

## COMPLIANCE SUMMARY – BINGARA GORGE

DA no. ID993-05

**Table 1 Compliance with conditions of the Original Consent**

Conditions	Assessment
<b>COMPLIANCE</b> To ensure that the development is carried out in accordance with the conditions of consent and the approved plans to Council's satisfaction.	
1.1 Development Consent is granted for the following on Lot 101 DP 1045369 and Lot 6 DP 836296, Condell Park Road, Wilton:	
Staged Development being the overall development of the site which includes:	
<p>The use of the land for the purposes (and generally in the areas) shown on the Concept Plan for the site:</p> <ul style="list-style-type: none"> <li>- Housing;</li> <li>- Open space;</li> <li>- A mixed-use village centre, incorporating, but not limited to, commercial and retail uses;</li> <li>- Community facilities;</li> <li>- Recreational facilities (such as the golf course);</li> <li>- Landscaped streets and access paths;</li> <li>- A sewage treatment plant and treated waste water reuse scheme;</li> <li>- Utility services.</li> </ul> <ul style="list-style-type: none"> <li>• 1,165 residential lots with the minimum lot sizes as shown on the Concept Plan.</li> </ul> <p>Subject to a further development application being submitted for any works not identified as being part of Stage 1.</p>	Complies. The proposal is generally consistent with the Concept Plan.
B. Stage 1 Development which is:	
<p>1. the subdivision of land including:</p> <p>a) a Torrens title subdivision to create:</p> <ul style="list-style-type: none"> <li>a) four lots comprising the community land to be dedicated for environmental protection and community recreation under the care and management of the Environmental Trust as identified in Annexure C to the State Development Agreement;</li> <li>b) A separate lot containing the golf course to enable this element of the development to be separately owned and managed within the overall governance framework;</li> <li>c) Two lots to be subject of further subdivision as a community scheme under the Community Land Development Act 1989 and the Community Land Management Act 1989; and</li> <li>d) A residual lot.</li> </ul>	Noted. Stage 1 is complete.

Conditions	Assessment
2. The construction and operation of a sewage treatment plant and treated effluent reuse irrigation scheme to serve the development as shown on the Concept Plan and the Stage 1 development.	Noted. The sewerage plant has been constructed.
3. the construction of the golf driving range and the final 8 holes of the golf course, the first 10 holes of which was approved under the consent to DA1558-04.	Noted. The Golf Driving Range has been constructed.
4. 215 residential lots.	Noted. These 215 residential lots have been completed.
5. infrastructure, access, earthworks, landscaping and other works associated with the above.	Noted. Stage 1 is complete.
1.2. Development shall take place generally in accordance with the information and plans submitted with Development Application No. ID993-05 including amendments submitted in response to information requests and in particular in accordance with the following documents and plans except where otherwise directed by the conditions of this consent:	The proposed works are generally consistent with the approved DA ID993-05 in terms of subdivision layout and design. It is noted that the LEC Consent Orders supersede many requirements of the original DA. Refer to Appendix C2 for details.
• Statement of Environmental Effects prepared by BBC Consulting Planners & CH2MHill dated November, 2005	
• Stormwater Management Strategy prepared by J Wyndham Prince Pty Ltd dated 7 November, 2005	
• Indigenous Heritage Conservation Management Plan prepared by Kayandel Archaeological Services dated November, 2005	
• Noise Impact Statement for the proposed sewage treatment plant prepared by Bridges Acoustics dated 30 June, 2005	
• Odour Assessment by CH2MHill dated November, 2004	
• Road work drainage and earth work plans prepared by VKL Consulting Pty Ltd drawings numbered 5502-05-34 to 5502-05-33 dated November, 2005	
• Engineering Report for the Sewage Treatment Plant and Part Golf Course prepared by VKL Consulting Pty Ltd dated November, 2005 and attached drawings numbered 5502- 05-04 to 5502-05-49 inclusive	
• Report on the disposal of treated effluent from the Wilton Parklands Residential Development prepared by VKL Consulting Pty Ltd dated November, 2005 version 2	
• Waste Management Plan prepared by Delfin Lend Lease Ltd dated 8 November, 2005	
• Drawings No. PML7697a - L000 Issue B, L001 Issue A, L002 Issue C, L003 Issue C, L004-L0017 inclusive Issue A, L018 Issue E, L022 Issue B, prepared by Hassall Pty Ltd	
• Drawings No. 23310P12C, 23310P13B and 23310P14C prepared by Wallis and Moore Pty Ltd dated November, 2005 being the community plan of subdivision and plan of subdivision of community association scheme Numbers 1 and 2 (Note this consent does not grant consent to Stage 2 of community Scheme 1 identified on Drawing No. 23310P13B or Stages 2 or 3 of Community Scheme 2 identified on Drawing No. 23310P14C)	
• The response to request for additional information prepared by Delfin Lend Lease dated 23 January, 2006 including Appendices A to R inclusive with the exception of Appendix F	
• The response to request for additional information prepared by Delfin Lend Lease dated 10 March, 2006	
• Delfin Development-Gas Pipeline Risk Assessment to DR 04561: AS2885.1 - "2004 Draft" prepared by URS dated 10 February, 2006	

Conditions	Assessment
<ul style="list-style-type: none"> <li>Report on Phase 1 Salinity Assessment prepared by Douglas Partners dated 25 January, 2006</li> </ul>	
Where there is an inconsistency between two documents listed above the information provided in the more recent document shall prevail.	
1.3 This consent does permit separate subdivision certificates to be released for the residential lots approved by this consent in stages provided that all conditions of consent relevant to each stage have been completed to the satisfaction of Council prior to the release of the subdivision certificate for that stage.	Noted.
1.4 No work shall commence within 40 metres of any water course until a permit under Part 3A of the Rivers and Foreshores Improvement Act has been obtained if required and a copy provided to Council. Should a Part 3A permit not be required, a letter confirming such shall be obtained from the Department of Natural Resources and a copy of this letter submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.	Noted.
1.5 Water Storage on the land shall not exceed the maximum harvestable right dam capacity of the land under the Farm Dams Policy without the approval of the Department of Natural Resource (D R). Note: DNR have advised Council that this is 38.25 megalitres.	Noted.
<b>2 INTEGRATED DEVELOPMENT CONDITIONS</b>	
To ensure that the development is consistent with the requirements of the Rural Fire Service, Mine Subsidence Board and the Department of Environment and Conservation.	
2.1 The General Terms of Approval of the Department of Environment and Conservation attached to this consent shall form part of the conditions of consent to this application.	Noted. New GTAs will be issued by the DPI Water, MSB (under separate cover) and the RFS as required.
2.2 The proposed roads shall comply with Section 4.3.1 of Planning for Bushfire Protection 2001.	Superseded.
2.3 The location of fire hydrants shall comply with the distances detailed in Section 6.4.3 of Planning for Bushfire Protection 2001. Locations of fire hydrants are to be delineated by blue pavement markers offset 100mm from the centre of the road. The direction of offset shall indicate on which side of the road the hydrant is located.	Noted.
2.4 A Bush Fire Management Plan is to be prepared for Residue Lot 208 with an emphasis on the areas that adjoin residential land that addresses the following requirements: <ul style="list-style-type: none"> <li>Contact person / department and details</li> <li>Schedule &amp; description of works for the construction of any proposed Asset Protection Zones and their continued maintenance</li> <li>Management strategies, proposed schedule and description of works for any remnant bushland within the property boundary</li> <li>Details of access through any gate/ fire trail system for remnant bushland areas</li> </ul>	Noted.
2.5 A Bush Fire Management Plan is to be prepared for the Community Land (Lot 1) as shown on the Community Plan of Subdivision (Drawing No 23310 P12 Date: Nov 2005) that ensures vegetation is not allowed to generate into a bushfire hazard (i.e. managed to Inner Protection Area standards as outlined in Section 4.2.2 of Planning for Bushfire Protection 2001).	Noted. This DA is for Fairways North and Golf Town.
2.6 Asset Protection Zones shall be provided at all stages of development and are to be determined in accordance with Table A2.2 of Planning for Bushfire Protection 201 and Annexure 4: Results - APZ Determination of the Bushfire Threat Assessment prepared by Wallis & Moore (dated June 2002).	Refer to BPA at Appendix D.

