

PART A — ADMINISTRATIVE CONDITIONS

A1. Development Description

The Project Application is to permit the following:

- Bulk Earthworks and services infrastructure.
- Complete the residential subdivision of 190 lots.
- Carry out landscape works
- Subdivide the site into 187 residential lots, 2 park lots and 1 residual lot.
- Dedicate all roads to Council including pocket park and larger reserve.

A2. Development in Accordance with Plans

The development shall be generally in accordance with the Gwandalan Project Application No.MP10-0205.

PART B - GENERAL

B1. Development Control

The Proponent commits to a set of design guidelines setout in the Draft Development Control Plan. Future development is to comply with the approved DCP.

Responsibility – Proponent and Department of Planning

B2. Dedications

A plan of subdivision providing for dedication of the environmental offset lands has been previously approved and the subject land transferred to DECC.

Note

B3. Bushfire Management

Bushfire hazard will be managed consistent with Planning for Bushfire Protection Guidelines by:

- Use of fire trails.
- Installation of hydrants as appropriate APZ's implemented as required.

Asset Protection Zones managed as follows:

- On Torrens Title subdivision lots by incorporating the APZ into the individual lots with positive covenants applying management requirements;

Responsibility – Proponent and Occupants

B4. Land Contamination Investigation

To ensure the site is suitable for residential purposes additional assessment will be carried out as required. Site audits will be carried out as necessary to certify the suitability of the site for the proposed uses and according to SEPP55 Guidelines.

Responsibility – Proponent

B6. Community Consultation

A detailed programme for future community consultation will be formalised by the proponent and agreed by the Department, within three months after the determination date of the Project Application to the satisfaction of the Department.

Responsibility – Proponent

B7. Utilities

Utilities will be provided as follows:

- Provision of water and sewer services by Wyong Council;
- Collection of stormwater for open space irrigation
- Carefully managed and treated stormwater discharges.

Responsibility – Proponent and Hunter Water

B8. Traffic Management

The Proponent commits to negotiate with the bus operators and Transport NSW to discuss potential to expand the bus service into the site.

Responsibility – Proponent

B9. Submission of Subsequent Applications

Subsequent project applications for the development of the subject site will be in accordance with the approved Design Control Plan(DCP).

Responsibility – Future Applicant

B10. Developer Contributions

The Proponent will pay contributions in accordance with the Wyong Council Section 94 Plan for Northern Districts Catchment E. The total monetary contribution will be made up of dedication, monetary contribution and Works in Kind or any combination of them.

The Proponent will enter into a Deed of Agreement with Wyong Council.

Responsibility – Proponent/Department of Planning

B11. Regional Infrastructure

The Proponent proposes to make a monetary contribution or Works in Kind for the provision of regional infrastructure as determined by the state government generally in accordance with the principles setout in the Infrastructure Contributions Plan Circular PS08-017, 23rd December 2008. The Proponent has offered to enter into a Voluntary Planning Agreement with the Minister for the amount of **\$902.26 per urban lot**.

Responsibility – Proponent/Department of Planning

B12. Council Dedications and Titling Arrangements

The following items are to be dedicated to the local Council at no cost to the Council:

- All roads within the development.
- Main Reserve on the south east corner of the site
- Pocket Park at the northern central part of the site.

All other land is to be Torrens Title freehold land.

Responsibility – Proponent/Department of Planning

PART C—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

C1. Landscaping and Bushfire Management

Detailed landscape plans are to be submitted to the Certifying Authority prior to the issue of a Construction Certificate. The landscape plans are to be generally in accordance with the approved plans. The plans are to show compliance with Planning for Bushfire Protection requirements for asset protection zones.

C2. Environmental Management

A management plan shall be submitted to the Certifying Authority in accordance with the recommendations outlined in the Ecological Assessment Report prepared by RPS. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

C3. Geotechnical

Provide a geotechnical report confirming classification of soil and that the footing design complies with AS2870. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

PART D — PRIOR TO COMMENCEMENT OF WORKS

D1. Notice to be Given Prior to Excavation

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation works on the site.

D2. Traffic & Pedestrian Management Plan

Prior to the commencement of any works on the site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (1) ingress and egress of vehicles to the site,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes,
- (4) pedestrian and traffic management methods, and

The Applicant shall submit a copy of the approved plan to the Department.

D3. Noise and Vibration Management Plan

Prior to the commencement of any works on the site, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Director. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,
- (2) Identification of all potentially affected sensitive receivers including residences, schools, and properties containing noise sensitive equipment,
- (3) The construction noise objective specified in the conditions of this consent,
- (4) The construction vibration criteria specified in the conditions of this consent,
- (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,
- (6) Noise and vibration monitoring, reporting and response procedures,
- (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
- (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction
- (9) Justification of any proposed activities outside the construction hours specified in the conditions of this consent.
- (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
- (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration,
- (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints,

The Applicant shall submit a copy of the approved plan to The Department.

D4. Construction Noise Objective

Approved silencing measures shall be provided and maintained on all power-operated plant used in demolition, excavation, earthworks, and construction of the building, or work.

PART E — PRIOR TO SUBDIVISION CERTIFICATE

E1. Subdivision of Land

This consent allows for a 189 lot land subdivision plus 1 residual lot. A subdivision certificate for complying development may be issued by an accredited private certifier under Division 3 of Part 23 of the Conveyancing Act 1919.

E2. Registration of Easements

Prior to the issue of the relevant Occupation Certificate for subsequent project applications, the applicant shall provide to the PCA evidence that all easements required by this approval and subsequent project approvals, and other relevant consents have been or will be registered on the certificates of title.