

Conditions of Consent as at 9 November 2012

## **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**

Development is to be carried out in accordance with the plans, referenced below, containing Council's approved development stamp and all associated documentation submitted with the application, including the letter and plans from Landcom dated 17 September 2012, except as modified in red by Council and/or any conditions of this consent.

#### **Stage 1 Subdivision Works**

- 9065/DA 100 – Cover Sheet
- 9065/DA 101 – Version C – Layout Plan
- 9065/DA 102 – Version C – Engineering Plan Sheet 1
- 9065/DA 103 – Version C – Engineering Plan Sheet 2
- 9065/DA 104 – Version B – Riparian Corridor (R2 Plan)
- 9065/DA 105 – Version B – Riparian Corridor (R3 Plan)
- 9065/DA 106 – Version B – Typical Road Cross Sections
- 9065/DA 107 – Version C – Drainage Plan Sheet 1
- 9065/DA 108 – Version C – Drainage Plan Sheet 2
- 9065/DA 109 – Version A – Road Longitudinal Sections Road No. 1
- 9065/DA 110 – Version A – Road Longitudinal Sections Road No. 1 & 2
- 9065/DA 111 – Version A – Road Longitudinal Sections Road No. 2 & 10
- 9065/DA 112 – Version A – Road Longitudinal Sections Road No. 10
- 9065/DA 113 – Version A – Road Longitudinal Sections Road No. 11 & 12
- 9065/DA 114 – Version A – Road Longitudinal Sections Road No. 12
- 9065/DA 115 – Version A – Road Longitudinal Sections Road No. 15
- 9065/DA 116 – Version A – Road Longitudinal Sections Road No. 13, 14 & 15
- 9065/DA 117 – Version A – Road Longitudinal Sections Road No. 16
- 9065/DA 118 – Version A – Road Longitudinal Sections Road No. 17, 18 & 19
- 9065/DA 119 – Version C – Cut/Fill Plan Sheet 1
- 9065/DA 120 – Version C – Cut/Fill Plan Sheet 2
- 9065/DA 121 – Version A – Site Sections Sheet 1
- 9065/DA 122 – Version A – Site Sections Sheet 2
- 9065/DA 123 – Version A – Site Sections Sheet 3
- 9065/DA 124 – Version A – Site Sections Sheet 4
- 9065/DA 125 – Version A – Site Sections Sheet 5
- 9065/DA 126 – Version A – Raingarden Sections Sheet 1
- 9065/DA 127 – Version A – Raingarden Sections Sheet 2
- 9065/DA 128 – Version A – Creek Longitudinal Sections Sheet 1
- 9065/DA 129 – Version A – Creek Longitudinal Sections Sheet 2
- 9065/DA 130 – Version A – Raingarden Typical Details
- 9065/DA 131 – Version A – Riparian Corridor Typical Details

- 9065/DA 132 – Version C – Soil & Water Management Plan
- 9065/DA 133 – Version A – Soil & Water Management Notes & Details
- 9204/SK 03 – Version N – Lot Layout Plan Sheet 3
- 9065/DA 134 – Version B – Tree Management Plan, as amended by Riparian Edge

Plans:

- Plan 9435/SK70 – Version C
  - Plan 9435/SK70 – 2 Version A
  - Plan 9435/SK71 – Version C
  - Plan 9435/SK71 – 2 Version A
- 77588.02.P03 – Version E – Plan of Proposed Subdivision of Lots 63 & 64 DP 1104486

### **Goldsmith Avenue Works**

- 9065/DA 201 – Version A – Layout Plan
- 9065/DA 202 – Version A – Engineering Plan Sheet 1
- 9065/DA 203 – Version A – Engineering Plan Sheet 2
- 9065/DA 204 – Version A – Typical Road Cross Sections Sheet 3
- 9065/DA 205 – Version A – Typical Road Cross Sections Sheet 4
- 9065/DA 206 – Version A – Road Longitudinal Sections Sheet 1
- 9065/DA 207 – Version A – Road Longitudinal Sections Sheet 1
- 9065/DA 208 – Version A – Cut/Fill Plan
- 9065/DA 209 – Version A – Site Sections
- 9065/DA 210 – Version A – Raingarden Sections & Details
- 9065/DA 211 – Version A – Demolition Plan Sheet 1
- 9065/DA 212 – Version A – Demolition Plan Sheet 2
- 9065/DA 213 – Version A – Soil & Water Management Plan
- 9065/DA 214 – Version A – Soil & Water Management Notes & Details