Conditions	Assessment
<p>2.7 The final drawings for all works associated with this development are to be submitted to the Mine Subsidence Board prior to the commencement of construction. These drawings shall contain a certification by a qualified structural engineer to the effect that any improvement constructed to meet the specification of such final drawings will be safe, serviceable and repairable taking into account the following mine subsidence parameters:</p> <ul style="list-style-type: none"> <li>a) Maximum vertical subsidence of 950mm</li> <li>b) Maximum grounds strains of <math>\pm 2.5\text{mm/m}</math></li> <li>c) Maximum tilt of 6mm/m</li> <li>d) Maximum radius of curvature of 10,000 metres</li> </ul>	<p>Noted. To be addressed prior to construction commencing.</p>
<b>3 ENGINEERING &amp; CONSTRUCTION SPECIFICATIONS</b> These conditions have been imposed to ensure that developments within the Shire are of a standard which is both safe and acceptable to Council and members of the public:	
<p>3.1 All works are to be designed and carried out in accordance with Wollondilly Shire Council's adopted Design Code and Construction Specification except where varied by Development Control Plan No. 56 Wilton Park.</p>	<p>Noted. This condition is superseded by condition 6(1) of the consent orders.</p>
<p>3.2 Engineering design plans and stormwater drainage calculations, for all road and drainage construction, shall be submitted to the nominated Principal Certifying Authority. The plans must be approved prior to the issue of a Construction Certificate for any works associated with this development. All levels are to be reduced to Australian Height Datum. Road design parameters shall comply with the requirements of Council's Design Code D.C.P.</p>	<p>Noted. This condition is superseded by condition 6(1) of the consent orders. Engineering design plans and stormwater drainage plans will be submitted for approval.</p>
<p>3.3 A "Soil and Water Management Plan" (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be submitted to Council. The measures shall be in accordance with Council's Construction specification and the Department of Housing's "Blue Book". The plan is to be approved by the Principal Certifying Authority with the engineering plans.</p>	<p>Noted. This condition is superseded by condition 7(4) of the consent orders. Refer to accompanying SWMP (Appendix K).</p>
<p>3.4 A "Traffic Management Plan" that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Council. The safety precautions are to be in accordance with the requirements of the RTA's 'Traffic Control at Work sites' manual. The plan is to be prepared and endorsed by a person with current RTA certification and provided to the Principal Certifying Authority before issue of Construction Certificate for the development.</p>	<p>Noted. To be addressed post approval (if required). The roads proposed as part of this development will be dedicated to Council post-construction.</p>
<p>3.5 Where Council's Construction Specification require that density tests, beam tests or CBR tests be undertaken, the results shall be forwarded to Council within 7 days. A NATA registered laboratory shall carry out the tests. When testing for density, the Standard Compaction testing method is to be used. Failure to submit test results may result in Council refusing to issue completion certificates and hence may result in additional works being required.</p>	<p>Noted. To be addressed post approval (if required).</p>
<p>3.6 A certified "Works as Executed" plan from a Chartered Professional Engineer or Registered Surveyor is to be submitted to Council before the final inspection for the Certificate of Practical Completion. The "Works as Executed" plan must certify that the works have been constructed in accordance with the approved drawings and to the levels specified.</p>	<p>Noted. To be addressed post construction.</p>
<p>3.7 All works shall be consistent with the document "Delfin Development Gas Pipeline Risk Assessment to DR 04561: AS2885.1 - 2004 Draft" prepared by URS dated 15 March, 2006. Prior to the release of the Construction Certificate, evidence of compliance with this requirement shall be submitted to the Principal Certifying Authority from an appropriately qualified person.</p>	<p>Complies. Evidence of compliance will be provided during the CC Stage.</p>

Conditions	Assessment
<b>4. PUBLIC ROADS</b>	
These conditions have been imposed to ensure all public road works required by the development are provided to an adequate standard.	
4.1 Provision of kerb and gutter and sealed road shoulder from the edge of the existing bitumen to the lip of the gutter shall be constructed along the existing Hornby Street frontage immediately adjoining the proposed development including associated drainage works and cul-de-sac at proposed Lot 24 in Community Association Scheme No.1.	N/A Extent of DA does not include Hornby Street.
4.2 The applicant shall, at no cost to Council, construct and dedicate to Council a suitable road or roads to ensure all lots will have access to an appropriate public road. The road shall be constructed to Council's Design Code DCP and Development Control Plan No. 56 Wilton Park.	Complies.
4.3 Prior to the release of the Linen Plan, a proposed list of street names is to be furnished to Council for endorsement.	Roads proposed will be dedicated to Council.
4.4 In accordance with Section 138 of the Roads Act a 138 Consent Certificate must be obtained from Council's Works Division a minimum 7 days prior to commencement of work. A fee is payable for issue of this Consent Certificate.	Noted. A list of Street Names will be provided to Council prior to the release of the line plans for endorsement.
4.5 The junction of Picton Road and the site access road (currently the Hornby Street West and Condell Park Road junction) shall be upgraded to a full "seagull" in accordance with the RTA Road Design Guide.	N/A Extent of DA does not include this junction.
4.6 Two eastbound lanes shall be provided on Picton Road from the Hume Highway interchange to the site access road in accordance with the RTA Road Design Guide.	N/A Extent of DA does not include Picton Road.
4.7 Two westbound lanes shall be provided on Picton Road from the Hume Highway interchange to the site access road in accordance with the RTA Road Design Guide.	As above.
4.8 The Condell Park Road and Entry Road intersection shall be restricted to left in and left out only with the applicant to demonstrate that turning movements can be achieved in accordance with AUSTROADS turning templates for B-Double trucks both at this intersection and at the roundabout closest to Picton Road.	N/A Extent of DA does not include this intersection.
4.9 The applicant shall provide suitable direction signage to provide for the changed traffic conditions. The applicant shall submit a signs and marking plan to the RTA for approval.	N/A. This DA is for Fairways North and Golf Town.
4.10 Safe Intersection Sight Distance to the RTA's standards shall be available for all movements to and from Picton Road.	N/A Extent of DA does not include Picton Road.
4.11 Landscaping and fencing should not restrict vehicular sight lines on Picton Road.	As above.
4.12 Geometric road design shall be in accordance with RTA Road Design Guide. Pavement design shall be in accordance with the AUSTROADS Pavement Design Guide. All design shall be for the existing 100 kph speed zone.	Complies. Refer to engineering drawings at Appendix A.
4.13 All roadworks associated with this development will be at no cost to the RTA	Noted. Roads within the proposed residential subdivision will be delivered by Lendlease.

Conditions	Assessment
4.14 No advertising signs or structures are permitted within Picton Road road reserve. The erection of advertising structures shall be in accordance with SEPP64.	N/A Extent of DA does not include Picton Road.
4.15 Prior to construction work commencing, a joint inspection with the contractor, applicant and Council of the existing roads shall be carried out to formulate a maintenance agreement for local roads that will be affected by construction traffic.	Noted.
4.16 A bond shall be provided to Council, prior to the issue of a Construction Certificate, to cover the cost of repairs to affected roads should this work not be carried out by the contractor.	Noted.
4.17 A network of shared pathways and pedestrian pathways located on the road verge (off carriageway) shall be provided in accordance with the plan adopted as part of DCP 56 Wilton Park except that all shall be 2.0 metres wide.	Concrete shared pedestrian/cycle paths have been provided on the road verge. Refer to Civil Engineering Plans at Appendix A for details.
4.18 A 2.0 metre wide concrete shareway located on the road verge (off carriageway) shall be constructed in Hornby Street west from the Entry Road to Broughton Street prior to the release of the linen plan for the 200th lot. This 2.0 metre wide shareway shall be extended from Broughton Street to the existing shops at the intersection of Argyle Street and Camden Street to the release of the subdivision Certificate for the 200th residential lot.	N/A Beyond extent of DA boundaries.
4.19 For Roads 9,10,11,12,13,24,25,28 and 29 the verge on the shareway side shall be widened to 4.5 metres and narrowed to 3.5 metres on the opposite side to provide adequate space for the 2.0 metres wide pathway, utility services and street tree planting. The acceptance of this carriageway width is subject to confirmation of compliance with the maximum daily vehicle flow as shown in "Characteristic of Roads in Wilton Parklands" table in DCP 56 Wilton Park.	Noted. Not applicable to this DA.
4.20 All services including water mains and treated effluent mains wherever practical shall not be located beneath the shareways.	Noted. Refer to the engineering plans.
4.21 Temporary turning heads shall be provided at the end of Roads 9,10,12,13,14,25 and 26. All turning heads shall be sealed to a standard approved by Council. The applicant shall provide Council with plans indicating the type and level of seal prior to construction work commencing.	Noted. Not applicable to this DA.
4.22 Typical cross sections shown on VKL Consulting drawing no 5502-05-03A for roads 1,2,6 and 7 shall be amended to delete the concrete dish crossing/drain, this will remove the interface between road pavements and the concrete drain. The standard 3.0% cross fall shall extend to the outside of the parking lane where kerb and gutter shall be constructed.  Council will consider the implementation of the typical cross section on drawing 5502-05-03A for roads 1, 2, 6 and 7 if alternative materials specification and design such as concrete are used for the parking lanes.	Noted. Not applicable to this DA.
4.23 Roads 14 and 25 shall have a minimum reserve width of 11.5 metres to conform with "Characteristics of Roads in Wilton Parklands" table in Development Control Plan No. 56 Wilton Park.	Noted. Not applicable to this DA.
4.24 The asphaltic concrete depth for A1 and A2 roads shall be a minimum 50 mm and the remainder of roads shall be a minimum 40 mm.	Noted. Not applicable to this DA.
4.25 The applicant shall provide test report(s) on asphaltic concrete works in public road(s) including certification of material, thickness and compaction from a qualified pavement engineer in compliance with relevant Australian Standards and RTA specifications.	To be addressed at CC Stage.

