



REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

HORSLEY LOGISTICS PARK
6 JOHNSTON CRESCENT, HORSLEY PARK

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P0020568
PREPARED FOR ESR



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1. INTRODUCTION

1.1. PURPOSE

In accordance with Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, this report forms a request for Secretary's Environmental Assessment Requirements (**SEARs**) to inform the assessment of the proposed development located at 6 Johnston Crescent, Horsley Park. The SEARs will inform the assessment requirements for the proposed development of a staged industrial warehouse precinct at the subject site, referred to as 'Horsley Logistics Park', an approximate 20.8 hectare (ha) landholding that forms part of the Western Sydney Employment Area (**WSEA**).

The purpose of this report is to provide information to support the request to the Secretary to assist in identifying the SEARs for the preparation of an Environmental Impact Statement (EIS) for the proposed development.

This request for SEARs report should be read in conjunction with the Architectural Concept Masterplan prepared by ESR at **Appendix A**, QS Report prepared by CIP Constructions at **Appendix B**, and a collection of the applicable DA consents over the site at **Appendix C**.

Figure 1 Site Context



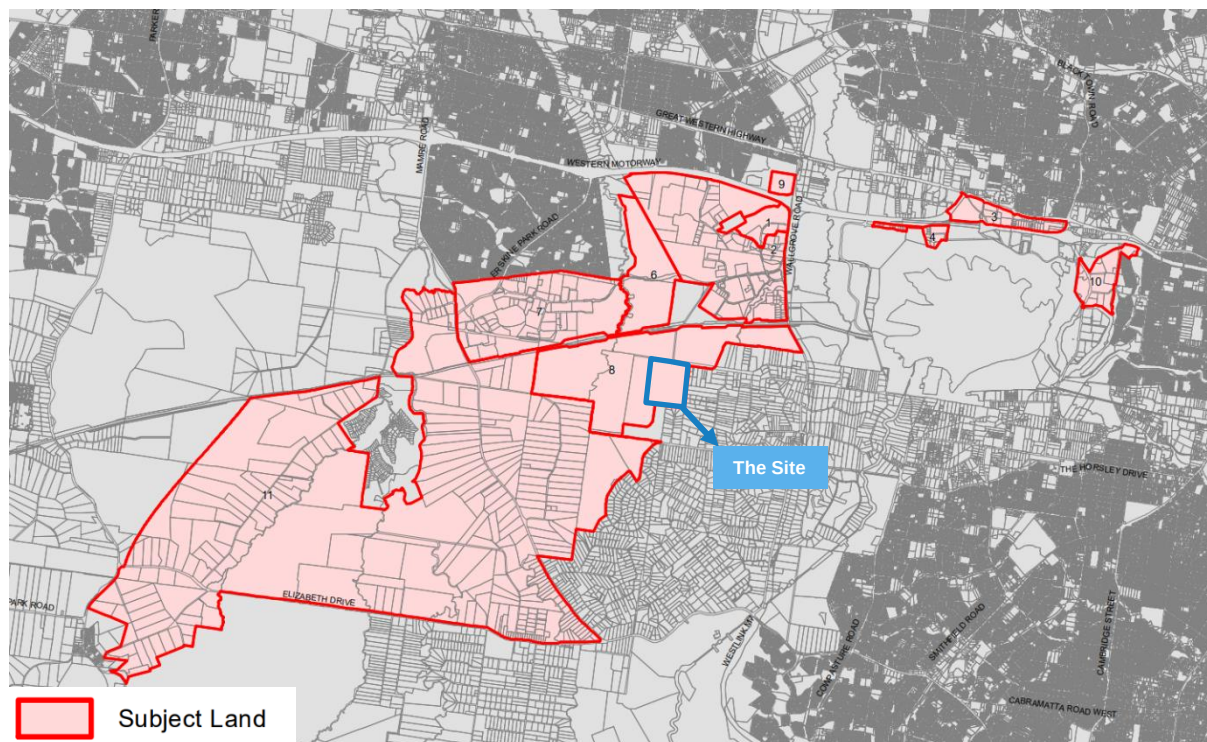
Source: Sixmaps

1.2. BACKGROUND

ESR has exchanged contracts with CSR for the 20.8 ha area of land located within the strategically significant Western Sydney Employment Area (**WSEA**). However, settlement of this is conditional upon the completion and delivery of approved subdivision and remediation works. It is estimated that these works will be completed in December 2020.

The WSEA has long been identified as the single largest greenfield industrial precinct to serve the growing demand for industrial lands in the Sydney Metropolitan Area over the next 20 to 30 years. The *State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP)* establishes the WSEA and identifies eleven precincts within its boundary, as shown in **Figure 2**. The site is located within Precinct 8 – South of Sydney Catchment Authority Warragamba Pipeline.

Figure 2 WSEA Land Application Map



Source: NSW DPIE

The site has previously been subject to a number of development applications, the extent of approvals over the site are detailed below in **Table 1** and in **Appendix C**. These applications have been undertaken by the existing landowner CSR.

Table 1 DA History over the Site

DA Number	Date of Approval	Consenting Authority	Description of Development
893.1/2013	19/12/2013	NSW Land & Environment Court	Torrens Title subdivision to create 14 lots and 1 residue lot in 3 stages.
893.2/2013	Withdrawn	Fairfield City Council	Reconfiguration of approved lots.
893.3/2013	Withdrawn	Fairfield City Council	Torrens title subdivision.
893.4/2013	18/06/2018	Fairfield City Council	Minor amendments to features of the subdivision in each of the 3 stages.
893.5/2013	Under assessment	Fairfield City Council	Modification application proposing to further stage approved Stage 2.
893.6/2013	13/11/2019	Fairfield City Council	Modification application proposing to further stage approved Stage 2.
893.7/2013	Under Assessment	Fairfield City Council	Modification application proposing to split stage 2 into two separate stages.

DA Number	Date of Approval	Consenting Authority	Description of Development
65.1/2016	04/02/2016	Fairfield City Council	Construction of a landscape bund water supply pond to facilitate an existing Brick Factory in Lot 2 DP 1228114 to the north of the proposed site.
86.1/2016	15/02/2016	Fairfield City Council	Subdivision to create two (2) Torrens Title lots.
292.1/2016	04/08/2016	Delegated Authority	Construction of roadworks, stormwater drainage, associated construction works and sediment control along an 160m portion of Old Wallgrove Road.
437.1/2016	27/10/2016	Delegated Authority	Earthworks – biofiltration trench and drainage swale. Including an approval of a Remediation Action Plan (RAP) in accordance with SEPP 55.
21.1/2020	Under Assessment	Fairfield City Council	Earthworks and Remediation of Contamination

This proposal seeks to develop the first stage of the Horsley Logistics Park, occupying approved lots 201, 202, 204 & 206 in Stages 2A, 2B & 2C of DA 893.6/2013 approved by Fairfield City Council in November 2019.

1.3. STATUTORY CONTEXT

Schedule 1, Group 12 of the *State Environmental Planning Policy (State and Regional Development) 2011* (**SRD SEPP**) identifies development for the purpose of ‘warehouse or distribution centres’ to be State Significant Development (**SSD**) if it:

‘has a capital investment value of more than \$50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation’.

The works comprising Stage 1 of the SSDA for the Horsley Logistics Park (including infrastructure and building works) will have a value of approximately \$52 million as detailed in the QS Report (**Appendix B**). The project is therefore appropriately characterised as SSD and approval is sought via an SSDA to the NSW Department of Planning, Industry & Environment (**DPiE**). The Minister for Planning is the consent authority.

The SSD DA is to be a staged DA made under Division 2A of the *NSW Environmental Planning and Assessment Act 1979* (**EP&A Act**). Pursuant to section 4.22 of the EP&A Act, the Proponent requests that the proposal be treated as a Staged SSD DA.

This report represents a formal request for SEARs in respect of the proposed development of the Horsley Logistics Park. The report includes a description of the proposal and an overview of the statutory framework against which it will be considered. It also includes an account of key issues in relation to the project and the scope of studies proposed to be undertaken to inform the Environmental Impact Statement (**EIS**). This report aims to provide sufficient information about the proposal to allow the Planning Secretary to issue SEARs for the EIS which will be used to inform the assessment and determination of the proposal in accordance with Division 4.1 of the EP&A Act and Schedule 2 of the *NSW Environmental Planning and Assessment Regulation 2000* (**EP&A Reg**).

The subject site lies within the WSEA and is subject to the provisions of *State Environmental Planning Policy (WSEA) 2009* (**WSEA SEPP**). Clause 18 of the WSEA SEPP requires that a Development Control Plan (**DCP**) be in place before consent can be granted for development within the WSEA. In this respect it is noted that a site-specific DCP (referred to as Development Control Plan: 327 – 335 Burley Road, Horsley Park March 2016) applies to the subject site. The requirement for a DCP is therefore satisfied, however it is

noted that Clause 11 of the SRD SEPP states that DCPs do not apply to SSD. The provisions of the DCP: 327 – 335 Burley Road, Horsley Park March 2016 are therefore not relevant to the assessment of the Horsley Logistics Park SSDA. Notwithstanding this, subsequent stages of the Horsley Logistics Park development may not meet the criteria for SSD and may be subject to local development assessment. It is therefore the intent that the Master Plan provisions prepared for the Horsley Logistics Park be detailed in the Stage 1 Consent to inform future development application stages.

1.4. OVERVIEW OF THE PROPOSED DEVELOPMENT

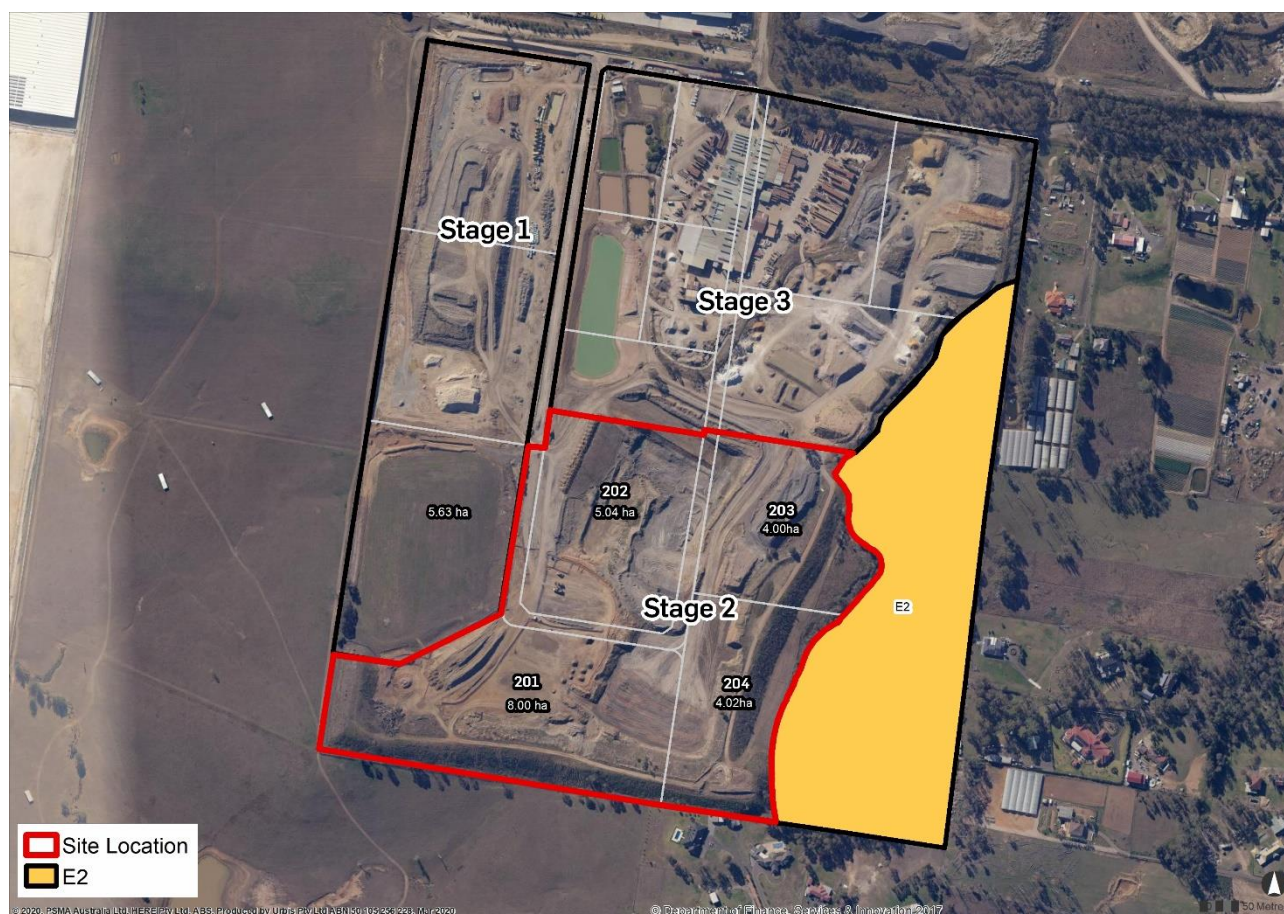
1.4.1. The Proponent

ESR Australia is a leading developer and manager of industrial and business park real estate. ESR entered the Australian market in 2018, by merging with CIP and PropertyLink, long standing Australian industrial developers and property fund managers respectively. ESR Australia has market leading capabilities in development, investment and asset management. In addition to its Australian headquarters, ESR has extensive geographical reach with headquarters established internationally in Hong Kong, China, Japan, South Korea, Singapore and India.

1.4.2. The Site

The subject site, referred to as the Horsley Logistics Park, is located within the existing CSR quarry at 6 Johnston Crescent, Horsley Park. The site comprises 20.8 ha of land south of the Sydney Water Pipeline, at the western extent of the WSEA. It is located within the Fairfield local government area (LGA) and is approximately 15km from the Penrith Central Business District (CBD), 17km from the Parramatta CBD, and 35km from Sydney CBD.

Figure 3 Aerial View and Staging Plan



Source: Urbis

The site is immediately bordered to the north by the remainder of the original CSR quarry site which was excised from the site and subdivided into future Stage 3 as part of DA 893.1/2013. Beyond the quarry site the surrounding land uses include:

- The Oakdale Central business Hub (SSD 6078) to the north;
- Land zoned RU4 – Primary Production land that includes a number of rural residential lots to the east;
- Land zoned RU4 – Primary Production land and the residential subdivision Greenway Place to the south; and
- Horsley Park Warehousing Hub (MP 10_0129 & MP 10_0130) to the west.

The Horsley Logistics Park comprises a single allotment – Lot 103 DP 1214912 and is irregular in shape with a south-eastern boundary that follows the alignment of the E2 – Environmental Conservation corridor adjacent to the site. The site is zoned IN1 – General Industrial under the WSEA SEPP. The site is currently identified as a singular allotment, however concept approval for the subdivision of the lot to reflect the proposed masterplan was approved in DA 893.1/2013. That lot boundary reflects the subject site in Figure 3.

1.4.3. The Proposal

The proposed SSD DA for the Horsley Logistics Park includes the following:

- A Concept Plan to guide the staged development of the Horsley Logistics Park including:
 - An Indicative Master Plan and Development Master Plan;
 - Development Controls for future development stages; and
 - Landscape Concept Plan.
- Stage 1 development of Lot 201 comprising:
 - On-lot stormwater, infrastructure and services;
 - Construction and fit out of buildings;
 - Construction of hardstand, loading and car parking;
 - Landscaping, retaining walls and signage; and
 - Use of buildings for generic warehousing and distribution uses.

1.4.4. Project Objectives

The proposed Horsley Logistics Park development aims to integrate with the broader ongoing industrial warehousing precincts surrounding the site including the neighbouring Oakdale Estate and approved Horsley Park Warehousing Hub. The proposal will contribute to the objectives of the WSEA by creating a high quality warehouse and logistics estate which maximises the employment generating potential of the land to create an efficient, attractive and high quality employment zone for Western Sydney.

Noting the above, the proposed objectives of the Horsley Logistics Park include to:

- Secure developable areas and high level development controls to provide certainty and minimise risk in the future development of the site;
- Resolve uncertainties in the location and alignment of key road infrastructure to allow for more timely delivery;
- Allow for the staged development of the site over time in line with infrastructure delivery and market demand;
- Facilitate earthworks and infrastructure/services development on the land concurrently with the delivery of regional road infrastructure; and
- Secure approval for the first stage of development within the site to allow for a timely response to enquiry as infrastructure issues are resolved.

2. PROJECT JUSTIFICATION

2.1. STRATEGIC CONTEXT

The proposed Horsley Logistics Park forms part of a strategically significant employment precinct that is identified and endorsed in metropolitan and local planning strategies, the WSEA.

Since the delivery of the M7 Motorway, the WSEA has developed rapidly into a freight and logistics hub that rivals many other industrial locations in Greater Sydney. The greenfield location offers opportunities for modern, custom designed facilities and its proximity to Sydney's Motorway Network provides convenient access to Port Botany, Sydney Airport and the future Western Sydney Airport without exposure to the congestion and vehicle restrictions present in many of the more established, inner ring industrial areas. Shifting land economics in these inner ring areas has also contributed to the growing dominance of the WSEA in the Sydney industrial market, due to its ability to offer a supply of large, flat sites at a competitive market rate.

The Metropolitan Plan for Sydney (*A Plan for Growing Sydney*) identifies and recognises the strategic significance of the WSEA and surrounding lands to the productivity of the wider Sydney Metropolitan Area and strongly promotes the continued growth of this area into a major economic and employment hub. The proposed development of the Horsley Logistics Park responds to and aligns with this strategic context and presents a design solution that respects the important role of the WSEA to the broader economy of the Sydney Metropolitan Area.

In addition to the above, the proposed development aligns with the NSW Government's Premier's Priorities which include 12 key areas including economic growth, provision of infrastructure, protection of vulnerable communities, improving education and environmental protection. The proposed development would align with these priorities particularly the creation of a number of jobs in both construction and operation of the proposal over a number of years.

2.2. NEED FOR THE PROPOSAL

Since the introduction of the WSEA SEPP in 2009 the land to which the SEPP applies has been recognised as the sole focus for Sydney's long-term strategic focus for the implementation of industrial land. Sydney's underlying topography combined with demographic and economic trends mean that this part of Sydney offers the only remaining supply of greenfield land for employment uses therefore its timely and efficient development for an appropriate mix of uses is paramount to Sydney's economy.

In 2013 Urbis undertook an Economic Issues and Driver Study on behalf of the then NSW Department of Planning and Infrastructure. The study noted that Sydney has a significant supply of 'strategy identified' employment land (24-91 years dependent upon take-up rates) and of 'zoned, unserved' employment land (13-47 years). However, it was noted that Sydney has only three to five years supply of 'zoned and serviced' employment land. Further, data indicates that in relation to the types of employment land available, the supply of large industrial sites is most limited.

The servicing and development of land in the WSEA is therefore critical in ensuring a reliable pipeline of employment land to meet expected demand over the next decade. The proposed development of the Horsley Logistics Park would contribute to the supply of serviced industrial land required to meet projected market demand. This supply is critical to ensuring that the Sydney industrial market does not suffer supply constraints that would inhibit the planned growth of the WSEA and broader Western Sydney region over the next two decades.

The proposed development of the Horsley Logistics Park could generate the following:

- Outcomes that support the strategic role and objectives of the WSEA and Broader WSEA;
- Support for the delivery of critical infrastructure and services to the WSEA for the benefit of the broader area;
- Significant private sector investment in the area with direct and indirect benefits for productivity and the local economy; and
- Additional employment opportunities for the Western Sydney Region.

3. DESCRIPTION OF THE PROPOSAL

3.1. OVERVIEW

The SSDA seeks consent for the following:

- Concept approval for the Horsley Logistics Park Masterplan - A Development Master Plan to guide the staged development of the proposed site and core development controls that will form the basis for design and assessment of future development applications for the site. The master plan will include:
 - Land Uses;
 - Developable Areas;
 - Building Envelopes;
 - Overall Gross Floor Area (GFA);
 - Landscape Concept; and
 - Indicative Layout Plan.
- Lot 201 Stage 1 Development including:
 - On-lot development of proposed Lot 201 within stage 1 which is inclusive of a 77,098m² lot including benching/development pads and the construction of a warehouse building containing the following floor area components:
 - Warehouse – 43,416m²
 - Office (2 Levels) – 1,000 m²
 - Dock Office 1 (1Level) – 95 m²
 - Guard House - 19 m²
 - Car Parking Provided – 240 spaces
 - Light Duty Pavement 7,063 m²
 - Heavy Duty Pavement – 17,582 m²
 - Proposed building ridge height of 15 m (to be consistent with all proposed warehouses throughout Stage 1 of the HLP);
 - Civil, infrastructure and trunk services for Stage 1; and
 - Stage 1 landscaping works.

For clarity, this application does not includes bulk earthworks, only minor pad levelling and built form and the associated infrastructure.

The proposed operating hours for the HLP upon the completion of construction is proposed to be 24 hours a day seven days a week, consistent with a number of the surrounding warehouse and logistics precincts within the WSEA.

Table 2 breaks down the various elements within the Concept and Stage 1 components. Refer to **Appendix A** for the Concept Masterplan.

Table 2 Definition of Proposal

Element	Description	Precinct Affected	Staging/Timing
Master Plan	The site Master Plan will define the site layout, road structure and hierarchy, building footprints, development controls, stormwater concepts, landscaping and urban design principles.	Entire site	Guides all stages of development over the life of the project.
Stage 1 Development	The construction of a warehousing building on proposed Lot 201 including construction of site access, hardstand, loading and parking ad on lot drainage infrastructure. This would also include site specific landscaping, signage and public domain works as well as the fit out and use of the building for warehouse and distribution uses.	Proposed Lot 201	Stage 1 works to commence upon receiving consent for the SSDA and endorsement of a CEMP by the DPIE.
Landscaping Works	Landscaping works would be undertaken as proposed as part of the application in accordance with the relevant statutory instrument.	Stage 1	Stage 1 works to commence upon receiving consent for the SSDA and endorsement of a CEMP by the DPIE and landscaping plan of management.

4. STATUTORY FRAMEWORK

The Horsley Logistics Park proposal is classified as SSD pursuant to Section 4.36 of the EP&A Act and is also 'staged development' as defined under Section 4.22 of the EP&A Act. The proposal therefore seeks consent for a staged SSD as described under Section 4.37 of the SRD SEPP. The Minister for Planning is the consent authority.

4.1. COMMONWEALTH LEGISLATION

4.1.1. Commonwealth Environment Protection and Biodiversity Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) is the key Federal legislation that addresses environmental impact through seeking to protect matters of national environmental significance (NES). Matters of NES include:

- World heritage properties;
- National heritage places;
- Wetlands of international importance;
- Commonwealth-listed threatened species and ecological communities;
- Commonwealth-listed migratory species;
- Commonwealth marine areas;
- The Great Barrier Reef Marine Park;
- Nuclear actions; and
- Other matters, including:
 - the environment, where the action will be undertaken on Commonwealth land or will significantly affect Commonwealth land; and
 - significant impact on the environment, where the Commonwealth is proposing to take the action.

Under the EPBC Act, referral to the Commonwealth Minister for the Environment is required for proposed 'actions' (including projects, developments and activities), which have the potential to have a significant impact on a matter of national environmental significance.

A review of the proposed works has been undertaken and whilst it is noted no actions of national environmental significance are proposed to be undertaken and thereby no referral required, consideration will be given to the EPBC Act throughout the EIS process.

4.2. STATE LEGISLATION

State legislation applicable to the proposal are identified below in **Table 3**.

Table 3 Relevant State Legislation

Legislation	Relevant Requirements	Application to Horsley Logistics Park
NSW Environmental Planning and Assessment Act 1979	The EP&A Act establishes the framework for the assessment and approval of development and activities in NSW. The Act also facilitates the making of Environmental Planning Instruments which guide the way in which development should occur across the State.	Stage 1 of the proposed Horsley Logistics Park development has a CIV of approximately \$52 million and therefore meets the threshold for SSD. An SSD application must therefore be made to the Minister for Planning, accompanied by an EIS. Refer to Appendix B for the QS Report.

