JOINT REGIONAL PLANNING PANEL
SYDNEY WEST REGION

JRPP No	**2010SYW077**
DA Number	**2196/2010/DA-RA**
Local Government Area	**Campbelltown City Council**
Proposed Development	**Six storey residential apartment building**
Capital Investment Value	**$14,000,000**
JRPP Referral Criteria	**Development exceeds $10million capital investment value**
Street Address	**2-10 Tyler Street and 102 Beverley Road, Campbelltown**
Applicant	**Mosca Pserras Architects Pty Ltd**
Number of Submissions	**Three**
Recommendation	**Approval with Conditions**
Report by	**Andrew MacGee – Senior Development Planner**

Assessment Report and Recommendation

Error! Unknown document property name. containing 72 units, 98 basement car parking spaces, communal facilities and landscaping.

Reporting Officer

Andrew MacGee - Senior Development Officer

Attachments
1. Recommended conditions of consent
2. Locality plan
3. Site and streetscape plan
4. Floor plans
5. Elevation plans
6. Shadow diagrams
7. Landscape plan

Purpose

The purpose of this report is to assist the Sydney West Joint Regional Planning Panel in its determination of the subject development application pursuant to the *Environmental Planning and Assessment Act 1979*.

Property Description	Lots 3 & 4 DP 29034 and Lots 5 – 8 DP 29035 102 Beverley Road and 2-10 Tyler Street, Campbelltown
JRPP Application No.	2010SYW077
Council Application No.	2196/2010/DA-RA
Applicant	Mosca Pserras Architects Pty Ltd
Owner	BJ, MG, MJ and JA Collins, Collins Property Holdings Pty Ltd, S Patara, J and WN Younie
Statutory Provisions	State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development Campbelltown (Urban Area) Local Environmental Plan 2002 Campbelltown (Sustainable City) Development Control Plan 2009
Date Received	13 October 2010

History

A briefing on the subject application was presented to the Joint Regional Planning Panel (JRPP) on 22 December 2010 at Campbelltown Arts Centre. Matters discussed at the briefing included the proposal's relationship with surrounding development, traffic management and compliance with local planning controls.

Introduction

Council has received a development application for the demolition of existing buildings and construction of a multi-storey residential apartment building. Due to the development's Capital Investment Value exceeding $10 million, the application is forwarded to the JRPP for determination pursuant to Clauses 13B and 13F of State Environmental Planning Policy (Major Development) 2005. The proposed development incorporates 76 residential units (1 studio, 3 x 1 bedroom, 57 x 2 bedroom, 15 x 3 bedroom) and 103 car parking spaces located within two basement levels as well as associated landscaping and communal facilities.

The Site

The site is located on the north eastern side of Tyler Street and backs onto the Lomandra School. The site is regular in shape and presently comprises a number of separate allotments. The allotments begin at the intersection of Beverley Road and Tyler Street and continue south east for approximately half of Tyler Street's overall length. The site has an area of approximately 3,325 square metres and has a frontage of approximately 85 metres to Tyler Street and approximately 30 metres to Beverley Road. The site, generally falls towards the north in the order of approximately 3.2 metres.

The site is approximately 1.1 kilometres from Campbelltown Railway Station and a similar distance from the Queen Street CBD core precinct.

The site presently contains six existing dwellings and associated outbuildings.

The immediate environment is characterised by a range of dwelling sizes and styles, including single detached dwellings and to the south, several four storey 'walk up' flat buildings are located along nearby Moore-Oxley Street. A high school, two specialist public schools and range of commercial in-fill style developments are also located nearby on Beverley Road and Chamberlain Street.

The Proposal

The proposed residential units are located within a single building, which presents to Tyler Street and Beverley Road as a six storey high development. Two main levels of car parking and residential storage would be provided below ground level as an enclosed basement. The development is serviced by three elevators, which provide direct access from the basement car parking areas to all levels of the building.

The building features three pedestrian entry points from Tyler Street, with each one leading to a separate entry lobby and elevator. The Tyler Street frontage also incorporates the building's entry driveway and landscaping planter structures. .

A break down of the internal building elements provided on each floor level is provided in the table below:

Floor Level	Units	Car parking spaces	Service Areas	Storage Areas	Recreation Areas
Lower Basement	Nil	61 resident spaces	Nil	Individual cages for several units	Nil

Floor Level	Units	Car parking spaces	Service Areas	Storage Areas	Recreation Areas
Upper Basement	Nil	34 resident spaces, 8 visitor spaces	Nil	Individual cages for several units	Nil
Ground Floor	1 x studio unit, 1 x 1 bedroom units, 7 x 2 bedroom units, 1 x 3 bedroom unit including 8 adaptable units	Nil	3 x Tyler Street entry lobbies, 3 x garbage storage and compaction rooms, meter rooms	Bicycle storage areas	Communal swimming pool, open grassed area, paved outdoor seating space, community room
Level 1	12 x 2 bedroom units* and 3 x 3 bedroom units	Nil	3 lift lobbies	3 x garbage bin storage areas, in unit residential storage areas	Nil
Level 2	12 x 2 bedroom units* and 3 x 3 bedroom units	Nil	3 lift lobbies	3 x garbage bin storage areas, in unit residential storage areas	Nil
Level 3	2 x 1 bedroom units, 9 x 2 bedroom units and 3 x 3 bedroom units	Nil	3 lift lobbies	3 x garbage bin storage areas, in unit residential storage areas	Nil
Level 4	11 x 2 bedroom units* and 3 x 3 bedroom units	Nil	3 lift lobbies	3 x garbage bin storage areas, in unit residential storage areas	Nil

Floor Level	Units	Car parking spaces	Service Areas	Storage Areas	Recreation Areas
Level 5	11 x 2 bedroom units* and 3 x 3 bedroom units	Nil	3 lift lobbies	3 x garbage bin storage areas, in unit residential storage areas	Nil

* Some units are two-storey cross over and are contained on more than one level of the building.

Each apartment typically contains bedrooms, bathrooms/ensuite, kitchen, built in wardrobes, linen closet and combined living/dining areas as well as an internal laundry. Balconies provide private open space to each unit. The development includes two levels of security controlled basement car parking, accessible from Tyler Street.

The proposed development is generally finished in painted pre-cast concrete panels, where differing vertical and horizontal elements are painted in contrasting but compatible colours. Selected wall elements are proposed to be finished with painted wall cladding. Balcony balustrading is a mixture of fixed glass panes and masonry, with aluminium louvres covering some windows/balconies to protect them from afternoon westerly sun and to provide for increased privacy.

The streetscape elevations are articulated, with differing materials, colours and finishes to break up the appearance of the architecture from the streets where the building may be viewed. Side elevations also provide for articulation and varying building elements interspersed with residential apartment balconies and windows. The building height also varies slightly along its length to promote added visual interest and character and to match the falling land gradient. Roof features at the edge of the building also provide interest and would allow for the dispersion of light into certain units. A portion of the entry ramp to the basement car parking areas has been covered by the building above in order to reduce the amount of water flow into the basement car parking area during rain as per Council's requirements.

Landscaping is provided to the perimeter of the building, on its street frontages and side boundaries. The landscaping has been designed to complement the unit and community open space area at the ground floor of the complex.

The external communal swimming pool and paved seating space are all accessed from the ground floor, with male and female amenities provided. Walkways from Tyler Street and the internal lift lobbies lead residents and visitors to the communal open space and internal common room at the rear of the building.

