

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development

xxx

Sydney

2022

File: EF19/12390

SCHEDULE 1

Application Number:

SSD-8859

Applicant:

AE Design Partnership Pty Ltd

Consent Authority:

Minister for Planning

Site:

Lots 2 and 4 DP2954

1111-1141 Elizabeth Drive, Cecil Park

Development:

Elizabeth Drive Subdivision, compromising:

- demolition of existing structures
- remediation of the site
- vegetation clearing, site preparation and bulk earthworks
- construction of access, estate road and installation of essential infrastructure services
- stormwater management infrastructure works
- landscaping works
- subdivision of site into 11 developable lots, one lot for stormwater infrastructure purposes and estate road reserve.

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DEFINITIONS

Applicant	AE Design Partnership Pty Ltd, or any person carrying out any development to which this consent applies
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997 (Cth)</i>
CEMP	Construction Environmental Management Plan
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks and remediation works, and erection of buildings and other infrastructure permitted by this consent.
Council	Fairfield City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in Schedule 1, the EIS and Response to Submissions, including the works and activities comprising subdivision, demolition, vegetation clearing, bulk earthworks, construction of roads, drainage services infrastructure, landscaping and associated infrastructure as modified by the conditions of this consent.
Development Layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled 'Amended Environmental Impact Statement', prepared by AE Design Partnership dated 22 September 2020, and all attachments, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment and Heritage	Environment and Heritage Group of the Department
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Fibre ready facility	As defined in section 372W of the Telecommunications Act 1997 (Cth)
Future Wallgrove Road	The realigned Wallgrove Road, as approved under the M12 Motorway project
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> , or anything identified as a heritage item under the conditions of this consent

Heritage NSW	Heritage NSW, Department of Planning and Environment
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: “material harm” is defined in this consent
M12 Motorway project	Motorway project approved under Infrastructure Approval SSI-9364, including realignment works to Wallgrove Road
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act or for the subdivision work under section 6.12(1) of the EP&A Act
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Remediation Works	Has the same meaning as the definition of the term in the <i>Contaminated Land Management Act 1997</i>
Response to submissions (RTS)	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes: - the document titled ‘Response to the Department’s Request for Further Information’, prepared by AE Design Partnership and dated 18 August 2021 - the letter titled ‘RE: Elizabeth Drive, Cecil Park Subdivision (SSD-8859) Request for Additional Information’ prepared by AE Design Partnership and dated 31 January 2022. - Plan no. 2021_39_SD_0001_SK 0006, prepared by MU Group, dated 29 March 2022
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2
PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Response to Submissions;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

- A5. Prior to the issue of a Subdivision Certificate, the widening and realignment of Elizabeth Drive and future Wallgrove Road must be constructed, to the extent as shown on the 'structure plan' prepared by AE Design Partnership Pty Ltd, dwg no. DA06, issue A1.2, dated 30/06/2021.

***Note:** The development relies on the construction of the future Wallgrove Road for site access and bushfire Asset Protection Zone purposes.*

Future Development

- A6. Future development on lots is to be generally consistent with the EIS and RTS, subject to further assessment and the requirements of the EP&A Act.

***Note:** This consent identifies indicative future uses on the site, however, does not approve these future uses which may require further approval under the EP&A Act.*

Lapsing

- A7. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

NOTIFICATION OF COMMENCEMENT

- A8. The Planning Secretary must be notified of the date of commencement of construction at least one month before that date, or as otherwise agreed with the Planning Secretary.
- A9. If the construction of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

- A10. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:

- (i) the outcome of that consultation, matters resolved and unresolved; and
- (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A11. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A12. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A13. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A14. Before the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary, and the applicable authority.
- A15. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

DEMOLITION

- A16. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A17. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

SUBDIVISION

- A18. Prior to the issue of a Subdivision Certificate for any stage of the development, detailed work-as-executed drawings must be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier and Council prior to the issue of a Subdivision Certificate.
- A19. Prior to the issue of a Subdivision Certificate for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.

CONTRIBUTIONS TO COUNCIL

- A20. Prior to the issue of a Subdivision Works Certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out of the development must be paid to Council under section 7.12 of the EP&A Act.

