

Conditions for Minto Stage 12/13

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.

Drawing No.77419.12.P02	Plan of Proposed subdivision Stage 12
Drawing No. 77419.13.P01	Plan of Proposed Subdivision Stage 13
Drawing No.77419.12.M01	Cover sheet
Drawing No.77419.12.M02	Drainage concept plan sheet 1
Drawing No.77419.12.M03	Drainage concept plan sheet 2
Drawing No.77419.12.M04	Drainage concept plan sheet 3
Drawing No.77419.12.M05	Longitudinal sections Cathedral Ave
Drawing No.77419.12.M06	Longitudinal sections Buller Pl, Bruce St, Elizabeth McRae Ave, Kaputar St
Drawing No.77419.12.M07	Longitudinal sections Feathertop Ave
Drawing No.77419.12.M08	typical cross sections sheet 1
Drawing No.77419.12.M09	typical cross sections sheet 2
Drawing No.77419.12.M10	concept bulk earthworks plan sheet 1
Drawing No.77419.12.M11	concept bulk earthworks plan sheet 2
Drawing No.77419.12.M12	concept bulk earthworks plan sheet 3
Drawing No.77419.12.M13	concept bulk earthworks plan Sections A, B, C & D
Drawing No.77419.12.M14	concept bulk earthworks plan Sections E & F
Drawing No.77419.12.M15	concept bulk earthworks plan Sections G & H
Drawing No.77419.12.M16	concept bulk earthworks plan Sections I & J
Drawing No.77419.12.M17	concept soil and water management plan sheet 1
Drawing No.77419.12.M18	concept soil and water management plan sheet 2
Drawing No.77419.12.M19	concept soil and water management plan sheet 3
Drawing No.77419.12.M20	concept soil and water management details
Drawing No.77419.12.M21 Rev B	concept line marking and signposting plan sheet 1
Drawing No.77419.12.M22 Rev B	concept line marking and signposting plan sheet 2
Drawing No.77419.12.M23 Rev B	concept line marking and signposting plan sheet 3
Drawing No.77419.12.M24 Rev A	8.8m service vehicle right hand turning movements Elizabeth McRae Ave and Ben Lomond Rd
Drawing No.77419.12.M25 Rev A	12.5m rigid bus route movements Elizabeth McRae Ave and Longhurst Rd
Drawing No.ST-1 of 2 Job No. 060529	Street tree planting
Drawing No.ST- 2 of 2 Job No. 060529	Street tree planting
Drawing No.ST- 1 of 1 Job No. 060529	Street tree planting

2. 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) DCP 2009 - Volumes 1 and 2.

3. 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.

4. Construction Certificate

Prior to the commencement of any works that requires 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 (2) days prior to the commencement of any works

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.

5. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and any relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

6. 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.

7. 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.

8. Road Construction (Half Width)

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of the required road construction described below:

- Half width road up to the centreline of Eagle View Road shall be reconstructed adjacent to the subject land to include kerb and gutter, footpath, turfing, drainage, pavement construction, sealing and service adjustments in accordance with Council's Specification for Construction of Sub divisional Road and Drainage Works and with the design requirements of the Campbelltown (Sustainable) City DCP 2009 - Volumes 1 and 2 and consistent with the work required by Condition 5 of the consent issued for Stage 11. (DA No. 2267/2011/DA-S)
- All inspections are to be undertaken by Council and the Principal Certifying Authority shall not issue a Subdivision Certificate until Council has issued a Compliance Certificate for the road construction.

9. Road Construction (New)

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of the required road construction described below:

- Full construction of all new roads to Council's Specification for Construction of Sub divisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable) City DCP 2009 - Volumes 1 and 2.
- All inspections are to be undertaken by Council and principal certifying authority shall not issue a subdivision certificate until Council has issued a compliance certificate for the road construction.

10. 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.

11. Stormwater Management Plan (Green Field Subdivision)

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 of the Minto Renewal DCP and 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.

12. Flooding Certification

A statement prepared by an appropriately qualified person is to be submitted to Council, certifying that the design of stages 12 and 13 of the Minto Renewal Project are consistent with the terms of the original flood report approved as part of the Concept Plan.

13. 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 lands to be handed to the Council. 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.

14. Contaminated Site Assessment

Prior to Council or an accredited certifier issuing a construction certificate, a detailed site investigation and a remedial action plan shall be undertaken/completed by a suitably qualified person in accordance with the relevant guidelines approved by the Office of Environment and Heritage (OEH) and in accordance with the requirements of the *Contaminated Land Management Act* 1997 and shall be submitted to Council/PCA for approval.

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.

15. 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.

16. 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.

17. 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 Work Cover 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.

18. 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 minimize 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.

19. 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.

20. Traffic Control Plans

Prior to works commencing the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3. 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.

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.

21. 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.

22. 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.

23. Fill Compaction Requirements

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98% standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Field density testing frequency shall comply with Table 8.1 of AS3798-2007 certified by a qualified geotechnical engineer.

24. Fill Contamination

Any landfill used on the site is to be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

25. 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.