Conditions	Assessment
4.26 Street Lighting shall be provided within the subdivision to comply with the current Australian Standard and shall be certified by an Integral Energy approved design consultant. The street lighting shall be installed for energy efficient design and operation.	Noted.
4.27 Transport, access and movement are to be provided in accordance with Section 6.11 of DCP 56 Wilton Park. Details for which are to be submitted to Council for approval prior to the issue of a Construction Certificate.	Not applicable.
4.28 The applicant shall, at no cost to Council, dedicate 4m x 4m splay corner at the road junctions to maintain sight lines.	Noted.
4.29 All infrastructure is to be designed to incorporate energy efficient materials including recycled materials where appropriate.	Complies. Energy efficient materials have been used where possible.
4.30 Acoustic noise barriers must be constructed in accordance with the requirements of the consent to Development Application ID1556-04 for the Entry Road prior to the release of any subdivision certificates for lots that will be used for residential development.	Noted.
4.31 A shared pathway 2 metres wide including safe crossing points for crossing roads shall be provided connecting all parklands to the shared pathway network. Details of this are to be provided on the Engineering Plans.	Noted.
4.32 There shall be no advertising signs that are visible from the Hume Highway. There shall be no advertising signs other than one real estate sign (subject to separate approval) visible from Picton Road	Complies. No advertising signs are proposed in this DA.
4.33 For all shareways the surface finish and grades shall comply with AS1428-1-2001 for accessibility. Rest areas (paved laybys) with seating and shade shall be constructed at regular intervals and at convenient locations - such as parkland areas	Noted.
4.34 Design and construction of shareways shall be generally consistent with Austroads Guide to Traffic and Engineering Practice.	Noted.
4.35 Shareways are to be provided with shade trees compatible with the spatial restrictions of the footpath reserve and pavement type with a canopy structure that does not obscure the line of sight for pedestrians, cyclists and motorists.	Noted.
4.36 Bus stops, including the pavement surrounding the bus stop and the pathway between the bus stop and the road edge shall be designed to be fully accessible. Bus stops shall be provided with seating, shelter, lighting and public transport information. Safe crossing points shall be provided in the vicinity of all bus stops.	Noted.
4.37 The works for the entry road approved under Development Application ID1556-04 shall be completed prior to _the release of the subdivision Certificate for any lots to be used for_ residential development.	Complies. Works have been completed.
4.38 All road works along Picton Road shall have regard to the need for equitable distribution of runoff to existing farm dams. Details shall be provided on the Engineering Plans demonstrating compliance with this requirement.	Complies. Works have been completed.
<b>5. STREET TREES</b>	
These conditions are imposed to ensure that street trees are sensitive to the environment in which they are located.	
5.1 Alternative types of tree protection to those proposed must be approved by Council prior to the commencement of works and shall only be approved where Council believes the change to be beneficial.	Noted.
5.2 Plans shall be provided that details the location of all utility services, shareways and street trees all on the one plan.	Refer to the Civil Engineering plans at Appendix A, the streetscape tree plan at Appendix N.

Conditions	Assessment
<p>5.3 The following street trees species shown on Delfin Lend Lease Landscape Concept Design plan drawing no LO12-B are unacceptable as street trees and are not permitted:</p> <ul style="list-style-type: none"> <li>• Angophra costata</li> <li>• Plantus x acerifolia 'Columbia'</li> <li>• Allocasuarina littoralis</li> <li>• Eucalyptus heamastoma</li> <li>• Gleditsia triacanthos</li> <li>• Populus nigra</li> <li>• Liquidamber styraciflua</li> </ul> <p>Except that Plantus x acerifolia 'columbia', Populus nigra and Liquidamber styraciflua will be considered in limited locations where it can be demonstrated that the issues relating to ongoing maintenance and impact on infrastructure can be resolved.</p>	<p>Complies.</p> <p>None of these trees are proposed. Refer SEE and Streetscape Master Plan (Appendix N).</p>
<p>5.4. All street trees and landscaping located within Public Roads and Public Reserves shall be maintained for a 12 months defects liability period from the date of the release of each subdivision certificate for a subdivision creating residential lots. A bond shall be paid, with the amount determined at the time, to Council for a period of 3 years thereafter to cover the cost of replacing trees or landscaping that dies or is damaged irrevocably.</p>	<p>Noted. Street trees will be maintained in accordance with the consent and a bond will be paid.</p>
<p><b>6 DRAINAGE/STORMWATER</b></p> <p>These conditions have been imposed to ensure drainage/stormwater is appropriately managed.</p>	
<p>6.1 Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.</p>	<p>Complies.</p> <p>Refer to Stormwater Compliance Letters (Appendix K) and Engineering plans at Appendix A.</p>
<p>6.2 A drainage system shall be provided that ensures appropriate management of stormwater on all newly constructed roads. A drainage system shall be provided to collect and convey runoff from storms up to the 10% AEP to a point suitable for integration with a suitable natural or constructed stormwater drainage system. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP.</p>	<p>As above.</p>
<p>6.3 An interallotment drainage system shall be provided for those lots not able to discharge stormwater by gravity flow to the road gutter or suitable Council drainage system.</p>	<p>As above.</p>
<p>6.4 Council drainage easements are to be minimum 3.0 m wide but may be larger depending on the size of the drainage structures. Typically, a suitable grassed swale will need to be constructed within the easement to convey the 1% AEP Overland flow.</p>	<p>As above.</p>
<p>6.5 Drainage is to be carried out in accordance with Council's adopted Stormwater Management Strategy by J Wyndham Prince &amp; Associates.</p>	<p>This condition has been superseded. Refer Condition 7 (3) of consent orders.</p>
<p>6.6 A 'base case' of the pre-development conditions of the Stage 1 site is to be established and provided to Council prior to the commencement of stage 1 works within 250m of Stringy Bark Creek. The 'base case' is to include information on the Stringy Bark Creek watercourse recorded at 5 locations as defined in Condition 6.13, that include an assessment of the water course within a 10m x 10m quadrant in terms of vegetation (including aquatic vegetation), aquatic vertebrates and invertebrates, BOD, turbidity and other suspended and dissolved particulates.</p>	<p>Noted. Stage 1 has been completed.</p>