### **Goldsmith Avenue & Gilchrist Drive Intersection Works**

- 9435/SK62 – UWS Campbelltown Gilchrist Drive and Goldsmith Avenue Intersection
- 9065/DA 302 – Version A – Typical Cross Sections
- 9065/DA 303 – Version A – Longitudinal Sections, Gilchrist Drive, Goldsmith Avenue
- 9065/DA 304 – Version A – Turning Path – Bus
- 9065/DA 305 – Version A – Turning Path – Semi-Trailer
- 9065/DA 306 – Version A – Line Marking & Sign post Plan
- 9065/DA 307 – Version A – Pavement Plan
- 9065/DA 308 – Version A – Drainage & Utilities Plan
- 9065/DA 309 – Version A – Soil & Water Management Plan
- 9065/DA 310 – Version A – Soil & Water Management Notes

## **2. Landscaping, Tree Planting and Riparian corridor**

- a. SMC-0005 DA1 – SMC-0005 DA7 (inclusive) dated 12/09/2012 prepared by Clouston associates
- b. SMC-0005Sk1 and SMC-0005Sk2 dated 23.07.12 issue B prepared by Clouston associates
- c. Any landscaping embellishment at the Gilchrist Drive/Goldsmith Avenue intersection entry area must be approved by Council prior to the issue of a Construction Certificate for this work.

- d. Any landscaping embellishment for the Stage 1 residential entrance adjacent to the intersection of Road 15 and Road 2 must be approved by Council prior to the issue of the Construction Certificate for this work.
- e. The final location of batter, retaining walls and raingardens as nominated on the approved plans may be varied along the bush corridor/riparian edge where it can be demonstrated that additional trees can be preserved or where there may be improvements in pedestrian safety and access without conflicting with the requirements of the Office of Water or other conditions of this consent.

### **3. Slope Stability**

- a. Compliance with the recommendations of the Slope Stability Assessment report prepared by Douglas Partners March 2012.

### **4. Contamination**

- a. Compliance with the recommendations of the Report on Contamination Review prepared by Douglas Partners February 2012 including the preparation of an unexpected finds protocol with details to be provided as part of the Construction Certificate application.

### **5. Construction Management**

- a. Preparation of a Construction Management Plan as part of the Construction Certificate application which is complementary to the Soil and Water Management Plan prepared by J Wyndham Prince .

### **6. Bushfire**

- a. Compliance with the recommendations of the Bushfire Hazard Assessment Report prepared by Building Code and Bushfire Hazards Solutions 28 February 2012 and with the General terms of Approval issued by the Rural Fire Service in their letter dated 23 April 2012.

### **7. Aboriginal Archaeology**

- a. Compliance with the recommendations of the Aboriginal Archaeological and Cultural Assessment final report prepared by Austral Archaeology Pty Ltd September 2012 and with the General Terms of Approval issued by the Office of Environment and Heritage in their letter dated 13 April 2012.

### **8. Noise mitigation**

- a. Compliance with the recommendations of the Traffic and Rail Noise Assessment Report prepared by Renzo Tonin and Associates 2 March 2012.

### **9. Ecology**

- a. Compliance with the General Terms of Approval issued by the Office of Water in their letter dated 25 July 2012.
- b. Compliance with the terrestrial and aquatic ecology recommendations of the Ecology Assessment Report prepared by Hayes Environmental February 2012.
- c. Residual impacts on Cumberland Plain Woodland must be offset. The offsets should be developed in accordance with the Principles for the Use of Biodiversity Offsets in NSW

(DECCW 2009) in consultation with OEH and secured in perpetuity. All offsets must be approved by Council prior to any works outside of the area of Stage 1.

- d. A Vegetation Management Plan must be prepared for areas of Cumberland Plain Woodland outside of the riparian zones to be submitted and approved by Council prior to the issue of a Construction Certificate. This Plan must be consistent with the best practice standards for bushland management and restoration contained in the Cumberland Plain Recovery Plan (DECC 2010), and the Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (DEC 2005). This plan should provide for the protection of retained CPW during construction, a protocol for construction staff to ensure they are aware of retained CPW, appropriate erosion and sedimentation control, provision for salvage and reuse of native tree trunks.
- e. A Noxious Weed Management Plan must be prepared and submitted to Council for approval prior to the issue of a Construction Certificate.
- f. Preparation of a Construction Environmental Management Plan that includes measures to prevent the spread of plant diseases such as myrtle rust and phytophthora during construction and the introduction of other weeds or plant diseases to the site.