Legislation	Relevant Requirements	Application to Horsley Logistics Park
	Division 2A of the Act sets out provisions for staged development applications and Division 4.1 establishes the requirements for State significant development.	The proposed development would be implemented in stages, therefore the SSD DA submitted will also be a staged development application. A staged development application sets out the concept proposals for the development of a site for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications.
Biodiversity Conservation Act 2016 (Biodiversity Act)	The aim of the Biodiversity Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.	The site does not comprise E2 zoned land and is located on wholly cleared land. A BDAR Waiver Request will be included with the application to address this requirement and demonstrating that no biodiversity exists on the site.
NSW Native Vegetation Act 1997 (NV Act)	The NV Act applies to State protected land and native vegetation that is identified by the Minister for Planning.	Pursuant to section 4.41 of the EP&A Act, SSD is exempt from the need for an authorisation under section 12 of the Native Vegetation Act 2003 to clear native vegetation.
NSW National Parks and Wildlife Act 1974 (NPW Act)	The NPW Act aims to prevent the unnecessary or unwarranted destruction of relics and the active protection and conservation of relics of high cultural significance. The provisions of the Act apply to both indigenous and non-indigenous relics.	Pursuant to Section 4.41 of the EP&A Act, SSD is exempt from the need for a section 90 permit for the removal of items of Aboriginal heritage. Prior development consent (DA893.1/2013) has been issued for bulk earthworks which will be completed prior to the commencement of any works proposed in this application. In addition, no bulk earthworks are proposed under this application that will trigger the need for an archaeological assessment. The project is anticipated to have no potential to impact upon any identified archaeological item or relic protected under the NPW Act, as the site is located within the former CSR Quarry, and has undergone a range of cut, fill, remediation and earthworks activities. The operation of the quarry has resulted in the clearance of all vegetation, removal or

Legislation	Relevant Requirements	Application to Horsley Logistics Park
NSW Heritage Act 1977 (Heritage Act)	The Heritage Act protects heritage items, sites and relics in NSW older than 50 years regardless of cultural heritage significance. Approval from the NSW Heritage Council is required for any direct impacts on a state listed heritage item. Approval from the Heritage Council under section 139 of the Heritage Act provides for the application for a permit.	any original soil and overall disturbance of the landscape. Pursuant to section 4.41 of the EP&A Act, SSD is exempt from the application of Division 8 of Part 6 of the Heritage Act. The project is anticipated to have no potential to impact upon any identified heritage item or relic protected under the Heritage Act, as the site is located within the former CSR Quarry, and has undergone a range of cut, fill, remediation and earthworks activities. The operation of the quarry has resulted in the clearance of all vegetation, removal or any original soil and overall disturbance of the landscape.
NSW Roads Act 1973 (Roads Act)	Section 138 of the Roads Act requires the consent of NSW Roads and Maritime Services (RMS) for work in, on, under or over a public road.	Any works proposed to a public road as part of the proposed development would require the consent of the RMS. Consultation would be undertaken with the RMS during the preparation of the EIS to ensure adequate consideration of potential issues affecting public roads within or surrounding the site.
NSW Water Management Act 2000	Under the Act, a licence would be required if water was to be extracted from a creek or if any waterways were to be realigned during construction.	Under section 4.41 of the EP&A Act approvals under s89, 90 or 91 of the Water Management Act 2000 are not required. A Notice of Exhibition with concurrence from Water NSW will inform the assessment requirements.
NSW Rural Fires Act 1997 (Rural Fires Act)	The Rural Fires Act requires consideration of potential bush fire impacts on development at the planning assessment stage in order to protect people and property from the effects of bush fire. Section 100B requires a bush fire authority to be issued prior to undertaking certain types of development on bushfire prone land.	Pursuant to section 4.41 of the EP&A Act, SSD is exempt from the need for a bushfire safety authority under Section 100B of the Rural Fires Act. A Notice of Exhibition with concurrence from the RFS will inform the assessment requirements.

Legislation	Relevant Requirements	Application to Horsley Logistics Park
NSW Protection of the Environment Operations Act 1997 (POEO Act)	The POEO Act enforces licences and approvals formerly required under separate Acts relating to air, water and noise pollution, and waste management with a single integrated licence. Under Section 48 of the POEO Act, premise-based scheduled activities (as defined in Schedule 1 of the Act) require an Environment Protection Licence (EPL).	Assessments carried as part of the EIS for the proposal would determine the need for an EPL. The general provisions of the POEO Act in relation to the control of pollution of the environment will apply throughout the development. During the construction phase of the project, appropriate management measures would be required in relation to the control of noise, dust, erosion and sedimentation, and stormwater discharge to ensure that the pollution control provisions of the POEO Act are satisfied.

4.3. STATE ENVIRONMENTAL PLANNING POLICIES

Table 4 identifies applicable provisions of current State Environmental Planning Policies.

Table 4 Relevant SEPPs

SEPP	Relevant Provisions
SEPP No 55 – Remediation of Land	SEPP 55 introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. DA 437.1/2016 lodged with Fairfield City Council in July 2017 sought approval for bulk earthworks and the installation of a biofiltration trench and drainage swale, adjacent to proposed Lots 201 & 202. The proposal was also inclusive of a Remediation Action Plan (RAP) to set remediation goals and document the management procedures and environmental safeguards to be implemented on the former landfill site. In addition, DA21.1/2020 currently under assessment with Fairfield City Council seeks remediation of land in Stages 2 and 3 of the CSR quarry, which includes the site. This means that the site will be fully remediated prior to handover to ESR, and therefore addressing the SEPP 55 requirements. The contamination containment cells proposed in the RAP to DA21.1/2020 are located outside the boundary of the subject site. Any future development of the subject site will need to address its relationship with those off site containment cells. This information will be noted in the EIS.
SEPP (Infrastructure) 2007	State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) aims to facilitate the effective delivery of infrastructure across NSW

SEPP	Relevant Provisions
	and allows for a range of developments to be permitted with and without consent. The SEPP also includes provision for traffic generating development and requires referral and concurrence of NSW Roads and Maritime for certain development which is expected to generate significant traffic. Schedule 3 of the Infrastructure SEPP identifies 'traffic generating development' which must be referred to the Roads and Maritime for concurrence. The schedule includes development for the purposes of Warehouse or distribution centres with 8,000 m² or more of GFA. Stage 1 Development will be considered a traffic generating development and concurrence from Roads and Maritime will be required as part of the proposal.
SEPP (State and Regional Development) 2011	Schedule 1 of the State and Regional Development SEPP sets out development that is considered state significant development based on its size, location and value. This includes Concept and Staged DAs for master-planned precincts, subdivision, staged delivery of infrastructure, civil works packages etc. The proposal meets the \$50 million CIV threshold for SSD for the purpose of 'warehouse or distribution centres'.
SEPP (Vegetation in Non-Rural Areas) 2018	The Vegetation SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and preserve the amenity of non-rural areas through the preservation of trees and other vegetation. The site has an established history as use as a quarry of and has been cleared of vegetation. Further biodiversity studies will be undertaken to confirm the conservation values of any on site species; however, it is anticipated that future development can be planned and designed to minimise adverse impact on any potential communities. Development of the site can implement conservation and management mitigation of any communities as necessary.
State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33)	SEPP 33 requires the consent authority to consider whether an industrial proposal is a potentially hazardous or a potentially offensive industry. In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out. Any application to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The proposal is for a master planned warehousing and distribution complex which is intended to have a freight and logistics focus. It is not anticipated that the future operation of the proposed warehouse building will include the storage of any dangerous goods. Therefore, a SEPP 33 assessment is not required.

SEPP	Relevant Provisions
SEPP (Western Sydney Employment Area) 2009	The WSEA SEPP applies to lands within the Western Sydney Employment Area and provides planning and development controls to guide the efficient release and development of land within eight key precincts. The SEPP zones the land and establishes key development controls and design principles as well as setting the framework for regional infrastructure contributions. Part 4 of the SEPP requires the preparation of a development control plan for any land within the WSEA prior to development consent being granted. The proposed site is zoned IN1 – General Industry pursuant to the WSEA SEPP. Development for the purposes of warehouses and distribution centres is permissible with consent in this zone. The development controls and principles contained in the WSEA SEPP would be a key consideration in the design of the proposed development and would be considered in detail in the EIS prepared for the proposal. In particular, the requirements of Clause 23 of the SEPP would be considered in the design of the master plan. In relation to the requirement of Part 4 of the SEPP for a DCP to be prepared for all sites in the WSEA, a site-specific DCP (referred to as Development Control Plan: 327 – 335 Burley Road, Horsley Park March 2016) currently applies to the subject site. The requirement for a DCP to be in place prior to the grant of consent for development is therefore satisfied in respect of the land. However, it is noted that Clause 11 of the SRD SEPP makes SSD exempt from the application of DCPs, therefore the controls of the site specific DCP are not strictly relevant to the assessment of the proposal.

4.4. LOCAL PLANNING FRAMEWORK

There are no local environmental planning instruments applicable to the proposed site. Pursuant to Clause 11 of the SRD SEPP, DCPs do not apply to SSD and do not therefore require consideration in the assessment of the Horsley Logistics Park proposal. However, it is noted that subsequent stages of the Horsley Logistics Park development may not meet the criteria for SSD and may be subject to local development assessment. The provisions of relevant DCPs would therefore be considered in the design of the Master Plan and Stage 1 Development for the Horsley Logistics Park.

4.5. DEVELOPMENT CONTRIBUTIONS

There is no local Section 94 Contributions plan applying to the site. The subject site lies within the 'Industrial Release Area' as defined under the WSEA SEPP and as such, Clause 29 of the WSEA SEPP applies which states that:

'the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which this Policy applies.'

A Voluntary Planning Agreement (VPA) is currently the sole responsibility of CSR and will be paid by CSR prior to the subdivision works being approved. ESR has contracted the land and settlement is contractual

on all subdivision and remediation works being completed by CSR. ESR will take ownership of the lots upon the completion of these works with settlement estimated to be December 2020.

5. KEY ISSUES

5.1. INTER-RELATIONSHIP WITH HISTORICAL DEVELOPMENT CONSENTS

Section 1.2 of this report notes a number of development consents that have been issued in respect to the subject land. These consents have approved a range of works on the site including (in various forms)

- Remediation,
- Earthworks including fill,
- Construction of gabion walls and earth bunds with associated landscaping, and
- Subdivision.

These consents set the background and enabling works for the future development and use of the subject site for warehouse & distribution purposes, which will be the subject of the SSD DA. The proposal does not seek to detract from or require rescission of any of these development consents but seeks a further development consent for the next phase of works for warehouse & distribution purposes in a manner consistent with the objectives of the WSEA SEPP.

The EIS accompanying the SSD DA will detail the site history, interrelationship of the consent framework, and how the proposal interfaces with those consents.

5.2. TRAFFIC AND TRANSPORT

Suitable provision is to be made to accommodate and service the proposed development in terms of traffic and transport. On site car parking is proposed to support future use of the site so to not adversely affect the surrounding road network. Road widths are also sufficient for vehicles associated with future uses.

A detailed Transport and Accessibility Impact Assessment report will be provided as part of the EIS. The report will analyse parking requirements, existing and expected traffic impacts, the design of the proposed vehicular access point, and associated pedestrian safety across the development precinct and its interface with the surrounding street system. The report will address both the cumulative impacts of the entire estate, as well as the proposed Stage 1 works in isolation.

5.3. NOISE AND VIBRATION

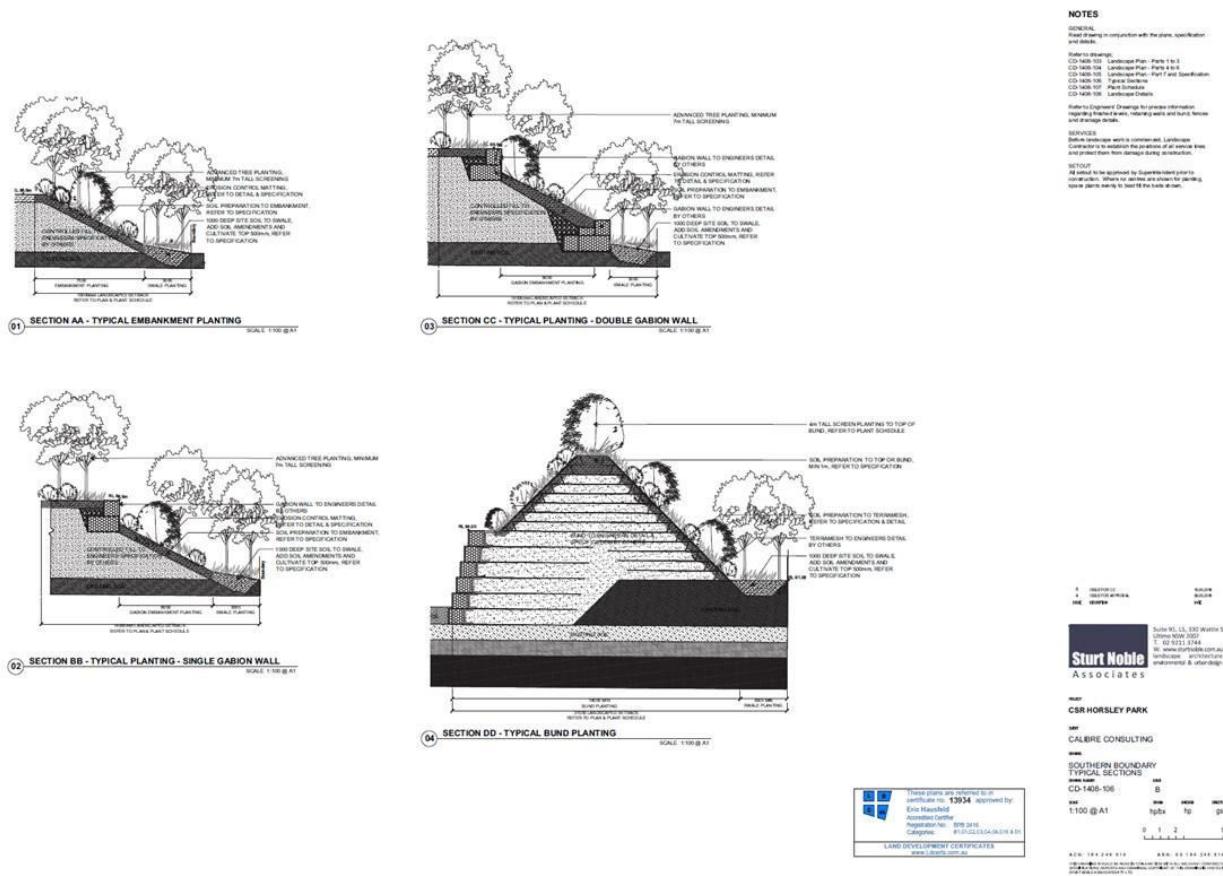
Sensitive receivers in the surrounding vicinity include rural-residential land uses to the south and east.

A Construction and Operational Noise Report will be provided as part of the EIS. The report will provide a detailed assessment of potential noise and vibration impacts caused by the proposed construction and operations activities associated with the proposal, together with recommendations to mitigate against these. The report will address both the cumulative impacts associated with the entire estate, as well as inform the Stage 1 works in isolation.

Any future SSD Application will similarly consider traffic volumes generated and the resultant acoustic impact.

The gabion wall and earth bund approved by Fairfield City Council as part of DA 893/2013 along the site's southern boundary currently offers a degree of mitigation from future noise generation on the site (refer approved plan extract below). That gabion wall and earth bund are not proposed to be modified in anyway as part of this application. Details on the interface between the proposal and these gabion walls / earth bunds and any further mitigation measures against noise and vibration will be included in the EIS and will be informed by the Construction and Operational Noise Report which will be undertaken to inform the proposal by a certified consultant.

Figure 4 Approved Gabion Walls & Earth Bunds DA 893/2013



Source: Stewart Noble Associates

5.4. AIR QUALITY

Given the nature of the development for warehousing and distribution purposes, it is not anticipated there will be any adverse impacts associated with air quality. During construction, air quality will be managed through appropriate dust mitigation measures through use of an Air Quality Management Plan. This plan will address both the cumulative impacts associated with the entire estate, as well as inform that of the Stage 1 works in isolation.

5.5. WASTE

A Construction Waste Management Plan and an Operational Waste Management Plan will be prepared and accompany the EIS. The plans will detail proposed waste management practices. Where possible, all demolition, construction and operational waste will be reused or recycled.

5.6. INDIGENOUS & EUROPEAN HERITAGE

A review of the Fairfield LEP 2013 Heritage Mapping does not reveal any items of local or state heritage in proximity to the site. In addition, as highlighted in the approved DA 893.1/2013 the site has been highly disturbed for extractive industries usage.

The applicant is seeking to exclude the standard SEARs requirement for an Aboriginal Cultural Heritage Assessment for the following reasons:

- The subject area is located within the boundaries of the existing CSR quarry at 6 Johnston Crescent, Horsley Park and it is situated on land that has been the subject of extreme level of disturbance caused by historical land use, including the operation of the quarry. Historical disturbance included the total clearing of native vegetation, excavation and quarrying of the area that removed the original soil profile and completely changed the original environment into an artificial, highly impacted landscape.

- No bulk earthworks are proposed as part of this application.
- The Preliminary Geotechnical Investigation by Douglas Partners (Douglas Partners 2014) confirmed that the topsoil has been removed all across the subject area and most of the subject area has been impacted to a depth of 5 to 21m.
- Based on the identified impacts of historical land use, it is highly unlikely that any original soil profile survived in the area and consequently it is also highly unlikely that Aboriginal archaeological resources survived within the subject area.
- Based on the above information, if commissioned as part of the process, an Aboriginal Objects Due Diligence Assessment would not recommend any further investigation for the subject area and would also recommend the proposed development to proceed with the general chance-find procedure.

Given the highly disturbed nature of the site due to its past historical usage as an active quarry, the fact that no bulk earthworks are proposed and the issuance of previous development consents over the site, the proposal will have no impact on indigenous and non-indigenous heritage.

5.7. FLORA AND FAUNA

Given the site's historic land use and the previous approval of a number of consents on site for subdivision and earthworks no tree removal is required to facilitate the proposed built form, thus there will be minimal impact on flora and fauna as part of the SSD application. Consideration to the effect of any flora and fauna will however be undertaken as part of the EIS process.

5.8. VISUAL AMENITY

The proposed site is adjacent to a number of rural residential lots to the east and south. It is noted that proposed Lot 201 would have a finished ground level above that of the residential subdivision to the south of the site. As part of the EIS process a detailed Visual Impact Assessment (VIA) will be undertaken to analyse the extent of the visual impact for both the estate wide concept as well as proposed Stage 1 building works. The VIA will include a number of mitigation measures inclusive of the potential visual impact of the proposed Stage 1 warehouse building on any future residencies to the south of the site.

It is noted that a gabion wall and earth bund were approved by Fairfield City Council as part of DA 893/2013. These works have since been constructed by CSR. This proposal does not contemplate modifying the gabion wall or completed landscaping in any way as it currently provides a reasonable visual buffer to the rural residential properties adjacent to the site. The VIA to be undertaken as part of the EIS will factor in both the gabion wall and earth bund as well as any other required visual mitigation measures.

5.9. CONTAMINATION AND GEOTECHNICAL

The application has considered the requirements of SEPP 55 and has been informed by the previous applications on the land. As discussed in Section 4.3, DA 437.1/2016 included earthworks over the site as well as the construction of a biofiltration trench and drainage swale at the site of the former landfill in the western portion of the landholding. Approval of the application included the endorsement of the Remediation Action Plan (RAP) that was lodged with the SEE. The RAP concluded that the site is able to be made suitable for the future intended land use as a warehouse or distribution centre through remedial action as part of the redevelopment works in accordance with SEPP 55.

The site will be suitably remediated prior to the commencement of the development as per DA21.1/2020, seeking to fully remediate Stages 2 and 3 of the CSR Quarry (which is inclusive of the site) through transference of contaminated material off site and the containment of contaminants in an off site contamination cell. In addition, no bulk earthworks are proposed under this application as they will have been delivered under the consent of DA893.1/2013.

The future EIS will detail the history of contamination and remediation on the site, and the site's relationship to the containment cells which are located on the CSR lands but outside the boundaries of the subject site.

5.10. STORMWATER MANAGEMENT

A Stormwater Management Plan and Sediment & Erosion Control Plan will accompany the EIS. These plans will detail the comprehensive management process to be adopted for the site.

5.11. SITE LAYOUT AND DESIGN

The manner in which the site layout and design responds to the site constraints through considered landscaping and architectural design will need to be addressed, both for the concept proposal and the Stage 1 proposal.

6. CONCLUSION

6.1. SUMMARY OF FINDINGS

This report documents a proposal for a Concept Plan and Detailed Stage 1 development of the Horsley Logistics Park which forms part of the broader Western Sydney Employment Area.

The subject Concept Plan and Stage 1 development for the Horsley Logistics Park has an estimated CIV of approximately \$52 million. Pursuant to the provisions of the SRD SEPP, the proposal is classified as SSD and consent is required from the Minister for Planning and Public Spaces, via the submission of a SSDA.

The first step in the SSDA process is a request for SEARs for the project. This report is a formal request for SEARs for the Horsley Logistics Park project.

The report demonstrates that the proposal meets the criteria for SSD and identifies and outlines the key issues for consideration in the assessment of the proposal. The key issues in relation to the Horsley Logistics Park SSDA are:

- Interrelationship with the site's development consent history;
- Site layout and design;
- Traffic and transport;
- Noise and vibration; and
- Visual impact.

Additional issues for consideration in the design and assessment of the proposal as part of the EIS include:

- Air quality;
- Waste management;
- Indigenous & non-indigenous heritage;
- Contamination and geotechnical;
- Flora and fauna; and
- Stormwater management.

6.2. CONCLUSIONS AND RECOMMENDATIONS

The proposed staged development of the Horsley Logistics Park site represents SSD which is critical to securing a reliable supply of industrial land to the Sydney market over the next decade.

Accordingly, it is requested that the Secretary for Planning, Industry and Environment NSW issue SEARs to guide the design and development of the project and the preparation of an EIS which will allow for the Minister for Planning and Public Spaces to make an informed and balanced determination of the proposal.