26. Earth Works/Filling Works

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

- a. Undertaken in accordance with Council's 'Specification for Construction of Sub divisional 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.

27. Revegetation

Revegetation shall be carried out to the requirements of the manual – 'Soils and Construction (2004) (Bluebook).

28. 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 State Roads Authority 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.

29. Compliance with Council Specification

All design and construction work, shall be in accordance with:

- a. Council's specification for Construction of Sub divisional 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.

30. Footpath Kerb and Gutter

The applicant shall re-construct all damaged bays of concrete path paving and kerb & gutter, adjacent to the site. Areas not concreted shall be re-graded, top soiled and turfed. All works shall be in accordance with Council's Specification for Construction of Sub divisional Road and Drainage Works and with the design requirements of the Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2.

31. Pavement Thickness Determination

A road pavement design and pavement thickness report, from a N.A.T.A. registered laboratory appointed by the applicant, in accordance with Council's Specification for Construction of Sub divisional Road and Drainage Works (as amended) shall be forwarded to the principal certifying authority a minimum of 2 working days prior to the inspection of exposed sub grade for pavement thickness determination.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a subdivision 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 a subdivision certificate.

32. Kids Community Park

Prior to the principal certifying authority issuing a subdivision certificate, the applicant is to provide evidence to the satisfaction of Council, that the construction and embellishment of

the new Kids Community Park (previously referred to as Scarborough Park) has been completed in accordance with the requirements of any previous development consent, the relevant requirements of the development consent. In addition male and female toilets are also to be provided in Kids Community Park in accordance with the Minto Renewal DCP to the satisfaction of Council's Asset Manager.

33. Section 73 Certificate

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit a Section 73 certificate issued by Sydney Water.

34. Structural Engineering Certificate

Prior to the principal certifying authority issuing a subdivision certificate, certification from a practising structural engineer shall be submitted, certifying that the retaining walls where constructed have been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

35. 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* 1919 where applicable:

- a. Floor Level Control
- b. Lots Filled
- c. Drainage Floor Level Control Easements - (100yr flow, depressed) d.
- Battle-Axe Lots where reciprocal rights of carriageway are proposed
- e. Lots with any other restrictions eg Refuse Collection.

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. Design plans and work as executed plans shall show affected lots marked with Council approved symbols. 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.

36. Classification of Residential Lots (Development without dwelling construction)

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.

37. Contaminated Land

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall ensure by way of soil testing by a N.A.T.A. registered laboratory that the land and any imported filling are free from contamination in accordance with the Environmental Health For Health Based Soil Investigation Levels - Soil Series No. 1 and a copy of the laboratory report shall be submitted to Council.

38. Site Validation Report

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall provide a site validation report completed by a suitably qualified person shall be submitted to

Council/PCA indicating that the soil on the site complies with the requirements for the use of the site as proposed.

39. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council, fully marked up and certified work as executed plans (two paper copies and one copy in PDF format) in accordance with Council's Specification for Construction of Sub divisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 2 (as amended).

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

Survey Information

- Finished ground and building floor levels together with building outlines.
- Spot levels every five (5) metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (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 not 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.

40. Restoration of Public Roads

Prior to the principal certifying authority issuing a subdivision 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.

41. 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.

42. 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, Endeavour Energy and where applicable the relevant gas company, shall be submitted, 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. All construction work shall conform to the relevant authorities specification/s.

43. Line Marking / Sign Posting Documentation (subdivision)

Prior to the principal certifying authority issuing a subdivision 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.

44. Residential Inter-Allotment Drainage

Prior to the principal certifying authority issuing a subdivision certificate, a work as executed plan for the drainage works shall be submitted to Council demonstrating that inter-allotment drainage and associated easements, in accordance with Council's Specification for Construction of Sub divisional Road and Drainage Works and with the design requirements of the Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2 have been provided for residential lots where all or part of the lots do not drain to a public road.

45. Council Fees and Charges

Prior to the principal certifying authority issuing a subdivision 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.

46. Compliance certificates

Compliance Certificates (or reports from a company or individual professionally experienced and qualified to give that evidence and containing documented evidence of compliance with the specifications, drawings, and development conditions) shall be obtained for the following prior to issue of the Subdivision certificate:

- a. Relevant Service authorities clearances.
- b. Work as executed plans

- c. Fill/floor level requirements.
- d. Material Testing requirements including pipes, pit lintels, pavement materials.
- e. Geotechnical testing and reporting requirements
- f. Conditions of development consent

Two collated copies of any related plans, documents, reports, forms or other evidence shall accompany the above documents.

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 *Environmental Planning and Assessment Act 1979*.

Advice 1. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ring bark, cut down, top, lop, remove, willfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. 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 three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *Noxious Weeds Act 1993*.

Advice 2. Filling on Site

Council's records in respect of this lot indicate that varying depths of filling covers the natural ground surface.

Advice 3. Inspections – Civil Works

Inspections of all civil works shall be carried out by Council at various stages of construction as specified in Council's Specifications for Construction of Sub divisional Road and Drainage works (as amended).

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. 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, for each lot of the subdivision

including any residue lots.

Advice 7. 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 Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2.

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

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.