## **10. Traffic**

- a. Compliance with the requirements of the Roads and Maritime Service as described in their letter of 8 November 2012, with the following amendments:
  - i. Proposed works at the Narellan Road/University access road intersection to be completed prior to the issue of a Subdivision Certificate that would allow the registration of 380 lots on the UWS residential lands (refer Point 2 of RMS letter).
  - ii. Further alternative offset works and improvements to the road network to be identified in consultation with RMS and Council prior to issue of Subdivision Certificate for Stage 1 (refer point 3 of RMS letter).
  - iii. The section of Goldsmith Avenue in front of the School of Medicine is to be built as nominated in the above listed plans, with any additional modifications comprising pavement treatments, landscaping treatment or fencing to be included for the approval of Council as part of the Construction Certificate application.

## **11. Voluntary Planning Agreement**

- a. The proposed Voluntary Planning Agreement, as described in the letter to Council from Landcom dated 14 November 2012 and the supporting draft Infrastructure Delivery Plan, shall be negotiated and executed prior to the issue of any Subdivision Certificate for Stage 1 and prior to the issue of any Construction Certificate for any subsequent stages of development on the UWS residential lands. This Agreement shall incorporate the scope and timing of traffic infrastructure consistent with the requirements of this consent.
- b. The proposed VPA shall incorporate appropriate management maintenance regimes for the riparian and revegetated areas.

## **12. Built form**

- a. Compliance with the Slope Analysis plans and site grading diagrams prepared by Roberts Day February 2012 and submitted with the Statement of Environmental Effects.

- b. Preparation and submission to Council prior to issue of Stage 1 Construction Certificate, a fencing strategy for the proposed allotments 1369-1382 (backing onto gas pipeline easement) and 1246-1251 and 1418 – 1432 (backing onto University open space) to ensure consistency at the interface of private and public domains.

### **13. Engineering Design and Standards**

- a. Prior to the issue of a Construction Certificate, the applicant shall demonstrate to Council's satisfaction that those sections of Road No.39 and Road No.12 that are shown with a 6.5metre wide carriageway will not restrict the safe and efficient movement of vehicles, including garbage trucks.
- b. The batter adjacent to road works forming the edge of roundabout as shown in Plan 9065/DA102 is not to extend across the creek. Details showing the extent of batter and its treatment/stabilisation is to be detailed on the Construction Certificate Plans.
- c. The retaining walls supporting Goldsmith Avenue, Roads No 2 and No 12 are to be designed and certified by a chartered professional engineer giving due consideration to the loads being imposed and include the design life for the retaining wall is to be 100 years.
- d. Retaining walls exceeding 1m in height shall include either treatment or landscaping in front to prevent climbing.
- e. Any rock to be used in the retaining walls is to be certified by a geotechnical engineer as suitable for the required design life.
- f. Final landscaping and improvements within riparian areas to be designed having regard to CPTED principles to ensure that all areas can be monitored by passive surveillance.
- g. The Construction Certificate Plans are to document proposed measures for the safety of vehicles adjacent to the bush/riparian corridor, consistent with the requirements of Austroad.
- h. Fencing or other barriers as appropriate shall be provided on top of all retaining walls above 1m in height to ensure safety of pedestrians. Details are to be shown on the Construction Certificate Plans.
- i. All raingardens and GPT devices must be accessible for regular maintenance and reconstruction. All weather accesses are to be provided. Details are to be shown on the Construction Certificate Plans.
- j. Footpaths are required to all streets. Details to be included on Construction Certificate Plans.
- k. Appropriate measures are to be implemented to ensure that the cut and fill areas are managed to minimise erosion and siltation leaving the site and impacting on the environment. Details are to be shown on the Construction Certificate Plans.
- l. Details of scour protection to be included on the Construction Certificate Plans for creek works involving drop structures or other areas with high predicted velocities.
- m. The bio-retention systems are to accord with the Standard Drawings issued by the Sydney Metro CMA. The Construction Certificate documentation is to include the following matters:-