Waste would be managed through the use of a dedicated garbage bin storage room next to each elevator on every floor. The rooms are appropriately sized to be able to store two 240-litre bins, one for recycling collection and one for general waste. The bins would be moved to the ground floor by a caretaker on a rotational basis and stored/compacted within a dedicated garbage store area whilst waiting for collection. The waste would be stored in the service area in conveyor/compactor units and transported by a caretaker to the street for collection. The applicant proposes a weekly collection of both recycling and regular garbage bins from Tyler Street following discussions with Council's Senior Waste Officer and in consultation with Council's waste collection contractor. Green waste would be collected and disposed of via the complex's landscaping maintenance contractor.

Assessment

The development has been assessed in accordance with the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for further consideration.

Section 79C(1)(a) requires the JRPP to consider environmental planning instruments and development control plans that apply to the site.

1. State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) was gazetted on 26 July 2002 and applies to the development of new residential flat buildings (clause 4(1)(a)). SEPP 65 defines a residential flat building as:

A building that comprises or includes:

a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level) and

b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops).

but does not include a Class 1a building or a Class 1b building under the Building Code of Australia.

The proposed development constitutes a residential flat building for the purposes of SEPP 65.

Clause 30(2) of SEPP 65 requires a consent authority, in determining a development application for a new residential flat building, to take into consideration:

a) the advice of a Design Review Panel constituted under Part 3 of the Policy;

b) the design quality of the development when evaluated in accordance with the design quality principles (Part 2 of the Policy); and

c) the publication 'Residential Flat Design Code'.

As Council has not established a Design Review Panel, for the purpose of this application, the JRPP is required to consider only the design quality principles and the Design Code.

Clauses 9 to 18 contain the design quality principles of the Policy. The following discussion sets out an assessment of the development proposal in terms of these principles when having regard to the Residential Flat Design Code.

Principle 1 – Context

As detailed in this report, the existing development context comprises generally low level residential and some commercial in-fill development. However the desired future character of the precinct as expressed in Campbelltown (Sustainable City) DCP should be considered. The proposal before the JRPP is an appropriate design response to the desired future density within the area and reflects nearby approvals for the construction of high density residential apartment buildings (on Chamberlain Street and within Tyler Street itself). The

building addresses both its street frontages and presents an array of articulation measures to create visual interest and reduce the effective bulk of its size.

Principle 2 – Scale

The scale of the proposed development is consistent with the building height and form of development envisaged by Campbelltown Sustainable City DCP (SCDCP). The massing of the building has been articulated in a number of ways to reduce its perceived bulk. The subject site is larger in area than the minimum sought by the SCDCP, thus minimising the potential for inappropriate bulk and scale elements along the boundaries and street frontages of the subject site.

Principle 3 – Built Form

It is considered that the built form of the proposal is appropriate given the context and scale of the building, and the location of the subject site. The façade of the building has architectural merit and would provide for an interesting architectural addition to the precinct.

Principle 4 – Density

The density is consistent with that provided by Campbelltown (Sustainable City) DCP and is commensurate with the increased densities required to reinforce the commercial core of Campbelltown's regional comprehensive centre.

Principle 5 – Resource, Energy and Water Efficiency

The proposed building achieves an acceptable level of energy efficiency. Several of the apartments utilise a design enabling cross-ventilation. Passive solar design principles such as bi-fold doors and louvres would also assist climate control. Energy efficient appliances and water saving devices are to be fitted. The application was accompanied by a BASIX certificate, which demonstrates that the building reached the required water and energy usage savings. The waste management plan detailed for the site facilitates the collection and storage of recyclables as per Council's policy.

Principle 6 – Landscape

It is proposed that on-site communal open space would provide seating, paved areas and a swimming pool for active recreation. These areas have been designed to retain good solar access and to provide a high degree of amenity. Specific planting and hedging has been provided to ground floor units to improve privacy. A range of deep soil plantings have been catered for across the site, utilising trees with mature heights of up to 12 metres.

Principle 7 – Amenity

The design of the proposed residential units generally provides good internal amenity. Balcony areas connect to living areas and are considered satisfactory, providing privacy and solar control by way of being recessed into the main building, and protected by louvres. SEPP 65 also requires a minimum floor to ceiling height of 2.7m, which is standard in all apartments. Solar access has been provided to each of the apartments via balconies accessing each living area and in some of the units, a second balcony to a bedrooms.

Principle 8 – Safety and Security

The building presents an active façade to Tyler Street and Beverley Road, with good views for residents to and from their particular lobby or unit as they access their dwelling from

street level. Basement car parking contains a security shutter at a strategic location to ensure that only residents or accepted visitors with the appropriate electronic ‘key’ can access the car parking area. A comprehensive 'safer by design' statement has been included with the application.

Principle 9 – Social Dimensions

The proposal provides a good mix of apartment types and sizes and provides increased opportunity for residents to live in close proximity to facilities, services and public transport. Eight of the units proposed within the building are 'adaptable' and are dimensioned appropriately to allow for access by people with disabilities and mobility impairments.

Principle 10 – Aesthetics

The design provides a combination of architectural elements, such as varying wall setbacks, feature walls, balconies, roof height variations and contrasting materials which make the building visually interesting and contribute positively to the streetscape. Further interest has been provided through the inclusion of metal framed hoods for the shading of windows and textured balustrades to balconies. It is considered that the proposed development has a high aesthetic value when viewed from the public domain.

A detailed design statement, prepared by the architect, has been submitted with the application and further reinforces the building's compatibility with the SEPP's visual amenity and 'liveability' objectives and standards.

An assessment of the application against the principles and objectives contained in the *Residential Flat Design Code* concludes that the development is generally consistent with design and liveability elements that would ensure a satisfactory level of comfort and amenity for residents and the public.

An assessment summary of relevant portions of the Code is contained below:

Primary development controls

Numeric requirement	Objectives	Comment
Building height No numeric requirement stipulated – use Council’s DCP height standard. Design practice notes provided.	To ensure development responds to the desired scale of the area. To allow daylight access to development and the public domain	Complies with the requirements of the Sustainable City DCP (SCDCP) i.e. 6 storeys.
Building depth Generally 18 metres although buildings may be deeper if adequate light and ventilation is supplied to units.	To ensure the bulk of development is compatible with desired future development. To allow for solar access and natural ventilation. To provide for dual aspect apartments.	Building depth is greater than 18 metres, however , the Code states that “freestanding buildings may have a greater depth if they achieve satisfactory ventilation and daylight penetration”. The building is considered satisfactory in that regard, as detailed later in the report. Apartments are provided with adequate light and ventilation, with most having a north easterly, northern or north westerly orientation.

Numeric requirement	Objectives	Comment
Building separation Rises with building height – 12 metres up to 4 storeys and 18 metres for up to eight storeys.	To provide for deep soil zones and stormwater management To control overshadowing of adjacent properties. To provide visual and acoustic privacy.	Building is 6 metres from side boundaries in accordance with Council's SCDCP. The building does not 'step in' above 4 storeys. Complies with Council's SCDCP setback requirements. Discussed in more detail later in the report.
Side and rear setbacks No numeric requirement stipulated. Design practice notes provided.	To provide for deep soil planting areas. To minimise the impact of the development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings. To maximise building separation to provide visual and acoustic privacy.	Council's SCDCP requires a 6 metre setback to side and rear boundary. The proposal complies.
Street setback No numeric requirement stipulated. Design practice notes provided.	To create a clear transition between public and private space. To allow an outlook and surveillance of the street. To allow for streetscape character.	Council's SCDCP requires 5.5 metre setback. The proposal complies with this requirement.