DISCLAIMER

This report is dated 10 March 2020 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of ESR (**Instructing Party**) for the purpose of Scoping Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A CONCEPT MASTERPLAN

REVISIONS

A ISSUE 04.03.2020

LOT 201	
SITE AREA	77,098 m ²
EFFICIENCY	57.76%
WAREHOUSE	43,416 m ²
OFFICE (2 Levels)	1,000 m ²
DOCK OFFICE 1 (1 LEVEL)	95 m ²
GUARD HOUSE	19 m ²
TOTAL BUILDING AREA	44,530 m ²
CAR PARKING PROVIDED	240 spaces
AWNING (16M)	1,990 m ²
AWNING (6M)	352 m ²
LIGHT DUTY PAVEMENT (L)	7,063 m ²
HEAVY DUTY PAVEMENT (H)	17,582 m ²

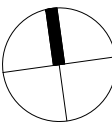
LOT 202	
SITE AREA	50,400 m ²
EFFICIENCY	69.65%
WAREHOUSE	33,355 m ²
OFFICE (875sqmX2)	1,750 m ²
TOTAL BUILDING AREA	35,105 m ²
CAR PARKING PROVIDED	170 spaces
HEAVY DUTY PAVEMENT (H)	11,225 m ²
LIGHT DUTY PAVEMENT (L)	4,162 m ²

LOT 203	
SITE AREA (Incl: Env. Zone 6,404m2)	40,200 m ²
EFFICIENCY	51.99%
WAREHOUSE	19,700 m ²
OFFICE (2x 600sqm)	1,200 m ²
TOTAL BUILDING AREA	20,900 m ²
CAR PARKING PROVIDED	124 spaces
HEAVY DUTY PAVEMENT (H)	8,961 m ²
LIGHT DUTY PAVEMENT (L)	2,996 m ²

LOT 204	
SITE AREA (Incl: Env. Zone 7,176m2)	40,000 m ²
EFFICIENCY	42.38%
WAREHOUSE 1	7,780 m ²
OFFICE	400 m ²
WAREHOUSE 2	8,350 m ²
OFFICE	420 m ²
TOTAL BUILDING AREA	16,950 m ²
CAR PARKING PROVIDED	172 spaces
HEAVY DUTY PAVEMENT (H)	6,880 m ²
SUSPENDED SLAB (77)	7,212 m ²
LIGHT DUTY PAVEMENT (L)(95)	3,631 m ²

TOTAL LOT AREA	207,698 m ²
TOTAL BUILDING AREA	117,485 m ²
TOTAL EFFICIENCY	56.57%

MANAGED ENVIRONMENTAL ZONE AREA = 13,580 m²



PROJECT

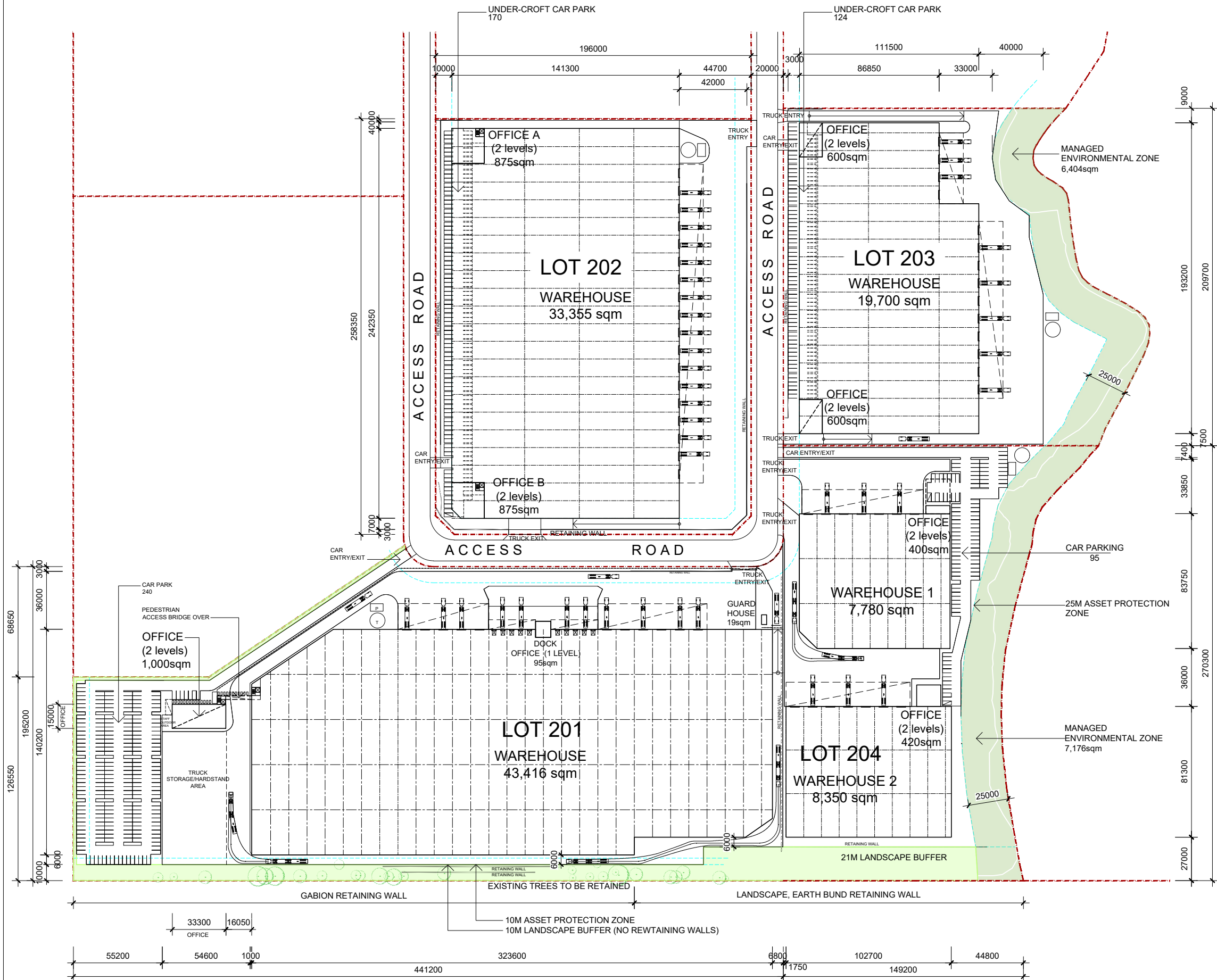
ESR HORSLEY LOGISTICS PARK
327-335 BURLEY RD, HORSLEY PARK

DRAWING TITLE
MARKETING PLAN

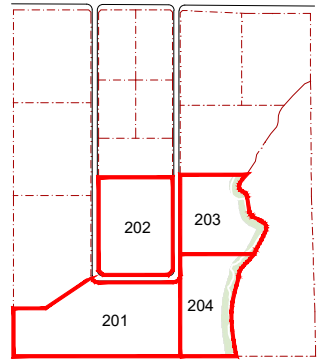


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CREATE DATE : 09.03.2020 PLOT DATE : 10.03.2020
LAST SAVED BY: awong

2-405-217501 FS27 - 002 A

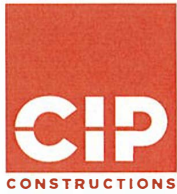


RESERVED RD BURLEY RD



LOCATION PLAN

APPENDIX B QS REPORT



04/03/20

Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Locked Bag 5022
Parramatta, NSW, 224

ATTENTION: Chris Ritchie (RE: Horsley Logistics Park)

To whom it may concern,

The following breakdown is the estimate of the Capital Investment Value of the works relating to Horsley Logistics Park – User 1 Lot 201 ESR Horsley Logistics Park. The report has been prepared by Allen Dinham (BSc (QS)).

General Project Information

Development Application	Horsley Logistics Park
Applicants Name	ESR Australia Pty Ltd
Applicants Address	Level 29, Bond Street Sydney NSW 2000
Date	4/3/2020
Development Name	ESR Horsley Logistics Park
Development Address	Lot 201 ESR Horsley Logistics Park
Description of Works	Warehouse and Office Development
Total Site Area	43,416 m2 Warehouse GFA 1,000 m2 Office 285 m2 Dock Offices
Parking	240 Carparking spaces

Cost Estimate

Demolition	N/A
Site Preparation	\$110,594
Excavation	\$871,108
Preliminaries	\$1,690 405
Building Construction	\$26,733 056
Internal Services	\$8,125 145
Internal Fitout	\$1,109 041
Other Structures	\$5,665 829
External Services	\$4,020 126
Professional Fees	\$897,059
Other	\$4,020 126
Parking/Garage Area	\$368,539
TOTAL	\$52,554 263

Yours sincerely,



Allen Dinham
BSc (QS)

02 9506 1439
0457 056 376

APPENDIX C APPLICABLE SITE CONSENTS

7 January, 2020

ENQUIRIES: Nicoleta Diacopoulos on 9725 0748

CSR Building Products Ltd
C/- Calibre Consulting Pty Ltd
PO Box 8300
BAULKHAM HILLS NSW 2153

Dear Sir/Madam,

NOTICE OF DETERMINATION OF SECTION 4.55 MODIFICATION NO. 893.6/2013

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

You are advised that the application to modify the subject application has been **APPROVED** pursuant to Section 4.55 of the Environmental Planning and Assessment Act, 1979.

Property Description: Lot 2, D.P. 1228114, No. 327 Burley Road and Lots 100, 101, 102 & 103, D.P. 1214912, No.'s 2-6 Johnston Crescent, Horsley Park.

Development Application No.: 893.1/2013

Land & Environment Court (LEC) Appeal No.: 10634 of 2014

Decision Date: 16 October 2015

Description of Development: Development Application 893.1/2013 for the subdivision of land at Nos 327-335 Burley Road, Horsley Park in three stages to create a total of 14 lots (one of which includes a conservation area) for employment purposes, new public roads and associated drainage.

Modification Consent No.: 893.4/2013 approved 18 June, 2018 (amendments in red)

Date of Determination of Modification Application: 13 November, 2019

The subject Section 4.55 Modification Application proposing the creation of Stages 2A and 2B and amendments to the finish levels has been approved. Accordingly, Conditions of Consent DA 893.1/2013 – LEC Appeal No. 10634 of 2014 have been amended in **green** as follows:

1. Compliance with Plans and Conditions

The development shall take place in accordance with the approved development plans, except as modified by any conditions of this consent, as prepared by and listed below:

- Brown Consulting, Project Number X13044:

Drawing Table	Drawing Number	Revision/Issue	Sheet No.	Date
Proposed Subdivision Over Lot 1 in D.P. 106143 Being Property At 327-335 Burley Road, Horsley Park – Overall Plan	X13044.P_ST0	1	1 of 1	02/04/2014

Drawing Table	Drawing Number	Revision/Issue	Sheet No.	Date
Proposed Subdivision Over Lot 1 in D.P. 106143 Being Property At 327-335 Burley Road, Horsley Park – Stage 1	X13044.P_ST1	1	1 of 3	02/04/2014
Proposed Subdivision Over Lot 1 in D.P. 106143 Being Property At 327-335 Burley Road, Horsley Park – Stage 2	X13044.P_ST2	2	2 of 3	02/04/2014
Proposed Subdivision Over Lot 1 in D.P. 106143 Being Property At 327-335 Burley Road, Horsley Park – Stage 3	X13044.P_ST3	1	3 of 3	02/04/2014
Proposed Subdivision Over Lot 1 in D.P. 106143 Being Property At 327-335 Burley Road, Horsley Park – Overall Site Landscape Plan	X13044.P_ST0-L	2	1 of 1	18/12/2014
Project Number X13044.001:				
Interim Access Concept Plan	SK10	00	-	UNDATED
Project Number X13044.002:				
Cover Sheet	000	07	-	06/03/2015
Standard Notes & Legend	001	07	-	06/03/2015
General Layout Plan	002	07	-	06/03/2015
Engineering Plan	101	07	01 of 04	06/03/2015
Engineering Plan	102	07	02 of 04	06/03/2015
Engineering Plan	103	07	03 of 04	06/03/2015
Engineering Plan	104	07	04 of 04	06/03/2015
Intersection Plan	105	07	-	06/03/2015
Road No. 01 Longitudinal Section	201	07	-	06/03/2015
Road No. 01 Longitudinal & Typical Cross Sections	202	07	-	06/03/2015
Site Regrading Plan	601	07	-	06/03/2015
Site Sections Sheet	602	07	01 of 02	06/03/2015
Site Sections Sheet	603	07	02 of 02	06/03/2015
Earth Bund Layout Plan	604	07	-	06/03/2015
Earth Bund Sections	605	07	-	06/03/2015
Sediment & Erosion Control Plan	701	07	-	06/03/2015
Sediment & Erosion Control Notes & Details	702	07	-	06/03/2015

• Calibre Group, Project Number X13044:

Drawing Table	Drawing Number	Revision/Issue	Sheet No.	Date
Section 96 Master Plan	X13044.P-SEC 96_1	5	1 of 4	13/06/2018

Drawing Table	Drawing Number	Revision/Issue	Sheet No.	Date
Section 96 Stage 1 Subdivision Plan	X13044.P-SEC 96_2	5	2 of 4	13/06/2018
Section 96 Stage 2 Subdivision Plan	X13044.P-SEC 96_3	5	3 of 4	13/06/2018
Proposed Subdivision of Residue Lot 200 and Lot 2 DP 1228114 in previous application (Stage 2A)	X13044.P-9	9	1 of 2	10/04/2019
Proposed Subdivision of Residue Lot 203 in previous application and Lot 2 in D.P. 1228114 (Stage 2B)	X13044_P-10	9	2 of 2	10/04/2019 0
Section 96 Stage 3 Subdivision Plan	X13044.P-SEC 96_4	5	4 of 4	13/06/2018
Project Number 15-00111.12				
Bulk Earthworks & Sediment & Erosion Control Plan	201	2	4 of 14	20/12/2017
Site Section A & B	202	2	5 of 14	20/12/2017
Site Section C & D	203	2	6 of 14	20/12/2017
Site Section E	204	2	7 of 14	20/12/2017
Site Section F	205	2	8 of 14	20/12/2017
Site Section G	206	2	9 of 14	20/12/2017
Retaining Wall Plan & Proposed New Kerb Return Alignment	901	2	10 of 14	20/12/2017
Retaining Wall 1 Longitudinal Sections - 01 of 02	902	2	11 of 14	20/12/2017
Retaining Wall 1, Longitudinal Sections - 02 of 02	903	2	12 of 14	20/12/2017
Retaining Wall 2 Longitudinal Sections	904	2	13 of 14	20/12/2017
Retaining Wall 2 & 3 Longitudinal Section	905	2	14 of 14	20/12/2017
Project Number 15-001115.13				
Cover Sheet	000	0	-	24/07/2019
General Arrangement Plan	001	0	-	24/07/2019
General Notes and Legend	002	0	-	24/07/2019
Soil & Water Management Plan	101	0	-	24/07/2019
Site Regrading Plan	201	0	-	24/07/2019
Site Regrading Sections Sheet 01 of 05	202	0	-	24/07/2019
Site Regrading Sections Sheet 02 of 05	203	0	-	24/07/2019
Site Regrading Sections Sheet 03 of 05	204	0	-	24/07/2019
Site Regrading Sections Sheet 04 of 05	205	0	-	24/07/2019
Site Regrading Sections Sheet 05 of 05	206	0	-	24/07/2019
Engineering Plan	301	0	-	24/07/2019
Road No. 1 Longitudinal Sections Sheets 01 of 02	401	0	-	24/07/2019

Drawing Table	Drawing Number	Revision/Issue	Sheet No.	Date
Road No. 1 Longitudinal & Typical Cross Sections Sheet 02 of 02	402	0	-	24/07/2019

2. Reports Certification

Prior to the issue of any subdivision certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Fairfield City Council, stating that all works, methods, procedures, control measures and recommendations approved by Council in the following reports have been completed as appropriate to each stage of development:

- a. Statement of Environmental Effects, prepared by Brown Consulting Pty Ltd, dated 19 December 2013.
- b. Flora and Fauna Assessment, prepared by Travers Bushfire and Ecology, File no.: A13140TSS, dated 10 March 2014.
- c. Acoustic Report prepared by TTM Consulting Pty Ltd, reference no.: 14SYA0026 R0_2, dated 21 August 2014 and supplementary Acoustic report prepared by TTM Consulting Pty Ltd, reference no.: 14SYA0026 R03_2, dated 13 February 2015.
- d. Environmental Site Assessment – Phase 2 Detailed Site Contamination Assessment Report prepared by DLA Environmental Services Pty Ltd, reference no.: DLH1121_H0068 dated September 2013.
- e. Remediation Action Plan – prepared by DLA Environmental Services Pty Ltd, reference no.: DLH1121_H00280, dated 1 December 2014.
- f. Vegetation Management Plan – prepared by Stuart Noble Associates Pty Ltd, dated 15 June 2015, Issue A.
- g. Visual Impact Assessment – prepared by Group GSA Pty Ltd, Revision D, dated 6 March 2015.
- h. Stormwater Concept Plan, prepared by Brown Consulting Pty Ltd, Reference no.: X13044, Issue C dated June 2014.

Where any of the above documents conflict with another condition of this consent, that other condition shall prevail to the extent of the inconsistency.

3. General Plan Amendments and Construction Sequence

The following conditions must be complied with in respect of the development:

- a. The plans shall be amended prior to the issue of a construction certificate to show the finished levels of proposed Lot 201 to be a maximum of RL86.5m AHD.

In the event that the levels must be amended, in the interim a 'Restriction on the Use of Land' shall be imposed requiring future pad level to be 86.5m AHD for proposed Lot 201.

- b. All plans shall be amended prior to the issue of a construction certificate to provide a minimum 10m (western section without retaining walls), 14m (western section where retaining walls are proposed) and 21m (eastern section with bund) wide landscape setback along the southern boundary which is to be maintained for the life of the consent. No buildings (other than the structural bund and retaining walls), roads or access ways (other than a path to provide for maintenance of the landscaped area which may be provided within the 3m area set aside adjacent to the southern property boundary and identified as a drainage swale) are to be constructed within the landscape setback shown in the plans referred to in this condition.
- c. In the 3m lower portion of the setback adjacent to the southern boundary the drainage swale shall be accommodated and existing trees shall be retained unless prior approval of Fairfield City Council has been obtained.
- d. The landscape plan shall be amended prior to the issue of a construction certificate to incorporate:
 - i. Dense tree planting at the toe of the retaining walls and bund along the southern boundary. This should be provided with a minimum 1m of soil depth.
 - ii. A planting density of 4 plants per square metre on the bund walls of which 1 plant shall be a small tree or shrub with a trunk at maturity that will not exceed 80mm in diameter.
 - iii. Shrubs that achieve a height of 4m shall be planted at the top of the bund at 2m spacing with a minimum soil depth of 1m provided. That planting shall be supplemented with ground covers and smaller shrubs to achieve the objectives outline in condition 12.
- e. The retaining wall along the southern boundary is to have a maximum of 2 tiers, with the retaining structures at each tier to be a maximum of 1.5m high. The top of the retaining wall shall be setback a minimum of 10m from the southern boundary. The planter bed between the 2 tiers shall have a minimum width of 6m. The remaining 4m landscape setback shall be provided from the top of the retaining wall and landscaped with shade tolerant plant species.
- f. The new bund, retaining wall and landscaping works along the southern boundary of proposed Lots 201 and ~~204~~ 202 are to be constructed and planted during or prior to the early works program of Stage 1, subject to fulfilling any preconditions for the work to commence. These works shall be carried out without reducing the effective height of the existing bund and completed prior to the release of the Subdivision Certificate for Stage 1.
- g. The new bund shall be constructed and landscaped, with the existing bund to remain in situ behind the works until the new bund works are completed after which time the existing bund can be removed. Design details of the construction method shall be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to commencement of works on site.

Note: Further conditions are provided below that specify requirements for each stage of the development in addition to the above requirements.

4. Existing Earth Mound

Subject to condition 3(g), no part of the existing earth mound adjacent to the southern and eastern boundaries of the site shall be removed until the existing quarry ceases operation.

5. Dedication of Roadway

The Stage 1 portion of Road 1, from the northern boundary to the position adjacent to the proposed boundary of lots 302 and 303, is to be noted as temporary road, at no cost to Council. The remainder of the Stage 1 portion of Road 1 is to be dedicated as a public road on the Stage 1 subdivision plan at no cost to Council.

The Stage 2 portion of Road 1 is to be dedicated to the public as road on the plan of subdivision (Stage 2) at no cost to Council.

The Stage 3 portion of Road 1 is to be dedicated to the public as road on the plan of subdivision (Stage 3) at no cost to Council.

Subject to the final road layout arising from the Southern Link Road (see condition below), any temporary road portion of Road 1 which is required for direct access to lots within the subdivision is to be dedicated as a public road, and any portion not required as public road may be returned to the developer in accordance with the procedures in the Roads Act.

6. Final Road Layout

Prior to the issue of a Construction Certificate for Stage 3 the final Road No. 1 layout shall be determined in consultation with Fairfield City Council and the Roads and Maritime Service. In this regard a resolution must be sought for the proposed access options to Southern Link Road as noted in the RMS letter dated 29 January 2015 Reference No. SYD14/01289(A8390566).

Subject to the outcome of the final road layout new plans may need to be submitted to Council for approval, which may include the requirement of an internal link road within stage 3 ensuring the free flow of traffic, or a Cul-de-sac where Road No.1 may terminate to ensure vehicles may manoeuvre safely.

Where any constructed works become redundant due to the final road layout, or where any new works are required, the cost of removing the redundant works or constructing the new works will be at full cost to the developer.

7. Landscaping

Prior to the issue of a subdivision certificate, the landscaping must have been carried out in accordance with the approved landscape plans and all relevant landscape conditions specified under this consent including the following:

a) Establishment of Tree Protection Zones (TPZ)

Tree Protection Zones shall be established around all trees to be retained in the development lots (not in the E2 land) accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970- 2009).

- Tree Protection Zones shall be fenced with a 1.8 metre high chainmesh or weldmesh fence and secured to restrict access. The fence shall be established prior to any materials being brought onto the site and before the commencement of works. The area within the fence shall be mulched and maintained to a depth of 75mm. The soil within the TPZ shall be kept in a moist condition for the duration of the landscape construction works. Unless approved by the project arboriculturist there shall be no access within the TPZ.
- Signs identifying the Tree Protection Zone shall be erected every 50 metres along the protection fence indicating the existence of a TPZ. Signage must be clearly visible from within the development site.
- No excavation, construction activity, grade changes, storage of materials, stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within Tree Protection Zones, unless approved by the project arborist or Fairfield City Council.
- Temporary access within the TPZ for pedestrian and machinery movements shall only be permitted with the approval of the project arborist or Fairfield City Council. Appropriate ground protection shall be installed under the supervision of the site arborist.
- All site personnel and contractors must be made aware of all tree protection requirements associated with these conditions of consent.
- The project arborist shall provide written certification of compliance with the above condition.

b) Engagement Level 5 Arboriculturist

An Australian Qualification Framework (AQF) Level 5 Arboriculturist is to be retained as the Project Arborist to provide tree protection advice and management, and supervise works carried out within the Tree Protection Zones of the existing trees along the Southern boundary.

Evidence of the engagement of the AQF5 arboriculturist as the project arborist is to be provided to Fairfield City Council Tree Management Officer within fourteen days of engagement.

c) Written Confirmation – Satisfactory Establishment of Landscaping

At the completion of the period of 2 years from the date of issue of Subdivision Certificate on the Stage 2 plan of subdivision, written confirmation from a registered landscape architect (senior) under the provisions of the Australian Institute of Landscape Architects of the satisfactory establishment, performance and maintenance of the landscape embankment and retaining system along the southern boundary shall be provided to Fairfield City Council.

Should the applicant dispose of the property within the 2 year period, it shall be his/her responsibility to include in the contract of sale a condition granting him/her access to the property to maintain the landscaping.

d) Arboricultural Documentation and Compliance

The project arborist shall provide written certification that all tree protection measures and construction techniques relevant to this consent have been complied with. Documentation shall include:

- i. Initial tree assessment including species, height, spread, DBH, vigour and structural condition (including photos).
- ii. a record of the condition of trees to be retained prior to and throughout landscape embankment and retaining wall works
- iii. recommended actions to improve site conditions and rectification of non-compliance
- iv. recommendations for future works which may impact the trees

All compliance certification documents shall be kept on site by the Site Foreman.

e) Arboricultural Inspections

As a minimum the following intervals of site inspections must be made by the project arboriculturist:

Stage of arboricultural inspection	Compliance documentation including photos shall be included
Installation of tree protection fencing / devices	Compliance with tree protection measures
Ground preparation	Condition of any exposed roots, etc.
Construction of embankment and retaining walls	Works not within Structural Root Zones. Measures to avoid excessive impacts in Tree Protection Zone.
Installation of landscape	Condition of three roots and soil
Prior to the issue of a Subdivision Certificate	Supervise the dismantling of tree protection measures

Additional site visits shall be made when required by the project arboriculturist for ongoing monitoring/supervisory work.

8. **Conservation Lot Report**

- (a) The land identified as proposed Lot 205 306, in the approved Stage 3 subdivision plan prepared by Calibre Group, drawing no. X13044.P-SEC 96_4, Sheet 4 of 4, dated 13/06/2018 ~~subdivision plan shall be initially consolidated with a development lot in Stage 2. Amended plans shall be submitted to Council~~ the residue lot in Stage 2 2A and 2B in accordance with the approved Stage 2 2A and 2B subdivision plan prepared by Calibre Group, drawing no. X13044.P-SEC 96_3, Sheet 3 of 4, dated 13/06/2018 **Drawing No.'s X13044.P_9 and X130044.P_10, Revision 9, Sheets 1 and 2 of 2, dated 10/04/2019.** The land identified as proposed Lot 205 306 shall be maintained in accordance with a Vegetation Management Plan to be submitted as per recommendations from the Flora and Fauna Assessment Report, prepared by Travers Bushfire and Ecology.

- (b) Prior to the issue of a Construction Certificate, the following shall be submitted to Council's Natural Resources Unit:
- i. The Flora and Fauna recommendations located Section 5.3 of the Flora and Fauna Assessment Report, prepared by Travers Bushfire and Ecology, File No.: A13140TSS, dated 10 March 2014, required the following for points 1 and 2;
 - 1. *A referral to the Department of Environment is required due to the removal of CPW vegetation equivalent to 4.50ha*
 - 2. *A vegetation management plan is required for the retained conservation lot containing Cumberland Plain Woodland. This plan should also address the habitat enhancement for Cumberland Plain Land Snail such as weed removal, log placement from removed habitat areas and exotic snail management.*
 - ii. The vegetation management plan that is required in Point 2 of Section 5.3 of the Report is to include a full costing of the plan deliverables, with the costing to be also incorporated into the budget for the development. This plan is to be prepared by a suitably qualified ecological consultant. This plan is to be provided to Council's Natural Resources Unit.
- (c) During Construction works, the following shall be adhered to;
- i. The Flora and Fauna recommendations located Section 5.3 of the Flora and Fauna Assessment Report, prepared by Travers Bushfire and Ecology, File no.: A13140TSS, dated 10 March 2014, required the following for point 3 and 4;
 - 3. *Any habitat removal of the constructed dams and surrounding wetland vegetation should be undertaken outside of the spring and early summer waterbird nesting period.*
 - 4. *Any removal of hollows should be under the supervision of a fauna ecologist so that residing fauna may be effectively recovered.*
- (d) The boundary of the environmental conservation area (proposed Lot ~~205~~ 306) will be surveyed and fenced (minimum star picket and three strand wire) prior to any work commencing onsite to ensure the asset protection zone recommended in Section 5.2 and Figure 8 of the Statement of Environmental Effects does not encroach on the conversation area. The fence is to be signposted at regular intervals highlighting the protected vegetation area.
- (e) Prior to the issue of the of the relevant Stage subdivision certificate, written certification from a suitably qualified ecologist shall be submitted to the Principal Certifying Authority and Fairfield City Council, stating that within that Stage all relevant works, methods, procedures, control measures and recommendations in the Flora and Fauna Report, prepared by Travers Bushfire and Ecology, File no.: A13140TSS, dated 10 March 2014, Section 5.3 of the points 3 and 4, have been completed as appropriate.

9. Positive Covenant – Conservation Area

A Positive Covenant shall be created over the proposed lot **306** including the Conservation area containing Cumberland Plain Woodland. The Flora and Fauna recommendations located in Section 5.3 of the Flora and Fauna Assessment Report, prepared by Travers Bushfire and Ecology, File no.: A13140TSS, dated 10 March 2014, required a vegetation management plan to be prepared and implemented.