- i. Details of how flows in excess of the 1 year ARI are managed to the creek.
  - ii. Scour protection (including upstream or downstream of culverts and at locations where pipes enter the raingarden, or discharge from the raingardens at the invert of the creek) to be in accordance with Council's Engineering Design Guide.
  - iii. Flushing points for sub soil drains are to be located so as to be easily accessible.
  - iv. Downstream batters to raingardens are to be designed and treated to ensure protection from scour.
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- n. Trees in or adjacent to the creekline where works are required comprise shall be protected. A Construction Management Plan detailing safeguards for the retention of trees shall be submitted with the Construction Certificate Plans.
  - o. In order to ensure Goldsmith Avenue remains flood free, drainage under Goldsmith Ave (excluding chainage 1236) is to be designed for the 100 year ARI and comply with the requirements of Council's Sustainability City DCP Volume 2. The culvert at chainage 1230 is to be designed in consultation with Council.
  - p. The calculations for sizing of the east and west raingardens is to provided with Construction Certificate Plan.
  - q. Access to Gilchrist Oval to be maintained at all times during construction works as an all weather two coat fluch seal with future long term access to be provided to the satisfaction of Council prior to the issue of a Subdivision Certificate for Stage 1.
  - r. A letter supporting lane width on Goldsmith Avenue is to be provided from a suitably qualified traffic engineering consultant.
  - s. Any batters left following earthworks which are not to retained by walls or landscaped as part of the embellishment of Main Ridge Park shall be stabilised. Treatment to be detailed in the Construction Certificate Drawings.
  - t. Existing street light poles are not to be re-used.
  - u. The Construction Certificate for the intersection of Goldsmith Avenue and Gilchrist Drive as shown on Plan 9065/DA301 – Plan 9065/DA310 is to show drainage design acceptable to Council and RMS.
  - v. A hydraulic consultant report (flood modelling) is to be submitted prior to the issue of a Construction Certificate for Stage 1 to confirm no adverse impacts arise downstream of the development, in particular from the timing of peak flows.
  - w. No work is to be undertaken on the University basins until such time as the applicant demonstrates to the satisfaction of Council the advantages of the proposal over the existing performance of the basins, including confirmation from the University of Western Sydney that they are satisfied with the resultant operation of the basins.
  - x. Creek cross sections modelled in HEC\_RAS are to consider the effect of rain gardens where they encroach into the waterway area. Details to be provided on the Construction Certificate Drawings.
  - y. No timber edges are to be provided around tree pits on public roads.

- z. Retaining walls to be located on the high side of lots with the wall footing and fencing contained in that lot.
- aa. Retaining walls are to have a design life of 100 years and include drainage and flushing points. Details to be provided with the Construction Certificate documentation.
- ab. The drainage design and plant species selected are to have regard to the Salinity Investigations contained in the Douglas Partners Report.
- ac. The management strategies and recommendations outlined in the Salinity Investigation and Management Plan (dated March 2012) prepared by Douglas Partners should be implemented during construction.

#### **14. 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.

#### **15. Access Denied**

Various lots within the proposed subdivision will require appropriate restrictions to be created on the title of the land, under *Section 88B of the Conveyancing Act*, to either restrict or deny access/egress across the boundaries of the burdened lots.  
The lots requiring this restriction will be identified by Council during the subdivision process.

#### **16. Engineering Design Works**

The design of all infrastructure that will be under the future control of Council shall be carried out in accordance with the requirements detailed in the *Campbelltown (Sustainable City) DCP Volume 2 (as amended)*.

#### **17. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. The applicant shall obtain a construction certificate for the particular works;
- b. The applicant shall appoint a principal certifying authority; and
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works

#### **18. Batter Slopes**

Where batter slopes exceed Council's adopted standard and it is considered that they may present maintenance or stability problems, the slopes of the batters shall be reduced, or an alternative method of support shall be utilized.

#### **19. Rock Retaining Walls**

Where it is proposed to use rock in the construction of permanent retaining structures, the rock shall be certified by an appropriately qualified engineer as being suitable for its intended purpose and is capable of performing, as intended, over its entire design life.

#### **20. Riparian Zones**

The design of the riparian zones shall be assessed against the CPTED principles, to ensure that all areas can be monitored by passive surveillance.

#### **21. Bulk Earthworks**

Prior to commencement of the bulk earthworks for the proposed development, the applicant shall ensure that all erosion and sediment control devices have been installed.

