

1.0 - General Conditions of Consent

- (1) **Approved Plans** - The development must be carried out generally in accordance with the following plans to meet the requirements of this consent:

Prepared By	Plans	Numbered	Dated
Playoust Churcher Architects	Preliminary	DA 1.0(E), 1.1(C) TO 1.8(C), 1.9(0)	March 2012 May 2009
Playoust Churcher Architects	Site & Floor	DA 2.1(F), DA 2.2F and DA 2.3 to 2.6(E)	March 2012
Playoust Churcher Architects	Elevations, Sections, Shadow Diagrams	DA 3.1(E) to 3.5(E)	March 2012
Playoust Churcher Architects	Shadow Diagrams	DA 3.6(0) to 3.8(0) DA 3.9(E) to 3.11(E) DA 3.12(0) to 3.22(0)	May 2009 March 2012 May 2009
Playoust Churcher Architects	Individual Building Plans	DA 4.1(F) to DA 4.2(E) DA 4.3(F) DA 4.4(E) DA 4.5(0) to 4.23(0) DA 4.24 (H) DA 4.25 (D) to 4.25(0)	March 2012 May 2009 March 2012 June 2012 March 2012
Playoust Churcher Architects	Colour & Finishes	DA 5.1(C) to 5.8(C)	August 2008
Gary John Skow	Plan of Subdivision (Stage 1)	11502	23 February 2018
Denny Linker & Co	Plan of Subdivision (Stage 2 - Final)	091116 D-COMM-SUB Printed 23/3/10	23 March 2010
Paul Scrivener Landscape Architects	Landscape Plans	1274-1(C) to 1274-4(C)	7 July 2008
Siteplus	Drainage and Civil Works plans	07138 (C02) (C04) (C05) (C10) (C13) (C15) (C14) (C16)	17 June 2008

As amended by the conditions of this development consent and the following plans and documents approved by Modifications 2008/644/5, 2008/644/7, 2008/644/8 and 2008/644/9:

Plan Ref.	Name of Plan	Prepared by	Date
DA-0001 C	Site Context Plan	Benson McCormack Architecture	September 2021
DA-0002 C	Site Plan	Benson McCormack Architecture	September 2021
DA-0100 B	GA - Basement Plan	Benson McCormack Architecture	July 2022
DA-0101 B	GA - Ground Floor	Benson McCormack Architecture	July 2022

DA-0102 B	GA - Level 1 Plan	Benson Architecture	McCormack	July 2022
DA-0103 B	GA - Level 2 Plan	Benson Architecture	McCormack	July 2022
DA-0104 B	GA - Level 3 Plan	Benson Architecture	McCormack	July 2022
DA-0105 B	GA - Roof Plan	Benson Architecture	McCormack	July 2022
DA-0200 B	Elevations - North & South	Benson Architecture	McCormack	July 2022
DA-0201 B	Elevations - East & West	Benson Architecture	McCormack	July 2022
DA-0300 B	Sections - A & B	Benson Architecture	McCormack	July 2022
DA-0960 B	External Finishes Schedule	Benson Architecture	McCormack	July 2022
DA-1108 B	Revised Staging Plan	Benson Architecture	McCormack	September 2021
DA-1109 A	Waste Management Plan	Benson Architecture	McCormack	September 2021
DA-1110 A	Temporary Waste Storage Structure	Benson Architecture	McCormack	September 2021
A1	Decorative Metal Panels	Camden Council		N/A
A.01 Rev 01	Building 2 Ground Level	N/A		8 November 2022
LA00	Landscape Plan 01	Matthew Higgins	Landscape Architecture	4 August 2022
LA01	Landscape Plan 02	Matthew Higgins	Landscape Architecture	4 August 2022
LA02	Planting plan: Trees 01	Matthew Higgins	Landscape Architecture	4 August 2022
LA03	Planting Plan: Trees 02	Matthew Higgins	Landscape Architecture	4 August 2022
LA04	Planting Plan: Shrubs 01	Matthew Higgins	Landscape Architecture	4 August 2022
LA05	Planting Plan: Shrubs 02	Matthew Higgins	Landscape Architecture	4 August 2022
LA06	Details 01	Matthew Higgins	Landscape Architecture	4 August 2022
Sheet 1 of 4 Sheets Issue C	Drainage Concept Plans	John M. Daly & Associates		29 September 2021
Sheet 2 of 4 Sheets Issue B	Drainage Concept Plans	John M. Daly & Associates		5 September 2021
Sheet 3 of 4 Sheets Issue C	Concept Drainage Plan Ultimate Development	John M. Daly & Associates		29 September 2021
Sheet 4 of 4 Sheets Issue A	Concept Driveway Longitudinal Sections	John M. Daly & Associates		5 September 2021
Sheet ADD1 of 4	Plan Showing Modification of	John M. Daly & Associates		29 September 2021

Sheets Issue A	Development Application of Buildings 3 & 5			
A-0003 03	Site Context Plans	Benson Architecture	McCormack	5 October 2023
A-0004 03	Site Plan	Benson Architecture	McCormack	5 October 2023
A-0100 03	GA - Basement Plan	Benson Architecture	McCormack	5 October 2023
A-0101 03	GA - Ground Plan	Benson Architecture	McCormack	5 October 2023
A-0102 03	GA - Level 1 Plan	Benson Architecture	McCormack	5 October 2023
A-0103 03	GA - Level 2 Plan	Benson Architecture	McCormack	5 October 2023
A-0104 03	GA - Level 3 Plan	Benson Architecture	McCormack	5 October 2023
A-0105 03	DA - Roof Plan	Benson Architecture	McCormack	5 October 2023
A-0200 03	Elevations - North & South	Benson Architecture	McCormack	5 October 2023
A-0201 03	Elevations - East & West	Benson Architecture	McCormack	5 October 2023
A-0300 03	Sections - A & C	Benson Architecture	McCormack	5 October 2023
A-0301 03	Sections - D & E	Benson Architecture	McCormack	5 October 2023
A-0960 03	External Finishes Schedule	Benson Architecture	McCormack	5 October 2023
LP01 C	Landscape Plan Ground Floor	Matthew Higginson Landscape Architecture		25 July 2023
LP02 C	Landscape Plan: Level 1, Ground Floor COS & Sections	Matthew Higginson Landscape Architecture		25 July 2023
P00658-CI-FC-1021 3	General Notes	Group Services	Development	18 October 2023
P00658-CI-FC-1321 3	Stormwater Drainage Plan - Sheet 1	Group Services	Development	18 October 2023
P00658-CI-FC-1322 2	Stormwater Drainage Plan - Sheet 2	Group Services	Development	18 October 2023
P00658-CI-FC-1421 3	Stormwater Drainage Details	Group Services	Development	18 October 2023
P00658-CI-FC-1441 3	Stormwater Longitudinal Sections - Sheet 1	Group Services	Development	18 October 2023
P00658-CI-FC-1441 2	Stormwater Longitudinal Sections - Sheet 2	Group Services	Development	18 October 2023

Document Title	Prepared by	Date
BASIX Certificate 1170826M_02	Certified Energy	14 July 2022
BASIX Certificate 1361799M_03	Bonnefin Consulting Pty Ltd	29 November 2023
BCA Assessment Report	BCA Logic	9 February 2021
Section J Energy Efficiency Report	Certified Energy	2 February 2021
Access Review Amended v2	Morris Goding Access Consulting	15 January 2021
Access Review DA Final V2	Morris Goding Access Consulting	24 November 2023
Stormwater Report for Buildings 3 and 5 and Incorporating Remainder of the Proposed Development of Lot 1 and Lot 2 in DP 1246185 Issue C	Beveridge Williams	29 September 2021
Review of Stormwater Drainage and Flood Levels for Proposed Modified Buildings 4 and 6	Beveridge Williams	18 January 2023
Flood Assessment	Beveridge Williams	September 2021

- (1A) **Development Staging** - The approved development must be constructed in accordance with the revised staging plan drawing no. DA-1108 Revision B by Benson McCormack Architecture dated September 2021 subject to the following requirements:
- the temporary waste bin storage room off Central Avenue can only be removed as part of the construction of building 7 in stage 5. The construction of building 7 in stage 5 must provide for the interim storage and collection of waste bins consistent with Council's waste management guideline until building 7 is fully completed and provides for their permanent storage and collection, and
 - the layby adjacent to the temporary waste bin storage room off Central Avenue must be completed as part of stage 2.
- (1B) **Demolition of Building 1** - Building 1 can be entirely demolished notwithstanding the reference on the approved plans to refurbish Building 1.
- (2) **Amendments to Approved Plans** - The amendments described below must be incorporated in the overall development and must be reflected in any plans prepared for the purpose of obtaining a Construction Certificate for building works for each relevant stage:
- Building 2 shall have the same setback from the boundary of 33a Exeter Street (Nant Gwylan and Gardens) as Buildings 4 and 6.
 - Balconies of Buildings 2, 4, 6, 14 and 12 shall be designed to ensure no direct overlooking of 33a Exeter Street (Nant Gwylan and Gardens). For dwellings 4101 and 4201 in the consolidated buildings 4 and 6, this must involve the installation of 1.5m high privacy screens with a minimum block out density of 50% along the eastern side of their balconies.

- c) Acoustic wall shall be provided to the boundary of 33a Exeter Street (Nant Gwylan) adjoining The Central Avenue (internal road) and Basement Carpark access to Building 12.
- d) The doorways to the bulky waste room underneath modified buildings 3 and 5 and the waste room underneath buildings 4 and 6 must be a minimum of 1.8m wide.
- e) For buildings 3, 4, 5 and 6, all habitable dwelling rooms must have a window in an external wall with a total minimum glass area of at least 10% of the floor area of the room, or be in accordance with the glass areas shown on the approved plans, whichever is the greater.
- f) The temporary waste bin storage room off Central Avenue must be provided with:
- a floor area that is 20% larger than the size of the bins or equipment,
 - internal illumination,
 - ventilation in accordance with AS 1668.2 and AS 1168.4,
 - a smooth graded ground surface,
 - an external water tap adjacent to the room,
 - a drain that discharges to a sewer connection,
 - a path to the waste collection vehicle loading zone that is smooth with a maximum grade of 1:14,
 - decorative metal panels installed between the doors on its northern elevation generally consistent with/similar to the design shown on the additional plan titled 'A1 - Decorative Metal Panels' and stamped approved by Camden Council. The panel design must be submitted to Council for approval prior to installation, and
 - 'No Parking' signage displayed in the layby.
- g) Provide a temporary turning facility within the footprint of stage 4 (as part of the construction of stage 3) to allow for cars, Council's waste collection vehicles and service vehicles to turn around at the end of Central Avenue. The facility must be designed in accordance with Council's engineering specifications and waste management guideline.
- h) Provide a flood free pedestrian path for use in the event of flooding. The path must allow residents and visitors of buildings 1 and 2 to safely evacuate those buildings and must link from buildings 1 and 2 in stage 1 across stage 2 and then to John Street.
- i) Incorporate minor design modifications to ensure that the 22 units listed as achieving compliant solar access in accordance with the design criteria of Objective 4A-1 of the Apartment Design Guide will do so.
- j) Add a shared pedestrian/vehicle zone by pavement marking between car parking spaces 28 and 32 and additional bright and even lighting along the pedestrian path of travel through this zone.
- k) Update the approved plans to ensure that accessible car parking space V2 complies with the applicable Australian Standards as a structural column is shown adjacent to it.
- l) Update the approved plans to achieve compliance with Schedule 4 of State Environmental Planning Policy (Housing) 2021.

- m) Update the approved waste management plan (DA-1109A) dated September 2021 and prepared by Benson McCormack Architecture to reflect the modifications approved by Modifications 2008/644/7 and 2008/644/9.
- n) Update the approved plans to remove the café from the lobby.
- o) Update the plans for building 7 to reflect the modifications approved by Modifications 2008/644/5 and 2008/644/7.
- p) The approved stage 2 subdivision plans must be updated to reflect the modified development layout approved by Modifications 2008/644/5, 2008/644/7 and 2008/644/9. The updates must reflect the outcomes of the approved subdivision plans listed in condition 1.0(1) of this development consent.
- q) Despite the amended plans approved by Modifications 2008/644/5, 2008/644/7 and 2008/9, the carriageway for Central Avenue and Nepean Street and the plaza between modified buildings 3 and 5 must utilise the materials and finishes as shown on the approved plans listed in the first table of condition 1.0(1) of this development consent.
- r) Increase the compensatory flood storage to be provided in the north eastern part of the site to 1,000m³ in accordance with the approved flood assessment and stormwater drainage reports by Beveridge Williams listed in condition 1.0(1) of this development consent. Plans and details demonstrating the provision of the compensatory storage must be provided to Council for approval.

Amended plans or documentation demonstrating compliance must be provided to the certifier and Council prior to the issue of a Construction Certificate for the relevant stage.