Positive Covenant Terms:

The proprietor of the burdened lot from time to time shall do all things necessary to maintain the Conservation allotment within the land so burdened in accordance with the Vegetation Management Plan (details to be confirmed subject to Condition 8 point 2 of this consent).

For the purposes of this covenant:

Name of Authority having the power to release vary or modify the Positive Covenant shall be Fairfield City Council.

Stage One Subdivision

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate for Stage 1 by a Certifying Authority. The Certifying Authority can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

10. Outstanding Long Service Levy

Prior to the issue of a Construction Certificate for Stage 1, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment.

Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

11. Section 94A Contributions

Prior to the issue of any construction certificate, the Applicant must pay a levy of the percentage authorised by Fairfield City Council Indirect (Section 94A) Development Contributions Plan 2011, of the proposed cost of carrying out the development. The levy must be paid for the whole development prior to the issue of any construction certificate and a copy of the receipt for the payment to Fairfield City Council of the Levy must be submitted to the principal certifying authority prior to the issue of any construction certificate. The amount of the levy that is payable calculated as at the date of the grant of this development consent is \$172,000.

12. Landscape Plans by Landscape Architect

Prior to the issue of a Construction Certificate for Stage 1, a Stage 1 landscape plan prepared by a registered landscape architect (senior) registered with the Australian Institute of Landscape Architects and designed in accordance with Fairfield Council's Landscape Policy shall be submitted to the Certifying Authority.

Landscape plans shall be consistent the approved development plans (Condition 1), reports (Condition 2) and condition no. 7 unless varied by a condition of this consent and contain the following information:

- a. Existing trees (height and location);
- b. Trees to be removed;
- c. (deleted)
- d. Proposed planting (quantity, species, and expected mature height);
- e. Proposed earth mounding;
- f. Paths and paving (location and materials);
- g. The method of planting and the proposed maintenance program; and
- h. Details of lighting, fencing and paving, where relevant.
- i. Dense tree planting at the Toe of the bund/retaining walls with a minimum 1m soil depth, a planting density of 4 plants/sqm on the bund of which is to be a small tree/large shrub with a trunk that will not exceed 80mm diameter at maturity.

The landscaping in the landscape buffer zone shall be of a scale and density that will assist in screening and reducing the apparent scale of the anticipated development on the approved lots.

The landscaping is to be a combination of large and small trees and shrubs, complemented by the use of appropriate grasses and groundcovers and have regard to future maintenance regimes.

All future development within the approved subdivision development shall remain consistent with the landscape plan required by this condition.

NOTE: Landscaping shall be designed to complement and enhanced the development, and improve the visual amenity of the landscape setback between the site and adjacent properties.

13. Stormwater Design Certificate

Prior to the issue of a Construction Certificate, a certificate from a Chartered Professional Engineer shall be submitted to the Certifying Authority certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;

- c. The piped drainage system has been designed in accordance to Council's Stormwater Drainage Policy.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- a. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.
- b. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

14. Unexpected Finds Protocol

Prior to the issue of a construction certificate, submit to Fairfield City Council an 'Unexpected Finds Protocol' including but not limited to the assessment/management of any contamination discovered during the course of works.

15. Air Quality

Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport.

16. Construction Certificate Required (Engineering Approval)

Prior to the commencement of the construction works which include the internal Road 1 Stage 1, the Access Road within the Burley Road reserve and associated drainage works, including, the bund and retaining wall along the southern boundary and all landscaping works and earthworks, a Construction Certificate (Engineering Approval) is required to be issued by an Accredited Certifier or by Fairfield City Council.

If Council is appointed as the certifier to issue the construction certificate, five copies of the Engineering Plans for the proposed works shall be submitted to the Principal Certifying Authority; the Construction Certificate plan checking fee shall be determined in accordance with Council's Schedule of Fees and Charges; the fee is to be paid prior to the issue of a Construction Certificate.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Engineering Assessment Branch on 9725 0732.

17. Internal Road No. 1 Design

Internal Road No. 1 must be designed and constructed to the standard of an Industrial Road in accordance with Council's Specification.

18. Appointment of a Principal Certifying Authority

Prior to the commencement of any construction works, the person having benefit of a Development Consent, or Complying Development Certificate must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

19. Administration Fee of the Lodgement of Certificates

Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Subdivision Certificates and Complying Development Certificates.

20. Toilet Facility

Prior to the commencement of any construction works on site, a suitable toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility, or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

CONDITIONS ADVISING OF FEES AND CHARGES APPLICABLE TO THE SUBDIVISION.

The following conditions have been imposed to provide for various facilities and services required to meet the demands arising from the proposed subdivision.

21. Engineering Works Plan Assessment Inspection Fee

The payment to Council of an engineering works inspection fee (if Council is to issue a Compliance Certificate for the subdivision work). The value of this fee will be determined in accordance with Council's Schedule of Fees and Charges with inspections being carried out in accordance with Council's Specification for Roadwork and Drainage associated with Subdivision or other Development. This fee will need to be paid prior to release of the Construction Certificate (Engineering Approval).

22. Security for Public Works

Prior to final subdivision certificate for Stage 1 the applicant is to provide security, in the way of a bond or bank guarantee (at the applicant's choice), to be held by Council for the payment of the cost of remedying any defects in relation to the public works (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) constructed and dedicated to Council in Stage 1, that arise within 6 months of the completion of the work. If no defects arise within 6 months of the completion of the work, or any such defects (that arise within 6 months of the completion) are not notified by Council to the applicant within 7 months of the completion of the works, the applicant may obtain the release of the security from Council.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

23. Subdivision Certificate Release Fee

The payment to Council of a Subdivision Certificate release fee in accordance with Council's Annual Schedule of Fees and Charges. Please note that this fee is subject to review each financial year. The value of this fee will be reviewed by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following compliance with the conditions of approval and the submission of the Subdivision Certificate.

At the time of issuing this consent, the fee is **\$300**.

CONDITIONS RELATING TO WORKS ASSOCIATED WITH THE SUBDIVISION

The following conditions have been imposed to ensure that adequate and safe public access is available to the subdivision for both pedestrian and vehicular traffic and that the subdivision will not have detrimental effects on the environment.

24. Erosion and Sediment Control Plan

A detailed Erosion and Sediment Control plan prepared in accordance with Council's policy for Urban Erosion and Sediment Control shall be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council. The control measures detailed in the approved plan shall be implemented prior to commencement of any works, including stripping or clearing, on site.

The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity

25. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

26. Site During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited;
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours; and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

A \$600 on the spot fine may be issued for non-compliance with this condition. (Environmental Planning & Assessment Regulation 2000 Section 98A).

27. Maintenance of Construction Site

During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

Note: On the spot penalties up to \$600 will be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

28. During Construction

During the construction period the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building or subdivision work is carried out between:
 - i. 7.00am and 6.00pm Monday to Friday or
 - ii. 8.00am to 1.00pm Saturday.
 - iii. No work shall be undertaken on Sunday or a public holiday.

29. Road and Drainage Construction Plans

Road and Drainage construction shall not commence until the plans and specifications giving full details of the proposed construction have been issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council.

30. Alignment of Roadway

The alignment of Road 1 Stage 1 and the Access Road within the Burley Road reserve, 20m wide and variable width to be in accordance with plans issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

31. Construction of Roadway

The construction of full width of Road 1 adjacent to the proposed allotments and the Access Road within the Burley Road reserve, in accordance with plans and specifications issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

32. Path Paving

Prior to the issue of the Subdivision Certificate, Council's shared concrete path paving shall be constructed by the developer at no cost to Council for the full road frontage of the subdivision development, for Road 1 Stage 1 and the Access Road within the Burley Road reserve, in accordance with the approved plans.

The area of the footway not paved shall be topsoiled and turfed.

33. Road Shoulder

The road shoulder and footpath formation shall be regraded, topsoiled and turfed for the full frontage of the subdivision along the Access Road within the Burley Road reserve. This regrading is to provide an easily maintained surface that will carry stormwater flows generated by the roadway and shall be in accordance with levels issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

34. Tree Preservation Order

No trees shall be pruned or removed without the prior written consent in the form of a Tree Preservation Order from Fairfield City Council.

35. Fill Material for Dam

Dam shall be filled with "clean" fill only.

36. Dewatering Dam

Dewatering of the dam shall be carried out to "Not" concentrate flow on adjoining properties or roadways.

37. Lot Filling

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300 mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted in this regard.

38. Validation of Fill

Any fill imported to the site shall be validated in accordance with the EPA's Contaminated Sites Sampling Design guidelines 1995.

39. Fill Validation Report

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

40. Chain of Custody Documentation

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site to the subject premises. A record of 'Chain of Custody' shall be submitted to Council within seven (7) days of the fill material being moved to or from the subject site.

41. Compaction Requirements

- a. Any filling carried out in accordance with this consent shall maintain a minimum requirement of 95% standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (min 1 test per 300mm layer) certified by a qualified geotechnical engineer.

- b. Filling operations shall be in accordance with Appendix B of AS 3798-996 "Guidelines on Earthworks for Commercial and Residential Developments" of which Level 1 Testing will be adopted for this development due to the quantity of fill. Level 1 Testing will require full time inspection and testing service by the Geotechnical Testing Authority of the site stripping, proof rolling, placement and compaction of the fill, with the location of tests being at the discretion of the Geotechnical Testing Authority.

The fill shall be compacted to a minimum density ratio of 95% standard compaction.

42. Unreasonable Noise and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

43. Adjustment to Public Utilities

Prior to the issue of the Final Subdivision Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

44. Works as Executed Drawings

Following completion of the works the applicant shall provide a detailed "work as executed" drawing signed by a registered surveyor showing the finished surface levels of Road 1 Stage 1, Access Road within the Burley Road reserve, table drain, concrete pathways, inter-allotment and road drainage, southern boundary bund and retaining wall construction and any lot filling, carried out under this consent.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

CONDITIONS RELATING TO THE PROVISION OF SERVICES TO THE SUBDIVISION

The following conditions have been imposed to ensure that the subdivision is provided with adequate services.

45. Inter-Allotment Drainage Construction

The provision of inter-allotment drainage to all lots which do not wholly slope toward the street. Details of the proposed drainage works are to be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

46. Easements for all Services

Easements shall be created over all services and/or stormwater pipelines within private property which service adjacent roads or properties.

47. Registered Surveyor Certification

Written confirmation is to be provided from a Registered Surveyor that easements have been created for all encroaching services connections, or alternatively that all services are contained wholly within their respective allotments.

48. Sydney Water Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site <http://www.sydneywater.com.au/Buildingdeveloping/DevelopingYourLand/GettiNgaSect73ComplianceCertificate.cfm> or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions 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 release of the Subdivision Certificate.

49. Endeavour Energy Satisfactory Arrangement

The submission of evidence from Endeavour Energy that satisfactory arrangements have been made for the provision of electricity services to all allotments.

It is considered that the provision of natural gas services is desirable to new subdivisions and in this regard, the developer is requested to liaise with Jemena, Sydney (www.jemena.com.au).

50. Telecommunications Compliance Certificate

The submission of a Compliance Certificate from a Telecommunications carrier as evidence that satisfactory arrangements have been made for all communications plant to be laid underground.

For further enquiries regarding the issue of the Compliance Certificate, contact Telstra on 13 22 00 or complete the online form at <http://www.telstra.com.au/smart-community/developers/>.

GENERAL CONDITIONS

The following conditions have been imposed to ensure that the subdivision does not prejudice the amenity of the local environment and/or to achieve the objectives of the relevant planning instruments and statutory authorities.

51. Road Splay

A 6m x 6m road splay shall be provided on the corners of Road 1 Stage 1 and the Access Road within the Burley Road reserve.

52. Road No. 1 Access

Access from Road No. 1 to proposed Lot 101 shall only be permitted south of the southern boundary of proposed Lot 302. A suitable restriction on the use of the land for proposed Lot 101 is to be created on title.

53. Compliance with Construction Certificate

All construction works approved in this development consent must comply with the terms of the consent the plans, specifications and any other approved documents relevant to the approved Construction Certificate.

54. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council's Environmental Management Section is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

55. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

56. Telecommunication Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra Network Integrity Team on Phone Number 1800 810 443.

57. Waste Classification

Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and NSW Environmental Protection Authority (formerly known as Department of Environment and Climate Change) Environmental Waste Classification Guidelines. The classification of the material is essential to determine where the waste may be legally taken.

58. Waste Receipts

A permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such record is to be made available to Council's Officers, upon request.

59. Remediation Work

All remediation work shall be carried out in accordance with the Remediation Action Plan prepared by DLA Environmental Services Pty Ltd (Reference: DLH1121_H00280) dated 1 December 2014; State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

In this regard, the *Site Environmental Management Plan* (which includes comments on an associated *Workplace Health & Safety Plan* and *Remediation Works Management Plan*) and *Unexpected Findings Protocol* which are provided as Appendices to the RAP shall be fully adhered to, so that remediation work is conducted in such a manner as not to interfere with or materially affect the amenity of neighbouring premises by way of noise, vibration, odours, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.

60. Notice of Completion of Remediation Work

Within thirty (30) days of completion of remediation works notice of the works completed shall be given to Council in accordance with Clause 17(2) of State Environmental Planning Policy No. 55 – Remediation of Land. The notice shall be in writing and prepared and signed by the person who carried out the work.

The Notice shall also:

- a. Provide the person's name, address and business telephone number;
- b. Provide details of the person's qualifications to carry out the work;
- c. Specify, by reference to its property description and street address, the land on which the work was carried out;

- d. Provide a map of the location of the land;
- e. State when the work was completed;
- f. Specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment;
- g. Specify the uses of the land immediately before the work started;
- h. Briefly describe the method of remediation used in the work;
- i. Specify the guidelines that were complied within the work;
- j. Specify the standard of remediation achieved (in the light of the use proposed for the land);
- k. Show in what manner the work (if a category 1 remediation work) complied with the conditions of the relevant development consent; and
- l. State what action must be maintained in relation to the land after the completion of the remediation achieved is to be maintained.

NOTE: A site audit statement (within the meaning of Part 4 of the Contaminated Land Management Act 1997) may be given in partial compliance with this requirement.

61. Validation Report

A validation report shall be prepared by a suitably qualified contaminated land consultant and be provided to Fairfield City Council for review no later than sixty (60) days after the remediation is completed. The Validation Report shall be prepared in accordance with State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

Should the validation report deem that further remediation is required; a Remedial Action Plan (RAP) shall be developed by a suitably qualified contaminated land consultant and be submitted to Fairfield City Council for approval.

Subsequent to the completion of approved remediation works, a further site validation report is to be submitted to Fairfield City Council. The report shall confirm whether the goals set in the RAP have been achieved.

62. Land Contamination

Any new information which comes to light during any remediation works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council immediately after discovery. A Section 96 Application under the Environmental Planning and Assessment Act 1979 as amended shall be made for any proposed works outside the scope of the development consent.

63. Compliance Noise Monitoring

During the period of construction works, compliance noise monitoring shall be carried out to determine the effectiveness of noise control measures stipulated within the Acoustic Assessment Report prepared by TTM Consulting Pty Ltd (Reference:14SYA0026 R0_2) dated 21 August 2014. Within two (2) months of the construction works commencing, an acoustic report shall be prepared and submitted to Council for its assessment and approval which includes but is not limited to the following information:

- a) Any complaints received in relation to construction activities conducted at the premises.

- b) Verification that noise levels emitted from the premises and measured at identified noise sensitive receivers, comply with all relevant assessment criteria detailed in the above mentioned report.
- c) Where monitoring indicates that noise emissions exceed the assessment criteria, the report shall provide recommendations in relation to additional noise attenuation measures required to be implemented in order to meet the criteria.

64. **Restriction on Blasting Activities**

No blasting is permitted.

Stage Two Subdivision

The following Stage 2 conditions may be relevant for both Stages 2a and 2B

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate for Stage 2 by a Certifying Authority. The Certifying Authority can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

65. **NSW Rural Fire Service Conditions**

Subdivision Plan

The development proposal is to comply with the subdivision layout identified on the drawing prepared by ~~Brown Calibre Consulting~~ numbered ~~X13044.P-ST0 (dated 12 December 2013 superseded) current version dated 2 April 2014 X13044.P-SEC 96_3, Revision 5, Sheet 3 of 4, dated 13 June 2018~~ **Drawing No.'s X13044.P_9 and X130044.P_10, Revision 9, Sheets 1 and 2 of 2, dated 10/04/2019.**

Water and Utilities

Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

Note: Any further development application for a class 1, 2 or 3 building as identified by the 'Building Code of Australia' and impacted by the Bush Fire Prone Land Map may be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

66. **Outstanding Long Service Levy Fee**

Prior to the issue of a Construction Certificate for Stage 2, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment.

Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

67. Landscape Plans Certified by Landscape Architect

Prior to the issue of a Construction Certificate for Stage 2, a landscape plan for Stage 2 is to be prepared by a landscape architect (senior) registered with the Australian Institute of Landscape Architects and designed in accordance with Fairfield Council's Landscape Policy and submitted to the Certifying Authority.

Landscape plans shall be consistent with the approved development plans (Condition 1), reports (Condition 2), requirements in Condition 3 and condition no. 7 and contain the following information:

- a. Existing trees (height and location);
- b. Trees to be removed;
- c. Deleted
- d. Proposed planting (quantity, species, and expected mature height);
- e. Proposed earth mounding;
- f. Paths and paving (location and materials);
- g. The method of planting and the proposed maintenance program; and
- h. Details of lighting, fencing and paving, where relevant.
- i. Dense tree planting at the Toe of the bund/retaining walls with a minimum of 1m soil depth, a planting density of 4 plants per square metre on the bund of which is to be a small tree/large shrub with a trunk that will not exceed 80mm diameter at maturity.

The landscaping in the landscape buffer zone shall be of a scale and density that will assist in screening and reducing the apparent scale of the anticipated development on the approved lots. Landscaping shall be designed to complement and enhance the development.

All future development within the approved Stage 2 subdivision development shall remain consistent with the landscape plan required by this condition.

68. Stormwater Drainage Certificate

Prior to the issue of a Construction Certificate, a certificate from a Chartered Professional Engineer shall be submitted to the Certifying Authority certifying that:

- d. Satisfactory arrangements have been made for the disposal of stormwater;
- e. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;

- f. The piped drainage system has been designed in accordance to Council's Stormwater Drainage Policy.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- a. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.
- b. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

Water Sensitive Urban Design measures shall be considered in the subdivision works. Applicant is to liaise with Council's Catchment Branch prior to the issue of a Construction Certificate.

69. Unexpected Finds Protocol

Prior to the issue of a construction certificate, submit to Fairfield City Council an 'Unexpected Finds Protocol' including but not limited to the assessment/management of any contamination discovered during the course of works.

70. Air Quality

Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport.

71. Construction Certificate Required (Engineering Approval)

Prior to the commencement of the construction works, a Construction Certificate (Engineering Approval) is required to be issued by a Certifying Authority. The works include construction of the extension of the internal Road 1 Stage 2 **2A, 2B**, drainage works, including landscaping works and earthworks.

If Council is appointed as the certifier to issue the construction certificate, five copies of the Engineering Plans for the proposed works shall be submitted to the Principal Certifying Authority; the Construction Certificate plan checking fee shall be determined in accordance with Council's Schedule of Fees and Charges; the fee is to be paid prior to the issue of a Construction Certificate.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

72. Appointment of a Principal Certifying Authority

Prior to the commencement of any construction works, the person having benefit of a Development Consent, or Complying Development Certificate must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

73. Administration Fee for the Lodgement of Certificate

Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Subdivision Certificates and Complying Development Certificates.

74. Toilet Facility

Prior to the commencement of any construction works on site, a suitable toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility, or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

75. Construction Traffic Management Plan

A Construction Traffic Management Plan shall be submitted to Council for approval, prior to the commencement of works.

CONDITIONS ADVISING OF FEES AND CHARGES APPLICABLE TO THE SUBDIVISION.

The following conditions have been imposed to provide for various facilities and services required to meet the demands arising from the proposed subdivision.

76. Engineering Works and Plan Assessment Inspection Fee

The payment to Council of an engineering works inspection fee (if Council is to issue a Compliance Certificate for the subdivision work). The value of this fee will be determined in accordance with Council's Schedule of Fees and Charges with inspections being carried out in accordance with Council's Specification for Roadwork and Drainage associated with Subdivision or other Development. This fee will need to be paid prior to release of the Construction Certificate (Engineering Approval).

77. Maintenance Bond

Prior to final subdivision certificate for Stage 2 the applicant is to provide security, in the way of a bond or bank guarantee (at the applicant's choice), to be held by Council for the payment of the cost of remedying any defects in relation to the public works (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) that are constructed and dedicated to Council in Stage 2, that arise within 6 months of the completion of the work. If no defects arise within 6 months of the completion of the work, or any such defects (that arise within 6 months of the completion) are not notified by Council to the applicant within 7 months of the completion of the works, the applicant may obtain the release of the security from Council.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

78. Subdivision Certificate Release Fee

The payment to Council of a Subdivision Certificate release fee in accordance with Council's Annual Schedule of Fees and Charges. Please note that this fee is subject to review each financial year. The value of this fee will be reviewed by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following compliance with the conditions of approval and the submission of the Subdivision Certificate.

At the time of issuing this consent, the fee is ~~\$500~~ **\$300 for Stage 2A and \$300 for Stage 2B.**

CONDITIONS RELATING TO WORKS ASSOCIATED WITH THE SUBDIVISION

The following conditions have been imposed to ensure that adequate and safe public access is available to the subdivision for both pedestrian and vehicular traffic and that the subdivision will not have detrimental effects on the environment.

79. Erosion and Sediment Control Plan

A detailed Erosion and Sediment Control plan prepared in accordance with Council's policy for Urban Erosion and Sediment Control shall be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council. The control measures detailed in the approved plan shall be implemented prior to commencement of any works, including stripping or clearing, on site.

The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

80. Notify Council of Intention of Commencement Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

81. Site During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited;
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours; and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

A \$600 on the spot fine may be issued for non-compliance with this condition. (Environmental Planning & Assessment Regulation 2000 Section 98A).

82. Maintenance of Construction Site

During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

Note: On the spot penalties up to \$600 will be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

83. During Construction

During the construction period the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building or subdivision work is carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturday. No work shall be undertaken on Sunday or a public holiday.

84. Extension of Internal Road No. 1 Design

The extension of Internal Road No. 1 must be designed and constructed to the standard of an Industrial Road in accordance with Council's Specification for Roadworks and Drainage associated with subdivision or other development (Policy No. 4-515).

85. Road and Drainage Construction Plans

Road and Drainage construction shall not commence until the plans and specifications giving full details of the proposed construction have been issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council.

86. Alignment of Roadway

The alignment of the extension to Road 1 Stage 2, 20m wide and variable width to be in accordance with plans issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

87. Construction of Roadway

The construction of full width of the extension to Road 1 Stage 2 adjacent to the proposed allotments, in accordance with plans and specifications issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

88. Path Paving

Prior to the issue of the Subdivision Certificate, Council's shared concrete path paving shall be constructed by the developer at no cost to Council for the full road frontage of the subdivision development along the extension of Road 1 Stage 2, in accordance with the approved plans. The area of the footway not paved shall be topsoiled and turfed.

89. Tree Preservation Order

No trees shall be pruned or removed without prior written consent in the form of a Tree Preservation Order from Fairfield City Council.

90. Fill Material for Dam

Dam shall be filled with "clean" fill only.

91. Dewatering Dam

Dewatering of the dam shall be carried out to "Not" concentrate flows on adjoining properties or roadways.

92. Lot Filling

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300 mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted in this regard.

93. Validation of Fill

Any fill imported to the site shall be validated in accordance with the EPA's Contaminated Sites Sampling Design guidelines 1995.

94. Fill Validation Report

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

95. Chain of Custody Documentation

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site to the subject premises. A record of 'Chain of Custody' shall be submitted to Council within seven (7) days of the fill material being moved to or from the subject site.

96. Compaction Requirements

- a. Any filling carried out in accordance with this consent shall maintain a minimum requirement of 95% standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (min 1 test per 300mm layer) certified by a qualified geotechnical engineer.

- b. Filling operations shall be in accordance with Appendix B of AS 3798-996 "Guidelines on Earthworks for Commercial and Residential Developments" of which Level 1 Testing will be adopted for this development due to the quantity of fill. Level 1 Testing will require full time inspection and testing service by the Geotechnical Testing Authority of the site stripping, proof rolling, placement and compaction of the fill, with the location of tests being at the discretion of the Geotechnical Testing Authority.

The fill shall be compacted to a minimum density ratio of 95% standard compaction.

97. Unreasonable Noise and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

98. Adjustment to Public Utilities

Prior to the issue of the Final Subdivision Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

99. Works as Executed Drawings

Following completion of the works the applicant shall provide a detailed "work as executed" drawing signed by a registered surveyor showing the finished surface levels of the extension of the internal Road 1 Stage ~~2~~ **2A and 2B**, drainage works, including landscaping works, earthworks, and any lot filling, carried out under this consent.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

CONDITIONS RELATING TO THE PROVISION OF SERVICES TO THE SUBDIVISION

The following conditions have been imposed to ensure that the subdivision is provided with adequate services.