Note: There are approval requirements for imposing a condition under section 7.12 in respect of land within a special contributions area.

COMPLIANCE

- A21. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- A22. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

EASEMENTS AND RESTRICTION ON USE

- A23. Prior to the issue of a Subdivision Certificate, a restriction on the use of land must be created under section 88B of the *Conveyancing Act 1919* in the following manner on lots 6 to 12 (as denoted in the 'Subdivision Plan' prepared by AE Design Partnership Pty Ltd, dwg no. DA05, issue A1.2, dated 30/06/2021):
- (a) for the entirety of lots 6 to 12, to prohibit highway service centre uses and 'special fire protection purposes' (as defined under section 100B(6) the *Rural Fires Act 1997*);
 - (b) to prohibit the construction of buildings (other than class 10b structures) within 20 metres of the north eastern boundary of lots 10 to 12; and
 - (c) to prohibit the construction of buildings (other than class 10b structures) within 16 metres of the south eastern boundary of lots 6 to 10.

The consent authority is to be nominated as the authority having the power to release, vary or modify the restriction.

Note: Future development on the lots will be required to assess bushfire impacts under Section 4.14 of the EP&A Act, in consultation with NSW Rural Fire Service.

- A24. Prior to the issue of a Subdivision Certificate, an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* is to be registered on the site. The easement:
- (a) is to allow unobstructed emergency vehicle access between properties and must be created along the existing site perimeter of lots 6 to 11 (as denoted in the 'Subdivision Plan' prepared by AE Design Partnership Pty Ltd, dwg no. DA05, issue A1.2, dated 30/06/2021); and
 - (b) must comply with the minimum specification for property access roads as outlined in Table 7.4a of Planning for Bush Fire Protection 2019.

The consent authority is to be nominated as the authority having the power to release, vary or modify the restriction.

Note: If vehicular access cannot be constructed or established over the Gas Pipe Easement, the emergency vehicle access easement can be adjacent to the Gas Pipe Easement. In this regard, the proposed earthworks must ensure that the finished ground levels and grading facilitate proper accessible vehicular connectivity between the affected lots along the emergency vehicle access easement.

UTILITIES AND SERVICES

- A25. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A26. Prior to the issue of a Subdivision Certificate, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.
- A27. The provision of water, electricity and gas must comply with Table 5.3c of Planning for Bush Fire Protection 2019.
- A28. Prior to the issue of a Subdivision Works or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots;
 - (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier; and
 - (c) the provision of electricity to all individual lots and/or premises in the development.
- A29. Prior to the issue of a Subdivision Certificate, a certificate and/or written confirmation from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established and that fibre ready facilities are fit for purpose.

WORK AS EXECUTED PLANS

- A30. Prior to the issue of the Subdivision Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A31. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A32. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with and endorsed by TfNSW;
 - (c) be prepared in consultation with Council;
 - (d) detail construction access arrangements and how these will interface with the construction of the M12 Motorway project;
 - (e) detail consultation measures and/or formal agreements with TfNSW to be undertaken throughout the construction period of the M12 Motorway project, including, but not limited to the following phases/ works:
 - (i) construction access;
 - (ii) road design levels;
 - (iii) earthworks for batters;
 - (iv) bulk earthworks;
 - (v) utility plans;
 - (vi) drainage; and
 - (vii) any proposed landscaping/mounding adjacent to and/or connecting to the future Wallgrove Road;
 - (f) detail how construction activities of the development will be scheduled as to not conflict with the M12 Motorway project works, including details on how TfNSW will be consulted regarding this;
 - (g) detail any further approval/s from TfNSW that are required prior to commencement of construction;
 - (h) ensure construction zones are not located within the Elizabeth Drive or future Wallgrove Road road reserves;
 - (i) detail the measures to be implemented to ensure road safety and network efficiency during construction;
 - (j) detail heavy vehicle routes and parking arrangements;
 - (k) include a Driver Code of Conduct to:
 - (i) minimise the impacts of earthworks and construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; and
 - (iv) ensure truck drivers use specified routes;
 - (l) include a program to monitor the effectiveness of these measures; and
 - (m) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Roadworks and Access

- B3. Prior to the commencement of road works, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrates:
- (a) the estate road to the development is designed to accommodate the turning path of a 19 metre semi-trailer vehicle;
 - (b) appropriate access to each lot can be provided;
 - (c) the estate road is designed in accordance with Planning for Bushfire Protection 2019, as required by condition B37; and
 - (d) the estate road makes provision for relevant infrastructure (including, but not limited to drainage, lighting, vegetation planting and footpaths).
- B4. Prior to the issue of a Subdivision Certificate for the development, the Applicant must complete the construction of the estate road, including, but not limited to drainage, lighting, vegetation planting and footpaths, to the satisfaction of the relevant roads authority.