Site design

Numeric requirement	Objectives	Comment
Deep soil zones No requirement stipulated. Design practice notes provided.	To assist in the management of the water table. To improve the amenity of developments through the retention and/or planting of large and medium size trees	An assessment against Council's requirements is detailed later in the report.
Fences and walls No numeric requirements stipulated. Design practice notes provided.	To define the boundaries between areas having different functions or owners. To provide privacy and security. To contribute positively to the public domain.	The building contains several landscaping planter walls along its front and side boundaries. The walls help to distinguish public and private open spaces, detail the building entry and private open space areas.
Landscape design No numeric requirements stipulated. Design practice notes provided.	To improve stormwater quality. To improve urban air quality. To add value to residents' quality of life within the development. To improve the solar performance of the development	A comprehensive landscaping plan has been prepared for the development. The plan maximises areas provided or deep soil planting and would introduce several large trees at the site, which will ultimately assist in improving solar conditions and provide habitat for birds.

Numeric requirement	Objectives	Comment
Orientation No numeric requirements stipulated. Design practice notes provided.	To optimise solar access to residential apartments and adjacent buildings. To improve the thermal efficiency of new buildings. To contribute positively to the desired streetscape.	The building is orientated as best as possible having regard to the existing street. A BASIX certificate has been submitted with the application which demonstrates satisfactory energy and thermal comfort savings have been made. Apartments have been provided with balconies and windows to gain access to natural light.
Stormwater management No numeric requirements stipulated. Design practice notes provided.	To minimise the impact of residential flat development and associated infrastructure on the health and amenity of natural waterways.	A significant area of deep soil planting is provided in the development. Stormwater capture and management complies with Council's Sustainable City DCP Vol. 2.
Safety No numeric requirement stipulated. Design practice notes provided.	To ensure that residential flat developments are safe and secure for residents and visitors. To contribute to the safety of the public domain.	Crime Prevention Through Environmental Design (CPTED) principles used throughout the development, including lighting, territorial reinforcement of entry and street areas, safe basement car parking area.
Visual privacy No numeric requirement stipulated. Design practice notes provided.	To provide reasonable levels of visual privacy. To maximise views and outlook from principal rooms and private open space, without compromising visual privacy.	Balconies have been aligned to reduce overlooking. Fixtures to balconies such as louvres and sliding screens may be used to reduce overlooking potential.
Building entry No numeric requirement stipulated. Design practice notes provided.	To create entrances that provide a desirable residential identity for the development. To orient visitors. To contribute positively to the streetscape.	Separate entries to be provided for vehicles and pedestrians to increase safety. Visitor and entry from street clearly defined and easily accessible.
Car parking No numeric requirement stipulated. Design practice notes provided.	To minimise car dependency for commuting and to promote alternative means of transport. To provide adequate car parking. To integrate the location and design of car parking with the building and its location.	Car parking would be provided in a two level basement, with minimal impact on the street. Car parking provided complies with the Council's SCDCP requirements.

Building design

Numeric requirement	Objectives	Comment
Apartment layout “Rules of thumb” provided for depth, width and area.	To ensure that the spatial arrangement of apartments if functional and well organised. To ensure that apartment layout provides a high standard of residential amenity. To accommodate a variety of household activities and needs.	Several apartments have a dual-aspect. Single aspect apartments are generally located on the northern facing side of the building to maximise solar penetration of units. Window location and size maximise solar penetration. Apartments comply with BASIX requirements for energy efficiency and thermal comfort. Apartment sizes exceed “rule of thumb” requirements. Depth of apartments complies with “rule of thumb”.
Apartment mix Design practice notes provided.	To provide a diversity of apartment types, which cater for different household requirements now and in the future. To maintain equitable access to new housing by cultural and socio-economic groups.	Building contains a mix of 1, 2 and 3 bedroom units. Complies with Council’s SCDCP.
Balconies Design practice notes provided. "Rules of thumb" provided.	To provide all apartments with open space. To ensure that balconies are integrated into the overall architectural form and detail of the building. To ensure that balconies are functional. To contribute to the safety and liveliness of the street by allowing for casual overlooking.	Balconies meet minimum depth requirement in the "rules of thumb". Balconies are all directly accessible from living areas. Balconies would provide casual surveillance of the street.
Ceiling heights "Rules of thumb" provided	To increase the sense of space in apartments. To promote the penetration of light into the depths of apartments. To achieve quality interior spaces while considering the external building form requirements.	The building complies with the "rules of thumb". A minimum of 2.7 metres would be provided to each unit.

Numeric requirement	Objectives	Comment
Ground floor apartments No numeric requirements stipulated. Design practice notes provided.	To contribute to the desired streetscape of an area and to create active safe streets. To increase the housing and lifestyle choices available in apartment buildings.	Ground floor units provided with terraces and screened from the street by landscaping. Landscaping would provide views to and from the apartment building at street level. Variations in ground height increase privacy and allow for casual surveillance.
Circulation “Rule of thumb” provided. Design practice notes provided.	To create safe and pleasant spaces for the circulation of people and their personal possessions. To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.	The number of units accessed from each corridor complies with the Code’s “rule of thumb” ie. less than 8 units accessed from each corridor. Corridors are wide and would allow for the movement of furniture.
Storage Numeric "rules of thumb" provided. Design practice notes provided	To provide adequate storage for everyday household items within easy access of the apartment. To provide storage for sporting, leisure, fitness and hobby equipment.	"Rules of thumb" in Code are mirrored in Council’s SCDCP. The building complies with the requirements.

Building amenity

Numeric requirement	Objectives	Comment
Acoustic privacy No numeric requirement stipulated. Design practice notes provided.	To ensure a high level of amenity by protecting the privacy of residents.	Busy, noisy areas have been located adjacent to each other within units. Bedrooms kept away from mechanical plant. Party walls between units minimised as much as possible.
Daylight access Design practice notes provided and rules of thumb.	To ensure that daylight access is provided to all habitable rooms. To provide adequate levels of ambient lighting and minimise the need for artificial lighting during the day. To provide residents with an opportunity to adjust the quantity of daylight to suit their needs.	All living areas provided with windows. Awnings provided to windows at balconies to provide for shading during summer. No apartments with single S or SE aspect in the building. Units are provided with the minimum 3 hours of direct sunlight throughout the day.

Numeric requirement	Objectives	Comment
Natural ventilation Rules of thumb provided. Design practice notes provided.	To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air. To provide natural ventilation to non-habitable rooms where possible. To reduce energy consumption.	Majority of units are dual-aspect and provide cross ventilation opportunities.
Facades Design practice notes provided. No numerical requirements stipulated.	To promote high architectural quality in residential flat buildings. To ensure that new developments have facades which define and enhance the public domain and desired street character. To ensure that building elements are integrated into the façade design.	The building has been provided with an array of architectural treatments to enhance its appearance from the street and surrounding properties. Design elements such as varying colours, projecting fin walls and balconies have been provided to break up the building's mass. The building is also sized in a complementary manner to that of existing multi-storey apartment building that would be located within the same street and nearby on Chamberlain Street.