100. Inter-Allotment Drainage Construction

The provision of inter-allotment drainage to all lots which do not wholly slope toward the street. Details of the proposed drainage works are to be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

101. Easements for all Services

Easements shall be created over all services and/or stormwater pipelines within private property which service adjacent roads or properties.

102. Registered Surveyor Certification

Written confirmation to be provided from a Registered Surveyor that easements have been created for all encroaching services connections, or alternatively that all services are contained wholly within their respective allotments.

103. Sydney Water Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site <http://www.sydneywater.com.au/Buildingdeveloping/DevelopingYourLand/GettiNgaSect73ComplianceCertificate.cfm> or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions 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 release of the linen plan.

104. Endeavour Energy Satisfactory Arrangements

The submission of evidence from Endeavour Energy that satisfactory arrangements have been made for the provision of electricity services to all allotments.

It is considered that the provision of natural gas services is desirable to new subdivisions and in this regard, the developer is requested to liaise with Jemena, Sydney (www.jemena.com.au).

105. Telecommunications Compliance Certificate

The submission of a Compliance Certificate from a Telecommunications carrier as evidence that satisfactory arrangements have been made for all communications plant to be laid underground.

For further enquiries regarding the issue of the Compliance Certificate, contact Telstra on 13 22 00 or complete the online form at <http://www.telstra.com.au/smart-community/developers/>.

GENERAL CONDITIONS

The following conditions have been imposed to ensure that the subdivision does not prejudice the amenity of the local environment and/or to achieve the objectives of the relevant planning instruments and statutory authorities.

106. Road Splay

Road splays shall be located on the tangent points of the extension of Road 1 Stage ~~2~~ **2A and 2B** of proposed lot 202.

107. Bund Maintenance Access

The southern face of the bund and retaining wall on lots 201 and 204 are to be accessible by foot for maintenance purposes, so that maintenance may be undertaken manually where necessary with handheld tools.

If required to ensure access will be available for maintenance purposes, the applicant is to register on title an easement benefitting proposed Lot ~~204~~ **202** and burdening the conservation lot to allow the owner of lot ~~204~~ **202** to gain access to the base of the bund and boundary for maintenance.

108. Landscaped Setback Vegetation Height

- (a) Landscaping on that portion of the site adjacent to the southern boundary in the landscape setback that does not have the bund in place shall achieve a minimum height of 7m above the finished level of proposed Lot 201, prior to the release of the subdivision certificate.
- (b) The condition above (111(a)) does not need to be complied with and the subdivision certificate may be released if stages 3b to 5 of the Concept Plan Approval issued by the Director General of the Department of Planning (Reference 10_0129) have been approved and the actual physical works such as earthworks, roadworks or building construction has occurred on that site in accordance with Condition 4 of Schedule 2 of that Concept Plan Approval.

109. Compliance with Construction Certificate

All construction works approved in this development consent must comply with the terms of the consent the plans, specifications and any other approved documents relevant to the approved Construction Certificate.

110. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council's Environmental Management Section is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

111. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

112. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra Network Integrity Team on Phone Number 1800 810 443.

113. Waste Classification

Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and NSW Environmental Protection Authority (formerly known as Department of Environment and Climate Change) Environmental Waste Classification Guidelines. The classification of the material is essential to determine where the waste may be legally taken.

114. Waste Receipts

A permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such record is to be made available to Council's Officers, upon request.

115. Remediation Work

All remediation work shall be carried out in accordance with the Remediation Action Plan prepared by DLA Environmental Services Pty Ltd (Reference: DLH1121_H00280) dated 1 December 2014; State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

In this regard, the *Site Environmental Management Plan* (which includes comments on an associated *Workplace Health & Safety Plan* and *Remediation Works Management Plan*) and *Unexpected Findings Protocol* which are provided as Appendices to the RAP shall be fully adhered to, so that remediation work is conducted in such a manner as not to interfere with or materially affect the amenity of neighbouring premises by way of noise, vibration, odours, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.

116. Notice of Completion of Remediation Work

Within thirty (30) days of completion of remediation works notice of the works completed shall be given to Council in accordance with Clause 17(2) of State Environmental Planning Policy No. 55 – Remediation of Land. The notice shall be in writing and prepared and signed by the person who carried out the work.

The Notice shall also:

- a. Provide the person's name, address and business telephone number;
- b. Provide details of the person's qualifications to carry out the work;
- c. Specify, by reference to its property description and street address, the land on which the work was carried out;
- d. Provide a map of the location of the land;
- e. State when the work was completed;
- f. Specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment;
- g. Specify the uses of the land immediately before the work started;
- h. Briefly describe the method of remediation used in the work;
- i. Specify the guidelines that were complied within the work;
- j. Specify the standard of remediation achieved (in the light of the use proposed for the land);
- k. Show in what manner the work (if a category 1 remediation work) complied with the conditions of the relevant development consent; and
- l. State what action must be maintained in relation to the land after the completion of the remediation achieved is to be maintained.

NOTE: A site audit statement (within the meaning of Part 4 of the Contaminated Land Management Act 1997) may be given in partial compliance with this requirement.

117. Validation Report

A validation report shall be prepared by a suitably qualified contaminated land consultant and be provided to Fairfield City Council for review no later than sixty (60) days after the remediation is completed. The Validation Report shall be prepared in accordance with State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

Should the validation report deem that further remediation is required; a Remedial Action Plan (RAP) shall be developed by a suitably qualified contaminated land consultant and be submitted to Fairfield City Council for approval.

Subsequent to the completion of approved remediation works, a further site validation report is to be submitted to Fairfield City Council. The report shall confirm whether the goals set in the RAP have been achieved.

118. Land Contamination

Any new information which comes to light during any remediation works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council immediately after discovery. A Section 96 Application under the Environmental Planning and Assessment Act 1979 as amended shall be made for any proposed works outside the scope of the development consent.

119. Compliance Noise Monitoring

During the period of construction works, compliance noise monitoring shall be carried out to determine the effectiveness of noise control measures stipulated within the Acoustic Assessment Report prepared by TTM Consulting Pty Ltd (Reference:14SYA0026 R0_2) dated 21 August 2014. Within two (2) months of the construction works commencing, an acoustic report shall be prepared and submitted to Council for its assessment and approval which includes but is not limited to the following information:

- a. Any complaints received in relation to construction activities conducted at the premises.
- b. Verification that noise levels emitted from the premises and measured at identified noise sensitive receivers, comply with all relevant assessment criteria detailed in the above mentioned report.
- c. Where monitoring indicates that noise emissions exceed the assessment criteria, the report shall provide recommendations in relation to additional noise attenuation measures required to be implemented in order to meet the criteria.

120. Restriction on Blasting Activities

No blasting is permitted.

121(A). Positive Covenant – Landscape Embankment and Retaining System Maintenance on the Southern Boundary

A Positive Covenant shall be created over proposed lots 201 and ~~204~~ 202 in the following terms;

- (1) The proprietor of the burdened lot from time to time shall do all things necessary to maintain, repair and replace the landscaping and maintain the embankment or retaining system within the land so burdened in accordance with the Vegetation Management Plan prepared by Stuart Noble Associates Pty Ltd, dated 15 June 2015, Issue A and all other relevant landscaping conditions specified under this Consent.
- (2) For the purpose of ensuring observance of the covenant the Council may by its servants or agents at any reasonable time of the day upon giving to the person against whom the covenant is enforceable not less than 2 days' notice, enter the land and view the condition of the land and the state of construction or repair of the embankment, except to the extent that the Council and that person may otherwise agree.

Structure and works shall mean the embankment or retaining system and any storm water drainage system associated with that work constructed on the land.

Name of Authority having the power to release vary or modify the Positive Covenant shall be Fairfield City Council.

121(B) Restriction on the Use of Land on Proposed Lot 201

A 'Restriction on the Use of Land' shall be imposed on proposed Lot 201 restricting the future building pad level to 86.5m AHD.

122. **Landfill – Proposed Lot 201**

Positive Covenant

A positive covenant is to be registered on the title of proposed Lot 201 requiring the landfill area to be maintained in accordance with any applicable environmental protection licence that applies to the land.

Restriction on Use

A restriction on use of land is to be registered on the title of the proposed lot 201, prohibiting restricting the use of the landfill area for any purpose that is inconsistent with meeting the objectives of an environmental protection licence that applies to the landfill.

Name of Authority having the power to release vary or modify the Positive Covenant and Restriction on Use shall be Fairfield City Council.

Stage Three Subdivision

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate for Stage 3 by a Certifying Authority. The Certifying Authority can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

123. **Final Road Layout**

Prior to the issue of a Construction Certificate for Stage 3 the final Road No. 1 layout shall be determined in consultation with Fairfield City Council and the Roads and Maritime Service. In this regard a resolution must be sought for the proposed access options to Southern Link Road as noted in the RMS letter dated 29 January 2015 Reference No. SYD14/01289(A8390566).

Subject to the outcome of the final road layout new plans may need to be submitted to Council for approval, which may include the requirement of an internal link road within stage 3 ensuring the free flow of traffic, or a Cul-de-sac where Road No.1 may terminate to ensure vehicles may manoeuvre safely.

The final road layout plans are to include any works required to the Stage 1 portion of Road 1, including (if required) any portion of (temporary) Stage 1 Road 1 which is to be closed, and any portion of (temporary) Stage 1 Road 1 which is to be dedicated to public road.

124. **Outstanding Long Service Levy Fee**

Prior to the issue of a Construction Certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment. Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

125. **Landscape Plans Certified by Landscape Architect**

Prior to the issue of a Construction Certificate for Stage 3, a landscape plan for Stage 3 is to be prepared by a landscape architect (senior) registered with the Australian Institute of Landscape Architects and designed in accordance with Fairfield Council's Landscape Policy and submitted to the Certifying Authority.

Landscape plans shall be consistent the approved development plans (Condition 1), reports (Condition 2), requirements in condition 3 and condition no. 7 and contain the following information:

- a. Existing trees (height and location);
- b. Trees to be removed;
- c. Proposed planting (quantity, species, and expected mature height);
- d. Proposed earth mounding;
- e. Paths and paving (location and materials);
- f. The method of planting and the proposed maintenance program;
- g. Details of lighting, fencing and paving, where relevant; and
- h. Dense tree planting with a density of 4 plants per square metre shall be provided along proposed Lot 307.

The landscaping shall be of a scale that will match the scale of the anticipated development on the approved lots. Landscaping shall be designed to complement and enhance the development.

All future development within the approved subdivision development shall remain consistent with the landscape plan required by this condition.

126. **Stormwater Drainage Certificate**

Prior to the issue of a Construction Certificate, a certificate from a Chartered Professional Engineer shall be submitted to the Certifying Authority certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;
- c. The piped drainage system has been designed in accordance to Council's Stormwater Drainage Policy.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- a. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.

- b. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

127. **Unexpected Finds Protocol**

Prior to the issue of a construction certificate, submit to Fairfield City Council an 'Unexpected Finds Protocol' including but not limited to the assessment/management of any contamination discovered during the course of works.

128. **Air Quality**

Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport.

129. **Construction Certificate Required (Engineering Approval)**

Prior to the commencement of the construction works, a Construction Certificate (Engineering Approval) is required to be issued by a Certifying Authority. The works include the construction of the extension of the internal Road 1 Stage 3 to the intersection of Burley Road and Old Wallgrove Road, including any additional road works as a result of the determination of the final road layout, drainage works, landscaping works, and earthworks.

If Council is appointed as the certifier to issue the construction certificate, five copies of the Engineering Plans for the proposed works shall be submitted to Council for approval. The Construction Certificate plan checking fee shall be determined in accordance with Council's Schedule of Fees and Charges. The fee is to be paid prior to the issue of Construction Certificate.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

130. **Appointment of a Principal Certifying Authority**

Prior to the commencement of any construction works, the person having benefit of a Development Consent, or Complying Development Certificate must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

131. **Administration Fee for the Lodgement of Certificates**

Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Subdivision Certificates and Complying Development Certificates.

132. **Toilet Facility**

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility, or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

133. **Construction Traffic Management Plan**

A Construction Traffic Management Plan shall be submitted to Council for approval, prior to the commencement of works.

CONDITIONS ADVISING OF FEES AND CHARGES APPLICABLE TO THE SUBDIVISION.

The following conditions have been imposed to provide for various facilities and services required to meet the demands arising from the proposed subdivision.

134. **Engineering Works and Plan Assessment Inspection Fee**

The payment to Council of an engineering works inspection fee (if Council is to issue a Compliance Certificate for the subdivision work). The value of this fee will be determined in accordance with Council's Schedule of Fees and Charges with inspections being carried out in accordance with Council's Specification for Roadwork and Drainage associated with Subdivision or other Development.

This fee will need to be paid prior to release of the Construction Certificate (Engineering Approval).

135. **Security for Public Works**

Prior to final subdivision certificate for Stage 3 the applicant is to provide security, in the way of a bond or bank guarantee (at the applicant's choice), to be held by Council for the payment of the cost of remedying any defects in relation to the public works (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) constructed and dedicated to Council in Stage 3, that arise within 6 months of the completion of the work. If no defects arise within 6 months of the completion of the work, or any such defects (that arise within 6 months of the completion) are not notified by Council to the applicant within 7 months of the completion of the works, the applicant may obtain the release of the security from Council.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

136. **Subdivision Certificate Release Fee**

The payment to Council of a Subdivision Certificate release fee in accordance with Council's Annual Schedule of Fees and Charges. Please note that this fee is subject to review each financial year. The value of this fee will be reviewed by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following compliance with the conditions of approval and the submission of the Subdivision Certificate.

At the time of issuing this consent, the fee is **\$800**.

CONDITIONS RELATING TO WORKS ASSOCIATED WITH THE SUBDIVISION

The following conditions have been imposed to ensure that adequate and safe public access is available to the subdivision for both pedestrian and vehicular traffic and that the subdivision will not have detrimental effects on the environment.

137. Erosion and Sediment Control Plan

A detailed Erosion and Sediment Control plan prepared in accordance with Council's policy for Urban Erosion and Sediment Control shall be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council. The control measures detailed in the approved plan shall be implemented prior to commencement of any works, including stripping or clearing, on site.

The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

138. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

139. Site During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited;
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours; and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

A \$600 on the spot fine may be issued for non-compliance with this condition. (Environmental Planning & Assessment Regulation 2000 Section 98A).

140. Maintenance of Construction Site

During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

Note: On the spot penalties up to \$600 will be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

141. **During Construction**

During the construction period the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building or subdivision work is carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturday. No work shall be undertaken on Sunday or a public holiday.

142. **Road and Drainage Construction Plans**

Road and Drainage construction shall not commence until the plans and specifications giving full details of the proposed construction have been issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council.

143. **Alignment of Roadway**

The alignment of the extension to Road 1 Stage 3, 20m wide and variable width to be in accordance with plans issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

144. **Construction of Roadway**

The construction of full width of the extension of Road 1 Stage 3 adjacent to the proposed allotments, in accordance with plans and specifications issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

145. **Path Paving**

Prior to the issue of the Subdivision Certificate, Council's shared concrete path paving shall be constructed by the developer at no cost to Council for the full road frontage of the subdivision development along the extension of Road 1 Stage 3, in accordance with the approved plans.

The area of the footway not paved shall be topsoiled and turfed.

146. **Tree Preservation Order**

No trees shall be pruned or removed without prior written consent in the form of a Tree Preservation Order from Fairfield City Council.

147. **Fill Material of Dam**

Dam shall be filled with "clean" fill only.

148. **Dewatering Dam**

Dewatering of the dam shall be carried out to "Not" concentrate flows on adjoining properties or roadways.

149. **Lot Filling**

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300 mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted in this regard.

150. **Validation of Fill**

Any fill imported to the site shall be validated in accordance with the EPA's Contaminated Sites Sampling Design guidelines 1995.

151. **Fill Validation Report**

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

152. **Chain of Custody Documentation**

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site to the subject premises. A record of 'Chain of Custody' shall be submitted to Council within seven (7) days of the fill material being moved to or from the subject site.

153. **Compaction Requirements**

- a. Any filling carried out in accordance with this consent shall maintain a minimum requirement of 95% standard compaction. Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (min 1 test per 300mm layer) certified by a qualified geotechnical engineer.
- b. Filling operations shall be in accordance with Appendix B of AS 3798-996 "Guidelines on Earthworks for Commercial and Residential Developments" of which Level 1 Testing will be adopted for this development due to the quantity of fill. Level 1 Testing will require full time inspection and testing service by the Geotechnical Testing Authority of the site stripping, proof rolling, placement and compaction of the fill, with the location of tests being at the discretion of the Geotechnical Testing Authority.

The fill shall be compacted to a minimum density ratio of 95% standard compaction

154. **Unreasonable Noise and Vibration**

The development, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

155. **Adjustment to Public Utilities**

Prior to the issue of the Final Subdivision Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

156. **Works as Executed Drawings**

Following completion of the works the applicant shall provide a detailed "work as executed" drawing signed by a registered surveyor showing the finished surface levels of internal Road 1 Stages 1, 2 and 3 to the intersection of Burley Road and Old Wallgrove Road, including any additional road works required as a result of the determination of the final road layout, drainage works, landscaping works, earthworks and any lot filling, carried out under this consent.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

CONDITIONS RELATING TO THE PROVISION OF SERVICES TO THE SUBDIVISION

The following conditions have been imposed to ensure that the subdivision is provided with adequate services.

157. **Inter-Allotment Drainage Construction**

The provision of inter-allotment drainage to all lots which do not wholly slope toward the street. Details of the proposed drainage works are to be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

158. **Easements for all Services**

Easements shall be created over all services and/or stormwater pipelines within private property which service adjacent roads or properties.

159. **Registered Surveyor Certification**

Written confirmation to be provided from a Registered Surveyor that easements have been created for all encroaching services connections, or alternatively that all services are contained wholly within their respective allotments.

160. **Sydney Water Compliance Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site <http://www.sydneywater.com.au/Buildingdeveloping/DevelopingYourLand/GettiNgaSect73ComplianceCertificate.cfm> or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions 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 release of the linen plan.

161. **Endeavour Energy Satisfactory Arrangements**

The submission of evidence from Endeavour Energy that satisfactory arrangements have been made for the provision of electricity services to all allotments.

It is considered that the provision of natural gas services is desirable to new subdivisions and in this regard, the developer is requested to liaise with Jemena, Sydney (www.jemena.com.au).

162. **Telecommunications Compliance Certificate**

The submission of a Compliance Certificate from a Telecommunications carrier as evidence that satisfactory arrangements have been made for all communications plant to be laid underground.

For further enquiries regarding the issue of the Compliance Certificate, contact Telstra on 13 22 00 or complete the online form at <http://www.telstra.com.au/smart-community/developers/>.

GENERAL CONDITIONS

The following conditions have been imposed to ensure that the subdivision does not prejudice the amenity of the local environment and/or to achieve the objectives of the relevant planning instruments and statutory authorities.

163. **Dedication of Roadway**

The dedication to the public as road on the final plan of subdivision at no cost to Council of the Stage 3 portion of Internal Road 1.

164. **Dedication of Road Splay**

The dedication to the public as road on the final plan of subdivision at no cost to Council, the splays located on the tangent points of the extension of Road 1 Stages 1, 2 and 3 on proposed lots 101, 202, 301, 302 and 308.

165. **Lot Access Proposed Lots 301 and 302**

A restrictive covenant is to be lodged on the title of proposed Lot 302, restricting access to proposed Lot 302 so as to only be permitted across its southern boundary.

Access to proposed Lot 301 across its eastern boundary is to be limited so that it does not interfere with the safe and functional operation of the intersection of Old Wallgrove Road Southern Link Road and Road No. 1.

166. **Compliance with Construction Certificate**

All construction works approved in this development consent must comply with the terms of the consent the plans, specifications and any other approved documents relevant to the approved Construction Certificate.

167. **Buried Waste**

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council's Environmental Management Section is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

168. **Dial Before You Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

169. **Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra Network Integrity Team on Phone Number 1800 810 443.

170. **Waste Classification**

Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and NSW Environmental Protection Authority (formerly known as Department of Environment and Climate Change) Environmental Waste Classification Guidelines. The classification of the material is essential to determine where the waste may be legally taken.

171. **Waste Receipts**

A permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such record is to be made available to Council's Officers, upon request.

172. **Remediation Work**

All remediation work shall be carried out in accordance with the Remediation Action Plan prepared by DLA Environmental Services Pty Ltd (Reference: DLH1121_H00280) dated 1 December 2014; State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

In this regard, the *Site Environmental Management Plan* (which includes comments on an associated *Workplace Health & Safety Plan* and *Remediation Works Management Plan*) and *Unexpected Findings Protocol* which are provided as Appendices to the RAP shall be fully adhered to, so that remediation work is conducted in such a manner as not to interfere with or materially affect the amenity of neighbouring premises by way of noise, vibration, odours, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.

173. **Notice of Completion of Remediation Work**

Within thirty (30) days of completion of remediation works notice of the works completed shall be given to Council in accordance with Clause 17(2) of State Environmental Planning Policy No. 55 – Remediation of Land. The notice shall be in writing and prepared and signed by the person who carried out the work. The Notice shall also:

- a. Provide the person's name, address and business telephone number;
- b. Provide details of the person's qualifications to carry out the work;
- c. Specify, by reference to its property description and street address, the land on which the work was carried out;
- d. Provide a map of the location of the land;
- e. State when the work was completed;
- f. Specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment;
- g. Specify the uses of the land immediately before the work started;
- h. Briefly describe the method of remediation used in the work;
- i. Specify the guidelines that were complied within the work;
- j. Specify the standard of remediation achieved (in the light of the use proposed for the land);
- k. Show in what manner the work (if a category 1 remediation work) complied with the conditions of the relevant development consent; and
- l. State what action must be maintained in relation to the land after the completion of the remediation achieved is to be maintained.

NOTE: A site audit statement (within the meaning of Part 4 of the Contaminated Land Management Act 1997) may be given in partial compliance with this requirement.

174. **Validation Report**

A validation report shall be prepared by a suitably qualified contaminated land consultant and be provided to Fairfield City Council for review no later than sixty (60) days after the remediation is completed. The Validation Report shall be prepared in accordance with State Environmental Planning Policy No.55 – Remediation of Land; and the Environment Protection Authority Contaminated Sites Guideline series.

Should the validation report deem that further remediation is required; a Remedial Action Plan (RAP) shall be developed by a suitably qualified contaminated land consultant and be submitted to Fairfield City Council for approval.

Subsequent to the completion of approved remediation works, a further site validation report is to be submitted to Fairfield City Council. The report shall confirm whether the goals set in the RAP have been achieved.

175. **Land Contamination**

Any new information which comes to light during any remediation works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council immediately after discovery. A Section 96 Application under the Environmental Planning and Assessment Act 1979 as amended shall be made for any proposed works outside the scope of the development consent.

176. **Compliance Noise Monitoring**

During the period of construction works, compliance noise monitoring shall be carried out to determine the effectiveness of noise control measures stipulated within the Acoustic Assessment Report prepared by TTM Consulting Pty Ltd (Reference:14SYA0026 R0_2) dated 21 August 2014. Within two (2) months of the construction works commencing, an acoustic report shall be prepared and submitted to Council for its assessment and approval which includes but is not limited to the following information:

- a) Any complaints received in relation to construction activities conducted at the premises.
- b) Verification that noise levels emitted from the premises and measured at identified noise sensitive receivers, comply with all relevant assessment criteria detailed in the above mentioned report.
- c) Where monitoring indicates that noise emissions exceed the assessment criteria, the report shall provide recommendations in relation to additional noise attenuation measures required to be implemented in order to meet the criteria.

177. **Restriction on Blasting Activities**

No blasting is permitted.

178. **Demolition of Structures**

The demolition and removal off-site of the Brick Factory Buildings and associated structures from proposed Stage 3 allotments, to be at the Developer's expense. The demolition of any building is subject to a separate Development Application to be approved by Council's Building Control Branch.

