

## 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 be carried out in accordance with the approved plans and recommendations contained in the documents listed in the table below, and all associated documentation supporting this consent, **except as modified by any conditions within.**

Plan/Document No.	Version	Prepared by	Date
<i>Drawings</i>			
Development Layout Plan – Stage 4, Ref. P50392/DA4/LAYOUT_K, Sheets 1 to 5 inclusive	K	YSCO	04/09/17
Preliminary Road and Drainage Design Stage 4, Ref. LC50392, Sheets 1 to 12 inclusive	D	YSCO	06/05/19
Landscape Drawing Set, Ref. 50-15.01 S4 DA, Sheets 1 to 8 inclusive	G	distinctive	14/05/19
<i>Reports</i>			
Statement of Environmental Effects	-	BBC Consulting Planners	02/17
Flora & Fauna Impact Assessment Report No. 15074RP4	2	Cumberland Ecology	14/02/17
Detailed Contamination Assessment Report No. 13793/2-AA	-	Geotechnique Pty Ltd	30/11/16
Bushfire Protection Assessment Report No. A16220	-	Travers Bushfire & Ecology	20/02/17
Preliminary Aboriginal Heritage Assessment	3	Extent Heritage	16/02/17
Arborist Assessment Report No. 2147	1	Anderson Environmental	21/10/16
Geotechnical Investigation Report No 13793/2-AA	-	Geotechnique Pty Ltd	5/12/16

#### 2. Voluntary Planning Agreement

The provision and timing of infrastructure as detailed in the Airds Bradbury Renewal Project Planning Agreement between Campbelltown City Council and New South Wales Land and Housing Corporation, as executed on 19 November 2014, must be

undertaken by the Applicant in accordance with that Agreement throughout the Agreement's operation.

**3. 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 (as amended)* and *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

**4. Existing Easements**

Changes to existing easements and their physical infrastructure shall not occur without the written approval of the authority benefitting from such.

**5. Retention of Trees**

Trees are to be retained as outlined in the Arborist Report, by Anderson Environmental, version 1, dated 21/10/2016.

**6. Lot 4109**

Lot 4109 shall not be further developed until such time that direct public road access is provided to it in the future.

**7. Integrated Development – NSW Rural Fire Service**

The following requirements form a Section 100B Rural Fires Act 1997 approval for the development and shall be met as part of the subdivision's final design and construction (RFS ref. D17/1480):

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

**Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the issue of subdivision certificate and in perpetuity the entire property shall be managed as per the bushfire consultant's (Travers bushfire & ecology) report titled Schedule 1 - Bushfire Protection Measures, dated 20/2/2017 Issue 1, as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

**Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and

(see over for continuation)

electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

#### **Access**

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

3. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

#### **General Advice – consent authority to note**

This approval is for the subdivision of the land only. Any future development application lodged within this subdivision under section 79BA of the 'Environmental Planning & Assessment Act 1979' will be subject to the bushfire consultant's (Travers bushfire & ecology) report titled Schedule 1 - Bushfire Protection Measures, dated 20/2/2017 Issue 1. Where a BAL plan shall be created outlining which individual lots require construction to a bush fire attack level.

This is subject to the revegetation of land off site resembling Cumberland Plain Woodland (Grass formation) to the north west and Shale Transition Forest to the south east of the site.

### **8. 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.

### **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.

#### **9. 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.

**10. 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.

**11. 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.

**12. 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 Subdivisional Road and Drainage Works (as amended)* and with the design requirements of Council's '*Engineering Design Guide for Development*'.

All inspections are to be undertaken by Council or an accredited certifier and the principal certifying authority shall not issue a subdivision certificate until Council or an accredited certifier has issued a compliance certificate for the road construction.

**13. Intersection Construction**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of all new intersection construction for approval.

The applicant shall carry out design and construction of all the new intersections including all necessary road pavement construction, drainage, thermoplastic line marking and signposting, kerb and gutter, landscaping, and street lighting in accordance with "*Austroads Guide to Traffic Engineering Practice*" Part 5, Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the design requirements detailed in the *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

The design of the proposed roundabouts must be in accordance with the 'Guide to Road Design Part 4B: Roundabouts'.

**14. Deleted**

**15. Consistency Between Plans**

The typical cross section of the Campbellfield Avenue extension (Road 401) shall be revised on Sheet 5 of the approved civil engineering drawing to ensure it is consistent with other approved drawings. Sheet 5 must be revised accordingly prior to issue of a construction certificate by Council or an accredited certifier.

Pram ramp and footpath locations are also inconsistent between the civil and landscape plans in some instances and shall be remedied.

**16. Riverside Drive Underpass**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall demonstrate how the existing underpass in Riverside Drive will be decommissioned. The existing natural surface is depressed in the location of the existing footpath through the underpass, however, the earthwork plan proposes cut at the subject location, which is inconsistent and must be revised.

**17. Cut and Fill Plans**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall supply revised cut and fill plans which indicate the depth of proposed cutting/filling.