Conditions	Assessment
6.7 A watercourse monitoring plan demonstrating how the existing environment detailed in the information provided for condition 6.6 will be monitored shall be submitted to Council for approval prior to the release of the Construction Certificate. The watercourse monitoring plan shall be included in the water quality monitoring regime required under condition 6.13.	Noted.
6.8 Stormwater treatment for each Stage of the development is to be independent of consequent stages so if no further stages were to be constructed then the stormwater treatment system would treat water to the appropriate levels.	Refer to Stormwater report at Appendix K.
6.9 Stormwater runoff from the site for storm events up to the 1 year ARI are to be treated to the Healthy Rivers Commission 1998 water quality standards for Urban areas - Main Stream in the Hawkesbury Nepean River. Litter and sediment pollution is to be treated to Upper Nepean River Catchment Management Plan 1999 standards. Evidence that the proposed stormwater treatment system is achieving these guidelines is to be included in the water quality monitoring regime under condition 6.14.	As above.
6.10 The golf course is to remain a 'closed loop' in relation to water runoff for all storm events up to and including the 1 year ARI.	Noted.
6.11 An Operation and Maintenance Plan for the management of the constructed and natural water bodies associated with this development is to be approved prior to the issue of the Construction Certificate.	Noted.
6.12 A soil moisture monitoring regime for the Stage 1 site is to be implemented within the development site that will prevent over-watering of the site. Monitoring of the soil characteristics should also be undertaken bi-annually at each of the water logging monitoring points for the build up of nutrients and toxicants within the soil. Monitoring shall commence at the establishment phase of vegetation for the golf course. This testing is to be undertaken by a suitably qualified person and analysed at a NATA accredited laboratory. The results of this testing are to be forwarded to Council within seven (7) days of receiving the results.	Noted.
<p>6.13 A water quality monitoring regime is to be implemented for the site and undertaken for 5 years after the subcatchment is fully developed. This will include data logger monitoring with Stringy Bark Creek at the following locations:</p> <ul style="list-style-type: none"> <li>• Along the two southern branches of the creek</li> <li>• At the confluence of the two southern branches</li> <li>• At the confluence of the western branch of the creek</li> <li>• Immediately prior to the confluence of the Stringy Bark Creek and Allens Creek</li> </ul> <p>This monitoring shall evaluate those features detailed in condition 6.6 and shall test BOD, total nitrogen, total phosphorous, nitrite, nitrate, oil and grease, total suspended solids and surfactants. Monitoring shall commence prior to the commencement of Construction and sampling shall be undertaken every three months from the date of the first data obtained. This testing is to be undertaken by a suitably qualified person. The results of this testing are to be forwarded to Council within seven (7) days of receiving the results.</p> <p>Should the results of the monitoring indicate over a sustained period of time that the treatment system is not performing to the standard required then measures shall be put in place to ensure treatment meets the required water quality objectives.</p>	Noted. Refer Condition 2 of consent orders.
6.14 Only water is to be stored in the underground storage tanks that are constructed in the Environment Protection Zone. The tanks should avoid vegetated areas where possible. Filling should be minimal and the area should be rehabilitated with suitable species. Detailed plans are to be provided with the Engineering Plans, approved by the Principal Certifying Authority and approved prior to the issue of the Construction Certificate.	Noted.
<b>7 EARTH FILL</b> To ensure the safe disposal of fill the following conditions are imposed:	

Conditions	Assessment
7.1 All filling on the site, including footpath areas, shall be compacted to not less than 95% Standard Compaction. A report on the site filling is to be submitted in accordance with Wollondilly Shire Council's Construction Specification by an appropriately qualified Geotechnical Engineer or Soil Scientist. Such a report shall be supported by a survey plan of the site indicating the areas filled and depth of fill in relation to the lot boundaries.	Refer to Civil Engineering Plans at Appendix A.
7.2 There being no loss of support of the drainage easement as a result of excavation or filling within the site.	As above.
7.3 There being no loss of support or encroachment of fill onto adjoining lands as a result of excavation or filling within the site	As above.
7.4 Only clean fill is to be used in regard to this development. In this regard, clean fill includes natural materials such as earth, rock and stone. Under no circumstances is any other material to be used. In this regard, no building, demolition or putrescible wastes are to be utilised. The applicant is advised that concrete and other materials sourced from the removal of infrastructure, such as roads, is not considered to be clean fill in relation to this condition.	Complies. Only clean fill will be utilised. This will be detailed in the Audit Report at CC stage.
7.5 The applicant is to provide Council with an Audit Report of the fill to be used in carrying out this Development Application, prior to commencing works and a final statement at the practical completion of works. The Audit Report is to be carried out by a suitably qualified and practising professional.	As above.
7.6 Filling in the Environmentally Significant Area shall be limited to those areas marked as red on the Wallis & Moore Pty Ltd Drawing No. 23310 P23 Issue 00 dated 9/3/06.	Noted.
<b>8 INSPECTIONS</b>	
These conditions have been imposed to ensure that the structure is constructed to an approved standard and related approvals.	
<p>Attention is drawn to the requirement for inspections and approval by Principal Certifying Authority, at the follow stages of the development:</p> <ul style="list-style-type: none"> <li>• Prior to commencement of any construction work in the site, after erosion and sediment control and traffic control measures are implemented</li> <li>• When drainage lines have been laid, jointed and bedded, prior to backfilling</li> <li>• Prior to pouring of the drainage pits, when the formwork and steel is in place</li> <li>• Prior to pouring of the road drainage culverts, when the formwork and steel is in place</li> <li>• When roadworks have been excavated to subgrade, prior to placing of pavement</li> <li>• When subsoil drainage lines have been excavated and drainage pipe laid prior to placing filter material</li> <li>• When part of the pavement depth (as indicated by Council) has been placed</li> <li>• During the roller test, which is to be carried out using a three point roller or approved equivalent At completion of pavement shaping, prior to priming</li> <li>• At completion of the preparation of kerb and guttering subgrade</li> <li>• At completion of the preparation of all concrete layback gutter crossing subgrade</li> <li>• Prior to pouring vehicle crossing slabs, when formwork and steel is in place</li> <li>• At practical completion of works</li> <li>• At final completion of works (minimum of 12 months after date of issue of practical completion certificate)</li> </ul> <p>Note: it is the responsibility of the applicant or contractor to notify Council when inspections are required. Failure to notify Council may lead to additional work being required prior to issue of inspection certificates. A minimum of 48 hours notice is required for inspections. Bookings can be made by phoning Council of (02) 4677 1132 during office hours.</p>	Noted. Refer also Condition 11 of Consent Orders.
<b>9 EROSION AND SEDIMENT CONTROL</b>	
These conditions have been imposed to minimise the impact of the development on the environment and on adjoining properties.	

Conditions	Assessment
9.1 Erosion and sediment control devices are to be installed prior to any construction activity on the site. These devices are to be maintained for the full period of construction and beyond this period where necessary.	Noted. Refer also Condition 8(3) of Consent Orders. Erosion Sediment Controls be installed. Refer to SEE and accompanying SWMP (Appendix A/K).
9.2 Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.	Noted. Refer also Condition 8(2) of Consent Orders. Vehicles will be controlled in accordance with the SWMP.
9.3 Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.	Noted. Refer also Condition 8(4) of Consent Orders. Topsoil will be stockpiled and reused. Refer to SEE and accompanying SWMP.
9.4 All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.	Noted. Refer also Condition 8(1) of Consent Orders. Disturbed areas will be stabilised in accordance with the SWMP.
<b>10 LANDSCAPING</b>	
To reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.	
10.1 Compliance with the provisions of Council's Tree Preservation Order. Under the order a person shall not, except with the consent of Council, ringbark, cut down, top, lop or wilfully destroy any tree which: Is greater than 3m in height; Has a girth greater than 45cm at a height of 1m from the ground; Has a branch spread greater than 3m.	This has been superseded by consent Orders Condition 4 (a). The proposal seeks to remove vegetation pursuant to the above condition.
10.2 Detailed landscaping plans for all works associated with Stage 1 of this consent complying with the requirements of the various related conditions of this consent shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.	Complies. Stage 1 has been completed and detailed landscaping plans have been submitted.
10.3 Landscaping is to be installed in accordance with the approved Landscaping Plans prior to the release of the linen plan to the extent that they relate to the linen plan being released.	Noted.
10.4 All new landscaping except grasses shall include a selection of locally indigenous species. At least 50% of plants used in all landscaping works shall be locally indigenous species. In the case of road reserves a minimum of 20% of plantings shall be locally indigenous species. All public open space areas shall comprise 100% locally indigenous species. A plan detailing the numbers to be planted of each species is to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate. All plantings in the environmentally significant land shall be locally indigenous species.	Noted.
10.5 All landscaping works outside the golf course shall be designed to be low maintenance and provide a safe environment.	Noted.

