifications prepared by a suitably qualified person and demonstrating full compliance with these requirements. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(6) **Mechanical Ventilation** **/ Aquatic Centre Plant Room** - 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 & 2 and the requirements of SafeWork NSW. Particular attention shall be paid to the storage and use of chemicals in the basement plant room. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(7) **Australian Health Facilities Guidelines** – Facilities required to be licensed under the Private Health Facilities Act 2007 and Private Health Facilities Regulation 2010 shall be constructed and fitted out in accordance with the Australian Health Facilities Guidelines. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(8) **Gym** - It shall be demonstrated to the principal certifying authority that structural isolation elements/ flooring have been included in the construction of the gym so as not to cause an impact on the adjoining, or occupants beneath the gym.

**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 (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:

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

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

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

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

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

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

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

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

(6) **Site is to be Secured** - The site shall be secured and fenced.

(7) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to [www.sydneywater.com/tapin](http://www.sydneywater.com/tapin) to apply.

 A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.

(8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with ‘Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

(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. 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) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all construction works.

(13) **Environmental Management Plan** -An environmental management plan (EMP) prepared in accordance with Council’s Engineering Design Specification shall be provided to the principal certifier.

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

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

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

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

(15) **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.

(16) **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.

**5.0 - During Works**

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

(1) **Work Hours** - All work (including delivery of materials) shall be:

* restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
* not carried out on Sundays or public holidays,

unless approved in writing by Council.

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

(3) **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:

1. preserve and protect the building from damage;
2. if necessary, underpin and support the building in an approved manner; and
3. give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

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

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

(4) **Waste Water From Swimming Pools** - All waste water from the swimming pool(s) and filtration systems shall be disposed via the approved sewer system.

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

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

(6) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to principal certifier prior to the development proceeding beyond floor level stage.

(7) **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.

(8) **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.

(9) **Swimming Pool Construction Sign** – A sign must be erected and maintained that:

* + 1. bears a notice containing the words “This swimming pool is not to be occupied or used”;
		2. is located in a prominent position in the immediate vicinity of the swimming pool; and
		3. continues to be erected and maintained until a relevant occupation certificate or a certificate of compliance has been issued for the swimming pool.

(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) **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.

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

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

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

(15) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

(16) **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.

(17) **Noise During Work** - Noise levels emitted during construction works shall be restricted to comply with the current NSW EPA Interim Construction Noise Guidelines.

(18) **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.

(19) **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.

(20) **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.

(21) **Fill Material (VENM)** - Prior to the importationand/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:

1. be prepared by a person with experience in the geotechnical aspects of earthworks; and
2. be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
3. be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

1. the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
2. 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;

1. provides no unacceptable risk to human health and the environment;
2. is free of contaminants;
3. 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");
4. is suitable for its intended purpose and land use; and
5. has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

e) less than 6000m3 - 3 sampling locations; and

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 (m3)** |
| Virgin Excavated Natural Material | 1(see Note) | 1000or 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.

(22) **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.

(23) **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).

(24) **Construction Noise Management Plan** - All operations must be carried out in accordance with the recommendations contained in the Construction Noise Management Plan, including:

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

(25) **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.

(26) **Pre-planting inspection of Street Trees** - Prior to the installation of street trees and any public domain trees, Council’s Urban Tree & Landscape Team must inspect the tree pits and stock prior to installation.

Upon satisfactory inspection, a pre-planting compliance certificate will be issued by Council to proceed with planting, a final inspection and certificate will be issued following planting.

NOTE: A PRIVATE CERTIFIER OR THE PCA CANNOT BE ENGAGED TO DO THIS INSPECTION.

(27) **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 be contacted and conducted a thorough assessment.

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

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

(28) **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 Report on Salinity Investigation and Management Plan Stage 25, stage 18B, Entertainment Precinct and the proposed school site The Hermitage Estate, Gledswood Hills, project 34295.75 June 2016, Revision 0, prepared by Douglas Partners**.**

**6.0 - 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 base building works.

(2) **Compliance Certificate** - Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the principal certifier. Verification shall 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.

(3) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the EP&A Regulation 2000.

(4) **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.

(5) **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.

(6) **Filter & Recirculation Systems** - Prior to issue of an Occupation Certificate, a certificate of compliance, or other documentary evidence confirming that the proposed recirculation system and filtration system complies with AS1926.3, must be provided to the principal certifier.

(7) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved acoustic report; Section 7 Gledswood Village, The Hermitage Way, Gledswood Hills Ref: SY193039-AUR01 Rev O, dated 13 November 2020, prepared by Northrop.

(8) **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:

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

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

(10) **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.

(11) **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.

