

- (8) Care should be taken when demolishing building structures likely to have been treated with pesticides to avoid contact with the top 10-20mm of soil. The top layer of soil should not be left exposed where children or other sensitive individuals may come into contact with it.
- (9) Demolition shall be carried out to Australian Standard AS2601-2001 – The Demolition of Structures and the WorkCover Authority of NSW publication *“Demolition work code of practice July 2014”* including provision for:
- Appropriate security fence or builders hoarding shall be installed to prevent public access to the demolition works
 - Induction training for onsite personnel
 - Management of asbestos, contamination and other hazardous materials
 - Dust control
 - Disconnection of gas and electrical supply
 - The demolition shall not hinder pedestrian or vehicle mobility in the locality
 - Control of water pollution and leachate, including the cleaning of vehicle tyres in accordance with the Protection of the Environment Operations Act, 1997.
- (10) Fire fighting services onsite shall be maintained at all times during demolition works.
- (11) The demolition by induced collapse, the use of explosives or onsite burning is not permitted.
- (12) During demolition works all materials and equipment shall be kept entirely within the site and not on adjoining property, footpaths and roads.
- (13) All demolition work shall be restricted to between the hours of 7.00am and 6.00pm Mondays to Fridays (inclusive), 8.00am to 1.00pm Saturdays, and prohibited on Sundays and Public Holidays.
- (14) Certification is to be provided by the Demolition Contractor that the demolition work has been carried out in accordance with the above conditions.

Such certification is to be provided to Council or the nominated Accredited Certifier **prior to the issue of any Construction Certificate.**

3. VOLUNTARY PLANNING AGREEMENT

This condition has been imposed to ensure that prior to the issue of the Subdivision Certificate, the persons having the benefit of this consent undertake the necessary legal requirements for the creation of a planning agreement for the payment of monies associated with the dedication and future maintenance of the bioretention system.

- (1) Prior to the issue of any Construction Certificate, the person(s) having the benefit of this consent shall provide a draft planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979, reflecting the applicant's letter of offer dated 16 June 2016, and which is consistent with Council's Planning Agreements Policy.

The draft planning agreement will be provided to Council in a form suitable for public exhibition (together with any applicable exhibition fess) subject to Council obtaining its own legal advice on the content of the Voluntary Planning Agreement.

The applicant and Council will use their best endeavours to ensure that the planning agreement is executed within ninety (90) days of the date of this consent.

The planning agreement shall make provision for any contributions made under the planning agreement to be payable to Council prior to the issue of the subdivision certificate.

4. INTEGRATED DEVELOPMENT

These conditions have been imposed to ensure that the development is carried out in accordance with the requirements of other Approval Authorities:

- (1) The conditions of the attached Bushfire Safety Authority issued by the NSW Rural Fire Service dated 2 March 2016 are included as conditions of this Consent.

NOTE: The General Terms of Approval issued by the New South Wales Rural Fire Service are provided as **Attachment A** to this development consent.

- (2) Certification from a suitably qualified and practising bushfire consultant shall be provided to Wollondilly Shire Council demonstrating that the works required by Condition 4(1) have been completed prior to the release of each Subdivision Certificate.

5. CONTAMINATION OF LAND

The following conditions have been imposed to ensure that the recommendations of the contamination assessments are undertaken in conjunction with site to ensure that the development site will be suitable for future residential use

- (1) Prior to the issue of any Subdivision Certificate, the persons having the benefit of this consent shall provide documentary evidence to Council demonstrating compliance with findings and recommendations of the reports titled "Environmental Site Assessment (Lots 52-61, DP 21549) Marion St, Thirlmere, NSW" prepared by earth2water dated February 2014 (Ref: E2W-202 R0001) and "Stage 2 Environmental Site Assessment: Lot 57 DP 21549, Marion St, Thirlmere, NSW" prepared by Martens Consulting Engineers dated June 2015 (Ref: P1303781 JR03V01).
- (2) Foreign materials shall be removed from the existing soil stockpile on the site to a level consistent with the thresholds obtained in the Excavated Natural Materials Order (2014).

Further testing of the stockpile shall be carried out and the results forwarded to Council prior to the application of any of this soil across the site or the stockpile shall be removed from the site and disposed of at a suitably licensed facility.

- (3) Prior to the issue of a Subdivision Certificate, a site audit report shall be prepared in accordance with the requirements of the NSW Environment Protection Authority Guidelines for Consultants Reporting on Contaminated Sites.

The report shall be prepared by a Site Auditor accredited under the Contaminated Land Management Act, 1997, and shall state in an end statement that the used fill material is suitable for the proposed use of land.