Conditions	Assessment
10.6 Any trees planted in the parkland adjoining lots 36 and 37 in community scheme 2 shall be at least 5 metres from the boundary of these lots and shall not include any trees which would overhang this 5 metre setback to ensure adequate space is available in this location for access by a fire fighting vehicle should the need ever arise.	Noted.
10.7 The two windrows running north-south along the eastern spur of the site shall be retained.	Complies. The windrows have been maintained.
10.8 Where facilities such as playground equipment, barbeques, picnic facilities, shelters, seating and the like are provided within the public open space these facilities shall be accessible by a pathway that complies with the requirements of Australian Standard AS1428- 1 (2001) and designed for universal use and shall be connected to the shared pathway network throughout the development.	Noted. This proposal does not seek consent for the construction of recreational facilities. This will be addressed in future applications.
10.9 All artificial watering of landscaping must use water drawn exclusively from the re-use water to be provided from the dual reticulation system once this system has been established. If this water from time to time becomes unavailable then the use of alternate sources may be considered subject to approval from Council and any other relevant authority dependant on the source.	Noted.
<b>11 ENVIRONMENTAL MANAGEMENT</b>	
These conditions have been imposed to minimise the impact of development on the natural environment.	
<p>11.1 A Weed and Pest Eradication and Management Plan for the Stage 1 works and the environmentally significant land is to be prepared by a suitably qualified and experienced person(s) prior to the release of the Construction Certificate and shall include:</p> <ol style="list-style-type: none"> <li>An inventory of all Noxious and Environmental Weeds on the development site and a site plan indicating weed infestations with referenced to the species and degree of infestation (ie. Low, Medium or High);</li> <li>A Treatment Schedule in tabulated form, specifying for each species: <ul style="list-style-type: none"> <li>the method of treatment (mechanical, herbicide use or cultural such as pasture improvement or grazing);</li> <li>the rates of application methods of all herbicide treatments;</li> <li>the primary control treatment to achieve a minimum 70% kill and a secondary control treatment to achieve a minimum 90% kill; and</li> <li>the timing of all treatments.</li> </ul> </li> <li>An annual weed maintenance programme indicating the methods to be implemented to maintain a weed-free site.</li> <li>Details of any methods of disposal of weed material.</li> <li>An inventory of all activities of pests identified on the site and proposed measures to eliminate the pests and prevent the recurrence of pest animals within the site.</li> </ol> <p>Council may require a bond or bank guarantee to be held over the duration of the works for the control of weeds and pests in accordance with an approved Weed and Pest Eradication and Management Plan. Failure to control weeds in the manner specified may result in the forfeiting of all or part of the bond or bank guarantee for use by Council in environmental improvement works.</p>	Noted. A Waste and Pest Eradication Management Plan for Stage 1 and environmentally significant land and has since been updated in accordance with the Consent Orders. Refer to accompanying WEMP at Appendix I.
11.2 All primary treatment measures identified for the development in the Weed and Pest Eradication and Management Plan referred to in condition 11.1 shall be carried out prior to the release of any Subdivision Certificate for any lots to be used for residential development under this consent.	Noted. Stage 1 is complete and the treatment measures above have been implemented.
11.3 A certificate from a suitably qualified person that the initial treatment measures identified in the Weed and Pest Eradication and Management Plan is to be submitted to Council prior to the release of the Linen Plan of Subdivision. A certificate from a suitably qualified person that the follow up treatments identified in the Weed and Pest Eradication and Management Plan shall be provided to the Principal Certifying Authority (3) months after the release of the linen plan.	As above.

Conditions	Assessment
11.4 Submission to Council for approval of a bushland management plan that contains all of the information specified in section 6.4.2 of Council's Development Control Plan No. 56 - Wilton Park prior to the release of the construction certificate.	Complies. A Bushland Management Plan was prepared and has since been updated in accordance with the Consent Orders (Appendix C2). Refer to accompanying BMP at Appendix E.
11.5 A management plan for koalas and koala habitat prepared by a suitably qualified and experienced ecologist shall be submitted to Council for approval prior to the release of the Construction Certificate.	Complies. Koala Management Plan (KMP) was prepared and has since been updated in accordance with the Consent Orders. Refer to accompanying KMP (Appendix H).
11.6 Domestic pets shall have reasonable access under controlled conditions to nominated shared pathways, public roads, nominated areas of parklands and publicly accessible areas within Precincts 8 and 9.	Noted.
11.7 Domestic pet shall not have access to environmentally significant land. This requirement shall be incorporated into the Neighbourhood Management Statements and shall be communicated to the residents/public through signage and education. A plan showing the wording and location of this signage shall be submitted with the Engineering Plans for approval of the Principal Certifying Authority with the Construction Certificate. The signage shall be installed prior to the release of any Subdivision Certificates under this consent.	Will be addressed during the CC stage as part of the Fairways North and Golf subdivision.
11.8 A salinity assessment is to be carried out for the site of the 8 holes of the golf course to which this consent refers prior to the issue of the Construction Certificate. The assessment shall be completed in accordance with "Site Investigations for Urban Salinity" published by the Department of Land and Water Conservation 2002. Electrical Conductivity levels of the soil are to be calculated using the EC (1:2) method. Recommendations from the assessment are to be incorporated into the development and identified in the Engineering Plans or Environmental Management Plan as appropriate.	N/A Golf course does not form part of this application.
11.9 Further Salinity investigations are to be undertaken in accordance with the recommendation outlined in the Phase 1 Salinity Assessment Community Association Schemes Nos 1 and 2 Wilton Parklands. The results of Phase 2 Salinity assessment are to be provided to Council prior to the issue of the Construction Certificate.	Phase 2 Salinity Assessments have been carried out and are attached at Appendix S.
11.10 All construction measures recommended in either the Phase 1 Salinity Assessment or the Phase 2 Salinity Assessment shall be incorporated into Construction Activities for the development.	Noted.
11.11 Sample site S3 identified in the Phase 1 Salinity Assessment requires ongoing monitoring. A monitoring program shall be submitted to the Principal Certifying Authority with the Engineering Plans.	Noted.
11.12 Soil disturbance at a depth of 0.75 metres or greater should be minimised to reduce the potential for aluminium and magnesium to be transported to the surface.	Noted.
11.13 A targeted survey of trees in the vicinity of works adjacent to environmentally significant land shall be undertaken prior to any construction works in that area to determine if Aboriginal scar trees are present. The survey shall be undertaken by an appropriately qualified person and the results provided to the Principal Certifying Authority prior to the commencement of works.	Refer to Cultural Heritage Assessment Report at Appendix L.

Conditions	Assessment
11.14 A targeted survey for Grevillia Parviflora shall be undertaken prior to the commencement of works within 200 metres of the environmentally significant land by an appropriately qualified person of the area of works. The results of the survey shall be provided to Council within 7 days of the survey. Should grevillea Parviflora be found a Management Plan shall be prepared prior to the commencement of works in its vicinity.	Noted.
11.15 A Waste Management Plan for Construction stage of the development shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.	Noted.
11.16 A targeted study is to be undertaken in the vicinity of Stringy Bark Creek near the southern boundary of the site for the Red Crowned Toadlet prior to the commencement of works within 200 metres of the study site. The results of this study are to be provided to Council within seven working days of receipt by the applicant and prior to the commencement of works within 200 metres of the study site. Should the Toadlet be identified, a Management Plan shall be prepared.	Noted.
11.17 The development shall be completed and all works carried out in accordance with the approved Weed and Pest Eradication and Management Plan, Bushland Management Plan, Koala and Koala Habitat Management Plan and Bushfire Management Plan at all times.	Noted. Refer to updated plans for details.
<b>12 ABORIGINAL SITES</b> These conditions have been imposed to ensure that Aboriginal Sites are looked after in accordance with the requirements of the National Parks and Wildlife Act, and the Indigenous Heritage Conservation Management Plan prepared by Kayandel Archaeological Services.	
12.1 The destruction, removal or relocation of an item or place of Aboriginal significance is only permitted with the approval of the National Parks and Wildlife Service under Section 90 to the National Parks and Wildlife Act, 1974. Should any items or places of Aboriginal significance not previously discovered be identified or uncovered during construction then all works in its vicinity are to cease immediately and the Director-General of the National Parks and Wildlife Service and the Local Aboriginal Land Council shall be notified immediately.	Noted.
12.2 The location of rock shelter sites, in particular those containing artwork and motifs shall not be publicised	Noted.
12.3 Selected plantings are required to be undertaken to deter casual visitation to the general vicinity of rock shelters and also to prevent easy identification of shelters sites, in particular from any elevated crossing to Stringy Bark Creek. Prior to the release of any subdivision certificate associated with this consent certification shall be provided from a person with appropriate qualifications in Aboriginal Heritage that such plantings have been installed where necessary. All plantings shall be of local indigenous species and should not be sited within the immediate confines of each shelter or its associated PAD.	Noted. Subdivision certification has been issued for the consent.
12.4 A monitoring program for the Aboriginal sites shall be developed by an appropriately qualified person in consultation with local Aboriginal Community Representatives and submitted to Council for approval prior to the issue of the Construction Certificate. The program must identify the presence, nature and degree of deterioration of the Aboriginal sites over time. This program must be commenced by the developer prior to the release of any construction certificates under this consent. Prior to the release of the Subdivision Certificate for any lots to be used for residential development evidence must be provided that the future program will be co-ordinated and funded by the Wilton Parklands Environmental Trust.	As above.
12.5 At all time all contractors and other visitors onto the Wilton Parklands development area, during the preliminary phases of development, shall be made aware of the general locations of the Aboriginal sites in conjunction with the legislative protection afforded to these sites.	Noted. The Construction Management Plan will include induction procedures to ensure any employees are made aware of the general locations of the Aboriginal sites. Refer Condition 13 of Consent Orders.