(3) **Maintenance Bond and Performance Bond** - A bond in the form of an unconditional trading bank guarantee or cash bond, to the value of \$100,000 must be lodged with Council prior to the issue of any Construction certificate. This bond is to cover:

- the maintenance of civil works constructed;
- any damage to existing roads, drainage lines, public reserves or other Council property;
- any damage to works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be held for twelve (12) months after the Final Occupation Certificate for the final stage of the Development has been issued or for such longer period as determined by Council's engineer where a defect is identified and such defect arises within 6 months after the work is completed.

Council may refund the whole or any part of the bond where it is of the opinion that the quantum of expenditure to comply with the matters set out above is less than the value of the bond.

Where there is a threat to the safety of the public, Council is entitled to use the whole of or any part of the bond to rectify any damage or to undertake any maintenance or to perform any works necessary to rectify any defect in any public work required in connection with the consent. In all other cases, Council must give the applicant at least seven (7) days prior written notice of the required works and may only have recourse to

the bond to carry out the works itself where the applicant has failed to carry out the works specified in the notice

In accordance with Council's Fees and Charges a non refundable administration fee of \$110 for cash/cheque bonds and \$220 for bank guarantees must be paid to Council upon lodgement of such bond.

- (4) **Waste Management Plan (Demolition and Construction)** - The management of waste must be undertaken generally in accordance with the "Waste Management Plan, prepared for AEH Group, prepared by ACOR Consultants Pty Ltd dated 4/07/08."
- (5) **Workcover Authority** - All work must comply with relevant requirements of NSW WorkCover Authority.
- (6) **Duty to Report Contamination** - Where contamination has been identified as entering or will foreseeably enter the neighbouring land, the atmosphere, groundwater or surface water, or exceeds or will foreseeably exceed a level of contamination set out in DECC's "Guidelines on the duty to report Contamination under the Contaminated Land Management Act 1997", the person who has become aware of the contamination must notify DECC immediately when they become aware of the contamination.
- (7) **Importation of Fill** - Prior to placement of any proposed fill on the subject site a validation report and sampling location plan shall be submitted to the Principal Certifying Authority for concurrence that validates that all such material: -
 - (i) provides no unacceptable risk to human health and the environment;
 - (ii) is free of contaminants;
 - (iii) has had salinity characteristics identified in the report;
 - (iv) is suitable for its intended purpose and land use, and
 - (v) has been lawfully obtained.

A suitably qualified environmental consultant, as defined in Camden Council's "Management of Contaminated Lands Policy", must prepare the validation report.

The assessment of fill shall be completed in accordance with:

- The Department of Land and Water Conservation Booklet - "Site Investigation for Urban Salinity."
- The Department of Environment and Conservation Contaminated Sites Guidelines - "Guidelines For the NSW Site Auditor Scheme (2nd edition) - Soil Investigation Levels for Urban Development Sites in NSW."

The sampling for salinity of fill volumes less than 6000m³ must provide for 3 sampling locations; fill volumes exceeding 6000m³, require one sampling location for each additional 2000m³. A minimum of 1 sample from each sampling location must be provided for assessment.

The sampling for Contamination should 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 1)	1000

Note 1: 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

- (8) **Location of Soil Stockpiles** - Stockpiles of soil shall not be located on or near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these assets. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (9) **Hazardous Materials Removal Plan** - Hazardous materials to be removed as part of the demolition works must be removed in accordance with the "Hazardous Materials Removal Plan: AEH Lifestyle Estate Project No 3 Pty Ltd Camden High School John Street Camden NSW, Prepared by Noel Arnold & Associates Ref NO. SK0058:66243, Dated June 2008."
- (10) **Offensive Noise, Dust, Odour, Vibration** - Remediation, demolition and construction works shall not give rise to offensive noise, dust, odour, vibration as defined in the Protection of the Environment Operations Act 1997 (POEO) when measured at the property boundary.
- (11) **Dust** - All remediation and construction activities must be managed to ensure that dust is minimised and prevented from leaving each relevant stage.
- (12) **Prohibition of Pollution of Water** - All remediation and construction works conducted on each relevant stage must comply with "Section 120 - Prohibition of Pollution of Waters" of the POEO.
- (13) **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.
- (14) **Remediation and Construction Noise Levels** - Noise levels emitted during remediation and construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends:
- Remediation / Construction period of 4 weeks and under:
- The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- Remediation / Construction period greater than 4 weeks:
- The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).
- (15) **Mechanical Plant Noise** - Noise from the combined operation of all mechanical plant and equipment shall not generate noise levels in excess of the Environment Protection Authority's Industrial Noise Policy.

- (16) **Bunding and Containment Systems** - Where there is a potential for any stored materials to spill and cause environmental harm, suitable bunding or alternative spill containment systems must be in place. The bunding or containment systems must be designed, engineered and constructed to be suitable for the types and quantities stored therein in accordance with all appropriate standards.
- (17) **Removal Of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer www.environment.nsw.gov.au/waste/envguidlins/index.htm). Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.
- (18) **Storage of Recyclable Waste** - All waste identified for recycling must be stored separately from other waste on the site.
- (19) **Vehicle Decontamination** - All vehicles that come in contact with contaminated materials will need to be swept down prior to exiting the site. The movement of vehicles should be policed so as to reduce their contact with contaminated materials.
- (20) **Site Security Fencing** - The site is to be kept secure at all times by a suitable fence that will prohibit access from non-authorised users. Any gates providing access to the relevant stage are to be locked at the conclusion of each working day.
- (21) **Recording of Complaints and Register** - The applicant / owner / site manager of each relevant stage must keep a legible record of all complaints that have been received in relation to the activity of remediation and / or construction works undertaken in each relevant stage or from works undertaken in relation to each relevant stage. A record of all complaints must be kept for the duration of remediation and development works and be produced to any Council Authorised Officer or Authorised Officer under the POEO who asks to see them.

The record must include details of the following:

- (a) the date and time of the complaint;
 - (b) the method by which the complaint was made;
 - (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - (d) the nature of the complaint;
 - (e) the action taken by the applicant / owner / site Manager in relation to the complaint, including any follow-up contact with the complainant; and
 - (f) if no action was taken by the applicant / owner / site Manager, the reasons why no action was taken.
- (22) **Notification of Complaint Line** - The applicant / owner / site Manager must notify the public of the complaints line telephone number and the fact that it is a complaints line so that any potentially impacted community members know how to make a complaint. Community notification must be via a letter box drop to all premises (including residential, commercial, industrial) located in the immediate area that is bounded by

Mitchell, John, Exeter and Elizabeth Streets. In addition, a sign notifying the complaint line details must be erected in a prominent position and must remain until the completion of remediation and development works on the external boundary of each relevant stage.

- (23) **No Refuse Burning** - Where building materials, trees and/or shrubs are required to be removed as part of works in each relevant stage, such materials must be removed from each relevant stage and be recycled or disposed to a licensed waste/refuse receiving facility. Under the Protection of the Environment Operations (Clean Air Regulations) 2002, the burning of anything in the Camden LGA is prohibited unless exempt by the regulations or prior written approval has been obtained from DECC.
- (24) **Copy of Consent** - A copy of the consent is to be kept on the property of the relevant stage at all times during demolition and construction following the commencement of remediation works. The consent must be produced to any Council Authorised Officer or Authorised Officer under the POEO who asks to view the consent.
- (25) **Hours Of Work** - The hours for all remediation, construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if remediation/construction/demolition noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (26) **Damaged Assets** - All engineering works and public utility relocation shall incur no cost to Camden Council. Any damage to Camden Council's assets shall be made good at no cost to Council prior to commencement of use/occupation of each relevant stage.
- (27) **Site Management** - To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- The delivery of materials shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
 - 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 the site relating to each relevant stage.
 - 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. Waste must not be burnt or buried on site, nor should windblown rubbish be allowed to leave the site relating to each relevant stage. All waste must be disposed of at an approved Waste Disposal Depot.
 - A waste control container shall be located in the site that relates to each relevant stage.
- (28) **Access From Public Places** - Construction access from public places (reserves, parks, walkways and the like) other than roads shall not occur without the prior consent of

Camden Council. Bonds or legal agreements may be required to protect Council's assets if access from these places is approved.

- (29) **Geotechnical report** for each relevant stage indicating the assessment of stability of the excavation batters and any fence and structures on adjoining land should be submitted prior to the commencement of works in each relevant stage.
- (30) **Drainage Strategy** - The drainage strategy to address the management of stormwater during any works in each stage shall be submitted to the Consent Authority prior to the first Construction Certificate being issued for each relevant stage. The drainage system should address the stormwater generated during the staging process and all water must be treated for contamination prior to discharging to Council's system.
- (31) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work in each relevant stage. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from each relevant stage. Ingress and egress of each relevant stage must be limited to this single access point.
- (32) **Public Risk Insurance Policy** - Prior to the issue of any Construction Certificate, the owner/contractor is to lodge with Camden Council a Certificate of Currency for a Public Risk Insurance Policy with a minimum cover of \$10 million; the policy must relate to the occupation of and works within Council's road reserve. Where works are being carried out in more than one stage only one Public Risk Insurance Policy with a minimum cover of \$10 million shall be issued. The Public Risk Insurance Policy must cover all works being carried out by all contractors in each stage that work is being carried out in.

The Certificate of Currency must remain current for the duration of all construction activities within Council's road reserve and until an occupation certificate is issued for the works for each stage adjacent to such road reserve.

- (33) **Excavated Sites** - All excavated sites must be stabilised with grass or other surface treatment to prevent erosion and instability and be enclosed with appropriate fencing to prevent access by public.
- (34) **Toilet Facilities** - Toilet facilities must be provided, at or in the vicinity of each relevant stage, at the rate of one toilet for every 20 persons or part of 20 persons employed in each relevant stage.

Each toilet provided must be standard flushing toilet, and must be connected:

- (i) to a public sewer, or
- (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or
- (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

In this condition:

accredited sewage management facility means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

approved by the council means the subject of an approval in force under Division 1 of Part 3 of the Local Government (Approvals) Regulation 1993.

public sewer has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

sewage management facility has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

- (35) **Hoarding and Ancillary Requirements** - Each relevant stage must be enclosed with a suitable temporary hoarding or security fence of a type approved by the Consent Authority, (i.e. Camden Council). An application must be lodged with and approved by Council prior to the erection of any hoarding or fence.

Note 1 No site or demolition works must commence before the hoarding or fence is erected and a Construction Certificate, if applicable, granted by a Certifying Authority.

Note 2 Public thoroughfares must not be obstructed in any manner whatsoever during demolition works.

Note 3 All demolition works must comply with the requirements of AS 2601 - 1991.

- (36) **Protection of Council Property** - All reasonable care must be taken to protect Council's roads, including the made footway, kerbs, trees, etc, and when plant and vehicles enter each relevant stage, the footway shall be protected against damage by deep sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends.

- (37) **Delivery Register** - In order to comply with the above, 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 Camden Council officers on request and be submitted to the Council at the completion of the development.

- (38) **Protection of Nature Strips, Reserves and Trees** - All proposed work in Council's lands shall be done in consultation with the Council's Works Division with minimum disturbance to the land or activities. Where applicable, in any nature strip areas, trees shall be protected by tree guards, protective bollards etc. All disturbed areas shall be restored to Council's standard.

- (39) **Archaeological Artefacts** - During any works involving site disturbance, should artefacts be uncovered which may have archaeological or historical significance, Council or the appropriate authority must be notified immediately. Such notification should occur prior to any further land disturbance or removal of the artefact.

- (40) **Disconnection of Services** - All services (i.e. sewer, phone, gas, water and electricity) must be disconnected prior to commencement of any remediation, demolition or construction of each relevant stage. The applicant is obliged to consult with the

various service authorities regarding their requirements for the disconnection of services.

- (41) **Destination of Waste Material** - Demolition materials must be disposed of to an approved land-fill site and where appropriate to an approved recycling outlet. Details of the method of waste disposal must be lodged with the Consent Authority (i.e. Camden Council) prior to commencement of work.
- (42) **Demolition/WorkCover Licence** - Persons undertaking demolition work shall be licensed under the Occupational Health and Safety (Demolition Licensing) Regulation 1995. WorkCover issues demolition licences to applicants who successfully undertake the Demolition Supervision Course, and who can demonstrate their ability and experience in the field.
- (43) **Burying of Demolition Materials** - No demolition materials shall be buried on the site, other than with the written consent of Council.
- (44) **Prevention of Nuisance to Inhabitants** - All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind blown dust, debris, noise and the like.
- (45) **Giving Notice to Other Statutory Authorities** - The applicant shall give notice of commencement to other Statutory Authorities such as Sydney Water, WorkCover etc as required under legislation and regulations.
- (46) **Vehicles Leaving the site of each relevant stage** - The demolisher shall:
 - (i) cause motor lorries leaving the site of each relevant stage with demolition material and the like to have their loads covered;
 - (ii) ensure the wheels of vehicles leaving the site of each relevant stage do not track soil and other waste material onto the public roads adjoining each relevant stage.
- (47) **Removal of Hazardous and/or Intractable Wastes** - Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant Statutory Authorities, and receipts submitted to Council for verification of appropriate disposal.
- (48) **Demolition Australian Standard** - Demolition of the building(s) shall be carried out in accordance with the requirements of Australian Standard 2601 - 1991 where applicable.
- (49) **Site Security for Demolition Works** - The site of each relevant stage shall be secured prior to the commencement of demolition and to the satisfaction of the Council or the Accredited Certifier and in accordance with Clause 78H of the Environment Planning and Assessment (Amendment) Regulation 1998.
- (50) **Asbestos** - All material in the building which contains asbestos shall be removed in accordance with the guidelines of the WorkCover Authority (telephone 9370 5099) and requirements of the Environmental Protection Authority.
- (51) **Demolition Access Authorised Persons** - Access to the site of each relevant stage shall be restricted to Authorised Persons Only and the site of each relevant stage shall be secured against unauthorised entry when building work is not in progress or each relevant stage is otherwise unoccupied.