- B5. Prior to the issue of a Subdivision Certificate, any redundant driveway(s) on the Elizabeth Drive site boundary must be removed and must be in accordance with TfNSW requirements.
- B6. Following the issue of the Subdivision Certificate, the estate road (including appropriate splay on the intersection with the future Wallgrove Road), must be dedicated at no cost to the relevant roads authority.
- B7. Prior to the dedication described in condition B6, the Applicant must ensure construction of the estate roads has been completed to the satisfaction of the relevant roads authority and measures (such as any performance bond) are in place for any prescribed maintenance period, to the satisfaction of the relevant roads authority.

Future Wallgrove Road Design Works

- B8. The Applicant must undertake redesign works to the future Wallgrove Road to the satisfaction of TfNSW, including the provision of a deceleration lane. As part of these works, the Applicant must:
- (a) submit civil design plans to the satisfaction of TfNSW prior to the commencement of construction of the roadworks. The civil design plans must be endorsed by a suitably qualified practitioner and be in accordance with AUSTROADS and other Australian Codes of Practice. The plans must include, but not limited to:
 - (i) line marking changes, minor widening of the future carriageway, localised steepening of the batters and may require an increase in pipe culvert lengths; and
 - (ii) detailed design plans of the proposed stormwater drainage system and hydraulic calculations;
 - (b) enter into a Works Authorisation Deed with TfNSW detailing the responsible party for delivering these works, including any monetary contribution to TfNSW, prior to the commencement of roadwork construction; and
 - (c) provide written evidence to the Planning Secretary demonstrating the detailed design plans have been approved by TfNSW and a Work Authorisation Deed has been entered into with TfNSW, prior to the commencement of roadwork construction.
- B9. Prior to the issue of a subdivision certificate, roadworks required under condition B8 must be completed to the satisfaction of TfNSW.

Parking

- B10. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- B11. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

- B12. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

Discharge Limits

- B13. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

- B14. Prior to the commencement of construction of the development, the Applicant must finalise the detailed design of the stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s), in accordance with the concept design included in the RTS and in consultation with Council;
 - (b) be generally in accordance with the conceptual design in the RTS;
 - (c) be prepared in accordance with Council's Stormwater Management Policy (September 2017);
 - (d) be in accordance with applicable Australian Standards; and
 - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

- B15. Prior to issue of a Subdivision Certificate, the Applicant must provide a certificate from a suitably qualified and experienced person(s) to the Planning Secretary, to demonstrate the stormwater management system for the development has been installed in accordance with the requirements of condition B14 and is operational.
- B16. The stormwater detention basin lot (lot 12) as shown on the Subdivision Plan DA05 dated 30/06/2021, issue AI2, including bio-retention basins, must remain under the care, control and ownership of the registered proprietor/s of the lots.

AIR QUALITY

Dust Minimisation

- B17. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent, including but not limited to ensuring:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative dust suppression methods;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

NOISE

Hours of Work

- B18. The Applicant must comply with the hours of work detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1 Hours of Work

Activity	Day	Time
Remediation, earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm

- B19. Works outside of the hours identified in condition B18 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
 - (b) works agreed to in writing by the Planning Secretary;
 - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Noise Limits

- B20. The development must be carried out to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2.

Construction Noise and Vibration Management Plan

- B21. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) be prepared in accordance with the Applicant's mitigation measures;
 - (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
 - (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - (e) include strategies that have been developed with the community for managing high noise generating works;
 - (f) describe the community consultation undertaken to develop the strategies in condition B21(e); and
 - (g) include a complaints management system that would be implemented for the duration of the development.