Building performance

Numeric requirement	Objectives	Comment
Energy efficiency No numeric requirement stipulated. Design practice notes provided.	To reduce the necessity for mechanical heating and cooling. To minimise greenhouse gas emissions.	Passive solar design initiatives incorporated into the building. It meets BASIX requirements for water, energy and thermal comfort requirements, which were not in place at the time the Flat Design Code was prepared.
Waste management No numeric requirement stipulated. Design practice notes provided.	To avoid the generation of waste through design, material selection and building practices. To plan for the types and amount of waste to be generated during demolition and construction. To encourage waste minimisation, including source separation, reuse and recycling.	A waste management plan has been submitted with the application. The plan details that collection and disposal of recyclables will be provided in the building. Separation of general waste and recyclables will also be provided to reduce potential contamination of recycling collection.
Water conservation Design practice notes provided. Rules of thumb provided.	To reduce mains consumption of potable water. To reduce the quantity of urban stormwater runoff.	Energy efficient appliances and taps/showerheads to be provided throughout the building. BASIX water reduction targets satisfied. On-site stormwater detention system supplied.

The building is considered to be generally compliant with the objectives and controls within the SEPP and its accompanying Design Code. However, the proposal does exhibit two inconsistencies with the Code. These are discussed below:

Building separation

The Code's recommended setbacks for buildings five storeys to eight storeys in height is 18 metres between habitable rooms/balconies, 13 metres between habitable rooms/balconies and non-habitable rooms and 9 metres between non-habitable rooms. The recommended separations are provided in order to increase privacy between residents in buildings and to increase sunlight access to habitable rooms.

The subject building proposes balconies on its north eastern and southern sides a minimum of 6 metres from the side boundary above four storeys. It may be interpreted that the Code is tacitly recommending a minimum side setback of 9 metres for balconies and habitable rooms above four storeys in height in order to achieve the desired separation in an equitable manner on each side of a property boundary. It should also be noted that the recommended separations would also apply where more than one residential apartment building occupied (ie the building separation requirements would apply "within" the site) the same site. Should a building be constructed on the adjoining allotment at a similar setback and with habitable rooms/balconies along that aspect, the habitable rooms/balconies would be 12 metres apart, lower than the recommended minimum distance.

A development application for another residential apartment building (on the adjoining site to the south of the subject building), has recently been lodged with Council. A review of that application details that on the southern boundary, adjacent to the subject development's balconies, the building would be separated an adequate distance to comply with the Code, as the entry road would be located on that shared boundary, meaning that the building is located further away from the boundary.

There is no application on the adjoining land to the north east at this time. Given its ongoing use as a school site and housing for people with a disability, its redevelopment in the near future is considered unlikely. In any case, should the site be redeveloped, that application would be required to address the Code and respect the subject development should it be constructed at the time.

With this in mind, the impact of the building's technical 'non-compliance' with a recommendation in the Code is considered to be minimal and not likely to significantly impact on the amenity of residents of the proposed building and future development in the immediate vicinity.

It is noted that the setback to the boundary of 6 metres does comply with Council's Sustainable City Development Control Plan, which is discussed in more detail in Part 1.3 of this report.

Having regard to the above and the previous assessment contained in the tables, the proposal is considered to be generally compliant with the objectives and design guidelines contained in the Residential Flat Design Code and SEPP 65 in general.

2. Campbelltown (Urban Area) Local Environmental Plan 2002

The site is zoned 10(a) Regional Comprehensive Centre Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP). "*Residential flat buildings*" are permissible with Council's consent in the 10(a) zone.

The proposal is consistent with several zone objectives, particularly:

(a) To encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities.

A further objective of the zone is;

"to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development".

In this regard, the application is for a permissible residential flat development located in an established commercial and residential area, which exhibits a high standard of visual presentation and amenity and is a good representation of the type of development that Council's planning documents are seeking to encourage.

3. Campbelltown (Sustainable City) Development Control Plan

Campbelltown (Sustainable City) Development Control Plan (SCDCP) applies to the land and the proposed development. The SCDCP provides detailed objectives and controls for the development of new residential apartment and mixed use buildings within the City and has established the framework for creating high density, multi-storey housing opportunities close to Campbelltown's CBD.

The adopted DCP nominates a six-storey residential use development as being suitable for the site subject to meeting relevant design criteria.

A table illustrating the assessment of the proposal under the SCDCP is provided below.

		Campbelltown (Sustainable City) Development Control Plan Residential Apartment developments	
CONTROL	**PROPOSAL**	**REQUIREMENT**	**COMPLIES**
Lot Size	3,325 sqm.	Minimum 2500m^2	Yes
Lot Width	Min. approx. 85m	Minimum 30m	Yes
Height	6 storeys above ground level, additional two levels basement parking	Maximum 6 storeys	Yes
Front Setback	Minimum 6.05 metres	5.5 metres	Yes
Side & Rear Setback	Minimum 6m above ground level	6m from the side and rear boundaries above ground level	Yes
Apartments serviced by lobby	Maximum 5 units serviced by one lobby	Maximum 10 units per lobby	Yes
Bedroom configuration	4 x 1 bedroom/studio apartments (5%)	Minimum 5% units are 1 bedroom or studio apartments	Yes

		Campbelltown (Sustainable City) Development Control Plan Residential Apartment developments	
CONTROL	**PROPOSAL**	**REQUIREMENT**	**COMPLIES**
Lifts	Three central lifts	Lifts provided for buildings of 3 or more storeys	Yes
Apartment size	Studio – min. 44m^2 1 bedroom – min. 57.5m^2 2 bedroom – min. 80.3m^2 3 bedrooms – min. 101.4m^2	Studio – min. 40 m^2 1 bedroom – min. 55m^2 2 bedroom – min. 80m^2 3 or more bedrooms – min. 100m^2	Yes
Apartment internal storage	Internal and basement storage areas provided.	1 bedroom – 8 cubic metres 2 bedroom – 10 cubic metres 3 or more bedrooms – 12 cubic metres	Yes
Ceiling height	Minimum 2.7m	Minimum 2.7m	Yes
Landscaped Open Space	Deep soil opportunities for 17% of site or 573.2 sqm. of site area Landscape plan provided	Minimum 15% of total site area must be provided for deep soil planting Detailed landscape design and landscape plan provided	Yes Yes
Private Open Space	All apartments have at least one balcony	All apartments shall have “some form of outdoor living area, such as private open space, balconies or roof terraces”	Yes
Balconies	Minimum depth 3.0 metres minimum area of 14m^2	Area not less than 8 sqm with a depth of 2m	Yes
Communal private open space	Seating, swimming pool provided externally. Internal common room are provided	Recreation room, bbq/outdoor area, swimming pool, gymnasium Provision of supplementary facilities including seating, recreational facilities (eg barbecue area) and landscaping	Yes Yes

		Campbelltown (Sustainable City) Development Control Plan Residential Apartment developments	
CONTROL	**PROPOSAL**	**REQUIREMENT**	**COMPLIES**
Solar Access & Energy Efficiency	Communal open space not shaded. Minimum 6 hours sunlight to more than 50% of private open space No overshadowing of neighbouring properties after approximately 11am BASIX certificate supplied	Minimum 3 hours unobstructed solar access to 50% of private and communal open spaces Minimum of 40 sqm on adjoining properties to receive min. 4 hours sunlight Compliance with BASIX requirements	Yes
Car Parking	103 car parking spaces over two basement levels	1 underground space per unit, plus 1 space for every 4 dwellings, plus 1 visitor space for every 10 dwellings Total required = 102.6	Yes
Streetscape	All units presenting to Tyler Street have defined entrances or windows All walls articulated, no section exceeds 10 metres in length without articulation Variety of adequate architectural features contribute to streetscape	All units facing street must provide front façade presentation No section of wall built within 8 metres of side or rear boundary should be longer than 10 metres Articulation in walls, variety of roof pitch, architectural features on front façade	Yes
Site Services	On-site waste disposal rooms on each floor No details of fire hydrants (to be confirmed prior to issue of construction certificate) Adequate balance of security for residents and access to communal recreation spaces and waste disposal areas.	Service facilities suitably sized and designed for convenience of residents Fire hydrants within 90 metres of the development Access through the site simple and direct – building materials, layout of buildings, driveway/loading areas, garbage collection areas sensitively designed.	Yes

Further discussion on relevant matters contained within the SC DCP is presented below.