(12) **Mechanical Exhaust System** - A Certificate of Compliance 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, and the requirements of SafeWork NSW, shall be provided to the principal certifier. Certification shall 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) **Noise Management Plan** - Prior to an Occupation certificate being issued for the development, a noise management plan prepared by an appropriately qualified person is to be submitted to Council and approved by the PCA. The plan shall demonstrate the management principles that will be implemented at the site to ensure that the noise emissions from the premises will comply with the relevant noise criteria. The plan shall include but is not limited to the following information:

* 1. Details of management practices to be implemented to ensure the noise emitted from the public Village Centre playground area is kept to a minimum.
	2. A complaint handling systems including details regarding how noise complaints from the use of the public Village Centre playground area will be received, rectified, recorded and monitored.

All requirements of the approved Acoustic Management Plan are to be implemented at within one month of the use of the premises commencing and shall be complied with at all times during the operation of the premises.

(14) **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.

(15) **Inspection of Existing Street Trees** – All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.

(16) **Irrigation** - Certification is to be provided to the PCA 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 current relevant Australian Standards, any relevant authority regulations, and current best work practices. If Council is not the PCA a copy of this certification is to be provided to Council with the Occupation Certificate.

 Where irrigation has been installed to public areas, Council must inspect the completed system prior to the issue of the Occupation Certificate.

(17) **Landscape Certification** - Certification is to be provided to the Principal Certifying Authority (PCA) from the designer of the landscape plan that all tree planting/landscape works have been carried out in accordance with the Construction Certificate endorsed landscape plan. If Council is the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council is not the PCA, a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

(18) **House Numbering** – The dwellings on the site must be readily identifiable from the street by displaying their Council allocated house numbers. The allocated house numbers will be in accordance with the current Geographical Names Board of NSW Address Policy. E-mail Council at lis.mailbox@camden.nsw.gov.au to obtain the allocated house numbers. Any alternative numbering of the dwellings is not permitted.

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

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

* Council issued the document, and
* no contributions or levies have been required since the document was issued.

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

* is not required at any time before the issue of an occupation certificate, or
* 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 the Planning Secretary that:

* the Planning Secretary issued the document, and
* no contributions or levies have been required since the document was issued.

(21) **Voluntary Planning Agreement** - The proposed development shall be carried out in accordance with the Voluntary Planning Agreement executed between Council and SH Camden Valley Pty Limited, pursuant to Section 93F of the Environmental Planning and Assessment Act 1979, as amended on 12 January 2018.

Contributions – The following monetary contributions must be indexed to the Consumer Price Index and paid prior to the issue of the first Occupation Certificate for each dwelling.

$5,307.00 per dwelling

**$334,341 total**

For various (Open Space & Recreation and Community Facilities)

(22) **Design Quality Statement (Occupation)** - A statement from a qualified designer verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles in Schedule 1 of State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development, must be submitted to the principal certifier.

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

The owner or occupier of the premises shall provide written notification to Council of the Regulated System prior to commencement of operation. A ‘Notification of Microbial Control’ form can be found on Council’s website.

(24) **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.

**7.0 – Prior to Issue of the Occupation Certificate for the Fit-out of Individual Tenancies**

1. **Occupation Certificate** – An Occupation Certificate shall be obtained prior to any use or occupation of the development.
2. **Occupation Certificate of Base Buildings** – An Occupation Certificate shall be issued for the base buildings prior to issue of an Occupation Certificate for the fit-out of individual tenancies.
3. **Swimming Pool Register** - In accordance with Part 3A of the *Swimming Pools Act 1992* all swimming pools (including spas) are required to be registered on the NSW Swimming Pools Register. You can register your Swimming Pool online at [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)

Prior to the issue of any occupation certificate you are required to provide evidence in the form of the Certificate of Registration to the principal certifier.

(4) **Warning Notice** - A warning notice complying with the provisions of Clause 10 of the Swimming Pools Regulation 2008, must be displayed and maintained in a prominent position in the immediate vicinity of the swimming pool, in accordance with Section 17 of the *Swimming Pools Act 1992*.

The principal certifier shall ensure that this warning notice is provided and displayed prior to the issue of the Occupation Certificate.

Council also recommends that all owners and/or users of swimming pools obtain a copy of the ‘Cardiopulmonary Resuscitation Guideline’ known as “Guideline 7: Cardiopulmonary Resuscitation” published in February 2010 by the Australian Resuscitation Council (available through [www.resus.org.au](http://www.resus.org.au)).

(5) **Swimming Pool Barrier Certification** – Certification from the supplier of the swimming pool barrier is to be submitted to the principal certifier. The certification must state that the swimming pool barrier materials comply with the applicable Australian Standards.