The facilities are to be maintained to the satisfaction of the principal certifying authority during the earthwork operations and until such time as the disturbed areas have been stabilized and fully re-vegetated.

#### **22. Operation and Maintenance Manual**

The applicant shall submit to Council for approval a Maintenance and Operation manual for all proposed water quality facilities. The manual shall address, but not be limited to, items such as access arrangements, the frequency of cleaning operations, plant/equipment required etc. Off road facilities are to be provided for the maintenance of all gross pollutant traps.

#### **23. Dam Break Analysis**

The applicant shall submit an assessment of the consequences of a dam break for Basin 4 and how it is proposed to route the flows, without adversely impacting upon the future expansion of the Macarthur Gardens development.

#### **24. Salinity**

Campbelltown is an area of known salinity potential and all works shall be undertaken in accordance with the recommendations detailed in *Section 10 of the Salinity Investigation and Management Plan, prepared by Douglas Partners, Reference 34255.03, dated March 2012*. Further information regarding salinity management can be found in the *Campbelltown (Sustainable City) DCP Volume 2 (as amended)*.

#### **25. Landscaping and Fencing**

Site landscaping is to be undertaken in accordance with the plans prepared by Cloustons referred to in Condition 1 of this consent. The applicant shall submit a detailed plan of the proposed landscaping works for approval by Council's horticulturist staff as part of the Construction Certificate. All trees that are proposed to be planted within road reservations are to have approved root barriers, to prevent damage to the adjacent infrastructure.

All private fencing that is to be constructed along a boundary of an area open to the public or public space, shall be of a type or arrangement that prevents graffiti attack while providing a suitable level of security and privacy (eg combination of open style fencing incorporated with dense hedging of an appropriate height). In this regard, the applicant shall provide a suitable fencing strategy/plan for the approval by Council.

### **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.

#### **26. Construction Certificates**



Construction Certificates may be issued for separate packages of works to deliver this development consent.

**27. Sydney Water Stamped Plans**

Prior to Council or an accredited certifier issuing a construction certificate, development plans shall be submitted to a *Sydney Water Customer Centre or Quick Check Agent*, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and or easements, and if further requirements need to be met. The plans, including any amended plans are required to be appropriately stamped.

**28. Geotechnical Report**

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

**29. 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.

**30. Pollution Control**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide engineering details to Council for approval, of all proposed gross pollutant traps and/or water quality treatment facilities. The design of these facilities shall be in accordance with the relevant guidelines of the Office of Water and the requirements detailed in the *Campbelltown (Sustainable) City DCP 2009 - Volumes 1 and 2*.

**31. Certification of Existing Dam ('Harrison's Dam')**

Prior to any work associated with Harrisons Dam, the applicant shall submit a geotechnical report from a NATA registered laboratory which, having regard to the removal of the existing vegetation, assesses what works will be required to maintain bank stability. The proposed works shall be approved by the NSW Dam Safety Committee.

Upon completion of construction, the works shall be certified by a geotechnical engineer and a qualified surveyor shall prepare a work as executed plan.

A copy of all documentation shall be submitted to Council for its records.

**32. Road Construction**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit design details for approval of the proposed road construction.

The categories and traffic loadings for the proposed roads shall be in accordance with those shown at Table 3.1 in the *Campbelltown (Sustainable City) DCP - Vol 2 (as amended)*.

Construction of the roads shall be undertaken in accordance with the details in the Sustainable City DCP and Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*.

All inspections are to be undertaken by Council and the principal certifying authority shall not issue the subdivision certificate until all works have been completed satisfactorily.

The applicant shall also engage an appropriately qualified person to undertake a Road Safety Audit of the proposed road designs prior to the issue of the construction certificate.

A copy of this documentation shall be submitted to Council for its records.

### **33. Roundabout Construction**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details for the construction of all proposed roundabouts, in accordance with the following details.

The applicant shall design and construct all proposed roundabouts in accordance with *Austroads* and Council's current specifications.

The design shall include details of all construction and reconstruction, including SBS modified asphaltic concrete seal, 60mm thick, to the roundabout and approaches, signposting, thermoplastic line marking, reflectors, landscaping, the capital cost of street lighting to the respective Energy Authority's requirements, reinstatements, service relocations and adjustments, any work required to make a smooth connection to existing construction and any other associated works.