Setbacks - The proposed setbacks respond to existing and desired future development in the locality and minimise impacts upon neighbouring property. Side setbacks have been designed to comply with State Environmental Planning Policy No. 65 - Design Quality of

Residential Flat Development and the Residential Flat Design Code and to take advantage of the site's dual street frontage.

Height - The proposed six-storey building height reflects the status of the 10(a) zone and maximises solar access to buildings and public spaces. The skyline, incorporating continuous balconies and relatively simple roof form reduces the apparent bulk and scale and is compatible with the likely future character of this precinct.

Ecologically Sustainable Development - The proposed building achieves an acceptable level of energy efficiency. External shadow impacts do not unreasonably impact upon adjoining premises. Overshadowing of adjoining properties with open rear yards occurs for a relatively short period of time in the morning only. Each unit would be fitted with energy efficient appliances, water saving fittings and insulation. A recommended condition of development consent requires the installation and maintenance of a rain water collection tank for watering purposes, in accordance with Section 2.4.1(a) of the Sustainable City DCP.

Landscaping – The site is to be landscaped in accordance with the requirements of the SCDCP. The application provides for 17% of site area of deep root planting. A recommended condition of development consent requires the use of a large proportion of locally indigenous species that are low water tolerant and provide effective shade to reduce building energy use.

The landscaping forms a ‘green’ barrier between the development and its boundaries, where deep rooted planting can occur to provide for long term tree growth and beautification of the site. A detailed landscape plan, identifying species and tree locations has been included with the application. The principal open space area is to the east and south of the site and incorporates paved areas, communal swimming pool, garden beds and seating. These areas have been designed to retain good solar access and to provide a high degree of amenity. Low height planting and hedging has been provided to ground floor units to improve privacy.

Waste Storage Areas - The building contains three garbage bin storage rooms on each floor adjacent to the elevators. The garbage bin rooms would contain one recycling and one general waste bin, sized at 240 litres each. The applicant proposes that a caretaker be charged with removing the bins from each floor on a rotational basis, where they can be taken to the basement and placed in a compaction device, which enables the capacity of each bin to be amplified significantly. Bins may also be stored and cleaned in the waste storage rooms located on the ground floor.

The caretaker would be responsible for manouevring the bins to the Tyler Street kerbside for collection by Council's waste collection contractor on a weekly basis.

Calculations undertaken by Council's Senior Waste Management Officer detail that upon utilisation of a compaction device for the garbage bins and on the basis of a weekly garbage bin collection and weekly recyclables collection, a maximum of twenty-eight bins would be presented to Tyler Street for a kerbside collection. Upon further consultation with Council's Local Traffic Committee, a recommended condition of development consent requires that a time and day specific no standing area be provided in front of the development that would ensure vehicles do not impede the collection vehicles at the stated times.

A Waste Management Plan was submitted with the application in accordance with Council's SC DCP. The plan details the estimated volume of waste and recycling materials that would be generated by residents and commercial tenants in the building and provides information on the methods by which this waste would be collected. A caretaker would be appointed who would be responsible for maintaining the waste area including the cleaning of empty bins and loading and unloading of bins to the waste collection vehicles.

Public Domain - It is considered that the site satisfactorily integrates with the public domain, providing good access between the building and its interface with Beverley Road and Tyler Street. The building provides an interesting and architecturally sound appearance to roads, with an array of articulation and material variance devices utilised to reduce the building's apparent mass.

Services - It is anticipated that water, sewerage, electricity and telephone services presently available to the site could be augmented to service the proposed development. Should the JRPP approve the development such requirements can be reasonably imposed as conditions of consent.

The application complies with the objectives and standards contained within the SCDCP and is considered to be a good example of the type and scale of buildings that are envisaged by the DCP as likely future and desired development within the Campbelltown regional comprehensive centre.

8. Impacts on the Natural and Built Environment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The principal matters associated with the consideration of these impacts are dealt with in light of the provisions of Campbelltown (Sustainable City) DCP and SEPP 65. It is considered that the impact of the proposed development on the built environment, whilst being visually different to existing development in the area, is representative of Council's desired future character for the precinct, noting the Sustainable City DCP and Council's Strategic Direction for the Regional Centre.

Flooding

Relevant conditions are recommended to ensure that the recommendations provided by the flood study report that was prepared for the application, including the raising of the driveway to protect the basement car parking from inundation during a 1 in 100 year flood. Flooding is evident across the front and rear of the property during a 1 in 100 year event due to the profile of Tyler Street. The car park can be protected from this inundation with minimal impact on down-stream properties or water movement.

Salinity

A soil salinity report would be required due to the underground excavation required to construct the building's footings and basement car parking/storage areas. It is known through excavation at similar properties in the area that groundwater is potentially saline in nature, which may have an impact on the integrity of structural concrete in basement car parking areas. A report and salinity management plan would be required prior to issue of a construction certificate for the development, should consent be granted by the JRPP.

Demolition safety

Demolition of the existing buildings on the site is permissible with consent, and has been proposed as part of the application. Should the Panel issue development approval, the consent would be suitably conditioned to ensure that all appropriate public safety and WorkCover requirements are adhered to.

Building Code of Australia

Council's officers have undertaken an initial review of the proposal. As a result, the building is considered to be satisfactory in its compliance with the Code and meets particular provisions in relation to access for the disabled, sound transmission, fire safety and construction materials. More detailed assessment of the building and its compliance with the Building Code of Australia would be undertaken as part of construction certificate issue should the development be granted development consent.

Street drainage

Tyler Street does not presently contain any 'in street' stormwater capture / drainage system. The nearest Council-owned below ground system is located in Chamberlain Street to the north west of the subject site. Council's Technical Services Branch have undertaken an assessment of the proposal, and while concurring that the proposed on-site stormwater disposal system is a relatively sound option for ensuring post development water flows mimic the existing situation, a longer term solution to the street drainage issue is sought. This solution would become quite important should other parts of Tyler Street and Beverley Road be developed at the density permitted by local planning controls.

A recommended condition of development consent has been developed, which requires the applicant to construct a 375mm concrete stormwater pipe under the road in the Tyler Street frontage of their development to provide for future connections of surrounding development and a longer term drainage solution, whereby other developers and/or Council connect the Tyler Street system to the existing reticulation network in Chamberlain Street.

Traffic impacts

The development site is located within a mixed commercial and residential area. Primary generators of traffic in the locality are the small businesses (usually professional offices) and importantly, Campbelltown Performing Arts High School (the high school). The high school presently has approximately 1,100 enrolments, with specialist 'Beverley Park' and 'Lomandra' Schools to the immediate east of the development site having approximately 100 enrolments between them. The traffic situation during peak school use times (0800-0930hrs and 1400-1600hrs) can be described as potentially significant in terms of delays at crucial intersections near the development site. These intersections are Beverley Road and Tyler Street and Beverley Road and Chamberlain Street, through which all traffic to the schools generally flows.