B22. The Applicant must:

- (a) not commence construction of any relevant stage of the development until the Construction Noise and Vibration Management Plan required by condition B21 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

ABORIGINAL HERITAGE

B23. Prior to the commencement of any clearing or construction works for the development, the Applicant must update the location details of site number 45-5-2563 on the Heritage NSW's Aboriginal Heritage Information Management System Aboriginal Sites Register.

Aboriginal Cultural Heritage Management Plan

B24. Prior the commencement of any clearing or construction works, the Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development to protect and manage aboriginal heritage within the site. The plan must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;
- (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; and
- (c) address the recommendations within the Aboriginal Cultural Heritage Assessment Report prepared by Archaeological Management & Consulting Group & Streat Archaeological Services dated October 2021.

B25. The Applicant must:

- (a) not commence construction until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary; and
- (b) implement the most recent version of the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary for the duration of the development

Unexpected Aboriginal Heritage Finds Protocol

B26. If any item or object of Aboriginal heritage significance is identified on site:

- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
- (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
- (c) Heritage NSW, a qualified archaeologist and the participating Registered Aboriginal Parties are to be contacted immediately.

BIODIVERSITY

B27. Prior to any clearing or construction works for the development, the Applicant must purchase and retire the following ecosystem and species credits to offset the removal/disturbance of 1.15 hectares of native vegetation at the site:

- (a) 48 ecosystem credits for PCT 849 - Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain;
- (b) 38 species credits for Southern Myotis (*Myotis macropus*); and
- (c) 39 species credit for the Cumberland Plain Land Snail (*Meridolum corneovirens*).

The ecosystem and species credits must be retired in accordance with the requirements of the Environment and Heritage Group's Biodiversity Offsets Scheme and the *Biodiversity Conservation Act 2016*.

B28. The requirement to retire ecosystem and species credits (see Condition B27) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem and species credits, as calculated by the Environment and Heritage Group's Biodiversity Offsets Payment Calculator.

B29. The Applicant must provide the Planning Secretary with evidence that:

- (a) the retirement of ecosystem credits has been completed (see Condition B27); or
- (b) a payment has been made to the Biodiversity Conservation Fund (see Condition B28), prior to undertaking any clearing or construction works for the development.

HAZARDS AND RISK

B30. Prior to commencement of construction works within lots 6, 7, 8, 9, 10 or 11, the Applicant must complete a Safety Management Study with Jemena in accordance with *Australian Standard 2885 Pipelines – Gas and petroleum* and ensure all actions arising from the study have been agreed between Jemena, the Applicant and other relevant parties.

- B31. Future development on lots 6-12 must take into consideration the risks associated with the close proximity of the high pressure gas pipeline and associated easement, including, but not limited to, the requirements of section 2.76 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, AS 2885: *The Standard for Gas and Liquid Petroleum Pipelines* and the Department's *Hazardous Industry Planning Advisory Paper No 10 'Land Use Safety Planning'*.

Dangerous Goods

- B32. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

Bunding

- B33. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

BUSH FIRE MANAGEMENT

- B34. The 'On Site Detention Lot (Lot 12, as shown Subdivision Plan DA05 dated 30/06/2021, issue A.I2)' must be entirely managed to the standards of an inner protection area as outlined in Appendix 4 of Planning for Bush Fire Protection 2019.
- B35. Except for the areas denoted 'Grassy and Semi-Arid Woodlands' as depicted in Figure 5 of the bush fire report prepared by GHD, ref. 2127092, dated 17 August 2021, the entire development site and the road reserves must be entirely managed in perpetuity to the standards of an inner protection area as outlined in Appendix 4 of Planning for Bush Fire Protection 2019.
- B36. Landscaping within inner protection areas must comply with Appendix 4 of Planning for Bush Fire Protection 2019.
- B37. The estate road must comply with the following requirements for non-perimeter roads under Table 5.3b of Planning for Bush Fire Protection 2019:
- (a) traffic management devices are constructed to not prohibit access by emergency services vehicles;
 - (b) maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
 - (c) dead end roads incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
 - (d) the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating.
 - (e) hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
 - (f) hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning;
 - (g) minimum 5.5m carriageway width kerb to kerb;
 - (h) parking is provided outside of the carriageway width;
 - (i) hydrants are located clear of parking areas;
 - (j) curves of roads have a minimum inner radius of 6m;
 - (k) the road crossfall does not exceed 3 degrees; and
 - (l) a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

WASTE MANAGEMENT

Waste Handling

- B38. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.
- B39. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

CONTAMINATION

Site Auditor

- B40. Prior to the commencement of any earthworks or remediation works for the development, the Applicant must engage a Site Auditor accredited under the *Contaminated Land Management Act 1997* NSW Site Auditor Scheme.