- End of Conditions -

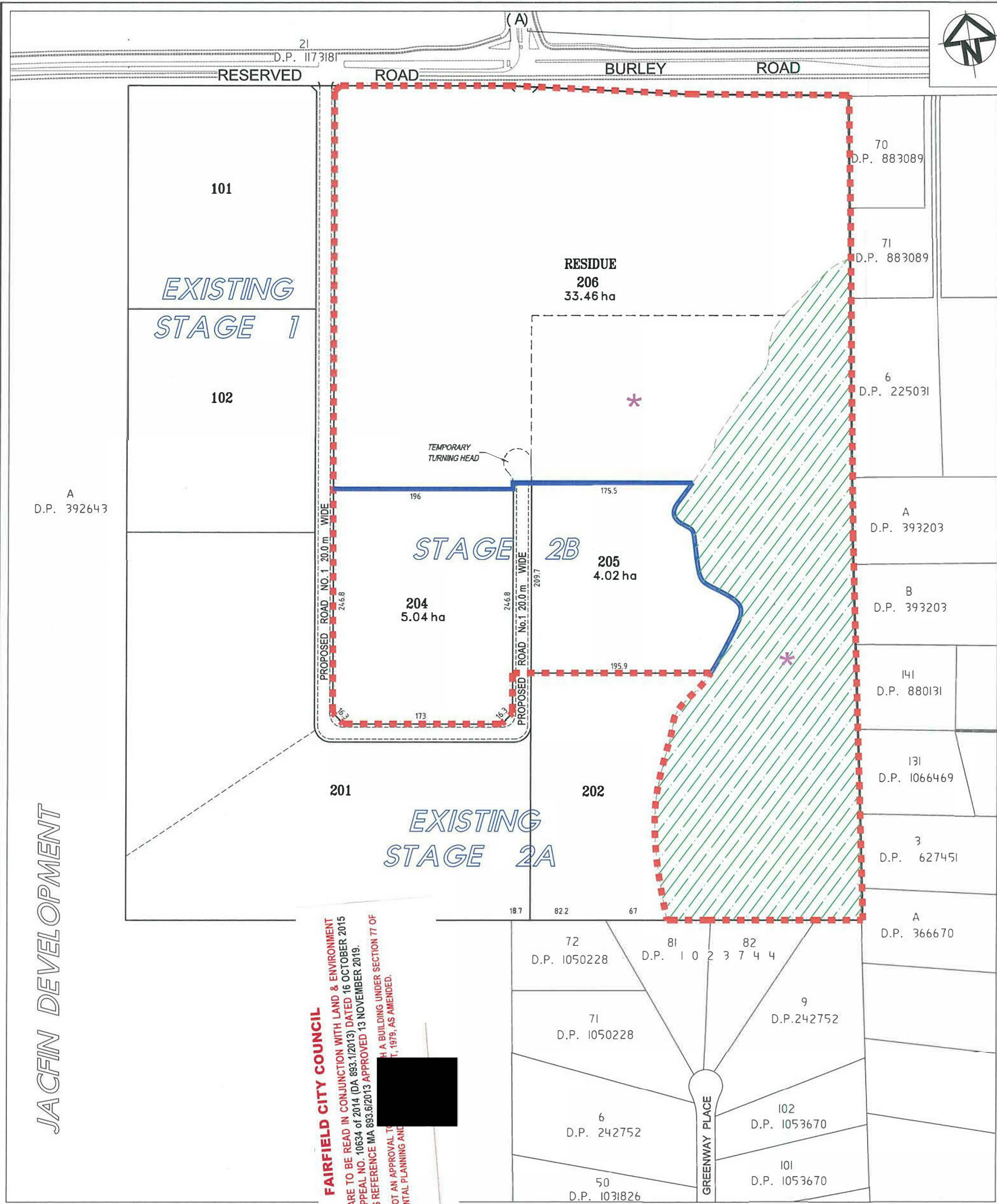
The above modifications are made pursuant to Section 4.55 of the Environmental Planning and Assessment Act and in making these modifications Council is of the opinion that no person/s will be adversely affected. All other conditions of the consent which have not been modified remain in effect and must be complied with.

Pursuant to Section 8.9 of the Environmental Planning and Assessment Act 1979, an applicant for the modification of a development consent, for which a council is the consent authority, may request the council to review a determination by the council under section 4.55 or section 4.56 of the Act. Any application for a review must be lodged not later than 28 days after the date on which the application for modification was determined.

Pursuant to Section 8.9 of the Environmental Planning and Assessment Act an applicant may seek a Right of Appeal to the Land and Environment Court if they are dissatisfied with the determination by the consent authority.

The modification of the Development Consent does NOT extend the period of the operation of the consent.

WAYNE POPE
SUBDIVISION ENGINEER



JACFIN DEVELOPMENT

FAIRFIELD CITY COUNCIL
THESE PLANS ARE TO BE READ IN CONJUNCTION WITH LAND & ENVIRONMENT COURT (LEC) APPEAL NO. 10634 OF 2014 (DA 893.1/2013) DATED 16 OCTOBER 2015 AND COUNCIL'S REFERENCE MA 893.6/2013 APPROVED 13 NOVEMBER 2019.
NOTE: THIS IS NOT AN APPROVAL TO BUILD A BUILDING UNDER SECTION 77 OF THE ENVIRONMENTAL PLANNING AND DEVELOPMENT ACT, 1979, AS AMENDED.

SIGNED:

LEGEND

- (A) OLD WALLGROVE ROAD
- * RESTRICTION ON THE USER
- [Green Hatched Box] ENVIRONMENTAL CONSERVATION

LOT SUMMARY

STAGE 2	
204 & 205	= 2 INDUSTRIAL LOTS
206	= 1 RESIDUE LOT

FILE: HOUNSLEY_P - CSR HOUNSLEY PARK DEVELOPMENT - PLANNING - PRINTING.DWG - 11/04/2019 10:42:19 - 11/04/2019 10:42:19 - 11/04/2019 10:42:19 - 11/04/2019 10:42:19

REV	DATE	BY	CHKD	APPD	REVISION
1	12/12/2013	PL	AC	PL	
2	20/11/2017	PL	AC	PL	REVISION
3	24/04/2018	PL	AC	PL	REVISION
4	13/06/2018	PL	PW	PL	REVISION
5	07/02/2019	PL	AC	PL	REVISION
6	02/04/2019	PL	AC	PL	REVISION
7	10/04/2019	PL	AC	PL	REVISION
8	10/04/2019	PL	AC	PL	REVISION
9	10/04/2019	PL	AC	PL	REVISION

CLIENT: **CSR**

AUTHORISED FOR ISSUE: **PETER LEE**
Business Unit Manager - Planning

SIGN: *Peter Lee*
DATE: 10/04/2019

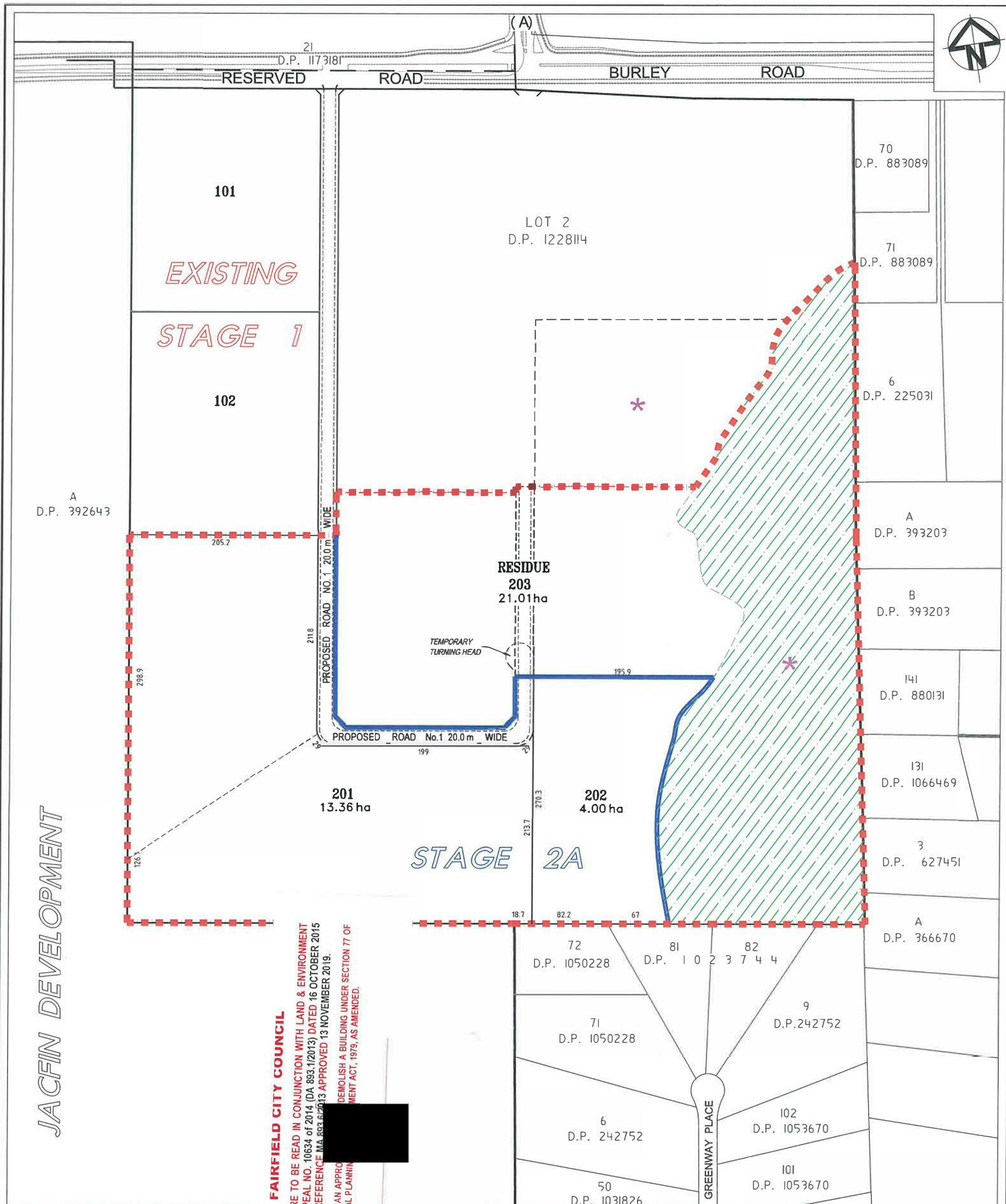
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PROJECT: 327-335 BURLEY ROAD, HORSLEY PARK

DRAWING TITLE: PROPOSED SUBDIVISION OF RESIDUE LOT 203 IN PREVIOUS APPLICATION AND LOT 2 IN D.P. 1228114

SCALE: 0 20 40 60 80 100 120 140 160
SCALE 1:2000 (A1) SCALE 1:4000 (A3)

PROJECT No: X13044.P_10
DRAWING No: 2 OF 2
STAGE: 2
REVISION: 9



FAIRFIELD CITY COUNCIL
THESE PLANS ARE TO BE READ IN CONJUNCTION WITH LAND & ENVIRONMENT COURT (LEC) APPEAL NO. 10634 of 2014 (DA 893.1/2013) DATED 16 OCTOBER 2015 AND COUNCIL'S REFERENCE MA 893.6/2013 APPROVED 13 NOVEMBER 2019.
NOTE: THIS IS NOT AN APPROVED PLAN. IT IS A PRELIMINARY PLAN. IT DOES NOT DEMONSTRATE A BUILDING UNDER SECTION 77 OF THE ENVIRONMENTAL PLANNING ACT, 1979, AS AMENDED.

SIGNED:

LEGEND	
(A)	OLD WALLGROVE ROAD
*	RESTRICTION ON THE USER
	ENVIRONMENTAL CONSERVATION

LOT SUMMARY	
STAGE 2A	
201 & 202 =	2 INDUSTRIAL LOTS
203 =	1 RESIDUE LOT

FILE: X13044.P - CSR HORSLEY PARK SUBDIVISION PLAN - 20191004.P - JONG LAST SAVED BY ANGELO CAVALLARO

REV	DATE	BY	CHKD	APPD	REVISION
1	12/12/2013	PL	AC	PL	DESIGN
2	20/11/2017	PL	AC	PL	REVISION
3	24/04/2018	PL	AC	PL	REVISION
4	13/06/2018	PL	FW	PL	REVISION
5	07/02/2019	PL	AC	PL	REVISION
6	02/04/2019	PL	AC	PL	REVISION
7	04/04/2019	PL	AC	PL	REVISION
8	10/04/2019	PL	AC	PL	REVISION
9	10/04/2019	PL	AC	PL	REVISION

AUTHORISED FOR ISSUE:	
BY: PETER LEE	SIGN:
Business Unit Manager - Planning	DATE: 10/04/2019



PROJECT	
327-335 BURLEY ROAD, HORSLEY PARK	
DRAWING TITLE	
PROPOSED SUBDIVISION OF RESIDUE LOT 200 AND LOT 2 DP 1228114 IN PREVIOUS APPLICATION	

SCALE	
SCALE 1:2000 (A1) SCALE 1:4000 (A3)	
PROJECT No.	DRAWING No.
X13044.P_9	1 OF 2
STAGE	REVISION
	9

CSR HORSLEY PARK - STAGE 2A & 2B

SUBDIVISION DESIGN



ISSUED FOR SECTION 4.56 APPLICATION



LOCALITY PLAN
N.T.S.

CLIENT:



LGA FAIRFIELD COUNCIL
DA 893.1/2013 (LEC 10634 OF 2014)
LOT 1, DP 106143
CC No. 13934 (LAND DEVELOPMENT CERTIFICATE)

DRAWING LIST

No.	DRAWING TITLE
GENERAL	
000	COVER SHEET
001	GENERAL ARRANGEMENT PLAN
002	GENERAL NOTES AND LEGEND
SEDIMENT & EROSION CONTROL	
101	SOIL & WATER MANAGEMENT PLAN
SITE REGRADING	
201	SITE REGRADING PLAN
202	SITE REGRADING SECTIONS SHEET 01 OF 05
203	SITE REGRADING SECTIONS SHEET 02 OF 05
204	SITE REGRADING SECTIONS SHEET 03 OF 05
205	SITE REGRADING SECTIONS SHEET 01 OF 04
206	SITE REGRADING SECTIONS SHEET 01 OF 05
ENGINEERING PLANS	
301	ENGINEERING PLAN
ROAD LONGITUDINAL SECTIONS	
401	ROAD No.1 LONGITUDINAL SECTIONS SHEET 01 OF 02
402	ROAD No.1 LONGITUDINAL & TYPICAL CROSS SECTIONS SHEET 02 OF 02

FAIRFIELD CITY COUNCIL

THESE PLANS ARE TO BE READ IN CONJUNCTION WITH LAND & ENVIRONMENT COURT (LEC) APPEAL NO. 10634 of 2014 (DA 893.1/2013) DATED 16 OCTOBER 2015 AND COUNCIL'S REFERENCE TO THE APPEAL APPROVED 13 NOVEMBER 2019.

NOTE: THIS IS NOT AN APPROVAL TO CONSIDER OR CARRY OUT ANY WORK OR TO ERECT OR COMMENCE CONSTRUCTION OF A BUILDING UNDER SECTION 77 OF THE ENVIRONMENTAL PLANNING AND DEVELOPMENT ACT, 1979, AS AMENDED.

SIGNED: _____

CSR HORSLEY PARK - STAGE 2A & 2B
SUBDIVISION DESIGN

Project No:	Stage:	Milestone:	Revision Date:	Drawing No:	Revision:
15-001115.13	2	S4.56	24/07/2019	000	0



LEGEND

- EXISTING STAGE 1
- PROPOSED STAGE 2
- STAGE 2A
- STAGE 2B
- FUTURE STAGE 3
- TREES TO REMAIN

BURLEY ROAD

EXISTING STAGE 1 DEVELOPMENT

ROAD No. 1

ROAD No. 1

ROAD No. 1

FUTURE STAGE 3
(PGH BRICK MANUFACTURING FACILITY)

CONSERVATION
AREA

REFER TO TEMPORARY BURLEY & OLD WALL GROVE
ROAD DESIGN PREPARED BY CALIBRE CONSULTING
REF:15-001115.15 & 15-001115.16

FAIRFIELD CITY COUNCIL

THESE PLANS ARE TO BE READ IN CONJUNCTION WITH LAND & ENVIRONMENT COURT (LEC) APPEAL NO. 10634 of 2014 (DA 893.1/2013) DATED 16 OCTOBER 2015 AND COUNCIL'S REFERENCE NO. 15/001115.15 & 15/001115.16 APPROVED 13 NOVEMBER 2019.

NOTE: THIS IS NOT AN APPLICABLE PLAN FOR THE REMOVAL OF A BUILDING UNDER SECTION 77 OF THE ENVIRONMENTAL PLANNING AND DEVELOPMENT ACT, 1979, AS AMENDED.

SIGNED: _____

FOR
SECTION 4.56 APPLICATION

AUTHORISED FOR ISSUE:
BY: JOSEPH MEKARY
BE (Civil) (Hons) MIE Aust. CPENG NER
MBA MPH JP
SIGN:
DATE: 26/07/19

SCALE 1:2000 (A1)
SCALE 1:4000 (A3)



PROJECT
CSR HORSLEY PARK - STAGE 2A & 2B
SUBDIVISION DESIGN

DISCLAIMER
ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR
PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY. DO
NOT SCALE. NOT FOR CONSTRUCTION UNLESS STAMPED BY
CERTIFYING AUTHORITY

PROJECT No.	DRAWING No.	REVISION
15-001115.13	001	0



FILE: I:\PROJECTS\15-001115-CSR HORSLEY PARK\15-001115-13-STAGE 2B TECHNICAL\15-001115-13-STAGE 2B SUBDIVISION DESIGN.DWG LAST SAVED BY: JPM/KLN

IMAGE SOURCED FROM NEAR MAP DATED: 03/07/2019

DESIGN	DRAWN	CHECK	APPRO.	DATE
LF	PS	EF	JM	24/07/2019

AMENDMENT DETAILS

NO.	DESCRIPTION	DATE

GENERAL

- ## EARTHWORKS

- CALIBRE CONSULTING GENERAL

- ## ROADWORKS

- ## STORMWATER



FILE: 'SYDNAS01\PROJECTS\15-001115 - CSR MORSELEY PARK\15-001115.13 - STAGE 205 TECHNICAL\01 MODEL\AUTOCAD\14.5815-001115.13-5455-002.DWG' LAST SAVED BY: VISH KUL KARNI

Site Name: CSR Horsley
Site Location: Horsley Park
Precinct/Stage: Stages 1 and 2

Site area	1	2	3	4	5	6	7	Notes
Total catchment area (ha)	4.0455	0.299	2.2818	3.1167	0.6776	3.8328	3.3194	
Disturbed catchment area (ha)	4.0455	0.299	2.2818	3.1167	0.6776	3.8328	3.3194	

Soil analysis (enter sediment type if known, or laboratory particle size data)

Sediment Type (C, F or O) if known	D	D	D	D	D	D	D	Notes
% sand (fraction 0.075 to 2.00 mm)								From Appendix C (if known)
% silt (fraction 0.002 to 0.075 mm)								Enter the percentage of each soil fraction. E.g. enter 10 for 10%
% clay (fraction finer than 0.002 mm)								
Dispersion percentage								E.g. enter 10 for dispersion of 10%
% of whole soil dispersible								See Section 6.3.3(a). Auto-calculated
Soil Texture Group								Automatic calculation from above

Rainfall data

Design rainfall depth (mm)	5	5	5	5	5	5	5	Notes
Design rainfall depth (mm)	85	85	85	85	85	85	85	See Section 6.3.4 and, particularly, Table 6.3 on pages 6-24 and 6-25.
1-day, 1% probability rainfall event (mm)	32.2	32.2	32.2	32.2	32.2	32.2	32.2	
Rainfall R-factor (if known)								Only need to enter one or the other here
RFD: 2-year, 6-hour storm (if known)	10.1	10.1	10.1	10.1	10.1	10.1	10.1	

RULE Factors

Rainfall intensity (R-factor)	2250	2250	2250	2250	2250	2250	2250	Notes
Soil erodibility (K-factor)	0.038	0.038	0.038	0.038	0.038	0.038	0.038	Auto-filled from above
Slope length (m)	80	120	250	30	8	25	10	RULE LS factor calculated for a high (100m) slope.
Slope gradient (%)	0.5	2.5	0.5	25	0.5	0.5	100	
Length gradient (L-factor)	0.19	0.52	0.12	4.43	3.98	3.94	4.33	
Erosion control practice (P-factor)	1.3	1.3	1.3	1.3	1.3	1.3	1.3	
Ground cover (C-factor)	1	1	1	1	1	1	1	

Sediment Basin Design Criteria (for Type D/F basins only. Leave blank for Type C basins)

Storage (m) zone design (no of months)	2	2	2	2	2	2	2	Notes
Cv (Volumetric runoff coefficient)	0.51	0.51	0.51	0.51	0.51	0.51	0.51	See Table F2, page F-4 in Appendix F

Calculations and Type D/F Sediment Basin Volumes

Soil loss (t/ha/yr)	21	58	14	462	398	427	481	Notes
Soil Loss Class	1	1	1	4	4	4	1	See Table 4.2, page 4-13
Soil loss (m/ha/yr)	16	44	10	378	308	328	379	Conversion to cubic metres
Sediment basin storage (m³) volume (m³)	11	61	4	187	341	210	205	See Sections 6.3.4(a) for calculations
Sediment basin settling (water) volume (m³)	865	1363	375	912	1087	629	545	See Sections 6.3.4(b) for calculations
Sediment basin total volume (m³)	876	1424	379	1100	1438	839	750	

Structure Details

Structure Name	1	2	3	4	5	6	7	Notes
Catchment Area (ha)	4.0455	0.299	2.2818	3.1167	0.6776	3.8328	3.3194	Auto-filled from Worksheet 1
Time of concentration (h)	7	8	5	8	8	7	7	Auto-calculated according to is below

Rainfall Intensities (RFD Values)

1 year, 1h	80.1	85.8	77.4	72.4	65.8	88.1	72.4	Notes
2 year, 1h	89.25	94.9	86.7	81.3	74.6	96.05	83.3	Enter the relevant rainfall intensities (in mm/hr) for each of the nominated rainfall events.
5 year, 1h	114.525	120.06	108	100	90.85	114.525	100	The time of concentration (h) determines the duration of the event to be used
10 year, 1h	126.75	133.5	120	108	100	126.75	108	
20 year, 1h	146.75	151.5	137	126	114.5	146.75	126	
50 year, 1h	174.5	180	160	150	137	174.5	150	
100 year, 1h	194.5	195	178	164	155	194.5	164	

Cs runoff coefficient

Cs runoff coefficient	0.6	0.6	0.6	0.6	0.6	0.6	0.6	Notes
Design ARI event (return)	100	100	100	100	100	100	100	Select design ARI (years) from dropdown
Frequency Factor	1.2	1.2	1.2	1.2	1.2	1.2	1.2	Auto-filled based on selected ARI
Flow Calculation	2.10	4.09	1.33	1.70	3.29	1.99	1.81	Auto-calculated based on selected ARI

NOTE:
CONTRACTOR TO VERIFY BY SURVEY THAT
THE CONSTRUCTED VOLUME OF SEDIMENT
BASINS IS EQUAL TO OR GREATER THAN
THE REQUIRED VOLUME

FAIRFIELD CITY COUNCIL

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NOTE: THIS IS NOT AN APPLICANT'S OBLIGATION TO DEMOLISH A BUILDING UNDER SECTION 77 OF THE ENVIRONMENTAL PLANNING AND DEVELOPMENT ACT, 1979, AS AMENDED.