### **34. Intersection Construction**

Prior to Council or an accredited certifier issuing a construction certificate for the proposed subdivision works, the applicant shall design, to the satisfaction of Roads & Maritime Services (RMS) and Council, the signalized intersection at the junction of Gilchrist Drive and the realigned extension of Goldsmith Drive.

Detailed plans for the intersection treatment, including the provision of turning bays, deceleration and acceleration lanes, sign posting, linemarking, kerb and gutter, medians and road pavement details are to be forwarded to, and approved by, Roads and Maritime Services (RMS).

A copy of the approved plans or written approval from RMS, for the intersection works, shall be forwarded to Council for its records.

Street lighting shall be designed in accordance with the requirements of the relevant energy authority.

### **35. 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 for the roads within the proposed subdivision.

### **36. Stormwater Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of a formal drainage system designed to conform with the design requirements detailed in the *Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2*, including the creation of appropriate drainage reserves and/or easements.

Where adjacent properties are affected, drainage formalisation shall be extended to include these properties to the satisfaction of the adjacent owners and Council.

In preparing the design plans, the applicant's consultant shall pay particular attention to such matters as, the need for passive surveillance within the riparian zones when assessed against CPTED principles, scour protection, tail out drains, bio-retention systems etc.

The design of the stormwater system shall comply with any requirements of the Office of Water, the Sydney Metro Catchment Management Authority and Council.

### **37. Work on Public Land**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council/RMS for any proposed work on public land. Inspection of this work shall be undertaken by the relevant Authority at the applicant's expense.

### **38. 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 the public road system. Single sized aggregate, 40mm or larger and placed 150mm deep, extending from a sealed section of road to the boundary of the subject site, shall be provided as a minimum requirement.

### **39. Public Property**

Prior to the commencement of any works on the subject site, the applicant shall advise Council of any damage to property which is controlled by Council/RMS and adjoins the site, including kerbs, gutters, footpaths, pathways 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.

### **40. 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 4.00pm
Sunday and public holidays	No Work.

### **41. 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 sediment control devices shall remain in place until the site has been stabilised and fully revegetated.

**Note: On the spot penalties of up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.**

#### **42. 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.

#### **43. Earth Works/Filling Works**

All earthworks, including stripping, filling, and compaction shall be:

- a. Undertaken in accordance with Council's *'Specification for Construction of Subdivisional Roads and Drainage Works' (as amended)*, AS 3798 *'Guidelines for Earthworks for Commercial and Residential Development' (as amended)*, and approved construction drawings;
- b. Supervised, monitored, inspected, tested and reported in accordance with AS 3798 *Appendix B 2(a) Level 1 and Appendix C* by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.

#### **44. Revegetation**

Revegetation to the requirements of the manual – *'Soils and Construction (2004) (Bluebook)* shall be applied to all disturbed areas within seven days after the completion of the bulk earthworks, and shall be fully established prior to release of the maintenance security bond.

#### **45. 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, a minimum of 1.2 metres wide and 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)* and all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all *Work Cover Authority* requirements are complied with. Council/RMS may at any time and without prior notification make safe any such works that are considered to be unsafe and recover all reasonable costs incurred, from the applicant.

#### **46. Compliance with Relevant Specifications**

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. *Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2*,
- c. *'Soils and Construction (2004) (Bluebook)*; and

d. Relevant Australian standards and State Government publications.

**47. Footpaths/Cycleways**

The footpath area adjoining the subject land shall be regraded in accordance with levels obtained from Council, and concrete footpath paving 1.2 metres wide, or in the case of cycleways, 2.5 metres wide, shall be constructed where shown on the approved design plans.

The footpath/cycleway construction shall be to the satisfaction of Council and in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements detailed in the *Campbelltown (Sustainable City) DCP Vol. 2 (as amended)*.

A 300mm wide strip of turf shall be laid immediately behind the kerb to assist with sediment control.

Where necessary, the footpath formation may need to be extended beyond the site boundaries to provide an acceptable transition to the existing footpath levels.

**48. Pavement Thickness Determination**

A road pavement design prepared by a N.A.T.A. registered laboratory, appointed by the applicant, shall be submitted to the principal certifying authority for approval, a minimum of 2 working days prior to the inspection of the exposed subgrade.