- (52) **Demolition Sign Name of Builder** - A sign shall be displayed on the site of each relevant stage indicating the name of the builder or another person responsible for each site of each relevant stage and a telephone number of which the builder or other person can be contacted outside normal working hours or when each site of each relevant stage is unattended.
- (53) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the Building Code of Australia.
- (54) **Disability Discrimination Act** - This approval does not necessarily guarantee compliance with the Disability Discrimination Act 1992, and the applicant/owner is therefore advised to investigate their liability under the Act.

Your attention is drawn to AS1428 parts 2, 3 and 4 inclusive. This may be used as a comprehensive guide for disability access.

- (55) **Access For People With Disabilities** - Access for people with disabilities shall be provided in accordance with the requirements of Part 03 of the Building Code of Australia. Prior to the issue of a construction certificate, the plans shall be amended to reflect the above.
- (56) **Individual Tenancies (Commercial / Restaurant)** - Approval is given for the construction of shops, offices and Motel/ Restaurant/Function Centre (and the like) only and not the use of the buildings. The use and occupation of each and all individual tenancies are subject to a separate Development Application being lodged with the Consent Authority.
- (57) **Place of Public Entertainment** - A separate development application is required for the use of the premises as a place of public entertainment.
- (58) **Materials** - Public and private footpaths should match Council's preferred clay paver, as recently used in the Argyle Street median upgrade, Austral Victorian Classic Range - Victorian Blue.
- (59) **Advertising Signs Application** - Outdoor advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (i.e. Camden Council) prior to the erection of any advertising signs.
- (60) **Design Standards** - Engineering design drawings are to be prepared strictly in accordance with Camden Council's Engineering Works Development Control Plan and the Guidelines for engineering design specification.
- (61) **Construction Standards** - All civil engineering work associated with work in Council's road reserve must be carried out strictly in accordance with Camden Council's Draft Engineering Design and Construction Specifications - May 2003 for roadworks, drainage and other works associated with the development.
- (62) **General Requirement** - All activities associated with the development must be carried out- and must be carried out in an environmentally satisfactory manner as defined under section 95 of the POEO.
- (63) **Emission Requirements** - All gases, odours, fumes, steam, moisture and particulate matter generated by the use of any premises must be collected into approved stacks for discharge to the atmosphere. The quality of the discharges from the stack system must

comply with the requirements of the POEO as amended and Regulations made thereunder.

- (64) **Compliance with POEO Act 1997** - Ensure that all business and operational activities are carried out in accordance with the provision of the Protection of the Operations Act (POEO) 1997 at all times.
- (65) **Swimming Pools / Spas** - Swimming and /or spa pool/s and surrounds must be constructed, operated and maintained in accordance with the Public Health (Swimming Pools and Spa Pools) Regulation 2000 and the Department of Health NSW Public Swimming Pool and Spa Pool Guidelines 1996.
- (66) **Swimming Pool Disinfection** - The swimming pool water shall be disinfected using continuous dosing equipment.
- (67) **Non-Slip Concourse for Pool** - The concourse area that surrounds the pool is to be designed of non-slip materials.
- (68) **No Sharp Edges for Pool** - The internal finish applied to the pool must ensure that there are no sharp edges.
- (69) **Ventilation of Food Premises** - Adequate provisions shall be made for the installation of mechanical ventilation shafts designed to discharge effluent air above roof level for food premises where cooking / heating of food is to be carried out. Such discharges shall be in accordance with the requirements of AS 1668 Part 1 & 2.
- (70) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the commencement of any work.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (71) **Waste Collection by Council** - A covenant must be created entitling Camden Council, its servants, agents, and persons authorised by it, to enter upon the subject land and to operate thereon vehicles and other equipment for the purpose of collecting refuse and recycling matter.

The applicant must indemnify Council against any claims arising from any damage caused to any development on the site as a result of Council's waste management vehicles accessing the site for purposes of waste collection.

- (72) **No Gates** - This development consent does not approve the erection of any gates at the development's proposed entrances/exits to/from John and Elizabeth Streets. No gates must be installed across these entry/exit points.
- (73) **Stormwater Drainage Infrastructure in John Street Public Road Reserve** - The stormwater drainage infrastructure to be located in the John Street verge shall be amended to be located in the John Street road carriageway in accordance with Council's engineering specifications.

The existing discharge pip on the northern side of Exeter Street shall be upgraded in its capacity to direct discharge additional stormwater from the proposed drainage line from

this development. A direct drainage line across the intersection of John and Exeter Streets must be provided in accordance with Council's engineering specifications.

Pits and connection points shall be provided at locations where future drainage from the development site is to be discharged. Approval of these works is subject to the lodgement and approval of a Public Road Activity application by Council pursuant the Roads Act 1993.

(74) **Deleted.**

(75) **Deleted.**

(76) **Deleted.**

(77) **Car Parking Spaces and Access -**

Buildings 1 and 2 in Stage 1

All basement car parking spaces and the entry and exit to John Street must be fully constructed prior to the issue of an Occupation Certificate for either building 1 or 2 in stage 1.

Buildings 3 and 5 in Stage 2 and Buildings 4 and 6 in Stage 3

All basement car parking spaces relating to the individual stages 2 and 3, and the entry/exit from/to the overall development's internal street (located in stage 2), must be fully constructed prior to the issue of an Occupation Certificate for any or all of buildings 3 and 5 in stage 2 and for any or all of buildings 4 and 6 in stage 3.

Buildings 8, 9, 10 and 11 in Stage 4

All basement car parking spaces located underneath buildings 8, 9, 10, 11, 12, 13, 14 and 15 in stage 4 and the entry/exit from/to the overall development's central avenue must be fully constructed prior to the issue of an Occupation Certificate for any or all of buildings 8, 9, 10 or 11 in stage 4.

Buildings 12, 13, 14 and 15 in Stage 4

All basement car parking spaces located underneath buildings 12, 13, 14 and 15 in stage 4 and the entry/exit from/to the overall development's central avenue must be fully constructed prior to the issue of an Occupation Certificate for any or all of buildings 12, 13, 14 and 15 in stage 4.

Building 7 in Stage 5

The basement car park and entry/exit from/to John Street must be fully constructed prior to the issue of an Occupation Certificate for building 7 in stage 5.

(78) **Deleted.**

(79) **Use of Lower Ground Floor Levels in Buildings 1 and 2** - The use of the lower ground floor levels of building 1 and 2 is restricted to only residents, guests of residents and employees working on the subject site at all times.

Signage is to be placed conspicuously at all entrances and exits to the lower ground floor levels of buildings 1 and 2 stating this restriction.

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

- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
- b) where necessary, underpin the building, structure or work to prevent any such damage.

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

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

(81) **Temporary Waste Bin Storage Room off Central Avenue** - In the event that temporary construction site fencing around the site is modified or removed and the temporary waste bin storage room off Central Avenue becomes visible from John Street, landscaping must be provided in accordance with the following parameters:

- along the southern and western boundaries of the room for its entire length and width,
- capable of achieving a minimum mature height of 3m,
- planted so as to achieve a minimum visual block out density of 75% of the rooms southern and western elevations, and
- maintained in a complete and healthy condition until the waste room's removal as part of the construction of building 7 in stage 5.

(82) **Modifications 2008/644/5 and 2008/644/7** - Modifications 2008/644/5 and 2008/644/7 only approve the modifications specifically proposed by those applications and subject to the conditions of this development consent.

(83) **Flood Free Pedestrian Path** - The flood free pedestrian path required by condition 1.0(2) of this development consent must be provided within 6 months of the date of an Occupation Certificate being issued for buildings 1 or 2 (unless otherwise approved in writing by Council).

2.0 Remediation Requirements

(1) **Remediation Works** - All works proposed as part of the Remediation Action Plan that includes: remediation, excavation, stockpiling, onsite and offsite disposal, asbestos management that includes storage, cut, fill, backfilling, compaction, monitoring, validations, site management and security, health and safety of workers, must be undertaken on the site of each relevant stage in accordance with the Remediation Action Plan Report titled "Report on Remediation Action Plan: Former Camden High School Camden NSW, Prepared for AEH Group, Prepared by URS, Ref No 43217705/Camden rap, dated 11 June 2008," and "Report Supplement to Remediation Action Plan

(URS2008), Prepared for AEH Group, Prepared by URS, Ref No 43217705, dated 3 April 2009 and "FinalReport Additional Supplement to Remediation Action Plan (URS2008), Prepared for AEH Group, Prepared by URS, Ref No 43217705, dated 30 March 2010." except as expressly provided by a separate condition of this consent.

- (2) **Further Monitoring of Groundwater** - Further monitoring of groundwater will be required to be undertaken prior to, during and post completion of all remediation works. Sampling and testing is to be undertaken at least annually or as required by the site auditor. Sampling and testing must continue until groundwater conditions have been characterised and are deemed to be acceptable to the site auditor.
- (3) **Additional Management and Operation Plans** - To support the remediation strategy the following plans are required to be completed in respect of each relevant stage and submitted to the Camden Council prior to the commencement of any works associated with the remediation of each relevant stage.
- Contaminated Materials Management Plan (CMMP);
 - Sedimentation and Erosion Control Plan (S&ECP);
 - Emergency Response Plan (ERP);
 - Works Progress Plan (WPP);
 - Monitoring Plan (MP);
 - Odour Management Plan (OMP);
 - Quality Assurance and Quality Control Plan (QA&QCP);
 - Emergency & Contingency, Management Plan (ECMP);
 - Site Specific Project Health and Safety Plan (SSPH&SP).
- (4) **Site Management Plan** - A Site Management Plan for each relevant stage must be submitted to Council prior to the issue of a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 - 2005 and must address, but not be limited to, the following issues as they relate to each relevant stage:
- (a) All matters associated with Council's Erosion and Sediment Control Policy.
- (b) All matters associated with Occupational Health and Safety.
- (c) All matters associated with Traffic Management/Control during remediation, demolition and construction, which should address issues of access of construction traffic, storage of material, location of site office, and parking for workers, use of equipment and other matters which has an impact on the road network or immediate environment.

The purpose of such is to ensure safety and minimise the effect on adjoining pedestrian and traffic systems. Plans detailing such matters must be prepared in accordance with the most current edition of AS1742.3 and to the requirements of the Roads Authority.

Any construction work which involves access to a public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by a RTA accredited Certifier.

Appropriate Traffic Control Plans shall be submitted for each stage of construction including the use of Council's road and footpath for construction purposes.

The plan must be included in a Public Road Activity Application (Other) submitted to, and approved by, the Roads Authority, (i.e. Camden Council) prior to the commencement of work.

Such an application is available at Camden Council's Customer Service Counter.

- (d) All other environmental matters associated with works such as noise control, dust suppression, waste management and the like.
- (5) **Notice of Commencement of Work** - Notice in the form prescribed by the Environmental Planning and Assessment Regulation 2000 shall be lodged with the Consent Authority (Camden Council) at least 2 days prior to commencing remediation works in each relevant stage.
- (6) **Variation or Modification of Works** - Any variation or modification of remedial works or compliance or validation works, from that stated in the Remediation Action Plan and other accompanying reports referenced in Condition 3, other than those variations or modifications as stated in this consent, must be requested from the Consent Authority in writing and approved by the Consent Authority and a NSW DECC Accredited Site Auditor in writing prior to any such works being undertaken.
- (7) **Supervision of Remediation Works** - A qualified and experienced Environmental Officer who is familiar with the approved Remediation Action Plan will be required to be onsite to provide full time supervision of all remediation works to complete documentation of such works and to ensure that such works are undertaken in accordance with this consent.
- (8) **Compliance of Remediation Work** - All remediation work must also comply with the following requirements:
- Contaminated Land Management Act 1997;
 - Department of Urban Affairs and Planning - Contaminated Land Planning Guidelines 1998;
 - SEPP55 -Remediation of Land;
 - Sydney Regional Plan No 20 Hawkesbury Nepean River (No 2 - 1997); and,
 - Camden Council's Adopted Policy for the Management Of Contaminated lands.
- (9) **Site Validation Report** - A validation report incorporating a notice of completion must be submitted to the Consent Authority in accordance with the requirements of clause 7.2.4 (a) -(d) and clause 9.1.1 of Council's adopted Policy - Management of Contaminated Lands and clause 17 & 18 of SEPP 55 for each stage of completed remediation works. Alternatively, where all remediation works are proposed to occur at the one time, a single report will be sufficient. The notice/s or reports must confirm that all decontamination and remediation works have been carried out in accordance with the remediation plan and must be submitted to the Site Auditor within 60 days, (or such other time as varied by the site auditor) of the final results becoming available. The Consent Authority shall be provided with the validation report within 30 days following the Auditor's review.
- (10) **Site Audit Statement** - At the conclusion of all remediation works or stages of remediation work the applicant shall have such works and validation documentation

reviewed by an independent NSW Site Auditor accredited by DECC under the Contaminated Land Management Act 1997. The auditor shall undertake a site audit of the works and documentation and provide a Site Audit Statement (SAS) that clearly states if the land the subject of the remediation is suitable for the intended (future) use. The SAS must be submitted to the Consent Authority within 30 days following the auditor's review of the Site Validation Report.