The potential traffic impacts of the development are divided into two parts for discussion below:

Construction impacts

Having regard to the width of nearby streets and the high demand for on street car parking during busy school peaks, construction traffic impacts of the development are considered to be high. The intersections of Beverley Road and Tyler Street and Beverley Road and Chamberlain Street are relatively narrow, with limited access for heavy vehicles, particularly 19 metre semi-trailers. It is likely that some car parking restrictions will be required to be instituted to provide for heavy vehicle manouevring (particularly at the Tyler Street and Beverley Road intersection) as well as for a loading/works zone where concrete agitators, pumpers and the like would operate from.

A recommended condition of development consent requires that the applicant submit a detailed 'Construction Traffic Management Plan', which addresses matters such as:

- Required loading zones and parking restriction areas near the development site to allow for manouevring and loading/unloading of heavy vehicles associated with the development;
- Detailed discussions regarding 'staging' locations, where heavy vehicles wait until such time that adequate space is available adjacent to the development site for loading/unloading;
- Detailed information relating to traffic management and intersection control near to the development site (including the intersections of Beverley Road and Tyler Street as well as Chamberlain Street and Beverley Road).
- Details regarding the proposed access routes for heavy vehicles loading/unloading at the site;
- Details of the hours of truck movements – the Plan shall detail the means by which heavy vehicle access times will be minimised during the school peak pick up and drop off periods;
- Details of consultations made with potentially affected residents, businesses and schools in preparation of the Plan.

The Plan would ultimately be reviewed and adopted for the site by Council's Local Traffic Committee, which contains representatives of the Police, Roads and Traffic Authority and Council officers.

Operation impacts

Traffic impact assessment reporting and supplementary information submitted with the application suggests that the development is not likely to significantly or detrimentally impact on the existing traffic situation. Granted, given the number of vehicles entering the traffic stream during peaks nearby, the addition of 76 additional units is unlikely to significantly impact on the amount of traffic presently engaged within the immediate locality. The reporting notes the development's compliance with Council's DCP car parking controls, provision of bicycle storage areas and the site's relatively good proximity to public transport.

A recommended condition of development consent requires the applicant to consult with the Local Traffic Committee and Council's Waste Management Unit to coordinate on-street car parking restriction signage in order to allow for kerbside collection of garbage bins. A similar arrangement has been made with an existing approved residential apartment building at the southern end of Tyler Street.

However, Council must consider the cumulative impacts of higher density development in this busy area. To this end, Council is presently undertaking significant traffic modeling for the eastern end of its Campbelltown CBD area. This modelling will be used to detect and plan for future upgrades to certain roads and intersections that would be required.

With specific regard to the development site and its surrounds, Council is presently investigating an upgrade to the Chamberlain Street and Beverley Road intersection to account for existing traffic as well as a proposed connecting road to the west. Preliminary preparatory work is also being undertaken to assess the viability of a new connection one-way from Beverley Road to Moore Oxley Street in order to relieve pressure on the abovementioned intersection during school time peaks.

Overall, it is acknowledged that the development itself is not likely to significantly or detrimentally impact on the existing road network in the area. It should be noted that construction of the building is likely to have significant (albeit relatively short-term) impact on the immediate vicinity, which must be carefully planned and monitored in order to minimise its effect on neighbours and surrounding land uses.

4. Social and Economic Impacts

It is anticipated that the development would contribute to the wider choice of housing available in Campbelltown and would provide a tangible social benefit. The scale and density of the development respects the identified desired planning outcome and takes advantage of nearby transport and other support services.

5. Site Suitability

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to assess the suitability of the site for the proposed development.

The principal matters for attention are discussed in considering Campbelltown (Sustainable City) DCP and SEPP 65. Further to those matters is a consideration of surrounding properties adjacent to the development site.

'Land locking'

The present application does not present an opportunity for land locking. The subject site involves six consecutive allotments along one side of an existing street and does not preclude future development of other high density buildings within its immediate vicinity.

Given the minimal environmental constraints, the site's compliance with relative planning requirements and its proximity to existing facilities, services and transport, the site is considered to be suitable for the proposed development.

6. Safer by Design

A matter for consideration is the safety of residents, tenants and visitors to the site. A Crime Prevention Plan was submitted in support of the application. The assessment details the safer by design principles that have been incorporated into the building and site layout. High levels of property maintenance and effective lighting establish a safe and accessible ground floor. The building design and features promote territorial reinforcement of the private space within the complex. Entrapment areas are minimal throughout the development and passive surveillance from dwellings and open spaces is considered to be adequate.

Basement car parking security for residents would be provided by the use of security shutters with electronic 'key' activation so that resident parking areas could only be accessed by residents that live at the complex. Elevators would also be key controlled so that residents would access only their floor and visitors to the site would require a resident to allow them access. Car parking areas would be finished with white paint as appropriate to increase the effectiveness of lighting and to create the impression of a more 'open' space.

Approval of the development is considered to be in the public interest as the proposal has demonstrated a robust compliance with Council's development standards and objectives and is considered to be a suitable development in that location given its proximity to transport and retail opportunities.

7. Submissions

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to consider submission made to the proposal.

The application was notified and publicly exhibited between 25 October and 26 November 2010. The application was notified directly to nearby and adjoining owners and via public notice in local print media.

During the exhibition period, three submissions were received, including one from Campbelltown City Council. A discussion of the matters raised is below.

Amenity impacts:

Concerns were raised in submissions regarding privacy, variations in ground height and compatibility of the development with its surrounds.

A submission noted that the proposed communal areas at the rear of the development are higher than surrounding properties and would require effective screening to ensure privacy for existing residents of an adjoining property and future residents of the apartment building.

A check of the submitted plans details that the ground height of the adjoining property and the proposed swimming pool/communal area would enable effective screening via fencing and landscaped tree plantings. The pool area is commensurate with the existing adjoining ground height.

Retaining walls and an on-site stormwater detention structure would be constructed at the site to enable surface water capture and disposal. An updated stormwater control plan also details that surface water from the adjoining property to the south would be captured on the development site and directed towards the street in accordance with Council requirements. The variations in ground height result from the existing varying topography of the land. The impacts of the development as a result of privacy loss and surface water impacts are expected to be minimal.

It is acknowledged that this type of development is larger in scale than surrounding residential and commercial developments. The site is within an emerging higher density residential area. Near to the site, Council has previously granted development consent to no less than four six storey buildings (with two presently under construction). The development as proposed minimises its impact on the local environment as far as possible while providing acceptable amenity outcomes for future residents.

Traffic impacts

Submissions noted the existing traffic situation at the site, having particular regard to its proximity to a large school with finite peak road capacity demands and the development's potential to exacerbate perceived problems in the neighbourhood. Concern was also raised regarding the development's potential impacts during construction.

As mentioned earlier in the report, traffic in the area is known to be an issue, particularly during school operating days. Council is presently investigating long-term solutions to ameliorating traffic delays in the eastern portion of its CBD. The applicant's submitted information and review of that report details that the development is not likely to significantly and detrimentally alter the existing intersection performance in its vicinity.

Construction traffic is a major concern and will be addressed by a detailed Construction Traffic Management Plan to be endorsed by Council's Local Traffic Committee in consultation with nearby land owners prior to issue of any construction certificate for the site's development should consent be granted.

Waste management

A submission raised issue with the proposal's preliminary waste management plan and the building's design in terms of waste collection and disposal.

Following receipt of the submission, Council wrote to the applicant detailing issues with the placement of bins throughout the building and a lack of compaction device(s) to reduce the building's reliance on a large number of bins (and thus a greater impact on the street during collection day(s)). The applicant has since amended the original design and catered for a compaction system which would allow for a significant reduction in the number of bins used in the building and presented to the street for kerbside pick up. The amendments are considered to satisfactorily address Council's requirements.