Remedial Works

- B41. The site is to be remediated in accordance with the Remedial Action Plan (RAP), the CEMP and any relevant guidelines produced or approved under the CLM Act. If any amendments are required to the RAP, they must be reviewed and approved by the Site Auditor in the form of an Interim Audit Advice.
- B42. Prior to the commencement of the remediation works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site can be made suitable for a specified land use (or uses) if the site is remediated in accordance with the implementation of the RAP.
- B43. The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced contractor(s) in accordance with the approved RAP and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997* (CLM Act).

Validation Report

- B44. Within three months of the completion of the remediation works required under condition B41, or as otherwise agreed with the Planning Secretary, the Applicant must submit a Validation Report to the Site Auditor and Planning Secretary which demonstrates the remediation works have been completed in accordance with the RAP and the CEMP. The validation report must include:
- (a) details of the remediation works undertaken;
 - (b) details of any unexpected contamination find(s) (see condition B46);
 - (c) validation of any imported fill used during the remediation works (see condition B11); and
 - (d) information confirming that the objectives of the RAP have been achieved.

Site Audit Report and Site Audit Statement

- B45. Within six months of the completion of the remediation works, or as otherwise agreed with the Planning Secretary, and prior to the issue of a Subdivision Certificate, the Applicant must obtain a Site Audit Report and a Site Audit Statement from the Site Auditor and submit these to the Planning Secretary. These documents must be prepared in accordance with the relevant guidelines under the CLM Act and confirm:
- (a) the remedial works approved under this consent have been completed in accordance with the remediation objectives listed in the RAP; and/or
 - (b) the site is suitable for its intended land uses.

Unexpected Finds

- B46. Prior to the commencement of construction, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.

VISUAL AMENITY

- B47. Prior to the commencement of construction, the Applicant must prepare a Landscape and Vegetation Management Plan to manage existing vegetation and landscaping works on site to the satisfaction of the Planning Secretary. The Plan must form part of the CEMP in accordance with condition C2 and must:
- (a) be prepared by an appropriately qualified bush regenerator;
 - (b) be prepared in consultation with the Environment and Heritage Group;
 - (c) detail the locations, species, pot sizes, planting densities of plantings on-site, prioritising:
 - (i) the reuse of existing juvenile native plants on site in proposed landscaping areas;
 - (ii) the collection and use of local native seed from site and reuse opportunities of these seeds in proposed landscaping areas;
 - (iii) the reuse of any native trees to be removed (including tree hollows, tree trunks and root balls) on site for habitat enhancement;
 - (iv) incorporating a diversity of local provenance native trees, shrubs and groundcover species; and
 - (v) avoidance of nursery hybrids of locally occurring native species;
 - (d) detail measures to protect native vegetation that would be retained on site and adjoining sites, from construction activities;
 - (e) detail outcomes of consultation with local community restoration groups, Landcare groups, surrounding reserve managers (including National Parks and Wildlife Service and Western Sydney Parklands Trust) and Council for reuse opportunities off site where removed native trees are not able to be entirely re-used on site;

- (f) detail topsoil and weed management measures, and the monitoring of this;
- (g) describe the monitoring and maintenance measures to ensure the on-going success of the revegetation and landscaping works and measures to replace any plant loss; and
- (h) detail how the landscaping on-site will comply with the principles of Planning for Bushfire Protection 2019 and meet the requirements of condition B36.

B48. The Applicant must:

- (a) have the Landscape and Vegetation Management Plan approved by the Planning Secretary prior to the commencement of any construction works;
- (b) ensure the most recent version of the Landscape and Vegetation Management Plan approved by the Planning Secretary is fully implemented prior to the issue of a Subdivision Certificate; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape and Vegetation Management Plan required by condition B47 for the life of the development.