- (11) The issuing of any conditions proposed to be imposed on a SAS must comply with the Contaminated Sites Guidelines for the NSW Site Auditor Scheme (2nd edition) dated April 2006, or any amended, revised or replacement guideline.
- (12) **Works As Executed Plan** - A works as executed plan that identifies the area remediated in each relevant stage and the extent of the works undertaken (that includes any encapsulation work) must be prepared by a registered surveyor and be submitted to the Consent Authority with the final Site Validation Report for each relevant stage.
- (13) **Potentially Offensive Odour** - Remediation works must not cause or permit the emission of offensive odour, as defined within the Protection of the Environment Operations Act (POEO), to occur beyond the boundary of the development site.
- (14) **Offensive Odour** - Where a Council Authorised Officer or an Authorised Officer (under POEO) deems that offensive odour has occurred beyond the boundary, then the carrying out of remediation works approved by this development consent must cease immediately until the offensive odour has been eliminated or is controlled to the satisfaction of the Authorised Officer.
- (15) **Monthly Environmental Monitoring and Performance Reporting** - The applicant must throughout the entire period of remediation works for each relevant stage and, until the remediation works for each relevant stage have been completed and validated, conduct regular environmental monitoring and prepare and submit to the Council each month a monthly environmental monitoring and performance report.

In addition to help ensuring consent compliance, the report will allow the review of environmental performance of remediation works with respect to the potential levels of odour and noise generation. The assessments must be undertaken by a Qualified Environmental Assessment Officer and be conducted when actual remediation works are at their worst. Monitoring shall be undertaken at the boundaries of the most potentially affected residents / premises located down wind of the remediation works.

The monthly report should include as a minimum:

- (a) Assessment of at least two "grab sample" odour samples (gathered at least two weeks apart) in accordance with "NSW EPA, 2001 Draft Policy: Assessment and Management of Odour from Stationary Sources in NSW, January 2001 and the Technical Notes."
- (b) At least four attended noise assessments (completed on a weekly basis for a time period of one hour) in accordance with "NSW EPA Industrial Noise Policy".
- (c) A copy of the complaints register for the month and details of how complaints were addressed and resolved;
- (d) Identification of any non-compliance with the conditions of consent that includes odour and noise.

- (e) Details of additional measures to be implemented to address any non-compliance.
- (f) Details relating to the volumes and types of materials (in tonnes) that have been excavated, sorted and processed as part of the remediation works, and how much waste material (in tonnes) has been disposed of off-site.
- (g) Details of volumes of fill (VENM) material (in tonnes) brought onto the site for each relevant stage.
- (h) A copy of the completed delivery register.

The first report must be submitted to the Consent Authority within one month after the commencement of excavation works that forms part of the remediation works and every month thereafter, or as otherwise agreed in writing by the Consent Authority.

- (16) **Storage and Treatment of Leachate** - Where liquid leachate is extracted from the landfill as a result of remediation works, the leachate is not permitted to be re- used on site for any purpose and must be temporarily stored on site in a suitably enclosed holding tank prior to transport removal off-site to a DECC licensed liquid waste facility. The holding tank must be bunded and not allow the release of odour from the stored leachate into the atmosphere. The transport of the leachate must be undertaken by a DECC licensed transport company.

Copies of disposal receipts / dockets must be obtained and be supplied to the Consent Authority as per the Condition for "Monthly Environmental Monitoring and Performance Reporting."

- (17) **Leachate Ponds** - The construction and use of leachate ponds on site is not permitted.
- (18) **Reuse of Effluent (Leachate)** - Once leachate is collected from the landfill site it is not permitted to be reused on site for any other purpose.
- (19) **Notice to Adjoining Owners of Remediation** - The following matters must be satisfied prior to and during remediation:
 - a. The applicant shall give written notice to adjoining landowners and residents seven (7) days prior to the commencement of remediation advising of commencement date;
 - b. Safe access to and from adjoining buildings shall be maintained at all times;
 - c. No remediation activity shall cause damage to or adversely affect the structural integrity of any adjoining building;
 - d. Consideration shall be given to the need for shoring and underpinning, and to changes in soil conditions as a result of the remediation, and appropriate measures implemented;
 - e. The effects of vibration and concussion on adjoining buildings and their occupants must be minimised;
 - f. Where the surface of an adjoining building is exposed by remediation, the need for weatherproofing the exposed surface shall be investigated and temporary or permanent protection provided as appropriate.

- (20) **Odour Management** - Where contamination materials are determined to be odorous or potentially hazardous, the applicant shall ensure that appropriate controls are implemented to eliminate any hazard or odour impact.
- (21) **Licenses** - It is the responsibility of the applicant / owner / operator to ensure that all relevant licenses are obtained from all appropriate authorities in accordance with relevant legislation requirements prior to the commencement of remediation works.
- (22) **Stormwater Impacts on the Remediation of Stage 4** - During the remediation of the containment cell in Stage 4, an impermeable barrier must be installed in order to prevent infiltration from over land storm water flows in the event of site flooding. In addition, the containment cell area must be protected from storm water infiltration via precipitation at all times during its remediation.
- (23) **Additional Groundwater Testing** - Additional groundwater sampling and testing is to be undertaken to a sufficient depth to ensure sampling and testing of shallow regional ground water. The results of such testing are to be provided to the site auditor. Sampling and testing results are to be provided to the site auditor 14 days prior to any other works commencing in relation to any stage.
- (24) **Groundwater Assessment and Groundwater Monitoring Results** - The test results for all groundwater assessment and groundwater monitoring samples are to be provided to the Site Auditor within 60 days, (or such other time as varied by the site auditor) of the results becoming available.
- (25) **Amendments to Remediation Action Plan (RAP)** - Prior to works commencing, the site auditor is to confirm that the RAP is adequate to remediate the identified groundwater contamination. If the site auditor is of the opinion that the RAP requires amendment then the applicant is to provide the site auditor with an amended RAP prior to works commencing on any stage, and if required by the site auditor, this must include a Human Health and Environment Risk assessment as referred to in Section 7.4.2 of the RAP URS, 11 June 2008 and if necessary a Section 96 Modification application must be submitted to Council.
- (26) **Prevention of Cross Contamination** - Prior to the issue of any Occupation Certificate being issued for Stage 4 or any part of Stage 4 the applicant must provide sufficient material for the Site Auditor to be satisfied that earlier stages (that have been certified as suitable for the intended use in accordance with RAP URS 11 June 2008 and other documents referred to in condition 1 of part 2 of this consent) have not been recontaminated by site works or adjacent site contamination relating to any complete stages.
- (27) **Section 88B Instrument for Ongoing Management** - Should the site auditor incorporate a condition in any Site Audit Statement that requires ongoing compliance with a management plan for a lot, a Section 88B instrument (Conveyancing Act NSW) is to be registered on that lot prior to any Occupation Certificate being issued.
- (28) **Barrier** - The barrier referred to in Section 7.4.2 of RAP URS 11 June 2008 is not approved by this development consent. Should such a barrier as referred to in Section 7.4.2 of RAP URS 11 June 2008 be deemed necessary, a separate development application must be submitted to Council for assessment and determination.

3.0 - Construction Certificate Requirements

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

(1) **Construction Certificate Before Work Commences** - This consent does not allow site works, building or demolition works to commence nor does it imply that the plans attached to this consent comply with the specific requirements of Building Code of Australia. Such works must only take place after a Principal Certifying Authority (PCA) has been appointed and a Construction Certificate has been issued.

(2) **BASIX Certificate** - Under clause 97A(3) of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. In this condition:

Relevant BASIX Certificate means:

(a) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or

(b) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and

(c) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000."

A BASIX Certificate must be submitted prior to the issue of the first Construction Certificate for building works for each relevant stage.

(3) **Additional Salinity Investigations and Management Plan** - A qualified environmental consultant is required to undertake further salinity assessments of the site of each relevant stage to determine if the soils are aggressive to concrete and steel. The assessment is to be undertaken in accordance with the requirements of Department of Infrastructure Planning and Natural Resources Booklet "Site Investigations for Urban Salinity" and be investigated following the completion of the approved remediation works / bulk earthworks for each site within each relevant stage. The depth of sampling must extend (below the ground surface) to the approved depth of development in each site for each relevant stage.

A salinity assessment must be carried out prior to any works being carried out in each relevant stage and prior to the issue of the first Construction Certificate for each relevant stage.

Where the assessment report indicates that soil / groundwater is aggressive to concrete and/or steel then the applicant must prepare and submit to Camden Council a detailed Salinity Management Plan for each relevant stage.

Where a detailed Salinity Management Plan (SMP) is required for the development, the plan prepared for each site for each relevant stage should address the risks posed to all proposed built assets by the saline environment and also address risks posed to the natural environment by the proposed assets. The SMP for each site for each relevant

stage is to be submitted to Camden Council prior to the Certifying Authority issuing the first Construction Certificate for each site for each relevant stage.

Where required, the SMP for each relevant stage must address:

- private (including dwellings) and public assets that will be constructed
- major construction activities and associated risks;
- the appropriate management strategies that includes construction requirements to mitigate the risk;
- the person / party responsible for managing the action.

The plan is to be prepared by a suitably qualified Consultant who has recognised expertise in the management of "salinity aggressiveness" and its impacts on construction materials and be approved in writing by the Certifying Authority prior to the commencement of construction works in each relevant stage. Following Certifying Authority approval, all recommendations in the SMP must be implemented for each relevant stage.

(4) **Services** - Prior to the issue of the first Construction Certificate for each relevant stage the following service authority clearances must be obtained and submitted to the Certifying Authority for inclusion in any Construction Certificate application:

- A certificate pursuant to s73 of the Sydney Water Act 1994 stating that both water and sewerage facilities are available to each allotment in each relevant stage. Application for such a certificate must be made through an authorised Water Servicing Co-Ordinator.
- A letter from Integral Energy stating that all its requirements and any conditions of this consent for each relevant stage have been satisfied.
- A letter from an approved telecommunications service provider stating that satisfactory arrangements have been made for the provision of underground telephone plant within each site for each relevant stage.

(5) **Public Utility Service Plans** - Public Utility Service plans must be submitted to the Certifying Authority for inclusion in the first Construction Certificate application for each relevant stage. The plan/s must:-

- be prepared by a designer accredited by a scheme approved by relevant Public Utility Service Authorities,
- be suitable for approval by relevant Public Utility Service Authorities,
- incorporate any relevant conditions associated with this Development Consent,
- recognise all provisions and requirements of the current Streets Opening Conference.

(6) **Plan of Management** - Prior to the issue of the first Construction Certificate for each relevant stage the Applicant must submit to the Consent Authority for approval operation, maintenance and monitoring manuals for the temporary water quality treatment devices proposed to service the development. The manuals are to include, but not be limited to the following:

- Desilting

- Flocculation
- Sediment removal
- Removal of noxious weeds
- Acceptance of water quality discharge parameters as stated in the Clean Waters Regulations 1972.

The manuals are to be prepared by a suitably qualified professional and make recommendations where water quality does not comply with the Clean Waters Regulations prior to any proposal to discharge from the temporary devices.

- (7) **Works Within Each Relevant Stage** - Design plans for drainage, roads, access ways, earthworks, pavement design, details of line marking and traffic management and all other matters associated with Development Control Plan 2006.

The recommendations of the Salinity Management Plan, Camden Council's Draft Engineering Design Specification - May 2003, and certified by accredited certifiers with Civil Engineering and Subdivisional Geotechnics accreditation must be submitted to the Certifying Authority for inclusion in any application for the first Construction Certificate for each relevant stage.

- (8) **Landscaping Plan** - Prior to the issue of the first Construction Certificate (CC) for building works for each stage, detailed Landscaping Plans prepared by a qualified landscape architect or qualified landscape designer, must be submitted with the CC application to Council and the Principal Certifying Authority. Council must approve all landscaping works proposed to take place within all public road reserves.