The pavement design shall be prepared in accordance with the details shown in Section 3.6 of the *Campbelltown (Sustainable City) DCP Vol. 2 (as amended)*.

**49. Residential Layback Crossings**

The applicant shall provide a layback crossing to each lot where 150mm barrier kerb is proposed.

Construction shall be in accordance with Council's *Residential Vehicle Crossing Specification*.

**50. 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 other civil works directed by Council/RMS, to make a smooth junction with existing work.

**51. Section 73 Certificate**

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

**52. Subdivision Certificate**

Prior to the principal certifying authority issuing a subdivision certificate, an occupation certificate is required to be issued for all buildings on the land.

**53. Restriction on the Use of Land**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act.

a. Floor Level Control – Lots to be determined

- b. No Alteration To Surface Levels – Lots to be determined.
- c. Lots Filled – Where applicable.
- d. Access Denied – Lots to be determined.
- e. Set Back From Access Denied Roads – If applicable.
- f. Uncontrolled Fill – If applicable.
- g. Drainage Floor Level Control Easements - (100yr flow, depressed) – Lots to be determined.
- h. No Cut Or Fill - (Exist. Geotech Report from N.A.T.A. reg. Lab.) – All lots.
- i. Battle-Axe Lots where reciprocal rights of carriageway are proposed – If applicable.
- j. Lots with any other restrictions eg Refuse Collection. – Lots to be determined.
- k. necessary noise attenuation works on lots as identified in Renzo Tonin Noise report

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

#### **54. Maintenance Security Bond**

Prior to the principal certifying authority issuing a subdivision certificate, a maintenance security bond of 5% of the contract value or \$5000, whichever is the greater, shall be lodged with Council. This security will be held in full until completion of maintenance, minor outstanding works and full establishment of vegetation to the satisfaction of Council, or for a period of six months from the date of release of the subdivision certificate, whichever is the longer. All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

The applicant is responsible for applying to Council for the return of the bond. Should no request be made to Council for the return of the bond within six years from the date of issue of the subdivision certificate, Council will surrender the bond to the *Office of State Revenue*.

#### **55. Classification of Residential Lots**

Prior to the principal certifying authority issuing a subdivision certificate, all proposed residential lots are to be individually classified in accordance with guidelines contained in the Australian Standard for Residential Slabs and Footings - *AS2870.1996 (as amended)*.

A copy of the lot classifications is to be submitted to Council for its records.

#### **56. Splay Corners**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall dedicate 4m x 4m splay corners, as road widening and at no cost to Council, in the property boundaries of all lots immediately adjacent to road intersections.

#### **57. Works as Executed Plans**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council, one A1 size set of fully marked up and certified work as executed plans and one copy in PDF format. The plans shall be prepared in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Campbelltown (Sustainable City) DCP Volume 2 (as amended)*.

The applicant shall **also** submit an electronic copy of the Works as Executed information in accordance with the following requirements:

## Survey Information

- Finished ground and building floor levels together with building outlines.
- Spot levels every five metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3.m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of 15 site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

## Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD)

## AutoCAD Option

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

Package Type -	zip
File Format -	AutoCAD 2004 Drawing Format or later
Transmittal Options -	Include fonts
	Include textures from materials
	Include files from data links
	Include photometric web files
	Bind external references
	The drawing is <b><u>not</u></b> to be password protected.

## MapInfo Option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will **also** be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

## 58. Public Utilities

Prior to the principal certifying authority issuing a subdivision 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.

## 59. Service Authorities

Prior to the principal certifying authority issuing a subdivision certificate, two copies of all servicing plans shall be forwarded to Council in accordance with the following:

Written advice from *Sydney Water*, the relevant energy authority and where applicable, the relevant gas company, stating that satisfactory arrangements have been made for the installation of either service conduits or street mains in road crossings, prior to the construction of the road pavement shall be forwarded to Council. All construction work shall conform to the relevant authority's specification/s.

The final Asphaltic Concrete seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, a bond to cover the cost of the final seal and trench restoration. The amount of the bond will be calculated by Council upon written request from the applicant.

**60. Lot Numbers**

Prior to the principal certifying authority issuing a subdivision certificate, lot numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

**61. Line Marking / Sign Posting Documentation**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council, for the Local Traffic Committee's records, two copies of a work as executed plan showing any line marking and/or sign posting that was undertaken in conjunction with the subdivision works. The plan shall also indicate the dates of application/installation.