Having regard to the submissions and assessment of the application, it is considered that the proposed development forms an acceptable outcome having regard to the existing surrounding development and land uses and Council's desired likely future character and development density reflected in recent planning controls for the locality.

8. The Public Interest

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires Council to consider the public interest in consenting to a development application.

The public interest is a comprehensive requirement that requires Councils to consider the long term impacts of development and the suitability of the proposal in a larger context. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the desired future outcomes expressed in SEPPs, LEPs and DCPs.

The application is considered to have satisfactorily addressed Council's relevant objectives and controls required for development in this area.

Conclusion

Council has received an application for the demolition of several existing residential dewllings and the construction of a six storey residential apartment building. The proposed development incorporates 76 residential units (1 studio, 3 x 1 bedroom, 57 x 2 bedroom, 15 x 3 bedroom) and 103 car parking spaces located within two basement levels as well as associated landscaping and communal facilities.

The development would be located in an existing residential and in-fill commercial area.

The proposed development conforms to the requirements of SEPP 65, LEP 2002 and Council's Sustainable City DCP. It is considered the proposal results in acceptable planning outcomes for the site, given the desired character outcomes contained in the Campbelltown (Sustainable City) Development Control Plan.

The building incorporates design features in various facades to promote visual interest and has sufficient architectural merit to be considered favourably at this prominent site. Adequate measures relating to garbage collection and traffic management are proposed in order to ensure that the development does not significantly and detrimentally impact on traffic safety and convenience within the neighbourhood.

Submissions were received regarding the development's potential impact on traffic and amenity in the area. It is considered that the development proposed forms a reasonable compromise between the existing surrounding development and land uses and Council's

desired likely future character and development density for that part of the northern Campbelltown business centre.

Officer's Recommendation

That development application 2196/2010/DA-RA for the demolition of existing buildings and the construction of a six storey residential building with associated site works, basement car parking and landscaping at 102 Beverley Road and 2-10 Tyler Street, Campbelltown be approved, subject to the conditions detailed in Attachment 1.

ATTACHMENT 1

Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified by any conditions of this consent.

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

3. Contract of Insurance (residential building work)

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

a. To the extent to which an exemption is in force under Clause 187 or 188, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4), or

b. To the erection of a temporary building.

4. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notice of the following information:

a. In the case of work for which a principal contractor is required to be appointed:

   i. The name and licence number of the principal contractor, and

   ii. The name of the insurer by which the work is insured under Part 6 of that Act.

b. In the case of work to be done by an owner-builder:

i. The name of the owner-builder, and

ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notification of the updated information.

5. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

6. Swimming Pool

The construction and operation of the swimming pool shall comply with the following requirements:

a. The pool shall not be filled with water nor be permitted to retain water until all required safety fencing has been erected in accordance with the provisions of the *Swimming Pool Act 1992, Swimming Pool Regulation 1998 and Australian Standard 1926* and a compliance certificate issued for such by the principal certifying authority.

b. Filter backwash waters shall be discharged to the sewer mains of *Sydney Water* in accordance with *Sydney Water's* requirements. Where *Sydney Water* sewer mains are not available in rural areas, the backwash waters shall be discharged into a 5-metre absorption trench constructed within the confines of the property to the satisfaction of the principal certifying authority.

c. A C.P.R. information resuscitation poster authorised by the *Life Saving Association* is to be displayed within the pool area. Such a poster may be obtained from Council for a prescribed fee.

Noise emissions from the filtration equipment must be maintained such that it does not cause a nuisance to adjoining residents.

7. Garbage Room

The garbage storage rooms identified on the approved plans shall:

a. Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.

b. The floors shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.

c. A hose cock shall be provided within the rooms.

d. Garbage rooms shall be vented to the external air by natural or artificial means.

8. Fencing

Fencing around the site shall be constructed in accordance with the approved development plans at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted.

9. Switchboards/Utilities

Switchboards, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

10. Lighting

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

11. Flood Level Controls

This site is located within an area that has been identified as being at the risk of being affecting by the 100 year ARI flood. The site and building shall be designed and finished in accordance with the report, plans and documentation prepared by BG&E Pty Ltd, dated February 2010 (ref.S10045) or as otherwise amended by conditions of this consent.

12. Driveway entry

The entry to the basement car park driveway shall be designed in accordance with the submitted plans and Section 4.13.8 and Appendix C of Campbelltown (Sustainable City) Development Control Plan Volume 2 – Engineering Design Guide for Development (as amended).

13. Car Parking Spaces

One hundred and three (103) car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890 (as amended).

The ceiling of basement car parking levels is to be finished in white paint to increase the effectiveness of lighting.

14. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

The garbage compactors and bin storage room shall be finished in accordance with the requirements of Section 4.3.10 of Council's Sustainable City Development Control Plan.

15. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the Campbelltown (Sustainable City) Development Control Plan Volume 2 – Engineering Design Guide for Development (as amended).

16. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

17. Rainwater Collection Tank

A rainwater collection tank shall be installed and utilised in accordance with the requirements detailed in Section 2.4.1 of Campbelltown (Sustainable City) Development Control Plan.

18. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

a. Protect and support the adjoining premises from possible damage from the excavation, and

b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

19. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

20. Geotechnical Report

Prior to Council or an accredited certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

21. Soil and Water Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval. The soil management plan shall consider and make recommendations regarding the appropriate treatment of basement walls should saline ground water be encountered during construction.

22. Construction Traffic Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare and receive Council's written approval (via its Local Traffic Committee) for a 'Construction Traffic Management Plan', which shall contain details of the following as a minimum:

- Required loading zones and parking restriction areas near the development site to allow for manouevring and loading/unloading of heavy vehicles associated with the development;
- 'Staging' locations, where heavy vehicles wait until such time that adequate space is available adjacent to the development site for loading/unloading;
- Traffic management and intersection control near to the development site (including the intersections of Beverley Road and Tyler Street as well as Chamberlain Street and Beverley Road).
- Proposed access routes for heavy vehicles loading/unloading at the site;
- Hours of truck movements – the Plan shall detail the means by which heavy vehicle access times will be minimised during the school peak pick up and drop off periods;
- Consultations made with potentially affected residents, businesses and schools in preparation of the Plan.

23. Traffic Control Plans

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the *RTA manual "Traffic Control at Work Sites"* and *Australian Standard AS 1742.3 (as amended).* A copy of the approved TCP shall be kept on site for the duration of the works in accordance with *Work Cover Authority* requirements. A copy shall be submitted to Council for its records.

24. Traffic Committee

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit plans and obtain approval from Council's Local Traffic Committee for any proposals for the construction of prescribed traffic control devices and traffic control facilities and all associated line marking and/or sign posting.

This includes the requirements for:

- sign posting 'No Standing' or 'No Parking' signs along the frontage of the development to Tyler Street to restrict vehicle parking during garbage and recycling collection times on a weekly basis. The restrictions shall not allow for vehicle parking along the kerbside along the front property boundary between 12am and 10am on the day of bin collection;

25. Stormwater Management Plan (Development)

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels. All proposals shall comply with the Campbelltown (Sustainable City) Development Control Plan Volume 2 – Engineering Design Guide for Development (as amended).

26. Connection to Existing Drainage System

The applicant shall submit to Council for approval prior to Council or an accredited certifier issuing a construction certificate, design details and related calculations for the connection of the stormwater from the proposed development to the nearest Council pipe drainage system.

The applicant shall also liaise with Council's Technical Services Branch regarding the provision of a subterranean 375mm concrete pipe within Tyler Street along the site's frontage to accommodate future drainage requirements within the catchment.