Conditions	Assessment
<b>13 COMMUNITY SERVICES</b> These conditions are imposed to mitigate the potential social impacts from the development.	
<p>13.1 A Community Liaison Officer shall be engaged to provide assistance to potential new residents for at least 2 days per week prior to the release of the Occupation Certificate for any dwellings. The position shall be appointed by the Developer for a minimum of 3 years.</p> <p>This officer shall consult with relevant government and non-government agencies in identifying areas for the provision of quality social infrastructure, through community development, cultural, social, educational and youth activity programs, particularly in relation to the provision of appropriate and accessible human and community services.</p> <p>The position shall also encourage the development of specific bodies and programmes to facilitate the integration of the incoming population within the existing community of Wilton. This position shall be accountable to the Developer and shall be generally consistent with the objectives and outcomes of the Wollondilly Shire Council's Community Social Plan.</p> <p>The applicant may seek to satisfy the requirements of this condition by entering into a planning agreement in accordance with the Act on terms and conditions which are acceptable to Council, but there is no obligation to do so.</p>	Noted.
13.2 The Accessible Community Bus must provide links with all community services.	Noted.
<b>14 SERVICES</b> These conditions have been imposed to ensure that an adequate level of services are provided for the development:	
14.1 Electricity supply is to be made available to all proposed lots in accordance with the requirements of Integral Energy. The service to all residential lots shall be underground. In this regard, written confirmation from Integral Energy that suitable arrangements have been made shall be submitted to the Principal Certifying Authority prior to the release of the Linen Plan for the Subdivision Certificate.	Noted. Utilities are available to all lots.
14.2 Provision is to be made for the supply of telephone services to all proposed lots in accordance with the requirements of Telstra. The service to all residential lots shall be underground. In this regard, written confirmation from Telstra Australia that arrangements have been made shall be submitted to the Principal Certifying Authority prior to the release of the Linen Plan for the Subdivision Certificate.	Noted. Communications are available to all lots.
<p>14.3 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site <a href="http://www.svdneywater.com.au">www.svdneywater.com.au</a> then the "e- Developer" icon or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, 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.</p>	Noted. A Section 73 certificate will be obtained as required.
14.4 Every residential allotment approved in this consent must be serviced by the proposed reticulated sewerage system prior to the release of the Subdivision Certificate for that lot.	Noted. The sewerage system is operational for the site and each lot will be connected.
14.5 An approval to operate the sewage treatment plant under section 68 of the local Government Act shall be obtained from Council prior to the release of the Occupation Certificate for any dwellings or any other buildings to be serviced by this system and prior to the commissioning of the sewage treatment plant.	N/A
14.6 Infrastructure, including sewerage, shall wherever possible be located outside the environmentally significant land and riparian areas.	Noted.

Conditions	Assessment
<b>15 SECTION 94 CONTRIBUTIONS</b> To ensure the adequate provision of public facilities required as a result of the development the following conditions apply:	
15.1 Payment of a contribution for 215 additional lot in accordance with the Wollondilly Section 94 Contribution Plan 2000 the cost of which will be determined and payable at the time of the release of the Subdivision Certificate. These figures are reviewed quarterly.  The current amount payable is: <ul style="list-style-type: none"> <li>(i) Community Facilities \$ 198,230</li> <li>(ii) Library Facilities \$ 65,145</li> <li>(iii) Recreation Facilities \$ 415,810</li> <li>(iv) Bushfire Facilities \$ 34,400</li> <li>(v) Tree planting \$ 16,985</li> <li>(vi) Animal management \$ 16,985</li> <li>(vii) Roads and Traffic \$1,472,105</li> <li>(viii) S.94 Management \$ 110,940</li> </ul> TOTAL \$2,330,600  A partial payment proportional to the number of lots in each linen plan will be accepted at the time of release of the subdivision certificate. The applicant may seek to satisfy the requirements of this condition by entering into a planning agreement in accordance with the Act on terms and conditions which are acceptable to Council, but there is no obligation to do so.	N/A
<b>16 SUBDIVISION PLANS</b> <ul style="list-style-type: none"> <li>a) To outline the minimum development standards and provide design guidelines for the subdivision of the land in the Shire.</li> <li>b) To outline Council's requirements on work standards for the construction of land subdivision.</li> </ul>	
16.1 Submission to Council of the Linen Plan of Subdivision together with nine (9) copies suitable for certification by the General Manager and lodgement at the Land Titles Office. A fee for the release of the Subdivision Certificate applies.	Hard copies will be provided for this DA as required.
16.2 Existing easements, natural watercourses and dams are to be marked on the Linen Plan of Subdivision.	Noted.
16.3 The development shall be completed in accordance with the relevant plans and conditions of consent prior to the release of the Linen Plan.	Noted.
16.4 An 88B instrument shall accompany the linen plan of subdivision that relates to proposed lots 60, 61 and 62 that adjoin the environmentally significant land to require that dwellings must have living areas and private open space oriented towards the environmentally significant land unless this issue has been adequately addressed in the Neighbourhood Management Statement.	Noted.
16.5 Subdivision to effect individual title to each allotment in the Community Title Scheme shall be undertaken in accordance with the Community Land Development Act, 1989 and Community Land Management Act, 1989.	Noted.
16.6 Submission to Council of an approved Development Contract, Management Statement and associated documentation under the Community Land Development Act, 1989, and Community Land Management Act, 1989, for lodgement at the Land Titles Office.	Noted.
16.7 Maintenance of the acoustic walls and associated landscaping constructed under Development Consent No. 101556-04 shall be the responsibility of the Community Association for Wilton Parklands and is to be detailed in the Community Management Statement required to be submitted in accordance with condition 16.6.	Noted.