Lighting

B49. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019);
- (b) National Light Pollution Guidelines for Wildlife (Australian Government, Department of Environment and Energy); and
- (c) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
 - (b) Erosion and Sediment Control Plan;
 - (c) Construction Noise and Vibration Management Plan (see condition B21);
 - (d) Aboriginal Cultural Heritage Management Plan (see condition B24);
 - (e) final Remedial Action Plan (see condition B41);
 - (f) Landscape and Vegetation Management Plan (see condition B47);
 - (g) Unexpected Finds Protocol (see condition B46); and
 - (h) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. Within three months of:
- (a) the submission of an incident report under condition C7;
 - (b) the approval of any modification of the conditions of this consent; or
 - (c) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed.

- C6. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C7. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

Non-Compliance Notification

- C8. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C9. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Monitoring and Environmental Audits

- C11. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

- C12. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) a summary of the current stage and progress of the development;
 - (v) contact details to enquire about the development or to make a complaint;
 - (vi) a complaints register, updated monthly;
 - (vii) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Plan/Sheet No.	Plan Title	Revision	Date
Drawings by Ae Design			
DA05	Subdivision Plan	AI.2	30/06/2021
DA06	Structure Plan	AI.2	30/06/2021
DA07	Landscape Plan	AI.2	30/06/2021
01	Left-In Left-Out Ultimate TfNSW Design Development Access	1	29/03/2022