27. On-site Stormwater Detention

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit to, and receive Council's written approval for a plan detailing the management and maintenance of the proposed OSD system for the site. The Plan shall also detail the person(s) responsible for the maintenance and provide contact information of those persons to Council.

28. Work on Public Land

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

29. Existing Drainage

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit design details and related calculations for the analysis of the existing drainage system in Tyler Street, to determine whether the existing system has sufficient capacity to adequately convey the increased flows.

30. Consolidation of Allotments

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a copy of the plan which consolidates the allotments that are the subject of the development application prior to registration at the Department of Land and Property Information.

31. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing a construction certificate (or where a construction certificate is not required, a subdivision certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the *Campbelltown City Council Section 94A Development Contributions Plan*.

For the purposes of calculating the required S94A contribution, where the value of the proposed development exceeds $100,000, the applicant is required to include a cost summary report with the construction certificate application setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than $100,000 but less than $500,000 - a cost summary report by a person who, in the opinion of the Council, is suitably qualified to provide a cost summary report (Cost Summary Report Template 1), or

- where the value of the proposed development is $500,000 or more - a detailed cost report by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Cost Summary Report Template 2).

Copies of the Cost Summary Report Templates 1 and 2 are located under "Developer Contributions" on Council's web site (www.campbelltown.nsw.gov.au) or can be collected from Council's Planning and Environment Division during normal business hours.

All cost estimates will be subject to indexation on a quarterly basis relative to the *Consumer Price Index - All Groups* (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

32. Connection to Existing Drainage System

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit to, and receive Council's written approval of design details and related calculations for the connection of the stormwater from the proposed development to the nearest Council pipe drainage system.

The applicant shall also provide a subterranean 375mm concrete pipe within Tyler Street along the site's frontage to accommodate future drainage requirements within the catchment.

33. Waste Management

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit to Council for its written approval details of the collection and disposal of internal waste generated by the occupants. The Waste Management Plan shall detail the appointment of a caretaker to move and rotate bins throughout the building and through the approved bin compactors. The Plan shall state that the caretaker would remove bins from the kerbside no later than 10am on the day of their collection.

The Plan shall be prepared in consultation with Council's Waste Management Officer and garbage and recyclables collection contractor.

34. Water/Electricity Utility Services

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit written evidence of the following service provider requirements:

a. *Integral Energy* - A letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.

b. *Sydney Water* - The submission of a *'Notice of Requirements'* under *Section 73* of the *Water Board (Corporation) Act 1994.*

35. Telecommunications Utility Services

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit written evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

36. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

37. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

a. 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;

b. Stating that unauthorised entry to the work site is prohibited; and

c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);

d. Stating the approved construction hours in which all works can occur.

e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

38. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

a. A public sewer, or

b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or

c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

39. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

40. Construction Vehicle Control

Prior to the commencement of any works on the land, the application shall meet with Council's Traffic Officers and Compliance Officers to discuss the management of the various stages of the development and the management of construction and workers vehicles in and around the site.

No works shall commence until Council have issued written approval to the Traffic Management Plan.

41. Public Property

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

42. Footpath and Vehicular Crossing Levels

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

43. Demolition Works

Demolition works shall be carried out in accordance with the following:

a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.

c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.

d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works

e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and WorkCover NSW prior to the commencement of any works.

44. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with WorkCover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

45. Geotechnical Reference

Prior to the commencement of any works, a certificate prepared by the designing structural engineer certifying that the design is in accordance with the geotechnical investigation of the site shall be submitted to the PCA. The designing structural engineer shall also nominate a site classification in accordance with *AS2870 – Residential Slabs and Footings*.

46. Structural Engineer Details

Prior to the commencement of any works, the submission to the principal certifying authority of all details prepared by a practicing structural engineer.

47. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

48. Public Property

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

49. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No Work.

50. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils*

and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

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

51. Unreasonable Noise, Dust and Vibration

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

In the event of a noise, dust or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

52. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

53. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *'Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

54. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

55. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all

times. The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with *AS 1742.3*, the requirements set out in the *RTA* manual *"Traffic Control at Work Sites" (as amended),* all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all *Work Cover Authority* requirements are complied with. Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

56. Compliance with Council Specification

All design and construction work shall be in accordance with Council's requirements as follows:

a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);

b. Engineering Design Guide for Development (as amended);

c. 'Soils and Construction (2004) (Bluebook); and

d. Relevant Australian standards and State Government publications.

57. Footpath

The footpaths in Tyler Street and Beverley Road adjoining the subject land shall be regraded in accordance with levels to be obtained from Council, and concrete foot paving 1.2 metres wide in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (as amended)* shall be constructed to the satisfaction of Council. Areas not concreted shall be topsoiled and turfed. The footpath formation may need to be extended beyond the site boundary to provide an acceptable transition to existing footpath levels.

58. Medium Density Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's *Medium Density Vehicle Crossing Specification*.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

59. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

60. Redundant Laybacks

All redundant laybacks, vehicle crossings and damaged kerb and gutter shall be reinstated to conventional kerb and gutter to Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (as amended).*

61. Termite Control

The building shall be protected from subterranean termites in accordance with *Australian Standard 3660.1*. Certification of the treatment shall be submitted to the principal certifying authority prior to the issue of an occupation certificate.

61. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within twelve (12) months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

62. Section 73 Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a Section 73 certificate issued by *Sydney Water*.

63. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant *SAA Codes* and is structurally adequate.

64. Completion of External Works

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls are to be completed to the satisfaction of the consent authority.

65. Registration of Levels

Prior to the principal certifying authority issuing an occupation certificate, a qualified practicing surveyor shall certify that the finished floor and finished surface levels of the development comply with the relevant condition in the development consent. An electronic copy of this work as executed information shall also be submitted to Council, complying with the following provisions:

1. MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System.

2. DXF and/or MID/MIF file format(s), and

3. Datum to be AHD (Australian Height Datum)

66. Cooling Tower Registration

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall make application and obtain approval from Council for registration of the cooling tower/s.

67. Line Marking / Sign Posting Documentation (Development)

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council for Local Traffic Committee records two copies of work as executed plans of the line marking / sign posting approved by the Traffic Committee for the development. The plans shall show all works undertaken and the date of installation.

68. Termite Protection

Prior to the principal certifying authority issuing an occupation certificate, certification from a licensed pest controller shall be submitted certifying that the termite treatment has been installed in accordance with *AS3660.1.*

69. BASIX

Prior to the principal certifying authority issuing an occupation certificate, completion of all requirements listed in the relevant BASIX certificate for the subject development shall be completed/installed.

70. Restoration of Public Roads

Prior to the principal certifying authority issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

71. Public Utilities

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

72. Council Fees and Charges

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.

b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.

c. Give Council at least two days notice prior to the commencement of any works.

d. Have mandatory inspections of nominated stages of the construction inspected.

e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 3. Smoke Alarms

From 1 May 2006 all NSW residents must have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786.

Advice 4. Inspection Within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

Advice 5. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Council's (Sustainable) City DCP 2007 Volume 2.

Advice 6. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 7. Dial 1100 Before you Dig

Underground cable and pipes may exist in the area. In your own interest and for safety, telephone 1100 before excavation or erection of structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website - www.dialbeforeyoudig.com.au

Advice 8. Bonds and Bank Guarantees

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution. Bonds will not be accepted in any other form or from any other institution.

Advice 9. Swimming Pools

To limit evaporation and save water, Council encourages the use of pool blankets while swimming pool is not being used.

END OF CONDITIONS