Conditions	Assessment
16.8 The neighbourhood management statement must require that all dwellings must have access to the use of recycled water for toilet flushing.	Noted.
16.9 The Community Association(s) created by the subdivision of the land the subject of this consent must: <ul style="list-style-type: none"> <li>a) become and remain a member of the umbrella organisation that governs landowning and non-landowning members of the greater Wilton Parklands community, on and from the date the umbrella organisation is formed; and</li> <li>b) comply with the constitution of the umbrella organisation including the funding of the activities of the umbrella organisation.</li> </ul>	Noted.
16.10 The Applicant must, at the time of registration of the Community Plan(s) which subdivides the land the subject of this consent, create a positive covenant(s) under s88B of the Conveyancing Act 1919 on the title(s) for the community property of the Community Association(s) benefiting the Department of Planning and Wollondilly Shire Council which require continuing compliance by the Community Association(s) with the terms of this consent and in particular the terms of condition 16.9.	Noted.
16.11 Asset protection zones are to be indicated in a Linen Plan of Subdivision and included in the Section 888 Instrument to be registered with affected lots. The NSW Rural Fire Service is to be noted as an interested party to the Section 888 instrument.	Noted.
16.12 All gas extraction wells must be contained within allotments for parkland, the golf course or environmentally significant land.	Noted.
16.13 All infrastructure (pipelines) connecting gas extraction wells shall be located within public road reserves and other publicly accessible land wherever practical.	Noted.
16.14 All purchasers shall be appropriately advised of the possible future implications for property ownership and use in proximity to mining infrastructure. This shall be done through the creation of an instrument under section 88 of the Conveyancing Act.	Noted.
16.15 All intending purchasers shall be clearly advised in sales contracts and through the neighbourhood management statement that it is a requirement of Wollondilly Local Environmental Plan, 1991 that prior to Council approving any residential development on the land, Council must be provided with a report prepared by a suitably qualified and experienced coal geologist that examines the risk relating to geological anomaly within the coal resource under the land the subject of the proposed development.	Noted. Future dwellings will be subject to compliance with the relevant consent.
16.16 All intending purchasers shall be clearly advised in sales contracts and through the neighbourhood management statement that it is a requirement of Wollondilly Local Environmental Pl.fill, 1991 that all dwellings must be located at least 20 m from proposed drainage wells as set out in the Gas Post-drainage Layout Plan, Wilton Parklands November 2005. A copy of the Gas Post-drainage Layout Plan, Wilton Parklands November 2005 must be attached to every contract of sale.	Noted.
16.17 The Neighbourhood Management Statement shall include words that encourage equitable representation on any Committees under the scheme including representation by the eight target groups in Wollondilly Council's Community Social Plan.	Noted. The Neighbourhood Management Statement will continue to apply.
16.18 The Neighbourhood Management Statement must contain public by-laws in the interests of Wollondilly Council that enables public access (i.e. non-residents) to: <ul style="list-style-type: none"> <li>• shared pathways not on public roads</li> <li>• parklands</li> <li>• fire trails in environmentally significant lands</li> </ul>	Noted. The Neighbourhood Management Statement will continue to apply.
<b>17 GOLF COURSE</b>	
These conditions are imposed to ensure the golf course is safe and commenced within a timeframe acceptable to Council.	
17.1 The golf course shall only be used for private recreation by the owners of the land until such time as a sealed access and car park, pro-shop and toilets have been approved and constructed for use by golfers.	N/A – Golf course does not form part of this application.

Conditions	Assessment
17.2 Water quality in the on site water bodies shall be suitable for primary contact under National Health and Medical Research Council Guidelines.	As above.
17.3 An Operation and Maintenance Plan for the management of the constructed and natural water bodies associated with this development is to be approved prior to the use of the golf course.	As above.
17.4 All aspects of the golf course construction and operation shall comply with the requirements of the document The Environmental Strategy for Australian Golf Course (1998) and the document Improving the Environmental Management of New South Wales Golf Courses" (2003) published by the Australian Golf Course Superintendents Association and the NSW EPA.	As above.
17.5 The preparation and implementation of an Environmental Management Plan for the proposed golf course outlining what measures will be taken to ensure that the golf course will be managed to current best environmental practice. This plan shall cover the issues raised in "Improving the Environmental Management of New South Wales Golf Course" published by the Australian Golf Course Superintendents Association, 2003 and shall include ongoing weed management This Plan is to be completed prior to the release of the Construction Certificate for works relating to the golf course.	As above.
17.6 Details are to be provided with the Construction Certificate of alternative water supply sources for the construction phase and on going operation of the golf course if water usage for the site exceeds the volume of water captured and stored on the site.	As above.
17.7 Works are to progress on the golf course at the same time as works for the subdivision of the land. In the regard prior to the release of the subdivision certificate for more than 200_ residential lots at least 9 holes of the golf course shall be constructed (but not necessarily suitable for public use).	Complies. Golf course has been completed.
17.8 If any external lighting is to be erected on the golf course and golf driving range it is to be subject to a separate application to Council.	N/A – Golf course does not form part of this application.
17.9 Irrigation of treated effluent shall be undertaken with regard to the Environmental Guidelines: Use of Effluent by Irrigation (DEC, 2004), and the NSW Guidelines for Urban and Residential Use of Reclaimed Water. Spray from effluent application should not drift beyond the boundary of the effluent utilisation area to which it is applied. Effluent utilisation areas should effectively utilise the effluent applied to those areas. This includes the use of pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Storage dams should be managed such that they will not overtop during periods of wet weather.	As above.
<b>18 OCCUPATION AND USE</b> These conditions have been imposed to minimise the impact of the development on the environment and on adjoining properties and to ensure that the development is consistent with relevant legislation.	
18.1 The golf course shall only be used during daylight hours unless otherwise approved by Council.	N/A – Golf course does not form part of this application.
18.2 Construction works are only permitted between 7.00am to 6.00pm weekdays and between 8.00am and 1.00pm Saturdays. No works are permitted on Sundays and Public Holidays.	Noted.
18.3 Prior to the issue of a Construction Certificate a Plan of Public Safety shall be prepared for the golf course, driving range and parklands and submitted to Council for approval.	N/A – This application does not relate to the golf course, driving range or parklands.
18.4 Except for during construction works, whilst ever the golf course is only suitable for private use under condition 17.1, the site of the golf course shall continue to be used for grazing in conduction with the remainder of the property.	N/A

Conditions	Assessment
<b>19 EARTH DAMS AND WATER FEATURES</b> These conditions are imposed to ensure dams are constructed to an acceptable standard	
19.1 All water bodies shall be designed and constructed to conform to DCP 21 "Earth Dams", Council's Design Code DCP & Construction Specification.	Refer to Engineering Drawings at Appendix A.
19.2 Engineering plans of the dams and water features shall be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.	As above.
19.3 All construction work shall be certified by a Geotechnical Engineer. This Certification shall be provided to the Principal Certifying Authority within 28 days of the completion of each water body.	Noted. To be addressed post approval.
<b>20 FUTURE SITE DEVELOPMENT</b> These conditions are imposed to ensure that further and future development of the site will satisfy the requirements of Wollondilly Local Environmental Plan, 1991 and Development Control Plan No. 56 - Wilton Park.	
20.1 Unless otherwise required by the Department of Education and Training the school site shall: <ul style="list-style-type: none"> <li>• be serviced by all available utilities</li> <li>• have at least one frontage to a public road which is within the nominated public transport route</li> <li>• have a shared pathway along at least one boundary which has a continuous link to the shared pathways in Section 6.11.3 of this DCP</li> <li>• If located within the investigation area for the gas pipeline easement must be accompanied by a risk assessment</li> <li>• have provision for an off carriageway bus bay and a separate off carriageway pick up / drop off area for cars</li> </ul> Note: Consideration should be given to the establishment of a secondary education facility on the school site.	N/A – This application does not relate to the school site.
20.2 The site for an electricity substation shall: <ul style="list-style-type: none"> <li>• be adequate to accommodate landscaping screening suitable to obscure the substation from view from the Hume Highway and nearby residential and rural residential allotments</li> <li>• have a frontage to a public road constructed at least to the minimum standards of Council's Design Code Development Control Plan to cater for the typical vehicles required to access the site</li> </ul>	N/A
20.3 Where infrastructure (being pipes, conduits, cables and other linear features) is required to cross environmentally significant land and riparian areas it is to be incorporated in a road or shared pathway structure where practicable. The road/pathway structure shall be designed in accordance with "Why do fish need to cross the road? Fish Passage Requirements for Waterway Crossings" (NSW Fisheries 2003). The removal of snags (rocks, branches etc.) from watercourses is a Key Threatening Process and requires the prior notification of NSW Fisheries.	N/A
20.4 Prior to the release of the subdivision certificate for more than 585 residential lots all 18 holes of the golf course shall be completed and suitable for use by the public including the provision of car parking, clubhouse and amenities for staff and visitors.	Complies. Golf course has been completed.
20.5 All future dwellings must be located at least 20 metres from any proposed or existing drainage wells as set out in the Gas Post-drainage Layout Plan, Wilton Parklands November 2005.	Noted.
20.6 All required noise barriers in the vicinity of the Hume Highway shall be designed in accordance with the requirements of section 6.9.3 of Development Control Plan No. 56 - Wilton Parklands. Plans detailing compliance with this requirement must be submitted with any application for subdivision to create lots for residential dwellings within the vicinity of the Hume Highway. All acoustic barriers must be located on privately owned land.	N/A – Noise barriers do not form part of this DA.