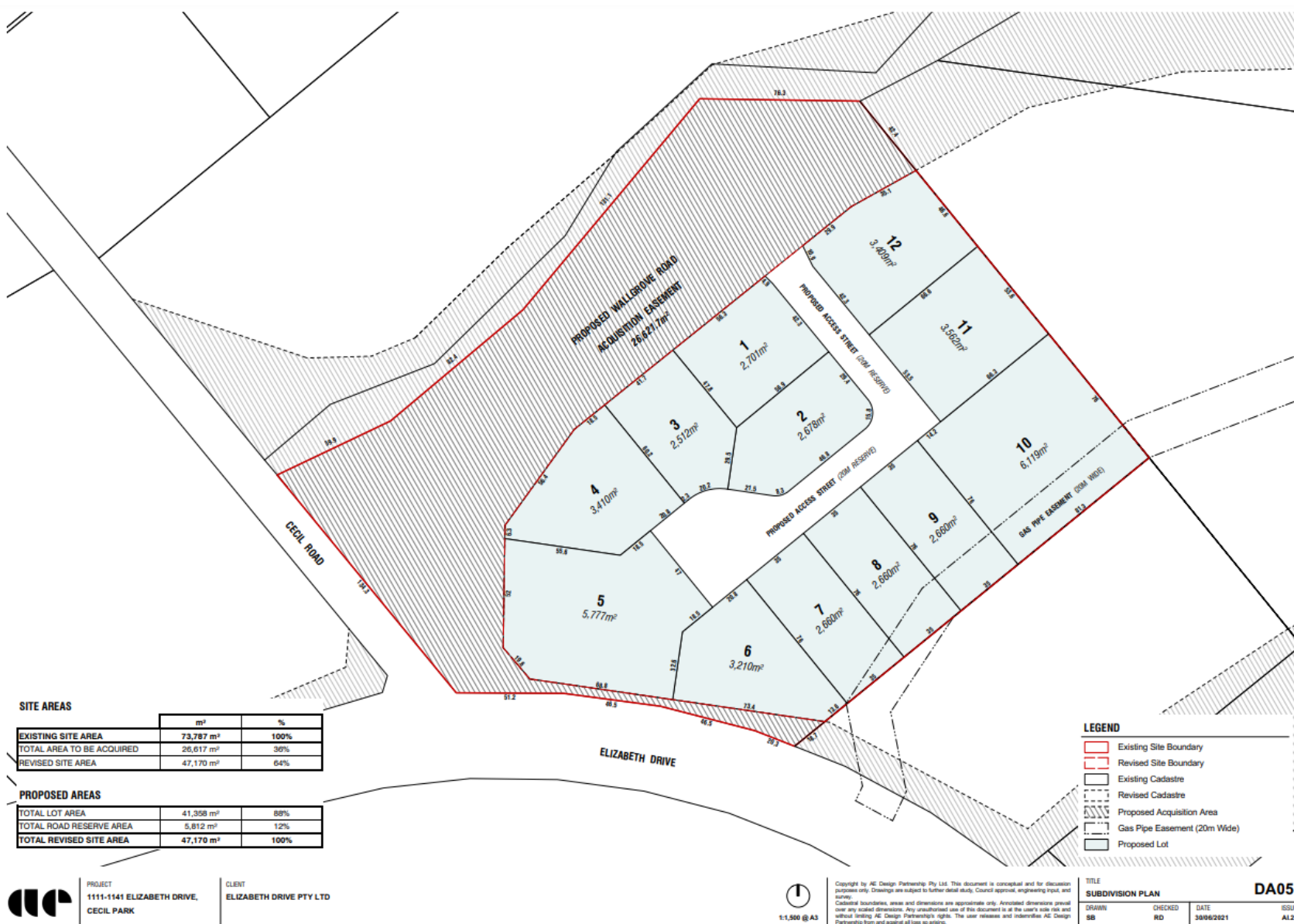


Figure 1: Subdivision Plan

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Biodiversity	- Adhere to proposed development footprint (to avoid/minimise impact). - Offset impacts of development by preferably securing and retiring appropriate credits from stewardship site/s or if unavailable in accordance with the BAM "variation report" and/or payment to the Biodiversity Conservation Trust. - Prepare a Construction Environmental Management Plan (CEMP) prior to issue of the Construction Certificate and implement during the construction phase of the project. The mitigation and management measure outlined in Table 5-1 of the revised BDAR at Appendix 10 would be implemented as part of the CEMP.	Stormwater Management	- An Erosion and Sediment Control Plan, for construction activities, shall be prepared and implemented in accordance with the Department of Housing Managing Urban Stormwater: Soils and Construction (1998) (Blue Book). - The Stormwater Management Plan detailed in Appendix "B" of Appendix 11 to this EIS shall be implemented and maintained.
Bushfire	- Asset Protection Zones shall be provided to the proposed development as listed in Table 2 of the revised Bushfire Assessment at Appendix 21. - APZs are to be installed and permanently maintained in accordance with NSW RFS document "Standards for asset protection zones" with the exception of interim APZ's identified in Table 2 and Table 4 of Appendix 21. - The proposed drainage basin within lot 12 is to be managed to APZ specifications identified in Table 2 of Appendix 21. This will be ensured through a Community Title Scheme or a Plan of Management depending on the end management arrangements of the site. - Each proposed lot is to be provided with a dedicated, accessible water supply (Refer to Section 4.5.1 in Appendix 21). - Electrical services should be underground where practical or comply with the requirements detailed at Section 4.5.2 of Appendix 21. - Gas supplies, where installed shall comply with AS/NZS 1596 (2014). All fixed gas cylinders are kept clear of flammable materials, close to the building with release valves pointing away from the building.	Flooding	No Mitigation Measures required for proposed subdivision. See Section 5.4 of this amended EIS.
		Noise and Vibration Impact	- A comprehensive assessment of noise impacts shall be undertaken in the context of mechanical plant, vehicle class and movements and operational impacts and a relevant mitigation strategy developed and implemented. - Development end state glazing requirements as detailed in Section 7.1 of the original Noise and Vibration Impact Report shall be implemented. - Safe working distances in respect of potential vibration impacts as detailed in Section 8.1 of the original Noise and Vibration Impact Report shall be observed, as a minimum.
		Aboriginal Cultural Heritage	- Consultation with the registered Aboriginal stakeholders should continue. - An Aboriginal Cultural Heritage Management Plan shall be devised and implemented. - The proposed subdivision should "proceed with caution". - All development staff, contractors and workers should be briefed prior to construction of protocols in respect of indigenous archaeological deposits and/or objects.