SIGNED: _____

FOR
SECTION 4.56 APPLICATION

AUTHORISED FOR ISSUE:
BY: JOSEPH MEKARY
BE (Civil) (Hons) MIEAust. CPEng NER
MBA NPM JP

SIGN:
DATE: 26/07/19

SCALE
0 10 20 30 40 50 60 70 80
SCALE 1:1000 (A1) SCALE 1:2000 (A3)

CSR

calibre

PROJECT
CSR HORSLEY PARK - STAGE 2A & 2B
SUBDIVISION DESIGN

DISCLAIMER
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PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY. DO
NOT SCALE. NOT FOR CONSTRUCTION UNLESS STAMPED BY
CERTIFYING AUTHORITY

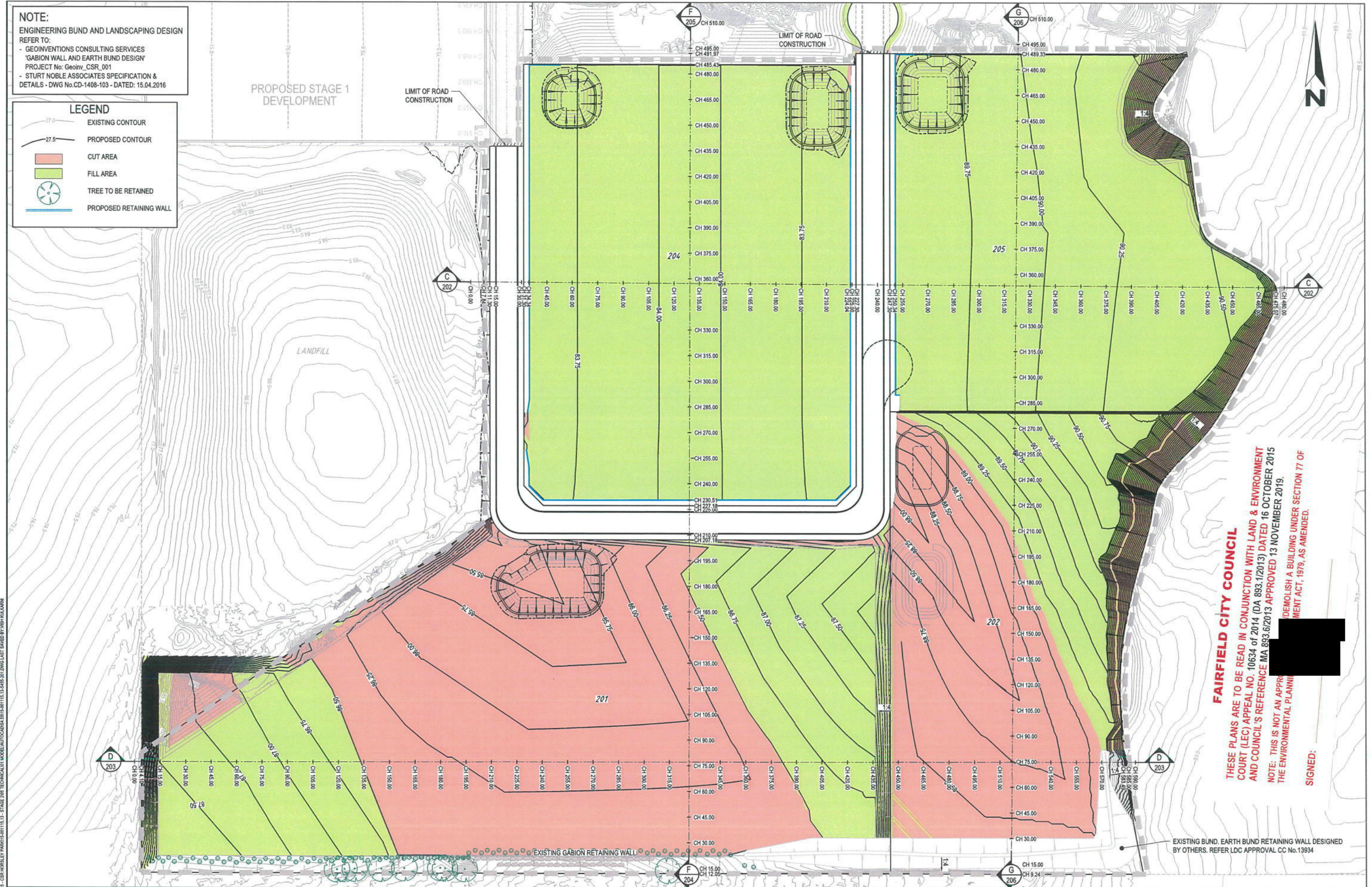
DRAWING TITLE
SOIL & WATER MANAGEMENT PLAN
PROJECT No. 15-001115.13
DRAWING No. 101
MILESTONE S4.56
REVISION 0



NOTE:
ENGINEERING BUND AND LANDSCAPING DESIGN
REFER TO:
- GEOINVENTIONS CONSULTING SERVICES
'GABION WALL AND EARTH BUND DESIGN'
PROJECT No: Geoinv_CSR_001
- STURT NOBLE ASSOCIATES SPECIFICATION &
DETAILS - DWG No.CD-1408-103 - DATED: 15.04.2016

LEGEND

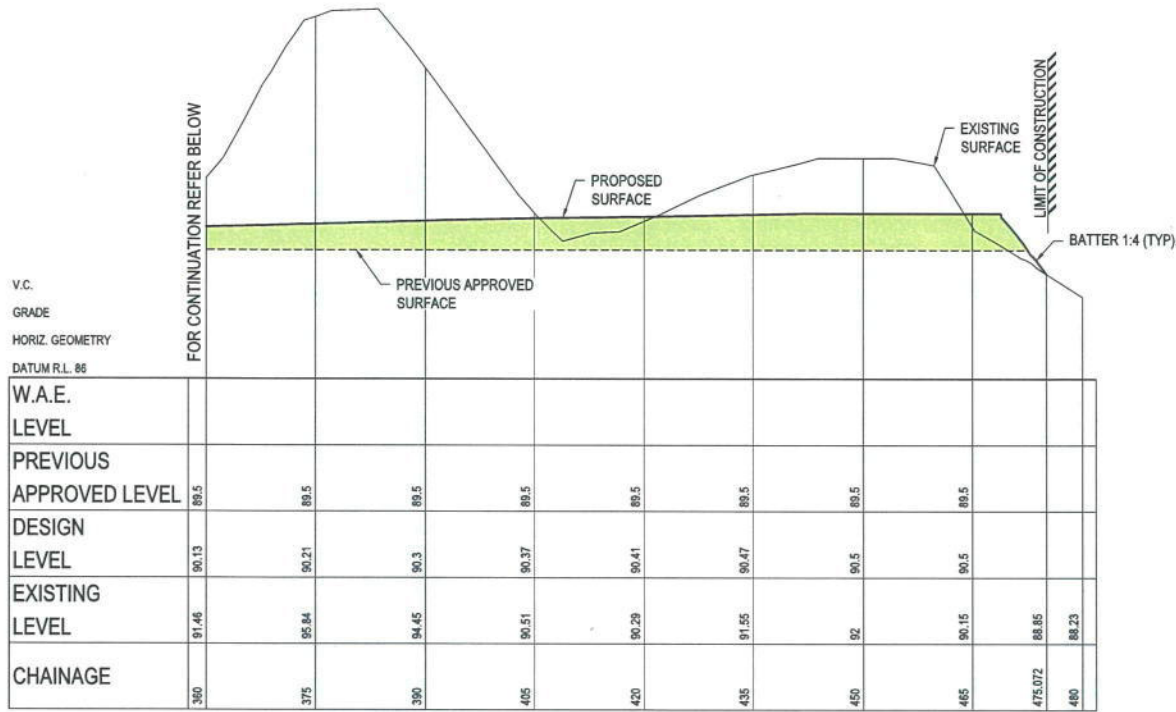
- EXISTING CONTOUR
- PROPOSED CONTOUR
- CUT AREA
- FILL AREA
- TREE TO BE RETAINED
- PROPOSED RETAINING WALL



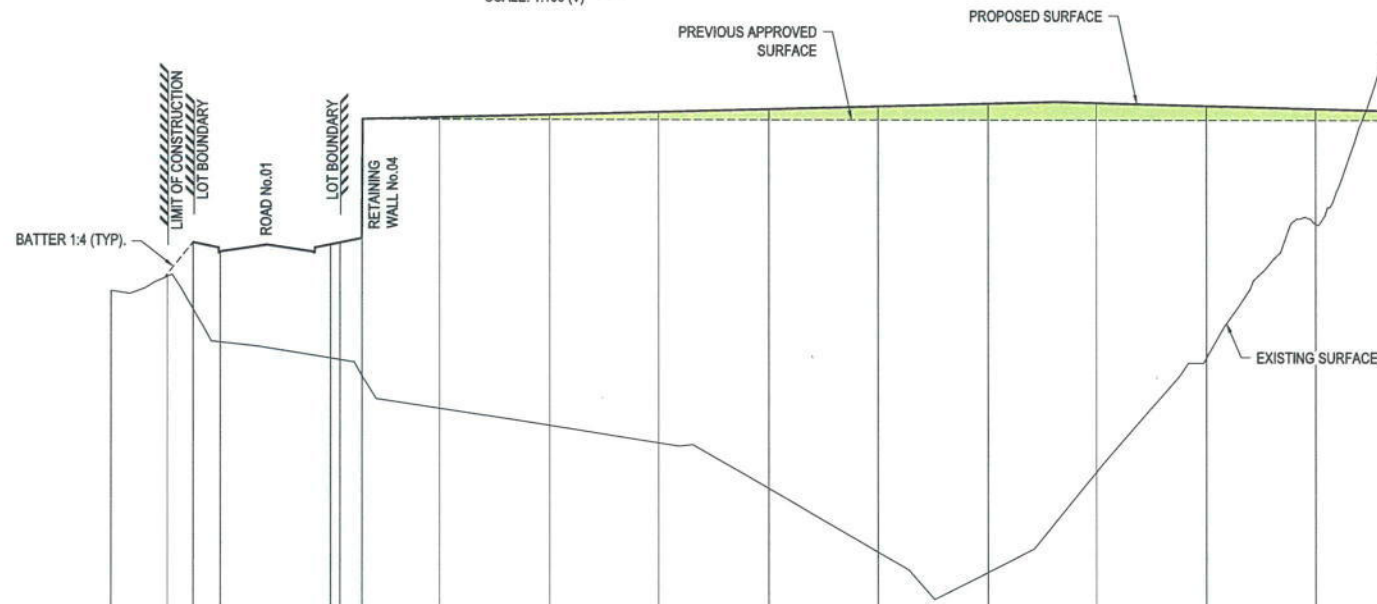
FAIRFIELD CITY COUNCIL
THESE PLANS ARE TO BE READ IN CONJUNCTION WITH LAND & ENVIRONMENT COURT (LEC) APPEAL NO. 10634 of 2014 (DA 893.1/2013) DATED 16 OCTOBER 2015 AND COUNCIL'S REFERENCE MA 893.6/2013 APPROVED 13 NOVEMBER 2019.
NOTE: THIS IS NOT AN APPROVED ENVIRONMENTAL PLANNING
DEMOLISH A BUILDING UNDER SECTION 77 OF THE ENVIRONMENT ACT, 1979, AS AMENDED.

EXISTING BUND. EARTH BUND RETAINING WALL DESIGNED BY OTHERS. REFER LDC APPROVAL CC No.13934

FOR SECTION 4.56 APPLICATION		SCALE 0 10 20 30 40 50 60 70 80 SCALE 1:1000 (A1) SCALE 1:2000 (A3)		CLIENT 		PROJECT CSR HORSLEY PARK - STAGE 2A & 2B SUBDIVISION DESIGN		DRAWING TITLE SITE REGRADING PLAN	
BY: JOSEPH MEKARY BE (Civil) (Hons) MIEAust. CPEng NER MBA MPFM JP		SIGN: DATE: 26/07/19				DISCLAIMER ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE. NOT FOR CONSTRUCTION UNLESS STAMPED BY CERTIFYING AUTHORITY		PROJECT No: 15-001115.13 DRAWING No: 201 MILESTONE: S4.56 REVISION: 0	



SECTION C 201
SCALE: 1:500 (H)
SCALE: 1:100 (V)



SECTION C 201
SCALE: 1:500 (H)
SCALE: 1:100 (V)

FAIRFIELD CITY COUNCIL

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SIGNED: [Redacted Signature]

LEGEND	
	CUT AREA
	FILL AREA
	PROPOSED SURFACE
	PREVIOUSLY APPROVED SURFACE
	EXISTING SURFACE

NOTE:
ALL BATTERS 1:4 UNLESS NOTED OTHERWISE

FILE: I:\STANDARD\PROJECTS\15-001115 - CSR HORSLEY PARK\15-001115 - STAGE 205 TECHNICAL\15-001115-13-5455-202.DWG LAST SAVED BY: MATTHEW SPOLAND

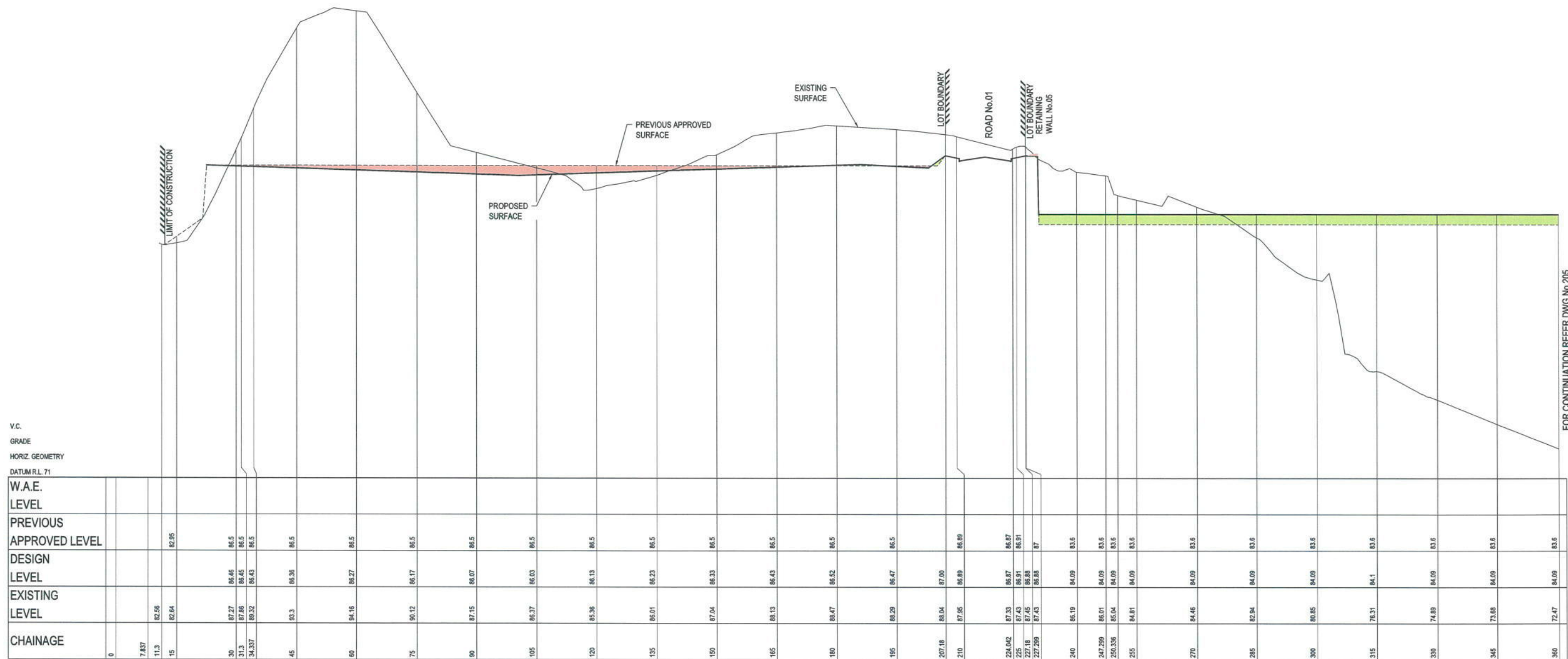
PROJECT CSR HORSLEY PARK - STAGE 2A & 2B SUBDIVISION DESIGN	DRAWING TITLE SITE REGRADING SECTIONS SHEET 01 OF 05
DISCLAIMER ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY. DO NOT SCALE. NOT FOR CONSTRUCTION UNLESS STAMPED BY CERTIFYING AUTHORITY	PROJECT No. 15-001115.13 DRAWING No. 202 MILESTONE S4.56 REVISION 0

FOR SECTION 4.56 APPLICATION AUTHORISED FOR ISSUE: BY: JOSEPH MEKARY BE (Civil) (Hons) MIE Aust. CPEng NER MBA MPM JP SIGN: [Signature] DATE: 26/07/19	SCALE 0 1 2 3 4 5 6 7 8 SCALE 1:100 (A1) 0 5 10 15 20 25 30 35 40 SCALE 1:500 (A1) SCALE 1:200 (A3) SCALE 1:1000 (A3)
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STATUS AMENDMENT DETAILS	DATE 24/07/2019
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LEGEND	
	CUT AREA
	FILL AREA
	PROPOSED SURFACE
	PREVIOUSLY APPROVED SURFACE
	EXISTING SURFACE

NOTE:
ALL BATTERS 1:4 UNLESS
NOTED OTHERWISE



V.C.
GRADE
HORIZ. GEOMETRY
DATUM R.L. 71

W.A.E. LEVEL	PREVIOUS APPROVED LEVEL	DESIGN LEVEL	EXISTING LEVEL	CHAINAGE
				0
				7.837
				11.3
				15
				30
				31.3
				34.337
				45
				60
				75
				90
				105
				120
				135
				150
				165
				180
				195
				207.18
				210
				224.042
				225
				227.299
				240
				247.299
				250.338
				255
				270
				285
				300
				315
				330
				345
				360

FAIRFIELD CITY COUNCIL

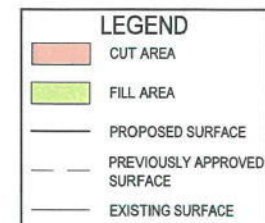
THESE PLANS ARE TO BE READ IN CONJUNCTION WITH LAND & ENVIRONMENT COURT (LEC) APPEAL NO. 10634 of 2014 (DA 893.1/2013) DATED 16 OCTOBER 2015 AND COUNCIL'S REFERENCE MA 893.6/2013 APPROVED 13 NOVEMBER 2019.

NOTE: THIS IS NOT AN APPLICANT'S OBLIGATION TO DEMOLISH A BUILDING UNDER SECTION 77 OF THE ENVIRONMENTAL PLANNING AND DEVELOPMENT ACT, 1979, AS AMENDED.

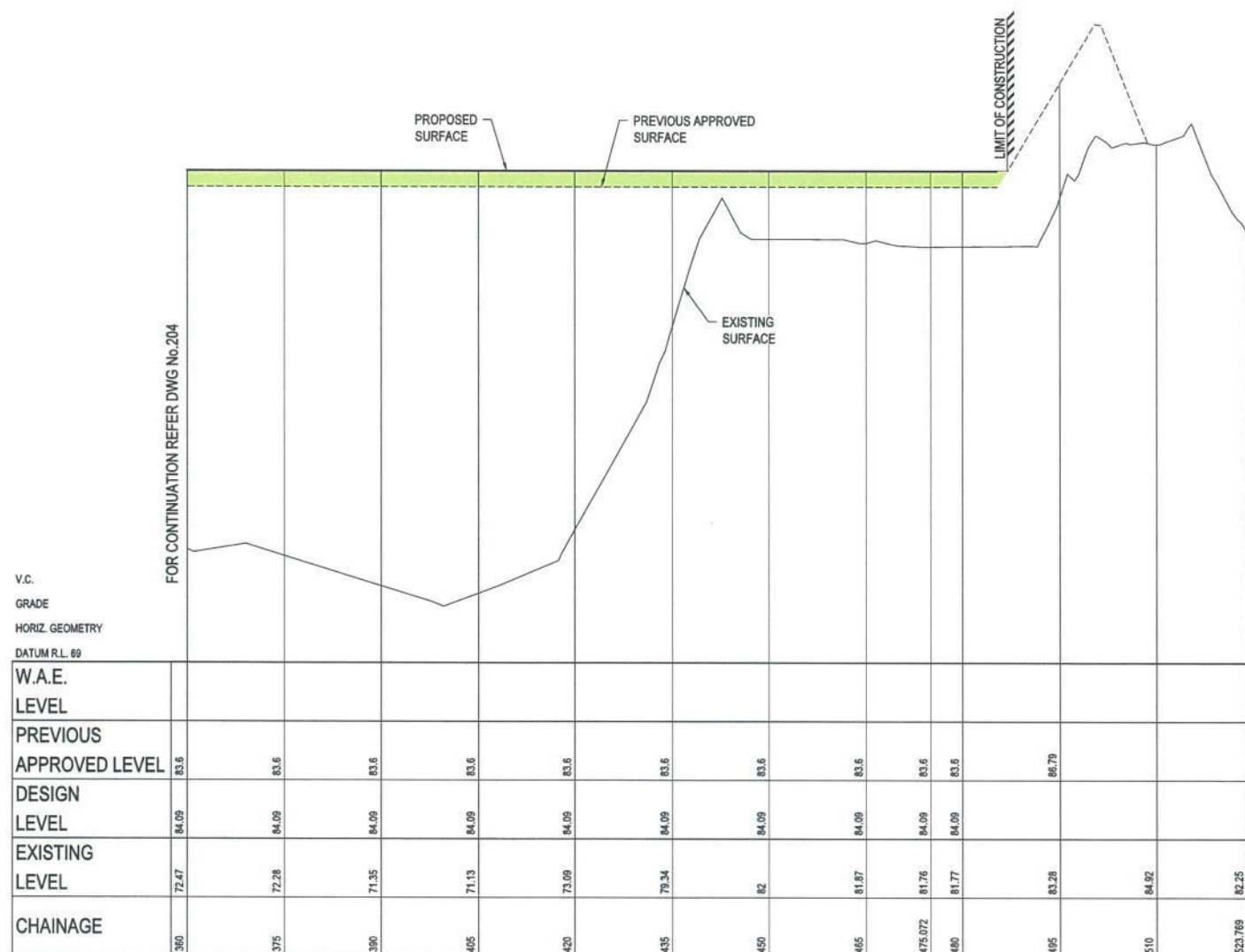
SIGNED: _____

SECTION F
SCALE: 1:500 (H)
SCALE: 1:100 (V)

AMENDMENT DETAILS						FOR SECTION 4.56 APPLICATION		SCALE		CLIENT		PROJECT		DRAWING TITLE	
DESIGN	DRAWN	CHECK	APPD.	DATE		BY: JOSEPH MEKARY	SIGN: 	0 1 2 3 4 5 6 7 8	SCALE 1:100 (A1)	CSR	calibre	CSR HORSLEY PARK - STAGE 2A & 2B		SITE REGRADING SECTIONS	
LF	PS	EF	JM	24/07/2019		BE (Civil) (Hons) MIE Aust. CP Eng NER	DATE: 26/07/19	0 5 10 15 20 25 30 35 40	SCALE 1:500 (A1)			SUBDIVISION DESIGN		SHEET 03 OF 05	
						MSA MPM JP						DISCLAIMER		PROJECT No. 15-001115.13	
												ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY. DO NOT SCALE. NOT FOR CONSTRUCTION UNLESS STAMPED BY CERTIFYING AUTHORITY		DRAWING No. 204	
												MILESTONE S4.56		REVISION 0	



NOTE:
ALL BATTERS 1:4 UNLESS
NOTED OTHERWISE



SECTION F
SCALE: 1:500 (H) 201
SCALE: 1:100 (V)

FAIRFIELD CITY COUNCIL

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SIGNED: _____

DESIGN LF	DRAWN PS	CHECK EF	APPD. JM	DATE 24/07/2019	AMENDMENT DETAILS	STATUS	SCALE	CLIENT	PROJECT	DRAWING TITLE
						FOR SECTION 4.56 APPLICATION	0 1 2 3 4 5 6 7 8 SCALE 1:100 (A1) SCALE 1:200 (A3)	CSR	CSR HORSLEY PARK - STAGE 2A & 2B SUBDIVISION DESIGN	SITE REGRADING SECTIONS SHEET 04 OF 05
						AUTHORISED FOR ISSUE:	0 5 10 15 20 25 30 35 40 SCALE 1:500 (A1) SCALE 1:1000 (A3)	calibre	DISCLAIMER ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE. NOT FOR CONSTRUCTION UNLESS STAMPED BY SELF USING THE RED	PROJECT No. 15-001115.13 DRAWING No. 205 MILESTONE \$4.56 REVISION 0
						BY: JOSEPH MEKARY BE (Civil) (Hons) MIEAust. CPEng NER MBA MPM JP	SIGN: <i>JM</i> DATE: 26/07/19			

[illegible]

15 April, 2016

ENQUIRIES: Nicoleta Diacopoulos on 9725 0748

CSR Building Products Ltd
39 Delhi Road
NORTH RYDE NSW 2113

Dear Sir/Madam,

**NOTICE OF DETERMINATION OF
DEVELOPMENT APPLICATION NO. 65.1/2016**
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

You are advised that the subject application has been **APPROVED** pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 and is subject to the following conditions.

<i>Property Description:</i>	Lot 1, D.P. 106143, No. 327-335 Burley Road, Horsley Park.
<i>Description of Development:</i>	Construction of a Landscaping Bund Water Supply Pond to Facilitate an Existing Brick Factory.
<i>Date of Determination:</i>	4 April, 2016
<i>Date of Operation of Consent:</i>	15 April, 2016
<i>Date Consent Will Lapse:</i>	15 April, 2021

APPROVED PLANS

1. Compliance with Plans

The development shall take place in accordance with the approved development plans as prepared by Calibre Consulting, Project Number 15-001115.18, Drawing Number SK00, Revision 00, Sheet 1 of 1, dated 20 January 2015, except as modified in red by Council and/or any conditions of this consent.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifying Authority can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

2. Stormwater Drainage Certificate

Prior to the commencement of works, a certificate shall be submitted to Council certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater; and

- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties

3. Engineering Details

Prior to commencement of works, full engineering details of the proposed landscaping bund and water pond, shall be prepared and submitted to Council. The engineering details shall be prepared by a suitably qualified engineer, and accompanied with a certificate, certifying the design is in accordance with relevant standards.

4. Landscape Plan

Prior to the commencement of works a landscape plan shall be submitted to and approved by Fairfield City Council. The landscape plan shall be prepared and certified by a qualified landscape architect. The landscape shall be of a scale that will match the scale of the development.

5. Development Consent No. 893.1/2013

This consent must not conflict with conditions imposed on DA 893.1/2013 issued by the Land and Environment Court on 16 October 2015. The proposed works must be wholly within the proposed super lot No. 3 known as the 'Brick Making Lot'.

6. Permits and Authority

Prior to the commencement of works all relevant permits and authorities, if required for the construction of the proposed water pond, shall be obtained and submitted to Council.