Conditions	Assessment
20.7 All parkland within Precinct 9 as identified in the concept plan for Development Control Plan No. 56 shall be suitable for uses typically associated with a village centre and shall include seating areas with suitable shade and shelter, civic space for functions and bicycle parking facilities.	N/A – This DA does not relate to any parkland within Precinct 9 (Greenbridge East)
20.8 All non-residential development shall comply with the controls listed in section 8.1.2 of Development Control Plan No. 56 - Wilton Parklands.	Noted.
20.9 With each development application for future stages of the development, whether or not it includes residential development, shared pathways shall be provided off carriageway in accordance with the plan that indicates the proposed shareway network adopted as part of Development Control Plan No.56 - Wilton Park. A plan showing the location of these shared pathways shall be submitted with each development application and shall show each shareway and pedestrian pathway as 2.0 metres wide.	Shareways are proposed as part of this application. Refer to Engineering Plans at Appendix A.
20.10 A risk assessment that examines the risk associated with unexploded ordnance shall be prepared by a suitably qualified person and submitted with any application for subdivision in the area identified by the Department of Defence (being generally in the vicinity of the Hume Highway) as being an area where unexploded ordnance could be present. This risk assessment shall also detail any required measures to be incorporated into construction activities for subdivision and for any dwelling to be erected on the lots created.	Noted.
20.11 With the development application for Stage 2 a plan detailing the required break up of community floor space for the development having regard to any needs analysis adopted or placed on public exhibition by Council shall be submitted to Council and shall detail the appropriate time frame for floor space provision and type of floor space required.	N/A
20.12 The developer shall actively pursue potential providers of a childcare facility which shall be in close proximity of the commercial village centre and on a site convenient to public transport and pedestrian access and promote this potential business opportunity. Ideally the childcare centre shall include before and after school care services.	N/A – Town centre does not form part of this application.
20.13 All non-residential lots shall be within 50 metres of a shareway except in extenuating circumstances where compliance with this standard would be unreasonable.	N/A – This application relates only to residential subdivision.
20.14 No lots to be used for residential development shall include land within the environmentally significant area.	Complies. Refer to Plans of Subdivision at Appendix B and Engineering Plans at Appendix A.
20.15 Prior to the development application for the subdivision creating the 700th residential lot studies shall be undertaken to determine the level of upgrading required (if any) for Hornby Street West from the development site and Almond Street to Picton Road. The standard of any required upgrading shall be determined in conjunction with the development application for the 700th lot, in accordance with Council's Design Code and AUSTRROADS standards. This may include pavement strengthening and widening and intersection improvements.	N/A
20.16 Any community floor space provided in the proposed Golf clubhouse shall be accessible on an affordable and reasonable basis for all residents and local people of Wilton.	N/A
20.17 Prior to the construction of the 700th residential Lot, a full seagull treatment at the_ junction of Picton and Almond Street shall be constructed to RTA standards and shall be operational.	N/A
<b>21 ERECTION OF SIGNS</b> To satisfy Section BOA (11) of the Environmental Planning & Assessment Act, the following conditions are imposed:	

Conditions	Assessment
<p>21.1 A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:</p> <ul style="list-style-type: none"> <li>a) showing the name, address and telephone number of the Principal Certifying Authority for the work; and</li> <li>b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and</li> <li>c) stating that unauthorized entry to the work site is prohibited</li> </ul>	Noted. To be addressed post-DA.
<p>21.2 The sign is to be maintained while the building work, subdivision work or demolition work is being carried out. The sign must be removed when the work has been completed.</p>	As above.
<b>22 RECLAIMED WATER QUALITY</b> To ensure that reclaimed water is of acceptable quality for toilet flushing, garden irrigation and car washing.	
<p>22.1 The sewage management system shall be designed, installed and operated in accordance with the National Water Quality Management Strategy for Sewerage System - Use of Reclaimed Water, NSW Guidelines for Urban and Residential Use of Reclaimed Water and the most recent edition of the NSW Code of Practice: Plumbing &amp; Drainage published by the Committee on Uniformity of Plumbing and Drainage Regulations in NSW.</p>	Refer to Stormwater Report and Letters of Compliance at Appendix K.

Conditions				Assessment
22.2 Treated effluent shall only be reclaimed for toilet flushing and garden irrigation where the following testing criteria, monitoring requirements and water quality levels have been met.				Noted. Compliance will be achieved noting the requirements within the Consent Orders and DCP.
Final Water Quality				
Parameter	Compliance Value	Sampling Frequency		
		Validation Process	Ongoing	
E.coli or Thermotolerant coliforms	<1/100 ml	Bi-weekly	Monthly	
Total Coliform	<10/100 ml	Bi-weekly	Not required	
Virus1	<2/50 l	Monthly	Not required	
Cryptosporidi1,1m	<1/50 l	Weekly	Not required	
Giardia	<1/50 l	Weekly	Not required	
Turbidity	<2 NTU	Continuous line on-	Continuous on- line	
-	-	-	-	
Disinfection effectiveness	2 0.5 mg/L chlorine free	Continuous line on-	Continuous on- line	
pH	6.5-8.0	Continuous line on-	Continuous on- line	
Biochemical Oxygen Demand (BOD5)	<10mg/l	Weekly	Not required	
Suspended Solids	<10mg/l	Weekly	Not required	
1 Testing should include Enterovirus, Adenovirus, Reovirus, Hepatitis A, Norovirus and Rotavirus				
2 Sufficient to maintain a chlorine residual of 0.5 mg/l throughout the system				
Monitoring of other parameters including those listed in Table 3-3 of the Statement of Environmental Effects dated November 2005 are to be addressed in the Environmental Management Plan required by condition 23.1.				
22.3 The treatment process must be validated for a minimum of three (3) months before supply to the dwellings or garden irrigation is to commence. During the validation period, the treated wastewater is not to be used for toilet flushing, garden irrigation or car washing				Noted.
23 EFFLUENT DISPOSAL				
To ensure effluent disposal occurs in an environmentally acceptable manner.				

Conditions	Assessment
<p>23.1 An Environmental Management Plan shall be submitted to Council after the issue of a Construction Certificate detailing, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• The treatment process;</li> <li>• Screenings/grit removal;</li> <li>• Biosolids removal;</li> <li>• Routine sampling program;</li> <li>• Maintenance;</li> <li>• Emergency contact details;</li> <li>• System failure procedures;</li> <li>• Auditing procedures to detect cross-connections; and</li> <li>• Contingency plans for the management of sewage and water requirements in the event of system failure.</li> <li>• Appropriate signage is to be erected on all tap outlets supplying reclaimed water.</li> <li>• All residents and visitors are to be made aware of the use of reclaimed water for the flushing of toilets, the irrigation of private and public land, or car washing.</li> </ul>	Noted.
<b>24 Advice</b>	
24.1 At all times work is being undertaken with the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.	Noted.
24.2 During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc., that require alteration shall be altered at the applicant's expense and to the satisfaction of Council and the authority concerned	Noted.
<p>24.3 A defects liability period of twelve (12) months will apply from the date of issue of the Certificate of Practical Completion by Council. A 10% maintenance bond, or a minimum of</p> <p>\$1,000, whichever is greater, is to be lodged in accordance with Council's Construction Specification for all work that is to become the property of Council.</p>	Noted.

Conditions	Assessment
<p>24.4 The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to carry the following insurance, copies of which are to be produced to Council upon request:</p> <ul style="list-style-type: none"> <li>• Motor vehicle insurance (comprehensive or property damage) for all self propelled plant, as well as valid registration or RTA permit (Including CTP insurance). Primary producer's registration is not valid registration for use on Public Road construction work</li> <li>• Workers Compensation Insurance</li> <li>• Ten Million Dollar Public Liability Insurance</li> </ul> <p>NOTE: This consent does not permit the commencement of construction unless a Construction Certificate has been issued. For details about obtaining a Construction Certificate contact Council's Development &amp; Environment Division.</p> <p>Therefore, should you wish to proceed on this basis, you are required to submit a Surveyor's Linen Plan and nine (9) helio copies thereof together with a Subdivider/Developer Certificate from Sydney Water.</p> <p>Should you wish to discuss Council's decision or the conditions imposed you may contact Council's Development &amp; Environment Division.</p> <p>Should you feel aggrieved by Council's decision in this matter, or object to the conditions imposed, in accordance with Section 97(1) of the Act you are entitled to lodge an appeal with the Land and Environment Court of New South Wales within twelve (12) months of the date appearing above. Forms for such are obtainable from the Local Court at your request.</p>	Noted.