(6) **Public Swimming Pool/Spa Pool** - The owner or occupier of the premises shall apply to Council to register the Public Swimming Pool. Council is to conduct an inspection of the completed fit out.

(7) **Food Premises** - The following notifications shall occur:

1. Council shall 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 is to be conducted. A Notification of Food Premises 9S100 Food Act 2003 Form can be found on Council’s website.

(8) **Skin Penetration Premises and Hair Dressing** – The operator of the premises where skin penetration procedures or hair dressing activities are to be carried out must notify Council, through completion of ‘Notification of Hair Dressing Salons and Beauty Salon’, and ‘Notification of Skin Penetration Premises’ forms, which can be found on Council’s website, prior to commencement of the use.

 A satisfactory inspection of the completed fit out and equipping of the premises must be undertaken by council prior to the use commencing.

(9) **Acoustic Compliance Report** – A report shall be prepared by an independent acoustic consultant and be submitted to the principal certifier certifying that noise levels from the commercial premises, including mechanical plant when measured outside of the closest habitable room opening for the nearest noise affected residential unit located on the development site shall comply with the criteria below:

Day Laeq15min – 53dB(A) 7am – 6pm

 Evening Laeq15min – 43 dB(A) 6pm – 10pm; and

 Night Laeq15min – 38 dB(A) 10pm – 7am.

All noise attenuation materials and structures used for the mitigation and control of noise must be compliant with the conditions of this development consent.

For any non-compliance, the report must make recommendations for compliance or further attenuation of noise sources and these recommendations will be enforced by Council at the cost of the owner/occupier.

The owner/occupier must then provide a supplementary acoustic report to the principal certifier certifying that all compliance works have been completed and that noise levels comply with the above criteria.

**8.0 - 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 have been satisfactorily addressed and all engineering works are complete (where the subdivision involves engineering works), 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):

1. lot boundaries;
2. road/drainage/public reserves;
3. street names;
4. final fill contours and boundaries; and
5. 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) **Soil Classification** - A soil classification report prepared by a suitably qualified person in accordance with AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the principal certifier. A classification shall be provided for each lot within the subdivision. The soil classification report shall also be provided to Council.

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

1. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
2. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

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

(12) **Works As Executed Plan** - 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).

(13) **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:

1. easement for services;
2. easement to drain water and drainage easement/s over overland flow paths;
3. retaining wall, positive covenant, and restriction to user;

(14) **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.

(15) **Stencilled Pit Lintels** – Pit lintels must be labelled with permanent stencilled signs in accordance with Council’s current Engineering Design Specifications.

(16) **Flood Planning Level Delineation (Works as Executed Plans)** – The Works as Executed plans must clearly delineate the extent of the flood planning levels in addition to the flood mapping requirements outlined in Council’s Engineering Design Specifications. The flood planning level is defined in Council’s Flood Risk Management Policy.

An updated flood map that delineates the extent of the flood planning level and that is based upon the final completed subdivision layout must be provided to Council for integration into Council’s mapping system. The updated flood map must be provided as a separate layer in .dxf or .dwg format and show the flood planning level, PMF, 1% and 5% AEP levels.

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

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

(18) **Footpath 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 concrete footpaths and/or pedestrian/cycle shared ways in accordance with Council’s Development Infrastructure Bonds Policy.

 The deferred footpath works must be completed once 80% of housing has been constructed within the approved subdivision, or within 2 years from the date of deferrals, whichever occurs first.

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

(19) **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.

**9.0 - Ongoing Use**

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

(1) **Display of Goods on Footpath** - No goods are to be displayed outside the confines of the building on public land.

(2) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.

(3) **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.

(4) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Grocer / Supermarket

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Sunday | 7am – 9pm |

 Childcare centre

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Friday | 7am – 6pm |
| Saturday & Sunday and Public Holidays | Closed |

 Aquatic Centre and Gymnasium

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Sunday | 5am – 10pm |

 Cinema

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Sunday | 9am – 10pm |

 Medical Centre

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Sunday | 7am – 9pm |

 Business Premises, Retail Premises and Shop

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Sunday | 8am – 6pm |

 Commercial Suites

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday - Friday | 8am – 6pm |

 All food and beverage premises in the Entertainment Precinct shall only operate between the hours of 7am – 10pm Monday to Sunday.

(5) **Commercial** **Waste and Delivery Vehicles Operating Hours** - Delivery and commercial waste vehicles to the site shall only occur during the hours of 7.00am – 6.00pm Monday to Saturday and 8.00am – 6.00pm Sunday and Public Holidays.

(6) **Music and Amplifiers** - Music and other amplified sound, including recorded or broadcast programmes or the like, played on the premises, shall be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists, and shall not exceed 45dB(A) leq 15min when measured within the neighbouring commercial premises / adjacent premises.