- (9) **Landscaping Maintenance & Establishment Period** - All landscaping works associated with this Consent are to be maintained and successfully established. The landscaping maintenance and establishment works will be for a period of 12 months. The maintenance and establishment period is to commence from the earlier of the issue of the Occupation Certificate for each site of each stage or the Date of Practical Completion.

For the purposes of this Condition of consent the Date of Practical Completion (DPC) is that date when the Applicant and the Principal Certifying Authority (PCA) agree that the Landscaping works have been satisfactorily completed as per:

- the approved Landscaping Plans applying to this Consent; and
- the Detailed Landscape Plan.

It is the Applicant's responsibility to arrange a site inspection with the PCA, upon initial completion of the Landscaping works, to determine and agree upon, an appropriate DPC.

At the completion of the landscaping maintenance and establishment period, all areas of lawn and plantings, including any nature strip/road verge areas and garden bed areas, shall have signs of healthy and vigorous growth. Any trees, shrubs, grasses, nature strip/road verge areas, garden areas or lawn areas in a state of decline, damaged or missing are to be replaced or restored to a healthy and vigorous condition.

At the completion of the maintenance and establishment period, the landscaping works must comply with the Detailed Landscape Plan.

Any landscaping works that require repair or replacement are to be successfully repaired or replaced prior to the completion of the landscaping maintenance and establishment period.

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

The detailed landscape plan must also include:

- all universal access details for all open space areas and public facilities,
- consistency with the approved landscaping masterplan,
- compliance with the development control plan applicable to this site,
- consistency and mirroring of the approved Landscaping Concept Plans, (Landscaping Plans drawn by Paul Scrivener, Job No 08/1274/DA1, Sheets 1 to 4, Drawn 07/07/08, Issue C),
- the addition of the following tall tree planting:
 - one Jacaranda tree positioned centrally within the semi-circular central island at the end of Nepean Street as shown on the additional landscaping plan titled 'L6' and stamped approved by Camden Council,
 - 8 Cabbage Tree Palms positioned as shown on the additional landscaping plan titled 'L6 - Additional Tall Tree Planting' and stamped approved by Camden Council.

To achieve the additional tall tree planting, soil levels within the planters are to be gently mounded in the centre of the landscaped area by an additional 200mm above finished soil level at the edge of the planter,

- in relation to the landscaping plans approved by Modification 2008/644/9, update the plans to identify the plant species shown as 'WS' on the plans as a suitable tree species with a minimum mature height of 8m,
- all landscape amenity elements,
- detailed planting schedules, which includes positioning, species listed by botanical and common names, quantities, planting sizes and the estimated size of the plant at maturity,
- proposed landscaping that is consistent with the cultural, ecological, heritage and existing amenity of the area,
- proposed street trees including but not limited to the road verge are to be dwarf varieties (excluding the replacement street trees approved for John Street). The species selection and location are to take into account of any overhead powerlines and other existing services to satisfy Council's requirements,
- detail ongoing maintenance/irrigation management of planter landscape areas,

- updating the street tree works along John Street to only show the approved removal and replacement of the 6 existing street trees that adjoin the area of buildings 3 and 5,
 - street trees positioned at approximate 10m centres,
 - street trees sourced in accordance with the tests and measurements contained within AS2303-2018 - Tree Stock for Landscape Use,
 - tree planting details and section drawings specifying root barriers where trees are to be planted in close proximity to hard surfaces i.e. to the back of the kerb and to footpaths,
 - street trees centred within planting bays and no closer than 500mm to the back of the kerb,
 - provision of a header course of pavers around each tree pit for the replacement John Street street trees. The edge of each tree pit must be reinforced concrete in accordance with Council's tree pit standards. The colour and style of clay paver must be approved by Council prior to installation, and
 - compliance with the amended landscaping plans approved by Modifications 2008/644/7 and 2008/644/9 that are listed in condition 1.0(1) of this development consent.
- (11) **Tree Pruning** - Any pruning of trees must be completed with Council Consent and in accordance with the standards, specified in the "Australian Standard of Pruning Amenity Trees - AS 4373-2007".
- (12) **Street Trees, Street Tree protective guards and Nature Strip/Road Verge Areas** - Any street trees, tree guards, protective bollards or any area of the nature strip/road verge, which are disturbed, removed, or damaged during the development, construction and the Consent conditioned Landscaping Maintenance and Establishment Period, must be repaired or replaced.

Any repairs or replacements needed to the tree/s, lawn area, bollards, tree guards, nature strip/road verge area are to be completed with the same type, species and maturity and the works carried out prior to the completion of the Landscaping Maintenance and Establishment Period.

- (13) **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 Consent.

The following procedures shall be strictly observed:

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

- (14) **Protection for Existing Trees and Other Landscape Features On Site** - 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.

- (15) **Transport Mobility Access Plan** - Prior to the issue of the first Construction Certificate for any stage of the approved development, the applicant shall provide to Council and the Roads and Traffic Authority a Transport Mobility Access Plan (TMAP) that identifies the demands of pedestrian, cyclist, vehicular and public transport associated with the development and recommends facilities and actions to address these demands to the satisfaction of the NSW Roads and Traffic Authority and the local roads authority.

- (16) **Roads Act 1993 Consent** - Prior to the issue of the first Construction Certificate for each relevant stage consent pursuant to s.193 of the Roads Act 1993 must be obtained from the Roads Authority, Camden Council for the design and construction of all the proposed work in, on or over the road reserves adjacent to the subject site.

The design must include, but not be limited to, plans/documents associated with:

- (a) the construction of kerb and gutter, road shoulder and drainage
- (b) footway formation
- (c) public utility service adjustment or installation
- (d) an Environmental Site Management Plan - it should be noted that the plan required by condition (Management Plan) may also include all aspects associated with this requirement.

The design and subsequent construction of items (a) to (c) above is for the express purpose of providing pedestrian and vehicular facilities as a result of the development.

Further, all such plans and documents associated with the design must be certified by:

- (i) persons who are suitably accredited by a scheme approved by the NSW Department of Planning or when no scheme exists,
- (ii) persons who are suitably qualified, are specialists and in that regard, currently practicing in that specialist area, or
- (iii) in the case of a Public Utility Authority, an appropriately delegated officer of that Authority or accredited person by that Authority,

and be prepared in accordance with Camden Council's Current Engineering Design Specification.

- (17) **Intersection Design** - Prepare a detailed design plan to indicate the feasibility of efficient truck and vehicle movement in and out of the proposed intersections of the development and submitted to Council for approval prior to the issuing of the first

Construction Certificate for each relevant stage. All roads and intersection must be designed to facilitate the safe turning of the Large Rigid Truck (12.5m) as per AS 2890.2.

- (18) **Drainage Design** - A stormwater management plan is to be prepared prior to the issue of the first Construction Certificate relating to site and/or building works in each development stage to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This plan must be submitted and approved by the certifier. The plan must cater for future developments of land adjoining the site, overland flow from adjoining properties and:
- (a) The stormwater drainage system must include the existing stormwater runoff from the upstream catchment from John Street.
 - (b) Any stormwater line draining the basement shall be fully located in the roadway along with other street drainage at the time of the construction of the roads.
 - (c) Provide on-site detention to ensure that at all times, the post-development stormwater discharge from the site is no greater than the pre-development stormwater discharge from the site. This may involve the provision of additional on-site detention facilities over and above those that are shown on the approved plans.
 - (d) Consistency with Council's engineering specifications.
- (19) **Sub-Floor Drainage** - Sub-floor excavations must be provided with an agricultural pipe and rubble drain not less than 300mm deep nor less than 300mm wide and connected to the building's existing stormwater drainage system.
- (20) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary, an onsite detention system must be provided to restrict stormwater discharges from the site to pre-development flows. The system is to provide for all storms up to and including the 1% AEP event. Engineering details and supporting calculations must be prepared by a qualified Hydrology Engineer and submitted to the PCA for approval prior to issue of the first Construction Certificate for each relevant stage.

On completion of the on-site detention system for each relevant stage, Works-as-Executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council prior to the issue of the Occupation Certificate for each relevant stage in which the on-site detention system is built. The plans are to be certified by the designer and are to clearly make reference to:

- the works having been constructed in accordance with the approved plans,
- actual storage volume and orifice provided,
- the anticipated performance of the system with regard to the design intent.

- (21) **Overland Flow Path** - A depression must be formed over the full width and length of the drainage easement to provide a stormwater escape route. The escape route must be designed to have a capacity to carry the difference between a 1:100 year flow and the flow in the pipe. A Restriction as to User must be created on the title of lot/s affected prohibiting the alteration of the surface levels within the drainage easement and limiting permissible fencing across the easement to an open form fence to allow overland flow

to be contained within the easement, prior to the first Construction Certificate for any building works.

- (22) **Dilapidation Survey** - A photographic dilapidation survey (not more than 30 days old) of existing public roads, drainage reserves, drainage easements and any other existing public infrastructure within the immediate area of the development site must be submitted to Council for inclusion in any application for the first Construction Certificate for each relevant stage.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (23) **Civil Engineering Plans for Works within the Existing Road Reserve** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with Camden Council's Draft Engineering Design and Construction Specifications-May 2003 and are to be submitted for approval to the Principal Certifying Authority prior to the first Construction Certificate being issued for each relevant stage.

Note: Under the Roads Act 1993, only the Council can issue a Construction Certificate for works within an existing road reserve. Under section 109E of the Environmental Planning and Assessment Act 1997, Council must be nominated as the Principal Certifying Authority and has the option of undertaking inspection of physical construction works.

Note: The developer must obtain a Construction Certificate prior to commencement of any physical site works.

All works associated with the development are to be undertaken at no cost to Council.

- (24) **Car Washing Facilities and Sydney Water Approval** - All water and run-off from car wash bays proposed under the BASIX Certificate(s) shall be drained to Sydney Water's sewer. Polluted water shall not be disposed of into the stormwater drainage system. Prior to the issue of the first Construction Certificate for building works for each relevant stage, approval from Sydney Water for car wash bay drainage to their sewerage system shall be submitted to the certifying authority. Drainage plans shall also accurately show the drainage of the car wash areas to the sewer and not the stormwater drainage system.

- (25) **Indigenous or Low Water Use Landscaping** - Prior to the issue of a the first Construction Certificate for building works in each relevant stage all indigenous or low water use landscaped areas as stipulated in the relevant BASIX Certificate(s) shall be shown on final landscaping plans prepared for the each relevant stage.

- (26) **Crime Prevention Through Environmental Design** - The applicant is to submit to Council a schedule of measures proposed to be implemented in the construction of each relevant stage of the development in order to minimise the risk of crime. Details are to be provided prior to the release of the first Construction Certificate for each relevant stage.

The following measures are listed for consideration in each of the relevant stages:

- (i) Security mirrors within corridors and on blind corners;
- (ii) Vandal proof lighting;
- (iii) Directional signage at entry and exit points;

- (ii) A Graffiti Management Plan;
- (iv) Monitoring within basement car parking;
- (v) Electronic access control equipment;
- (vii) Laminated glass windows to retail development.

- (27) **Trees to be Removed** - Prior to the issue of the first Construction Certificate for each relevant stage a plan is to be provided which identifies all existing trees on each site relevant to each relevant stage and shows those trees proposed to be removed.

The trees along the north-eastern boundary of Parcel 4 are to be retained and incorporated within an amended landscape plan to be separately approved by Council prior to the issue of the first Construction Certificate for Parcel 4.

- (28) **Roof Mounted Equipment** - Prior to the issue of the first Construction Certificate for each relevant stage Council must be provided with plans which identify all roof mounted equipment including air conditioning units and communication towers. The roof mounted equipment must be designed in a manner which compliments and is integrated into the overall design of the building.

- (29) **Waste Management Plan (Post Construction)** - Prior to the issue of the first Construction Certificate for building works for each relevant stage a Waste Management Plan must be submitted to Council documenting the following:

- (i) a step-by-step outline of the proposed waste management infrastructure and procedures from individual unit/business to removal of waste from site;
- (ii) the type and size of garbage and recycling receptacles to be used;
- (iii) the configuration of receptacles within each waste storage area/room;
- (iv) the volumes of garbage and recycling expected to be generated per unit block. This must be based on the figures in the Department of Environment and Conservation's Best Practice Guide for Multi-Unit Dwellings publication found at <http://www.resource.nsw.gov.au/publications.htm#multi-unit>;
- (v) the educational material, eg signage, which will be provided for residents regarding the use of the waste management system;
- (vi) the ventilation and drainage of waste storage areas in accordance with appropriate Australian Standards;
- (vii) the visual amenity of waste storage areas, such as screening;
- (viii) storage and collection locations clearly identified on a site plan;
- (ix) the activities of collection vehicles including timing, manoeuvrability, traffic movements with turning templates.

Note: The waste management infrastructure and procedures should give appropriate consideration to the safety of residents and service providers, minimising visual, traffic and noise impact, and maximising resource recovery through accessible recycling. The Best Practice Guide to Multi-Unit Dwellings provides a helpful guide on these areas.