7. Site During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited; and
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

A \$600 on the spot fine may be issued for non-compliance with this condition. (Environmental Planning & Assessment Regulation 2000 Section 98A).

8. Erosion and Sedimentation Control

Prior to the commencement of any construction works on site, controls in accordance with **Chapter 3.11 of the Fairfield City Wide DCP 2013** shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

9. Works as Executed Drawings

Following completion of the works the applicant shall provide a detailed "work as executed" drawing signed by a registered surveyor showing the finished surface levels of the landscape bund and water pond and any lot filling, carried out under this consent.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

10. Lot Filling

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300 mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted in this regard.

11. Validation of Fill

Any fill imported to the site shall be validated in accordance with the EPA's Contaminated Sites Sampling Design guidelines 1995.

12. Wheel Wash Facility

All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council roads. In order to achieve this, a wheel wash facility shall be constructed prior to any truck movements occurring. A plan and operational guidelines for the wheel wash facility shall be submitted for approval prior to the commencement of the removal of fill material from the site. Any direction of Council with regard to cleansing trucks or the clean-up of road pavements adjoining the site shall be complied with immediately.

13. Monitoring of State of Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

14. Dust Suppression

In the event that excavation/construction activities cause dust emissions, automatic sprinkler systems shall be set up on each site. Details of the sprinkler systems should be provided prior to the commencement of operations.

15. Fill Validation Report

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

16. Chain of Custody Documentation

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site at approved source site to the subject premises, to the subject premises. A record of 'Chain of Custody shall be submitted to Council within 7 days of the fill material being moved to or from the subject site.

17. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council's Environmental Management Section is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

18. Security Fencing

A 1.8m high man-proof security fence shall be erected on the north-western, southern and south-eastern perimeter boundaries of proposed Lot 3. Details of the fencing shall be submitted to the Principal Certifying Authority for approval.

19. Engineering Certifier

On completion of the landscape bund and construction of the water pond, a report from a suitably qualified practising engineer shall be submitted to Council, certifying the landscape bund and proposed water pond has been constructed in accordance with its' design purpose and are structurally adequate.

GENERAL ADVICE TO APPLICANTS

EXISTING POND

This consent does not authorise the decommissioning of the existing pond located within the proposed Stage 1 Subdivision of DA 893.1/2013.

NOTIFYING COUNCIL OF COMMENCEMENT OF WORKS

It is a requirement of the Environmental Planning and Assessment Act that you notify Fairfield City Council at least two (2) days prior to the intention to commence work on site.

(EP&A Act, Section 81A(2)(b))

HOW TO DISPOSE OF WASTE DERIVED FROM LAND CLEARING

The burning by open fire of matter derived from clearing of land for development or road making is prohibited by virtue of an Order under the Protection of the Environment Operation Act – Air Pollution. Alternative methods of disposal, including hauling to existing waste disposal depots, incineration in multi-chamber industrial incinerators, or utilisation as a raw material for manufacturing other products. Advice is available from the Waste Service NSW (telephone 9934 7000) regarding the location of disposal sites.

HOW LONG DOES THIS APPROVAL LAST?

Pursuant to Section 95 of the Environmental Planning and Assessment Act, 1979 physical commencement of construction works/use of the land, building or work is required within a five (5) year period from the issue of the date of consent after which time the approval will lapse.

WHAT RIGHTS OF REVIEW EXIST?

Pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979 an applicant who is dissatisfied with the determination with respect to the matters relating to the EP & A Act, may within a six (6) month period from the date of determination, request Council, in writing, to review the determination.

WHAT APPEAL RIGHTS EXIST?

Pursuant to Section 97 of the Environmental Planning and Assessment Act, 1979 an applicant may seek a Right of Appeal to the Land and Environment Court within six (6) months from the date of consent if they are dissatisfied with the determination by the consent authority.

WAYNE POPE
SUBDIVISION ENGINEER

15 April, 2016

ENQUIRIES: Nicoleta Diacopoulos on 9725 0748

CSR Building Products Ltd
Locked Bag 1345
NORTH RYDE NSW 1670

Dear Sir/Madam,

**NOTICE OF DETERMINATION OF
DEVELOPMENT APPLICATION NO. 86.1/2016**
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

You are advised that the subject application has been **APPROVED** pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 and is subject to the following conditions.

<i>Property Description:</i>	Lot 1, D.P. 106143, No. 327-335 Burley Road, Horsley Park.
<i>Description of Development:</i>	Subdivision of an Existing Industrial Allotment to Create a Residue Allotment and an Industrial Allotment.
<i>Date of Determination:</i>	4 April, 2016
<i>Date of Operation of Consent:</i>	15 April, 2016
<i>Date Consent Will Lapse:</i>	15 April, 2021

The provisions of Fairfield Local Environmental Plan 1994 also apply to this consent.

Before the proposed subdivision can be registered you are required to satisfy the conditions of the approval listed below and submit a 'Subdivision Certificate Application' with the original and three (3) copies of the final plan of subdivision to Council. The conditions have been grouped under headings stating reasons for their imposition. Specific legislation relating to the conditions is listed at the end of each condition.

Following the issue of the Subdivision Certificate on the final plan of subdivision, you will be required to have the plan signed by all persons with an interest in the land (including mortgagees) prior to lodging the original and two (2) copies (at least one (1) of which is to bear an original Council signature) of the plan together with the existing title deeds at the Office of Land and Property Information for registration.

A copy of the subdivision plan is attached to this consent.

Should you have any enquiries regarding the following conditions of approval, please contact Council's Subdivision Control Branch on 9725-0250.

APPROVED PLANS

1. Compliance with Plans

The development shall take place in accordance with the approved development plans as prepared by Brown Smart Consulting , Drawing Number X13044.P_DA, Revision 1, Sheet 1 of 1, dated 28 August 2015, except as modified in red by Council and/or any conditions of this consent.

CONDITIONS ADVISING OF FEES AND CHARGES APPLICABLE TO THE SUBDIVISION.

The following conditions have been imposed to provide for various facilities and services required to meet the demands arising from the proposed subdivision.

2. Subdivision Certificate Release Fee

The payment to Council of a Subdivision Certificate release fee in accordance with Council's Annual Schedule of Fees and Charges. Please note that this fee is subject to review each financial year. The value of this fee will be reviewed by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following compliance with the conditions of approval and the submission of the Subdivision Certificate.

At the time of issuing this consent, the fee is \$200.00.

3. Consent No. 893.1/2013

This consent must not conflict with any conditions imposed on approved DA 893.1/2013 issued by the Land and Environment Court on 16 October 2015.

CONDITIONS RELATING TO WORKS ASSOCIATED WITH THE SUBDIVISION

The following conditions have been imposed to ensure that adequate and safe public access is available to the subdivision for both pedestrian and vehicular traffic and that the subdivision will not have detrimental effects on the environment.

4. Satisfactory Access to all Lots

The provision of satisfactory access to all lots is required. In this regard, a vehicular layback, in accordance with Council's specification, is to be provided in the kerb adjacent to all proposed allotments. The proposed access shall be 1m away from all Service authorities Assets.

5. Tree Preservation Order

No trees shall be pruned or removed without prior written consent in the form of a Tree Preservation Order from Fairfield City Council.

CONDITIONS RELATING TO THE PROVISION OF SERVICES TO THE SUBDIVISION

The following conditions have been imposed to ensure that the subdivision is provided with adequate services.

6. Easements for all Services

Easements shall be created over all services and/or stormwater pipelines within private property which service adjacent roads or properties.

7. Registered Surveyor Certification

Written confirmation is to be provided from a Registered Surveyor that easements have been created for all encroaching services connections, or alternatively that all services are contained wholly within their respective allotments.

8. Sydney Water Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site <http://www.sydneywater.com.au/Buildingdeveloping/DevelopingYourLand/GettingaSect73ComplianceCertificate.cfm> or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions 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 release of the linen plan.

GENERAL CONDITIONS

The following conditions have been imposed to ensure that the subdivision does not prejudice the amenity of the local environment and/or to achieve the objectives of the relevant planning instruments and statutory authorities.

9. Restriction on Use of Land – Residue Lot

The creation of a Restriction on Use of Land over the proposed residue Lot 1 in the following term:-

"No development within the meaning of the Environmental Planning and Assessment Act 1979, as amended, shall be effected upon the lot hereby burdened unless in accordance with approved DA 893.1/2013 issued by the Land and Environment Court on 16 October 2015 and satisfactory arrangements have been made with the relevant service authorities for the provision of water supply, sewer, electricity and telephone.

Name of person empowered to release, vary or modify the restriction covenant:-

The Council of the City of Fairfield without the consent of any other person or persons provided that any such release, variation or modification shall, if approved, be made and done in all respects at the cost and expense of the person or persons requesting such release, variation or modification."

GENERAL ADVICE TO APPLICANTS

HOW LONG DOES THIS APPROVAL LAST?

Pursuant to Section 95 of the Environmental Planning and Assessment Act, 1979 physical commencement of construction works/use of the land, building or work is required within a five (5) year period from the issue of the date of consent after which time the approval will lapse.

WHAT RIGHTS OF REVIEW EXIST?

Pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979 an applicant who is dissatisfied with the determination with respect to the matters relating to the EP & A Act, may within a six (6) month period from the date of determination, request Council, in writing, to review the determination.

WHAT APPEAL RIGHTS EXIST?

Pursuant to Section 97 of the Environmental Planning and Assessment Act, 1979 an applicant may seek a Right of Appeal to the Land and Environment Court within six (6) months from the date of consent if they are dissatisfied with the determination by the consent authority.

WAYNE POPE
SUBDIVISION ENGINEER

4 August, 2016

ENQUIRIES: Mr Wayne Pope on 9725 0732

Ms Claire Kollaras
Calibre Consulting (NSW) Pty Ltd
2/2 Burbank Place
Norwest Business Park
BAULKHAM HILLS NSW 2153

Dear Madam,

NOTICE OF DETERMINATION OF ENGINEERING WORKS UNDER SECTION 138 ROAD ACT, 1993

In regard to your application to carry out stormwater drainage works adjacent to the subject land in accordance with the Engineering plans submitted, I wish to advise you that Council has issued its consent under Section 138 of the Road Act 1993.

Property Description:	Lot 1, D.P. 106143, No. 327-335 Burley Road, Horsley Park.
S.138 Approval No.:	292.1/2016
Description of Approval:	Construction of Roadworks, Stormwater Drainage, Associated Construction Works and Sedimentation Control.
Date of Issue of Approval:	4 August, 2016

CERTIFICATION

The work referred to in this Approval and completed in accordance with the attached, certified plans and specifications will comply with the requirements of the regulations referred to in Section 138 Roads Act, 1993.

Certified Works	Inspections
Works for Table Drain	Prior to laying turf and on completion of works
Landscaping in Road Reserve, Line Marking and Street Signage	On completion of works
Stormwater Pits	Formwork and reinforcement prior to pouring concrete
Stormwater Pipes	On pipes and bedding prior to backfilling
Kerb and Gutter	Sub-base prior to construction of kerb and gutter
Grass Lined Channel	On completion of earthworks

Certified Works	Inspections
Road Construction	Roller test on subgrade sub-base and base layers
Erosion and Sedimentation Control	After erection of structures and following major rainfall events
Concrete Base Slab for Concrete Box Culverts	Sub-base formwork and reinforcement prior to pouring concrete
Concrete Box Culverts	Prior to backfilling
Retaining Walls	To be certified by a qualified practising engineer
Works-As-Executed Plan/s	On completion of works

APPROVED AND CERTIFIED PLANS

Road construction and stormwater plans as prepared by Calibre Consulting, Project Number 15-001115.15-16, Revision 05, Sheets 000, 001, 002, 003, 101, 102, 201, 301, 311, 401, 501, 502, 601, 602, 710, 801, 811, 821, 901, 902, 910 and 911, dated 27 June 2016 and Project Number 15-001115.12, Revision 05, Sheets, 301, 601, 805, 807, 810, 820, 821, 903, 904, 905, 906, 907 and 908, dated 27 July 2016, except as modified in RED by Council.

NOTE 1: Prior to commencement of work, the applicant shall notify Council in writing of the commencement date for the construction, giving at least two (2) days notice.

NOTE 2: This Approval remains valid for the duration of the development consent.

WAYNE POPE
SUBDIVISION ENGINEER

18 January, 2017

ENQUIRIES: Mr Wayne Pope on 9725 0732

Calibre Consulting (NSW) Pty Ltd
PO Box 8300
BAULKHAM HILLS NSW 2153

Dear Sir/Madam,

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO. 437.1/2016

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

You are advised that the subject application has been **APPROVED** pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 and is subject to the following conditions.

<i>Property Description:</i>	Lot 1, D.P. 106143, No. 327-335 Burley Road, Horsley Park.
<i>Description of Development:</i>	Construction of a Biofiltration Trench, Drainage Swale and Associated Earthworks.
<i>Date of Determination:</i>	27 October, 2016
<i>Date of Operation of Consent:</i>	27 October, 2016
<i>Date Consent Will Lapse:</i>	27 October, 2021

APPROVED PLANS

1. Compliance with Plans

The development shall take place in accordance with the approved development plans as prepared by Calibre Consulting, Project Number 15-001115.19, Revision 2, Drawing Numbers 000, 001, 002, 101, 102, 201, 401, 402, 501, 502, 503, 504, 505 and 507 (14 Sheets), dated 5 July 2016, except as modified in red by Council and/or any conditions of this consent.

CONDITIONS RELATING TO WORKS ASSOCIATED WITH THE SUBDIVISION

The following conditions have been imposed to ensure that adequate and safe public access is available to the subdivision for both pedestrian and vehicular traffic and that the subdivision will not have detrimental effects on the environment.

2. Lot Filling

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300 mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted in this regard.

3. Drainage and Bio-Filtration Trench

Prior to commencement of any works on site, a Construction Certificate (Engineering Approval) shall be submitted to the Principal Certifier or Fairfield City Council for approval. The drainage plans shall include all drainage works associated with the Bio-Filtration trench including all Earthworks.

4. NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the *Protection of the Environment Operations Act (POEO) 1997*. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

5. Erosion and Sediment Control Plan

A detailed Erosion and Sediment Control plan prepared in accordance with Council's policy for Urban Erosion and Sediment Control shall be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council. The control measures detailed in the approved plan shall be implemented prior to commencement of any works, including stripping or clearing, on site.

6. Remediation Action Plan

Runoff control measures will be developed giving full consideration to the site conditions in each remediation area, and are likely to include (but not necessarily limited to) the following:

- a) Diversion drains, berms, sumps and pumping systems to prevent runoff entering or leaving excavation areas. All water in contact with works will be diverted through the treatment system.

7. Noise Control Plan

The impact of noise associated with the site remediation works is acknowledged as a potentially important environmental effect. It will be necessary to minimise noise in accordance with NSW OEH Standards. The methods used to control noise will be dependent upon the equipment being used for particular remedial activities, however, it would be expected that the methods would include those commonly used during normal construction and demolitions works.

Noise control measures will be developed giving consideration to the site conditions in each remediation area, and are likely to include (but not necessarily limited to) the following:

- a) Site work will be restricted to the hours specified in the Development Consent;

- b) The use of construction vehicles on-site will be kept to a minimum;
- c) All equipment in operation in open areas on-site shall comply with the requirements of AS2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*; and
- d) Noise monitoring may be conducted during the site remediation program as required.

8. **Dust Control Plan**

During the course of remediation works dust control measures shall be undertaken to ensure that dust generated from the site is controlled within acceptable levels. These control measures will be developed giving consideration to the site conditions in each remediation area, and are likely to include (but not necessarily limited to) the following:

- a) Access to water sprays shall be available to water down the excavation/loading if dust generation becomes significant; and
- b) An ambient air-monitoring program shall monitor dust levels at the site boundary, if necessary.

9. **Odour Control Plan**

During the course of remediation works odour control measures shall be undertaken to ensure that possible odours generated on-site are controlled to within acceptable levels. These control measures will be developed giving consideration to the site conditions in each remediation area, and are likely to include (but not necessarily limited to) the following:

- a) The prevailing weather conditions shall be considered in the manner in which work is undertaken;
- b) Odour masking agents (such as Biosolve) will be available for use on-site to suppress any nuisance odours not controlled by the above actions, so that ambient air quality at the site boundary is not adversely impacted, if necessary; and
- c) Application of Biosolve at the rate of 1 part of 5 parts water will be by way of hand held pressure applicator.

10. **Health and Safety**

An Occupational Health and Safety (OH&S) plan is an essential part of all remediation projects, to ensure the health and safety of all personnel working on or visiting the site. All remediation work would be undertaken in accordance with the provisions set out by the *Occupational Health and Safety Act* (2000) and associated Regulations 2001, and any other regulations or directions set out by regulatory authorities.

Typically the OH&S plan would consider a broad range of issues including (but not limited to) the following:

- a) Characterisation of potential hazards, including hazardous materials and site activities (e.g. excavation);
- b) Air, landfill gas and dust monitoring required within and at the boundary of the remediation area;
- c) Personnel and equipment movements to and from the remediation area;
- d) Training, instruction, and induction of site works/visitors;
- e) Toolbox, talks on the hazards of landfill gas;
- f) Appropriate landfill gas (explosive and asphyxiation risk) signage;
- g) Clear outline of responsibilities for health and safety; and
- h) Emergency response plan of injuries or chemical exposure.

Prior to commencing any remediation works, a specific OH&S Plan shall be prepared by the Remediation Contractor covering the following aspects:

- a) Identification of the remediation area and exclusion zones;
- b) Induction of personnel;
- c) Hazard identification/locations
- d) Appropriate landfill gas (explosive and asphyxiation risk) signage;
- e) Identification of contaminants of concern and their physical and toxicological properties;
- f) Description of exposure pathways and personal protection requirements;
- g) Location of all underground/aboveground services;
- h) Details of specific work practice procedures to be followed within the designated contaminated area;
- i) Monitoring protocols to identify a potentially hazardous practice;
- j) No smoking;
- k) Emergency information; and
- l) Incident reporting.

Occupational Health, Safety Planning and Work Method Statements involves the development and implementation of systems and procedures into a Health and Safety Plan included in a site Work Method statement. The objectives of these documents are to ensure the health and safety of those undertaking specific tasks on site and the wider community if necessary.

A Health and Safety Plan should be developed for any site work and would typically include the following:

- a) A clear health and safety policy;
- b) Requirements for worker health assessment and inductions;
- c) Identified health and safety training requirements;
- d) Requirements for occupational health protection and monitoring;
- e) Site/location specific emergency plan;
- f) Site/location specific contact details;
- g) Permit to work/clearance procedures; and
- h) Task specific safe work method statements.

11. Personal Hygiene and Decontamination

Appropriate hygiene and decontamination assists with minimising worker exposure and the transportation of potentially contaminated material from the site to more sensitive home environments.

The following activities are prohibited while working in the hazardous materials area:

- a) Eating;
- b) Drinking;
- c) Chewing gum; and
- d) Smoking.

Practices that involve contact between the hands and the mouth increase the risk of chemical ingestion. Personal decontamination is required to minimise workers' exposure to, and indirect transportation of potential chemicals of concern. Decontamination involves physically removing material from personnel and equipment. Protective equipment, tools and other equipment are decontaminated by cleaning with detergent water using a soft-bristle brush followed by rinsing with a sufficient quantity of water. Decontamination should be conducted before meal breaks, and at the end of a day's work.

12. Community Health and Safety

The health and safety of the surrounding community is very important for any remediation works. While it is possible to control the activities of personnel within the remediation area (e.g. ensuring appropriate OH&S procedures and equipment are utilised) it is not normally possible to control the activities of the surrounding community. Therefore, to protect the community health and safety it is necessary to control the remedial works so that no fugitive emissions occur during the remedial works that could have an adverse impact on the surrounding community.

These controls are documented in the Environmental Management Plan for the remedial works, although monitoring requirements to confirm the effectiveness of the measures may also be documented in the OH&S Plan. The methodology that would normally be used to develop the control measures is described below.

Firstly, the portions of the community that may be impacted by any fugitive emissions will be identified. Secondly, an assessment of the hazard posed by the contaminants and the proposed remedial methodology/technology would be undertaken. This assessment would define the hazard posed by the particular contaminants present in the remediation area using risk assessment techniques (i.e. identifying the hazard or contaminants and the exposure pathway that the potentially at risk community could be exposed to the hazard).

Once these have been identified, a review will be undertaken to control measures available to remove or minimise the risk posed to the surrounding community during the remedial works. Typically the control measures would compromise removal/minimisation of the exposure pathway to the community. As indicated above it may be necessary to undertake monitoring to confirm the effectiveness of the control measures, and if the monitoring indicates a possibility for exposure then contingency measures may need to be implemented. By way of example control mechanisms could include (but not necessarily limited to) the following:

- a) Site security measures to prevent access to the contaminated material by the public;
- b) Dust suppression measures to minimise inhalation and ingestion exposure; and
- c) Not undertaking certain work if winds are unfavourable, etc.

13. Traffic Control Plan

Movement of excavation equipment, trucks and other vehicles involved in the remediation works, to and from the site will be strictly controlled and restricted to a minimum and only take place during approved working hours. All potentially contaminated vehicles leaving the site will be decontaminated in an appropriate truck wash-down area. All vehicles will be visually free of soil before permission to leave a remediation area is granted.

14. Hours of Operation

Working hours for on-site remedial works as outlined in the consent conditions or be set in consultation with the Council, but it is envisaged the likely hours would be as follows:

- Mondays to Fridays..... 7.00am to 6.00pm
- Saturdays..... 7.00am to 1.00pm
- Sundays and Public Holidays..... No Work Permitted

15. Emergency and Out of Hours Contact Numbers

- DLA..... 9476 1765
- NSW EPA 131 555
- WorkCover NSW..... 131 050

ENVIRONMENT PROTECTION AUTHORITY (EPA)

The following conditions are in accordance with the Protection of the Environment Operations Act 1997 and issued pursuant to Section 91A(2) of the Environmental Planning and Assessment Act, 1979.

16. Construction Phase

The bio-filtration trench and drainage swale must be constructed and installed generally in accordance with the document “Development Application – Proposed Biofiltration Trench and Drainage Swale”, 327-335 Burley Road, Horsley Park – Lot 12 in DP 106143” (Calibre Consulting (NSW) Pty Ltd, June 2016), and its’ appendices.

17. Post Completion

Within three (3) months of completion of installation of the bio-filtration trench and drainage swale, the applicant must provide the EPA and Fairfield City Council with a post-construction report which includes:

- a) Photographic evidence and as-built surveys which demonstrate the completion of the installed measures;

- b) Evidence that the filter media material meets the requirements for methane oxidation material in Section 5.6 of the Environmental Guidelines: Solid Waste Landfills (EPA, 2016); and
- c) Evidence that the filter gas drainage media meets the requirements for gas drainage material in Section 5.1 of the Environmental Guidelines: Solid Waste Landfills (EPA, 2016).

Further, the EPA recommends that there is no development within 250m of the landfill footprint until the gas concentrations in the perimeter wells have fallen to less than 1% methane (on volume per volume basis) and less than 1.5% carbon dioxide (vol/vol) for a period of 24 months. However, if buildings are to be built within 24 months and within 250m, Section 5.7 of the Environmental Guidelines: Solid Waste Landfills (EPA, 2016) provides gas control measures that should be incorporated into those buildings.

18. Tree Preservation Order

No trees shall be pruned or removed without prior written consent in the form of a Tree Preservation Order from Fairfield City Council.

19. Site During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited;
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours; and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

A \$600 on the spot fine may be issued for non-compliance with this condition. (Environmental Planning & Assessment Regulation 2000 Section 98A).

20. Works as Executed Drawings

Following completion of the works the applicant shall provide a detailed "work as executed" drawing signed by a registered surveyor showing the finished surface levels of the bio-filtration trench, drainage works, earthworks and any lot filling, carried out under this consent.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

CONDITIONS RELATING TO THE PROVISION OF SERVICES TO THE SUBDIVISION

The following conditions have been imposed to ensure that the subdivision is provided with adequate services.

21. Easements for all Services

Easements shall be created over all services and/or stormwater pipelines within private property which service adjacent roads or properties.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with other relevant Council policy/policies and any other relevant requirements. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

- **Covenants which may Affect this Proposal**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

HOW LONG DOES THIS APPROVAL LAST?

Pursuant to Section 95 of the Environmental Planning and Assessment Act, 1979 physical commencement of construction works/use of the land, building or work is required within a five (5) year period from the issue of the date of consent after which time the approval will lapse.

WHAT RIGHTS OF REVIEW EXIST?

Pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979 an applicant who is dissatisfied with the determination with respect to the matters relating to the EP & A Act, may within six (6) months from the date of determination, request Council, in writing, to review the determination.

WHAT APPEAL RIGHTS EXIST?

Pursuant to Section 97 of the Environmental Planning and Assessment Act, 1979 an applicant may seek a Right of Appeal to the Land and Environment Court within six (6) months from the date of consent if they are dissatisfied with the determination by the consent authority.