**62. Residential Inter-Allotment Drainage**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall demonstrate on the works as executed plans that inter-allotment drainage and the associated easements have been provided for all residential lots that cannot be drained to the kerb and gutter. Inter-allotment drainage systems shall be designed and constructed in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Campbelltown (Sustainable City) DCP Volumes 1 and 2 (as amended)*.



### **63. Council Fees and Charges**

Prior to the principal certifying authority issuing a subdivision certificate the applicant shall ensure that all applicable Council fees and charges, associated with the development, have been paid in full.

### **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 4000.
- 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. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy any tree upon the subject site unless you have obtained prior written consent from Council to do so. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self-supporting stems that are more than 3 metres in length or has a trunk diameter of more than 150mm, measured 1 metre above ground, and excludes any tree declared under the Noxious Weeds Act (NSW).

#### **Advice 3. Inspections – Civil Works**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
  - Direction/confirmation of required measures.
  - After installation and prior to commencement of earthworks.
  - As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.

- c. SUBSOIL DRAINS – After:
  - The trench is excavated.
  - The pipes are laid.
  - The filter material placed.
- d. SUBGRADE – Joint inspection with a NATA Registered Laboratory after preliminary boxing, to confirm pavement report/required pavement thicknesses.
- e. SUBGRADE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles prior to placement of sub-base.
- f. CONDUITS – Laid and jointed prior to backfilling.
- g. PAVEMENT THICKNESS MEASUREMENT (Dips) – After placement of kerb and gutter and final trimming of sub-base.
- h. SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.
- i. BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- j. OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- k. CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- l. ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.
- m. FINAL INSPECTION – All outstanding work.

#### **Advice 4. Principal Certifying Authority**

Council is the principal certifying authority for the construction of the proposed subdivision and issue of the subdivision certificate and shall carry out all inspections required by the development consent. Work must not proceed past any inspection point until Council has approved the work inspected.

#### **Advice 5. Linen Plan and Copies**

A linen plan and if required an original 88B Instrument together with thirteen copies shall be submitted to Council prior to the release of the subdivision certificate.

#### **Advice 6. Linen Plan Checking Fee**

Where Council is the principal certifying authority a linen plan checking fee is payable on submission of the linen plan of subdivision to Council. The exact amount will be calculated at the rate applicable at the time of release of the linen plans.

#### **Advice 7. 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](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

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

#### **Advice 8. 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](http://www.dialbeforeyoudig.com.au)

#### **Advice 9. Telecommunications Act 1997 (Commonwealth)**

Please note that under the Telecommunications Act 1997 (Commonwealth) Telstra's written authorisation is required before any person can enter land or undertake work on any Telstra's assets. Any person caught interfering with a facility or installation owned or operated by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution. If you are aware of any works or proposed works which may affect or may impact on Telstra's assets in any way please contact Telstra's Network Integrity Team on phone number 1800 810 443.

- 1 Construction Certificates may be issued for separate packages of works to deliver this development consent
- 2 Landcom and UWS are to enter into a Voluntary Planning Agreement for the delivery of public services and infrastructure as per the letter of offer from Landcom dated 14 November 2012 prior to the release of the final subdivision certificate for Stage 1. The items in the Voluntary Planning Agreement will include the item referred to in the condition below.
- 3 Landcom shall construct offset works being a left hand turn lane to merge with the two existing left turn lanes into Narellan Road. Details of the final design and timing of works are to be agreed with the RMS and Council and included in the Voluntary Planning Agreement.
- 4 The section of Goldsmith Ave in front of the School of Medicine is to be built as nominated in the Development Application plans, with any additional modifications comprising pavement treatments, landscaping treatment or fencing to be included for approval of Council on the Construction Certificate Plans.
- 5 Any landscaping embellishment at the Gilchrist Drive/Goldsmith Avenue intersection entry area must approved by Council in writing prior to the issue of Construction Certificate for this work.
- 6 Any landscaping embellishment for the Stage 1 residential entrance adjacent to the intersection of Road 15 and Road 2 must be approved in writing prior to the issue of the Construction Certificate Plan for this work.
- 7 The final location of batters, retaining walls and raingardens as nominated on the approved plans may be varied along the bush corridor edge where is can be

demonstrated that additional trees can be preserved or where there may be improvements in pedestrian safety and access.

**End of Conditions**