- (30) **Road Stability** - The detail construction strategy for each basement construction must be submitted to council in order to prevent any damage to the road structure. A Public

Road Activity application shall be lodged with appropriate Traffic Control plan for approval from the Council for each of the basement construction activities on the development.

- (31) **Basement Drainage** - The proposed on-site detention facilities and rainwater tank shall be designed and installed to achieve the following:
- (i) an unobstructed overflow path must be created from the OSD tank and rainwater tank to Council's drainage system;
 - (ii) an appropriate strategy should be provided to prevent any backflow of water into the proposed basements from the road drainage system;
 - (iii) any storm water line draining the basement should be fully located in the internal road way along with other street drainage;
 - (iv) any individual water quality facilities which are located in each parcel must be maintained and replaced when required by the Community Association and Strata Corporation in accordance with the Maintenance Manual;
 - (v) an appropriate Restriction to user and Positive Covenant shall be provided in the 88B instrument for the subdivision.
- (32) **Required Car Parking** - Provision of a minimum of 390 car parking spaces across the entire development site in accordance with Camden Council's Development Control Plan 2006.
- (33) **Parking Design** - All proposed basement parking must comply with the requirement of the AS 2890.1. In particular disabled parking head room requirement, parking bay width adjacent to obstructions, grades of the ramp and appropriate transitions at the footway facilitates and sight distances for vehicles exiting the basement. Any security shutters shall be located so as to provide that there is no obstruction to pedestrian movement. The disabled parking spaces shall be nominated in the basement. An amended plan covering parking for all units must be provided to council and endorsed by the Private certifier as satisfying the car parking requirements set out in the approved plans prior to the release of the first Construction Certificate for each relevant stage. Wheel stops are to be provided for all parking spaces.
- (34) **Bicycle Facilities** - Bicycle racks shall be provided in appropriate locations for use of visitors and residents with an easy access to the community.
- (35) **Water Quality Management** - A comprehensive strategy for the management of the water quality from the development must be prepared and implemented to achieve the water quality objectives of the Council prior to the issue of the first Construction Certificate for each relevant stage.
- (36) **Structural Certification** - A structural certificate must be prepared by a practicing structural engineer and must be submitted to Council prior to the first construction certificate being issued for each stage. The certificate must attest that the building design (including all structures) is capable of withstanding the effects of water and water pressure due to flooding up to and including a probable maximum flood event.
- (37) **Flood Study Required** - A flood study prepared by a suitably qualified engineer must be submitted to Council in order to determine the impact of the proposed development on the flood behaviour, levels and velocity of flood and any potential increase of flood

hazard or damage to the subject property or others, prior to the first Construction Certificate being issued for site and/or building works. This study must be related to each stage of developments and also to the overall development once it is fully developed.

- (38) **Site Management Plan** - The approved Site Management Plan for remediation and construction for each relevant stage must be included in the application for the first Construction Certificate for each relevant stage.
- (39) **State Environmental Planning Policy No 65 Requirement** - In accordance with the provisions of State Environmental Planning Policy No 65 the following are to be provided to Council prior to the issue of a Construction Certificate for each relevant stage.
- (i) drawings of the proposed development in the context of surrounding development, including the streetscape;
 - (ii) photomontages of the proposed development in the context of surrounding development;
 - (iii) a sample board of the proposed materials and colours of the facade; and
 - (iv) detailed sections of proposed facades.
- (40) **Free Flow Of Water** - The location and design of the proposed doors must allow free access and escape of floodwaters without causing damage to the building. Details shall be evident in the first Construction Certificate application for building works in each relevant stage.
- (41) **Water Resisting Construction** - All external and internal partitions, framework, service and flooring must be constructed using flood compatible material. Details shall be evident in the first Construction Certificate application for building works in each relevant stage.
- (42) **Retaining Walls** - The detail design of the retaining walls at common boundaries and appropriate consent from the adjoining landowner must be submitted to the PCA prior to the issue of the first Construction Certificate building works for each relevant stage. All retaining walls including the footing for the same shall be located wholly with in the subject property.
- (43) **Interpretation Plan** - shall be prepared prior to the issue of the first Construction Certificate for building works for each relevant stage. The Plan shall include, but not be limited to, the following opportunities for public interpretation:
- The proposed feature signage wall and sculpture at the corner of Elizabeth and Exeter Streets would contribute to the creation of a landmark entrance to the new site which is a strategy for the Camden High School precinct outlined in the Town Centre Strategy.
- The opening up of this plaza area would also act as a transitional space between the rural character of the Town Farm and the proposed residential and commercial development on the site.
- (44) **Design Plan** - A design plan for the widening of Exeter Street shall be carried out with appropriate barriers, line marking and signage to prevent parking on the grass verge in consultation prior to issue of the Construction Certificate for building works for each

relevant stage of development fronting Exeter Street and work must be completed prior to occupation of each relevant stage.

- (45) **All internal roads**, roundabouts and other facilities must be designed to cater for a minimum of medium truck access. The development must facilitate the manoeuvring and entry/exit (in a forward direction) of furniture trucks, fire trucks and other utility vehicles. This must also include provision for Council's waste collection vehicles in accordance with Council's engineering specifications at those locations where Council's waste collection vehicles may enter the site, undertake waste collection and exit the site. Such work must be completed prior to the issue of the first Construction Certificate for each relevant stage.
- (46) **Acoustic Report** - For the noise protection of future occupants of the proposed dwellings an acoustic report must be submitted to the Consent Authority prior to the issue of the first Construction Certificate for each relevant stage. The report shall represent the development within each relevant stage and recommend suitable attenuation treatments for the buildings within each relevant stage to ensure full compliance with "AS/NZS 2107 - 2000 Acoustics - Recommended design sound levels and reverberation times for building interiors". In addition, the acoustic report must also consider treatments for both private and communal open space to achieve external acoustic amenity in accordance with the NSW DEC's (Formerly EPA) Industrial Noise Policy and Environmental Criteria for Road Traffic Noise.

Note: Where it is not possible to achieve internal noise level compliance in accordance with AS2107: 2000, with the dwelling doors and windows open, then dwellings may require mechanical ventilation (air conditioning) in accordance with the minimum standards prescribed by the Building Code of Australia.

The acoustic report provided with the construction certificate that incorporates the construction of the temporary waste bin storage room off Central Avenue must include an assessment of noise from the operation of the room and related waste collection activities. The report must include recommendations regarding the construction methods for the room and attenuation measures required to ensure that the applicable noise criteria is achieved at all receivers.

- (47) **Commercial Kitchen Fit-out Plans** - Detailed and scaled fit-out plans are to be provided for all commercial kitchens and ancillary areas within each relevant stage that demonstrates compliance with Camden Council's Food Premises Code, The Food Act 2003 and the Food Regulation 2004 (Incorporating the Food Standards Code). The plans are to be provided to the PCA for approval prior to the issue of the first construction certificate for each relevant stage.
- (48) **Site Management Plan** - A Site Management Plan for each relevant stage must be submitted to Council prior to the issue of a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 - 2005 and must address, but not be limited to, the following issues as they relate to each relevant stage:
- All matters associated with Council's Erosion and Sediment Control Policy.
 - All matters associated with Occupational Health and Safety.
 - All matters associated with Traffic Management/Control during remediation, demolition and construction, which should address issues of access of construction traffic, storage of material, location of site office, and parking for workers, use of

equipment and other matters which has an impact on the road network or immediate environment.

- All other environmental matters associated with works such as noise control, dust suppression, waste management and the like.

Any construction work which involves access to a public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by a RTA accredited Certifier.

(49) **Detailed Stormwater Drainage Plans** - Detailed stormwater drainage plans must be prepared and submitted to Council and the certifier with the application for a Construction Certificate for the first building in each stage. These plans must clearly detail all proposed drainage works/infrastructure (including, but not limited to, permanent and temporary on-site stormwater detention facilities, stormwater overland flow paths and water quality treatment devices) to be installed on the overall development site to cater for stormwater drainage for each building and must be consistent with, and achieve the same outcomes as, the approved concept drainage plan and the Flood Study Report dated June 2008 by Siteplus and the drainage and civil works plans nos. 07318 (CO2) (C04) (C05) (C10) (C13) (C14) (C16) (C15) by Siteplus as amended by:

- Sheet 1 of 4 Sheets Issue C by John M. Daley & Associates dated 29 September 2021.
- Sheet 2 of 4 Sheets Issue B by John M. Daley & Associates dated 5 September 2021.
- Sheet 3 of 4 Sheets Issue C by John M. Daley & Associates dated 29 September 2021.
- Sheet ADD1 of 4 Sheets Issue A by John M. Daley & Associates dated 29 September 2021.
- Drawing no. P00658-CI-FC-1021 Revision 3 by Group Development Services dated 18 October 2023.
- Drawing no. P00658-CI-FC-1321 Revision 3 by Group Development Services dated 18 October 2023.
- Drawing no. P00658-CI-FC-1322 Revision 2 by Group Development Services dated 18 October 2023.
- Drawing no. P00658-CI-FC-1421 Revision 3 by Group Development Services dated 18 October 2023.
- Drawing no. P00658-CI-FC-1441 Revision 3 by Group Development Services dated 18 October 2023.
- Drawing no. P00658-CI-FC-1441 Revision 2 by Group Development Services dated 18 October 2023.
- Stormwater Report for Buildings 3 and 5 and Incorporating Remainder of the Proposed Development of Lot 1 and Lot 2 in DP 1246185 Issue C by Beveridge Williams dated 29 September 2021.

- Flood Assessment by Beveridge Williams dated September 2021.
- Review of Stormwater Drainage and Flood Levels for Proposed Modified Buildings 4 and 6 by Beveridge Williams dated 18 January 2023.

and the conditions of this development consent.

- (50) **Basement Drainage (Stage 1)** - The stormwater from the ramps to the basement and floodwater during flood events must be properly collected and connected to the Council's drainage system. The design for this design must incorporate a one-way valve to prevent any floodwaters entering the basement due to flood events which have lower flood heights than the entrance level of the basement.
- (51) **Design of Basement Entrance** - The proposed entrance to the basement car park shall be designed with appropriate sight distance in accordance with AS 2890.1.
- (52) **Signage for Car Park** - All accessible parking, ramps and turn bays shall be appropriately marked and signposted.
- (53) **Site Auditor Review of Detailed Design Plans** - Prior to the issue of a construction certificate and the commencement of works involving the modifications approved by Modifications 2008/644/5 and 2008/644/9, the detailed design plans and the staging plans approved by the modifications (including all amendments required by the conditions of the development consent) must be reviewed by a NSW EPA accredited site auditor as defined by the *Contaminated Land Management Act 1997*. The auditor must confirm that the modifications (including all amendments required by the conditions of the development consent) approved by Modifications 2008/644/5 and 2008/644/9 do not alter any conclusions of Site Audit Statement 035-2124222R prepared by GHD (Andrew Kohlrusch) dated 6 August 2008.
- (54) **Fibre-Ready Facilities/Telecommunications Infrastructure** - Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:
- a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre ready facilities are fit for purpose; and
 - b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

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

- (55) **BCA Assessment Report** - For buildings 3 and 5, the design issues identified in the BCA Assessment Report Reference 113058-BCA-r1 by BCA Logic dated 9 February 2021 must be addressed in the construction certificate application.

Details demonstrating compliance must be provided to the certifier.

- (56) **Lighting** - Lighting must be provided along all communal open space pathways, including within the plaza and communal open space adjoining buildings 3, 4, 5 and 6,

and be designed in accordance with AS 4282 and AS 1158 and provide at least 20 lux at ground level.

- (57) **Internal Surface Finishes** - For buildings 3, 4, 5 and 6, light coloured internal surface finishes must be used for dwellings that do not achieve any direct sunlight between 9am and 3pm at mid-winter.

Details demonstrating compliance must be provided to the certifier.

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

Details demonstrating compliance must be provided to the certifier.

- (59) **Water and Electricity Outlets** - For buildings 3, 4, 5 and 6, water and electricity outlets must be provided for all terraces and balconies.

Details demonstrating compliance must be provided to the certifier.

- (60) **Liveable Housing Guidelines** - For buildings 3, 4, 5 and 6, 20% of the dwellings must achieve the Liveable Housing Guidelines silver level universal design features. Details demonstrating compliance must be provided to the certifier.

- (61) **Wayfinding Signage** - Legible and discrete wayfinding signage for residents and visitors must be integrated into the development.

Details demonstrating compliance must be provided to the certifier.

- (62) **Waste Bin Storage Areas** - All waste bin storage areas must be designed in accordance with Council's waste management guideline.

Details demonstrating compliance must be provided to the certifier.

- (63) **Mountable Roundabout** - The mountable roundabout on Central Avenue must be designed to accommodate the weight of Council's waste collection vehicles and other service vehicles that will enter the road.

Details demonstrating compliance must be provided to the certifier.

- (64) **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.

- (65) **1% Annual Exceedance Probability (AEP) Design** - The piped drainage within the development must be designed to a minimum of 1% AEP design.

Details demonstrating compliance must be provided to the certifier.