On-Site Wastewater Management	- An on-site wastewater management report for each lot in conjunction with a Development Application for each commercial building detailing: - Confirmation of building size and use to assess appropriate wastewater generation loads. - Treatment system specification, septic tank volume calculation, collection well sizing and required pump-out design (such as location of tanks, tanker stand and suction lines). - Prior to the installation of the sewage management system approval from Council is required under S68 of the Local Government Act. Further approval to operate is required prior to system commissioning.
Service and Utility Infrastructure	- A water servicing coordinator will be engaged to design the internal water supply network and a Section 73 compliance certificate be obtained from Sydney Water. - A Level 3 ASP Electrical designers be engaged to design the internal electricity supply system and obtain requisite approvals. - A suitably qualified gas network designer shall design the required gas supply network and obtain requisite approvals. - Submission of proposed plans to Jemena for analyses by their assets management team with respect to the proposed layout and land use at the site, as it pertains to potential impacts on the major gas supply main on the site. - A suitably qualified person shall be engaged to design the telecommunications network (including NBN connection) and obtain the requisite approvals. - Knowledge of future reticulated sewer be obtained from Sydney Water.
European Heritage	Any future works will be subject to independent heritage assessment and any identified actions.

Site Contamination	- Additional asbestos assessment be performed following site demolition works. - Subject to the findings of the data gap assessment and validation assessment works to confirm the successful implementation of the remediation strategy outlined in the RAP (<i>Appendix 19</i>). - Site Validation Report will be required to confirm the remediated site's suitability for the proposed development - Where any soil material is to be removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014).
Salinity and Geotechnical Sensitivity	- Saline soil management strategies shall be prepared at the Construction Certificate stage and subsequently implement management strategies identified in <i>Section 4.6</i> of the revised Preliminary Salinity and Geotechnical Assessment at <i>Appendix 24</i>. - The series of geotechnical recommendations in respect of footings and foundations, drainage requirements and site classification and geotechnical practices generally as detailed in <i>Section 5.3</i> of the revised Preliminary Salinity and Geotechnical Assessment at <i>Appendix 24</i> shall be implemented. - Additional works prior to Construction Certificate: - If higher end bearing pressures are required, rock coring and point load testing of collected rock samples to assess rock strength. - Further salinity testing to confirm / revise preliminary salinity and exposure classifications and to delineate salinity conditions across soil profiles in development areas, if required, following consideration of final development details. - Detailed design of foundation structures. - Additional advice by Martens and Associates (MA) for cut and fill requirements, if applicable, following consideration of final development details. - Review of the final design by a senior geotechnical engineer to confirm adequate consideration of the geotechnical risks and adoption of the recommendations provided in this report.

Traffic, Parking and Accessibility	- At Detailed DA stage for each lot: - Satisfy Council's off-street parking and loading requirements - Design of the vehicular access and car parking/loading facilities will ultimately be designed in accordance with Australian Standards requirements - Detailed Construction Traffic Management Plan be included as part of any development consent issued for the subdivision
Waste Minimisation and Management	- Waste Management Planning be undertaken at detailed DA stage for each lot. - Waste be placed in designated bins which would be contracted at a capacity to contain maximum quantities of materials in accordance with pick-up schedules. - All material generated would be separated where possible, to maximise resource recovery potential and reduce the need for disposal of residual materials to landfill. Any material deemed unsuitable for reuse or recovery would be disposed of to an appropriately licensed landfill. - Any handling of asbestos waste must be performed in accordance with Clause 42 of the PoEO Act, 1997. - Before commencing any work, a risk assessment should be carried out. Safe work procedures would be devised that minimise exposure. - Retain lawfully disposed records. - Waste materials be disposed to a facility which is licensed to take the particular type of waste. - A licensed contractor would be engaged to manage the disposal of nightsoil from portable toilets. - Future developments on Site subdivisions may require trade wastewater agreements with Sydney Water. If a trade waste agreement is required, it would be developed in to meet trade waste specifications. - All future disposal of wastewater and effluent will be through a licenced operator. - Site specific waste management should be detailed in an operational waste management plan detailing expected waste generation rates for different waste streams and relevant waste management methods for reuse, recovery and disposal

Air Quality	- Subject to further information regarding road upgrades within vicinity of the site, an air quality impact assessment (AQIA) will be undertaken for construction and operation phases of development. - The AQIA will demonstrate ability to comply with the relevant regulatory framework, specifically the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Clean Air Regulation (2010)
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APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the Applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.