(7) **Temporary Waste Holding Rooms** – Full waste bins shall not be transported into temporary waste holding areas more than 24 hours prior to collection day.

(8) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

(9) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

(10) **Approved** **Signage Maintenance** – The approved signs shall 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 sign/s shall comply with AS 1158 and AS 4282.

(11) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.

(12) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.

(13) **Number of Children** – The centre is approved to accommodate a maximum of 80 children. However, this maximum number shall be reduced to any lower number of children that is separately approved for the centre by the Department of Education.

(14) **Department of Education Approval** – The centre must comply with all requirements of the Department of Education. A letter from the Department of Education which details the approved number and age of children to be accommodated at the centre, and any operational conditions, must be submitted to Council prior to the centre becoming operational.

 Should the Department of Education approval be subsequently amended at any time the operator of the centre must submit a copy of the amended approval to Council.

(15) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:

1. be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
2. emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.

(16) **Swimming Pool Water Health Standards** - To maintain hygienic conditions, the swimming pool/spa must be maintained in a clean and healthy condition at all times. For this purpose the following health standards must be maintained:

a) Chlorination without Cyanurate Sun Stabiliser

Free chlorine concentration must be maintained within the following range:

Outdoor swimming pools - not less than 1mg per litre;

Indoor swimming pools - water temperature 26 degrees C or below, not less than 1.5mg per litre;

water temperature above 26 degrees C not less than 2mg per litre;

Note – Cyanurate compounds must not be used in the disinfecting of indoor swimming pools and spa water.

b) Chlorination with Cyanurate (Sun Stabiliser Added)

Free residual chlorine concentration must be not less than 3mg per litre.

The Cyanurate concentration must be maintained within the range 25 to 50mg per litre;

c) pH must be maintained within the range of 7.5 and 8.1;

d) Reserve Alkalinity

Where sodium or calcium hypochloride is used, must be not less than 60mg per litre; and

e) Sodium hypochloride – liquid chlorine

Calcium hypochloride - granulated chlorine

Note – The above information is supplied by the NSW Department of Health.

(17) **Swimming Pool Water Quality** – Swimming pool water shall be maintained in a clean and healthy condition at all times so as to protect user health and safety and to prevent conditions that support the activity of water borne organisms (including bacteria, viruses and algae), insects and aquatic pests.

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

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

(20) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.

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

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

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

The use shall operate in accordance with the following:

1. all pollution control devices (Including drainage systems, sumps and traps) shall be regularly maintained;
2. all liquid wastes shall be collected and disposed of in a manner which does not pollute the stormwater system;

(24) **Emission Requirements** - All gases, odours, dust, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected into approved stacks for discharge to the atmosphere. The quality of the discharges from the stack system shall comply with the requirements of the *Protection of the Environment Act 1997* and Regulations made thereunder.

(25) **Noise and Ongoing Use and Occupation –** The use and occupation of all commercial premises shall not exceed the following levels when measured outside of the closest habitable room opening for the nearest noise affected residential unit located on the development site:

 Day Laeq15min – 53dB(A) 7am – 6pm

 Evening Laeq15min – 43 dB(A) 6pm – 10pm; and

 Night Laeq15min – 38 dB(A) 10pm – 7am.

(26) **Offensive Noise and Compliance** - The use and occupation of premises including all plant and equipment shall not give rise to offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*.

(27) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (eg. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.

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

(29) **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.

((30) **Waste Water Treatment Devices** - All wastewater treatment devices (including drainage systems, sumps, traps and pumps) shall be regularly maintained in good working order to ensure that they remain effective. A maintenance schedule shall be developed and incorporated into a Plan of Management (PoM) and kept on-site at all times for staff to comply with. All liquid and solid wastes collected from the treatment device shall be disposed of in accordance with relevant environmental protection and waste control legislation.

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(31) **Medical Waste** - Waste disposal containers with securely fitting lids shall be kept on the property for the storage of any clinical and related waste prior to the final disposal of the material at a facility approved by the EPA.

Waste disposal containers for sharps must comply with AS 3816.

(32) **Public Swimming Pool/Spa Pool** - The public swimming pool shall be operated and maintained in accordance with thePublic Health Act 2010, Public HealthRegulation 2012 and the Public Swimming Pool and Spa Pool Advisory Document – NSW Health 2013.

(33) **Regulated System** – All regulated systems prescribed under the Public Health Act 2010 and Public Health Regulation 2012 shall be notified to the appropriate regulatory authority and operated and maintained in accordance with the Public Health Act 2010 and Public Health Regulation 2012”.