- (66) **Ground Floor of Building 2 Access** - In relation to the modifications approved by Modification 2008/644/8, access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and facilities associated with the development.

- (67) **Detailed Drainage Design** - A detailed drainage plan and report must be provided to the certifying authority. All pipe grades, pipe covers and associated drainage infrastructure must be designed in accordance with Council's Engineering Design Specifications and AS 3500.
- (68) **Structural Certification (Drainage)** - The underground on-site detention and all non-standard (including drainage pits in excess of 2m) structural elements must be designed and certified by a suitably qualified structural engineer and take into consideration the impact of loads imposed by roads, traffic and hydraulic flows on the on-site detention. The structural certificate must reference the suitability of the top of the on-site detention tank being used as road pavement.

The design must also take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect must be provided to the certifier including a current copy of the structural engineer's professional indemnity insurance.

- (69) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system must be provided for the site and designed in accordance with Council's engineering specifications.

A detailed on-site detention and water quality report, including a stormwater drains model and validated Camden Council MUSIC-link report with model reflecting the construction certificate plans in a pre-development vs post-development state must be provided to the certifier with the construction certificate application.

- (70) **Road Pavement Levels and Drainage** - The following information must be provided to the certifier with the construction certificate application:
- Detailed basin plans to demonstrate the interaction between the approved road pavement levels and the on-site detention tank.
 - Plans and details demonstrating that drainage levels have been designed and referenced from the road plans by JMD Development Consultants titled 'Concept Driveway Longitudinal Sections' approved by Modification 2008/644/7.
 - The 1% annual exceedance probability flood line must be provided on the on-site detention plan.

4.0 - Section 94 Contributions

EXPLANATORY NOTE

The section 94 calculations which arrive at these section 94 contribution conditions have been prepared on the basis of the existing section 94 contributions plan and adjusted in accordance with the merit assessment of the development. Due to this adjustment made to reflect the merit assessment of the development and the benefit that the development provides to the Camden community, the s.94 conditions and the calculations pertaining thereto should not be used as a precedent.

Prior to the issue of a Construction Certificate for each building, the following Section 94 Contributions must be paid for each building:

(1) **Building 1**

A contribution must be paid to Council of \$266,265.74 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(2) **Building 2**

A contribution must be paid to Council of \$286,747.72 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(3) **Deleted.**

(4) **Building 4**

A contribution must be paid to Council of \$143,373.86 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(5) **Deleted.**

(6) **Building 6**

A contribution must be paid to Council of \$143,373.86 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(7) **Building 7**

A contribution must be paid to Council of \$49,743.89 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(8) **Building 8**

A contribution must be paid to Council of \$143,373.86 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(9) **Building 9**

A contribution must be paid to Council of \$102,409.90 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(10) **Building 10**

A contribution must be paid to Council of \$102,409.90 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(11) **Building 11**

A contribution must be paid to Council of \$196,027.81 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(12) **Building 12**

A contribution must be paid to Council of \$92,168.91 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(13) **Building 13**

A contribution must be paid to Council of \$81,927.92 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(14) **Building 14**

A contribution must be paid to Council of \$102,409.90 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

(15) **Building 15**

A contribution must be paid to Council of \$25,845.55 for Section 94 Contributions as outlined in the Camden Contributions Plan adopted 28 June 2004.

The contribution must be indexed to the Consumer Price Index and paid prior to the issue of a Construction Certificate.

- (16) **Section 7.11 Contributions - Monetary** - A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services and amounts detailed below must be paid to Council prior to the issue of a Construction Certificate for the modified buildings 3 and 5 approved by Modification 2008/644/7:

Plan Name	Contribution Type	Indexed Rate	Amount Payable
Camden Contributions Plan 2011	Open Space Land Acquisition	\$9,637 per dwelling	\$298,747.00
Camden Contributions Plan 2011	Community Land Land Acquisition	\$59 per dwelling	\$1,829.00
Camden Contributions Plan 2011	Recreation and Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation and Administration Services	\$5,876 per dwelling	\$182,156.00
Total			\$482,732.00

A copy of the Section 7.11 Contributions Plan may be inspected at Council's Camden office at 70 Central Avenue Oran Park or can be accessed on Council's website at www.camden.nsw.gov.au.

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

5.0 - Prior To Works Commencing

The following conditions of consent shall be complied with prior to any works commencing.

- (1) **Notice of Commencement of Work** - Notice in the form prescribed by the Environmental Planning and Assessment Regulation 2000 shall be lodged with the Consent Authority (Camden Council) at least 2 days prior to commencing building works. The notice shall provide details relating to any Construction Certificate issued by a certifying authority and the appointed Principal Certifying Authority.
- (2) **Construction Access** - Construction access from public places other than roads (reserves, parks, walkways and the like) shall not occur without the prior consent of the local roads authority. Monetary bonds may be required to protect assets if access from these places is approved.
- (3) **Signs to be Erected** - Prior to the commencement of any work within each site of each relevant stage a rigid and durable sign (minimum size of 300mm x 400mm) must be displayed within each site of each relevant stage and be clearly visible and legible from the adjoining roadway advising the following:
 - (a) The name, address and telephone number of the PCA.

(b) The name of the principal contractor, and a telephone number on which the principal contractor can be contacted at any time.

(c) Stating unauthorised entry is prohibited.

The sign must be displayed for the duration of the construction works.

Note: Any such sign is to be maintained while the construction work is being carried out and removed only once the work has been completed.

(4) **Information Required by Council Prior to Demolition** - The demolisher shall lodge with Council at least forty-eight (48) hours prior to the commencement of work:

- Written notice indicating the date when demolition of the building is to commence.
- Details of name, license, address and business hours contact number.
- Copy of the demolisher's current public liability/risk insurance policy indicating cover of at least \$5,000,000.

(5) **Notice to Adjoining Owners of Demolition** - The following matters must be satisfied prior to and during remediation and demolition in each relevant stage.

(a) The applicant shall give written notice to adjoining land owners and residents seven (7) days prior to the commencement of demolition advising of commencement date and the details of structures being demolished;

(b) Safe access to and from adjoining buildings shall be maintained at all times;

(c) No demolition activity shall cause damage to or adversely affect the structural integrity of any adjoining building;

(d) Consideration shall be given to the need for shoring and underpinning, and to changes in soil conditions as a result of the demolition, and appropriate measures implemented.

(e) The effects of vibration and concussion on adjoining buildings and their occupants must be minimised;

(f) Where the surface of an adjoining building is exposed by demolition, the need for weatherproofing the exposed surface shall be investigated and temporary or permanent protection provided as appropriate.

(g) The demolition of below ground walls which support the adjoining ground shall not be undertaken until it is established that demolition will not cause the collapse of the adjoining ground, or effective lateral support is provided to prevent collapse.

(6) **Drainage Design** - The proposed drainage connection to the Council's system shall be approved and inspected by the Council. The final design shall comply with the Council's Design Specification and shall have a free board of 300mm of any floor level to the overland flow path. All on-site detention systems should be provided with overland flow paths.

(7) **Evacuation and Access Strategy** - A detailed evacuation and access strategy must be submitted to Council for approval. The strategy must be consistent with the SES

Camden Local Flood Plan and demonstrate that permanent, fail-safe maintenance free measures are incorporated in the development to ensure that timely, orderly and safe evacuation of people and potential pollutant material from the buildings on site, should a flood occur. The strategy must reflect each stage of the development and also the overall coordinated combined system of evacuation as each stage of development is completed.

The strategy must also address the following matters in relation to the modified buildings 2, 3, 4, 5 and 6 approved by Modifications 2008/644/5, 2008/644/7, 2008/644/8 and 2008/644/9:

- show the location of evacuation trigger(s) which are visible from the site i.e. no reliance upon the State Emergency Services or other emergency services,
- evacuation routes,
- rates of rise,
- evacuation centres,
- effective warning time to help facilitate safe evacuation of people and vehicles from the site,
- delineate the probable maximum flood (PMF) level flood extents,
- provide evidence that the user groups defined by Clause 18(1) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 can reach areas above the PMF before PMF flows reach the maximum allowable $D \times V = 0.4\text{m}^2/\text{s}$ product in accordance with the NSW Floodplain Development Manual. On-site sheltering is not permitted,
- include a strategy for the relocation of all vehicles and items from the basement car park prior to any inundation by flooding, and
- in relation to the modifications approved by Modifications 2008/644/8, include an evacuation strategy for all workers on the ground floor of building 2, including for the relocation of items, prior to any inundation by flooding.

The evacuation and access strategy must be complied with at all times for the life of the development.

- (8) **Flood Risk Management Policy** - The design and construction of the development shall be carried out in accordance with the Council's Flood Risk Management Policy.
- (9) **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.
- (10) **Delay of Landscaping Works Adjoining Nant Gwylan** - All landscaping works within the tree protection zones of the existing Jacaranda trees to be retained between the eastern side of buildings 4 and 6 and Nant Gwylan must be delayed from commencing until 12 months following building excavation works.

6.0 - During Construction

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

- (1) **Building Inspections** - The Principal Certifying Authority (PCA) must determine when inspections of critical building components are necessary. The 'principal contractor' for the building works (as defined by the Environmental Planning and Assessment Act, 1979) must notify the PCA for the inspection of the building components. Where Camden Council has been nominated as the PCA, the following stages must be inspected and passed prior to proceeding to the subsequent stage of construction.

Note: If Council is appointed as the PCA, the Council agrees to the commencement inspection being combined with the first required inspection.

- (a) **Commencement of Building Works** - When environmental controls are in place.
- (b) **Foundation Preparation** - The foundation material prior to the placement of slab preparation (prior to sand base and plastic membrane).
- (c) **Swimming Pool Excavations** - The foundation material prior to placement of sand bedding, steel reinforcement or fibreglass shell.
- (d) **Pier Holes** - Excavated pier holes prior to pouring of concrete.
- (e) **Strip Footings** - When foundation excavations have been undertaken and steel reinforcement provided, prior to footings being poured with concrete.
- (f) **Slab On Ground** - When steel reinforcement and associated formwork has been provided, prior to the slab being poured with concrete.
- (g) **Formwork and Steel Placement** - When formwork and reinforcement of structural components (such as concrete lintels, beams, columns, walls, swimming pools, etc) have been completed, prior to pouring of concrete.
- (h) **Swimming Pool Coping/Bond Beam** - When reinforcement and formwork for the coping around fibreglass swimming pools has been provided, prior to pouring of concrete.
- (i) **Swimming Pool Fencing** - The swimming pool safety fence prior to filling the pool with water.
- (j) **Wall & Roof Framing** - When the wall and roof frame have been completed (with plumbing and electrical wiring installed), brick work complete and the roof covering fixed, prior to internal lining.
- (k) **Wet Area Flashing** – When wall and floor junctions have been flashed with an approved product, prior to installation of floor/wall coverings. Wet areas include bathrooms, laundries, sanitary compartments, ensuites and the like.
- (l) **Drainage Line-work** - When roofwater or stormwater drainage lines have been laid and connection to a street kerb or drainage easement or rubble pit, prior to back filling of lines.
- (m) **Sewer Line-work** - When external line-work has been laid and connected to the approved wastewater treatment system.

Note: Septic tank(s) excavation must be inspected prior to backfilling.

Occupation Certificate (final inspection) - Upon completion of the development and before occupation or commencement of use.

The Environmental Planning and Assessment Act 1979 and Regulation may prescribe other 'critical stage inspections' of the works. It is recommended that you discuss and confirm all required inspections with the PCA.

Missed critical stage inspections are an offence under the Environmental Planning and Assessment Act 1979 and may prohibit the issue of an Occupation Certificate.

(2) **Telephone Complaint Line** - The applicant / owner / site manager must operate during the approved hours of operation a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to remediation and / or construction works undertaken on each relevant stage or from works undertaken in relation to each relevant stage.

(3) **Excavation And Backfilling** - All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(4) **Protection of Nature strips, Reserves and Trees** - All proposed work in Council's lands shall be done in consultation with the Council's Works Division with minimum disturbance to the land or activities. Where applicable, any nature strip areas, tree shall be protected by tree guards, protective bollards etc. All disturbed areas shall be restored to councils' standard. All work is to be designed so that no change is required to the existing bitumen access road within Council's depot site.

(5) **Compaction (Roads)** - All filling on roadways must be compacted at 100% standard compaction and tested in accordance with Camden Council's Engineering Works Development Control Plan and associated guidelines and AS 1289 by a NATA registered laboratory.

(6) **Compaction (Allotments)** - Those proposed allotments which are subject to filling must be compacted to 95% standard compaction. The applicant's 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 3798-1990.

(7) **Security Fencing** - Any temporary detention, water quality facility and basement exaction areas which are 1.2m below the foot way level shall be enclosed by a 1.8 metre high security fence of a type approved by the Consent Authority (Camden Council). Any such fence is to be suitably maintained and is to remain in place until the facility is de-commissioned or ground is raised to safe level.

(8) **Works 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.

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

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

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

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

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

- (10) **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.
- (11) **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.
- (12) **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.
- (13) **Anti-Graffiti Finish** - An anti-graffiti finish must be applied to all retaining walls that face public areas.
- (14) **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. The following must also occur in relation to the existing Jacaranda trees to be retained between the eastern side of buildings 4 and 6 and Nant Gwylan:
- a) Excavation required for the basement and building works must be limited to 1m outside of the building/basement footprint.
 - b) Utility services and the like must be located within 1m of the building footprint.

- c) A site arborist must be present during all excavation works adjacent to the trees and ensure that the works do not encroach further into the tree protection zones than permitted and that roots are cut cleanly when encountered.
- d) The site arborist must direct and supervise the pruning of any tree branches required to be pruned to provide minimum clearance to permit building work.
- e) The site arborist must develop a care plan for the trees including a fertiliser and watering regime following the works. The plan must be submitted to Council for approval within 1 month of the excavation works being completed. The plan must include a statement with photographic evidence confirming the works were confined to within 1m of the building footprint.

7.0 - Prior To Issue Of Occupation Certificate

The following conditions shall be complied with prior to the issuing of Occupation Certificates. The issue of "interim" Occupation Certificates may occur if the Principal Certifying Authority (PCA) is satisfied that outstanding matters will be completed within a reasonable time frame. Additional fees for the issue of interim Occupation Certificates may be applied by the PCA.

- (1) **Occupation Certificate** - An Occupation Certificate must be issued by the principal certifier prior to occupation or use of a building within the development. The principal certifier must submit a copy of the Occupation Certificate to the Consent Authority (ie. Camden Council) within seven (7) days from the date of determination together with all relevant documentation including the Fire Safety Certificate.

The use or occupation of individual buildings within the approved development must not commence until such time as all the relevant conditions of this development consent have been complied with. The use or occupation of the development prior to compliance with all the relevant conditions of development consent may render the applicant/owner liable to legal proceedings.

- (2) **Seniors Living Covenant** - A restriction prepared pursuant to the *Conveyancing Act 1919* must be placed on the title of the land occupied by the 'seniors housing' components of the development. The restriction must limit the occupation of the seniors housing to only the following people as defined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004:

- (a) seniors or people who have a disability,
- (b) people who live within the same household with seniors or people who have a disability, or
- (c) staff employed to assist in the administration of and provision of services to the seniors housing.

- (3) **Fire Safety Certificate** - On completion of the building works and prior to occupation of the building the owner of the building shall furnish to Council a Fire Safety Certificate for each fire safety measure in the building.

The owner of the building shall then furnish Council with a Fire Safety Statement annually for each Fire Safety Measure in the building.

- (4) **Archival Record** - The buildings and their setting be recorded through photographic archival recording in accordance with the most recently published guidelines set by the Heritage Branch, Department of Planning prior to their demolition.
- (5) **Noise Attenuation Report Compliance** - A compliance report (from the author of the acoustic report) that contains a certifying statement confirming compliance with AS/NZS 2107 - 2000 Acoustics - Recommended design sound levels and reverberation times for building interiors and, compliance with the NSW DEC's (Formerly EPA) Industrial Noise Policy and Environmental Criteria For Road Traffic Noise, must be submitted to the Consent Authority prior to the issuing of the final Occupation Certificate for each relevant building.
- (6) **Plant and Operational Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes in all buildings (LAeq) (measured for at least 15 minutes) must not exceed the background level by more than 5dB(A) when measured at any point on any residential boundary and must also comply with the acoustic criteria contained within Camden Council's Environmental Noise Policy.
- (7) **Commercial Waste Management Plan** - A commercial waste management plan must be provided for all commercial businesses. The Plan is to address all waste generated from the operation of the business and must be signed off by a Company Director and be resubmitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate for the relevant business.
- (8) **Commercial Waste Storage and Labelling** - To ensure compliance with environmental legislation, all waste containers are to be labelled with waste stored in a manner that prevents the escape of pollutants to the environment.
- (9) **General Waste Service Contract** - The business proprietor shall enter into a commercial contract for the collection of trade waste and recycling. A copy of this agreement shall be held on the premises at all times.
- (10) **Swimming Pool Operation and Maintenance** - All swimming pool must be operated and maintained in such a manner so that the pool water meets the applicable chemical and biological criteria stated in the "Department of Health NSW: Public Swimming Pool And Spa Pool Guidelines: June 1996".
- (11) **Wastewater Disposal** - All swimming pool wastewater must be disposed of to the Sydney Water sewer.

In areas not serviced with a sewer (such as rural areas), the swimming pool wastewater must not be discharged to a septic tank or on-site sewage management installation, or disposal area.

In non-sewered areas, chlorinated pool wastewater can either be disposed of by:

- (a) discharging to a rubble pit 600mm wide x 600mm deep x 3.0 metres long, located not less than 3.0 metres from any structure or property boundary; or
- (b) to a tail out drain to disperse the water over a large grassed area or paddock, provided that the land fall does not direct water to buildings on the subject or adjoining properties, or create a nuisance to an adjoining property owner.

Saltwater pool wastewater must be disposed of in the manner mentioned in (b) above so that concentrated levels of salt do not form in the vicinity of the rubble pit.

- (12) **Recirculation Systems** - The swimming pool water recirculation and filtration system must comply with AS 1926.3 Water recirculation systems with regard to the provision of safety measures, to avoid the entrapment of or injury to a young child.

Prior to issue of an Occupation Certificate, a certificate of compliance, or other documentary evidence confirming that the recirculation system and filtration system has been constructed in accordance with AS1926.3, must be submitted to the Principal Certifying Authority (PCA).

- (13) **Swimming Pool Fence Design** - The swimming pool must be fenced so that the pool is effectively isolated from the dwelling and adjoining lands. The swimming pool fence must comply with the following requirements:

The swimming pool safety fencing must strictly adhere to the design and location approved with the development consent, and any conditions of the development consent.

Fences and gates must strictly comply with AS1926- 2007 - Swimming pool safety - Part 1: Safety barriers for swimming pools.

Fencing shall have a minimum effective height of 1.2m.

All swimming pool gates shall be self-closing and self-latching. All gates must open outwards from the swimming pool enclosure.

The filtration equipment including any cover, housing or pipe work, must not be located within a distance of 900mm from the outside face of the swimming pool safety fencing enclosure, nor within 300mm from the inside of the swimming pool safety fencing enclosure (where footholds are possible).

The swimming pool safety fencing must be installed prior to the swimming pool being filled with water.

The Principal Certifying Authority (PCA), or an accredited certifier must inspect the swimming pool safety fencing.

- (14) **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 Certifying Authority (PCA) 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 2006 by the Australian Resuscitation Council (available through www.resus.orq.au).

- (15) **Depth Markers** - Legible and durable depth markers shall be affixed to the swimming pool coping indicating the water depth at the most shallow and deepest portions of the swimming pool. Depth markers are to be installed prior to the issue of an Occupation Certificate.

- (16) **Prohibitions Within Swimming Pool Enclosure** - The area contained within the swimming pool safety fencing enclosure must not be used for other non-related activities or equipment, such as the installation of children's play equipment or clothes drying lines.
- (17) **Testing of Pool Water** - The swimming pool water must be tested in accordance with the Department of Health current NSW Public Swimming Pool and Spa Pool Guidelines. The tests must be carried out in accordance with the applicable frequency, parameters and methods stated in the Guidelines.
- (18) **Stormwater Water Cycle Management Plan** - The collection and flow of stormwater across the boundaries of the development site onto adjoining land must comply with the Water Quality Targets "Table 3.3.9" contained within Camden Council's Engineering Design Specifications (2009). A water cycle management plan that demonstrates compliance with the water quality targets is to be provided to the consent authority (Camden Council) for written approval prior to the issue of the first Construction Certificate for each relevant stage. All relevant water quality treatment devices proposed to allow compliance with water quality targets contained within the approved water cycle management plan must be constructed prior to the issue of any occupation certificate.
- (19) **Ventilation** - Where natural ventilation cannot be adequately achieved for all internal areas adequate natural ventilation shall be provided with a system of mechanical ventilation in accordance with the requirements of the Building Code of Australia and Australian Standard AS1668 Parts 1 and 2.
- (20) **Swimming Pool Compliance Letter** - Where the consent authority is not the Principal Certifying Authority (PCA) an additional inspection of the swim centre must be undertaken by the Consent Authority) prior to the issuing of an Occupation Certificate for each relevant building. A letter is to be issued from the Consent Authority certifying that the swim centre complies with the current NSW Health Public Swimming Pool and Spa Pool Guidelines.
- (21) **Footpath** - A full width pedestrian footpath shall be provided at the frontage of the road prior to occupation of each stage of development with appropriate connecting footpath to existing footpath in accordance with the Camden Town Centre Master Plan and in consultation with Council's Urban Planner.
- (22) **Street Lighting** - The street lighting along John, Exeter and Elizabeth Streets is to be checked and upgraded to Australia Standard 1158 (latest edition) prior to issue of the first Occupation Certificate for any stage in order to provide safe environment for the residents and other users.
- (23) **Deleted.**
- (24) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
- a) Energy supplier - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development.
 - b) Water supplier - A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

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

- (25) **External Walls Cladding and 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 the principal certifier must:
- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
 - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (26) **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.
- (27) **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.
- (28) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plans and conditions of this development consent.
- (29) **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.
- (30) **Waste Management Plan Compliance** - The principal certifier must ensure that all works have been completed in accordance with the approved waste management plans referred to in this development consent.
- (31) **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.
- (32) **Positive Covenants** - Positive covenants must be registered over the:
- On-site stormwater detention/water quality facility for the maintenance, repair and insurance of the facility.
 - Compensatory flood storage area in the north eastern part of the site for its use and maintenance as a flood storage area unless otherwise approved by Council.

8.0 - Subdivision Certificate

The following conditions of consent shall be complied with prior to Council issuing a Subdivision Certificate (Subdivision certificates may be issued in respect of the allotments created by the staged subdivision of the land provided they are consistent with the approved final plan).

(1) **Prior to the issue of any Subdivision Certificate** the following service authority clearances must be obtained and submitted to the Principal Certifying Authority:

- A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water Corporation.
- Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the website www.sydneywater.com.au then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of any plan of subdivision.

- A letter from Integral Energy stating that all its requirements and any conditions of this consent have been satisfied.
- A letter from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within any subdivision/development.

If the applicant proposes to provide services within public reserves or laneways, written permission must be received from Camden Council prior to commencing construction.

(2) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.

(3) **Show Restrictions on the Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.

(4) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates, but is not limited to, the following easements and restrictions to user:

- (a) Easements for services.
- (b) Easements to drain water.
- (c) Drainage easements over overland flow paths.

(d) Easements for pedestrian/vehicular access. In the case of Stage 1 of the subdivision, the developer must provide for such easements as required by the final plan of subdivision.

The instrument must also indicate that Camden Council is the only authority permitted to modify, vary or extinguish such easements and restrictions as to user.

- (5) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (6) **Community Title Subdivision Management Statement** - A Community Title subdivision management statement must be prepared and submitted with the subdivision certificate application which intends to create the Community Title Lot as shown on the Stage 2 (final) plan of subdivision.

9.0 - Ongoing Use

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

- (1) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plans in perpetuity. Landscaping must be maintained to ensure that plants and trees reach their full growing potential and remain healthy and show good vigour at all times.
- (2) **Waste Collection and Delivery Vehicles** - For buildings 3-14 (inclusive), all waste bins must be collected from the temporary waste bin storage room and layby off Central Avenue that will be constructed in stage 2. Waste collection vehicles must only enter the site to service the waste bin storage room off Central Avenue between the hours of 7am-10pm Monday to Saturday and 8am-10pm on Sundays and public holidays.
- (3) **Movement of Waste Bins** - Movement of waste bins within the site, including between the basement waste rooms and the waste bin storage room off Central Avenue, must only occur between the hours of 7am-10pm Monday to Saturday and 8am-10pm on Sundays and public holidays.
- (4) **Seniors Housing** - The 'seniors housing' components of the development must only be occupied by the following people as defined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004:
- (a) seniors or people who have a disability,
 - (b) people who live within the same household with seniors or people who have a disability, or
- staff employed to assist in the administration of and provision of services to the seniors housing.
- (5) **Ground Floor of Building 2** - The use of the modifications to the ground floor of building 2 approved by Modification 2008/644/8 must comply with the following requirements:
- The office must be used by the development's management for administration and project management related to this development, as well as being able to be used for administration and project management for other off-site development projects. A maximum of three people are approved to work in this office. 10 years after the

issue of an occupation certificate for the office, the office must be converted back to a residents only library.

- A maximum of 16 office workstations must be provided for the developer's staff for business administration and operations, as well as staff providing resident services. 10 years after the issue of an occupation certificate for the workstations area, the area must be converted back to a residents only lounge.
- The additional gym space and treatment rooms must be used exclusively for residents. A maximum of four staff are approved to work in these spaces.
- The four off-street resident car parking spaces approved to be converted to serve the additional staff must be converted back to resident or resident visitor spaces following the cessation of the temporary office and workstation areas after 10 years.