**18. Off Road Cycleway**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall ensure that the off-road cycleway at the frontage of Youth Centre is designed and subsequently reconstructed to match with the reconfiguration of the intersection of Riverside Drive and Wheatley Drive in order to maintain the continuation of the cycleway along Riverside Drive.

**19. Road Safety Audit - Pre Construction**

A road safety audit shall be undertaken for the design of all new roadworks. Prior to issue of a construction certificate the applicant shall submit the audit report to Council's Executive Manager Infrastructure or accredited certifier.

**20. Deleted**

**21. 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 *State Roads Authority 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.

**22. Stormwater Management Plan (Subdivision)**

Prior to Council or an accredited certifier issuing a construction certificate, plans indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted to Council's Executive Manager Infrastructure or an accredited certifier for written approval. Stormwater shall be conveyed from the site in accordance with that approval.

Following information shall be submitted to Council's Executive Manager Infrastructure or an accredited certifier as a part of the abovementioned approval.

- i. DRAINS model shall be submitted with the stormwater management plan. The stormwater assessment must include the full upstream catchment that

- drains/will drain through the site and consider the capacity of the downstream system.
- ii. The revised civil works plan and earthworks plan shall be submitted.
  - iii. Details regarding the existing stormwater pipe traversing through the site of proposed residue lot 4113. The pipe is catering for the adjoining Tharawal Aboriginal Corporation's property. Suitable treatment to be demonstrated (retain/decommission) shall be detailed. Should the pipe be retained, a suitable easement must be created through Lot 4113 in favour of the upstream property.
  - iv. The system draining directly to the Georges River shall include a water quality treatment system as the size of the contributing catchment is more than 10 lots. The water quality treatment system must achieve at a minimum Campbelltown City Council's DCP requirements due to the proximity to the sensitive catchment of the Georges River.

All proposals shall comply with the design requirements detailed in the *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

### **23. Civil Works under S138 Roads Act**

Prior to Council or an accredited certifier issuing any construction certificate for civil works, a S138 Roads Act application, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for civil and associated works proposed on public land. The design shall be in accordance with the requirements detailed in *Austroads Guide, Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

Detailed engineering plans for the proposed works in public land shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications. Inspection of this work shall be undertaken by Council at the applicant's expense.

### **24. Inundation by Flood Waters**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit plans and detailed hydrological and hydraulic calculations (all to AHD) prepared by an experienced practising hydraulics engineer in accordance with the design requirements detailed in the *Campbelltown City Council Engineering Design Guide for Development (as amended)*, as it is considered that the subject development may be at risk of inundation by floodwaters due to overland flow affecting the property. The plans shall include details of:

- a. The calculated 100 year flows at this location and the extent of any inundation affecting the development;
- b. Any effect on adjacent properties, public or private, likely to be caused by the development; and
- c. Measures proposed to ensure compliance and with the design requirements of the *Campbelltown (Sustainable City) DCP (as amended)* and *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

In addition to the above:

- i. Site fill levels shall be at or above the calculated 100 year ARI level and habitable floor levels shall be in accordance with the freeboard requirements detailed in the *Campbelltown (Sustainable City) DCP (as amended)* and *Campbelltown City Council Engineering Design Guide for Development (as amended)*.
- ii. Any filling required shall be undertaken in accordance with Council's 'Specification for *Construction of Subdivision Road and Drainage Works*' (as amended), AS3789 - 'Guidelines for *Earthworks for Commercial and Residential Development*' (as amended), and the approved construction drawings.

## **25. 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 and in accordance with the recommendations contained in the 'Detailed Contamination Assessment' prepared by Geotechnique Pty Ltd (ref. 13793/2-AA, dated 30 November 2016).

Upon completion of the approved remediation works, 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.

## **26. Temporary Residential Cul-de-sac Heads**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit design details for approval for the temporary cul-de-sac heads at the southern ends of Roads 408 and 410. The turning areas shall be considerate of service vehicles (including garbage collection trucks) that will access the roads.

The pavement compositions shall be the same as that constructed for the respective roads.

Construction of the roads shall be undertaken in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (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.

## **27. Retaining Walls**

Retaining walls shall be designed by a qualified structural engineer and constructed of concrete or reinforced masonry.

The proposed retaining walls that are interfaced with the existing and/or proposed

drainage infrastructure shall be designed by a qualified structural engineer demonstrating that no loadings are being imposed upon the drainage infrastructure. Construction details of retaining wall shall be submitted for approval prior to issue of a construction certificate.

## **28. Soil Management**

The Soil Management Plan set out in the “Geotechnical Investigation Report” shall be implemented on site. The management of saline soils is to be in accordance with protocols set out in the “Western Sydney Salinity Code of Practice”.

## **29. Site Filling**

Site filling and other earthworks shall be undertaken in accordance with the recommendations of the Geotechnical Investigation Report (ref. 13793/2-AA) by Geotechnique Pty Ltd dated 5/12/16.

## **30. Vehicle Turning Movements**

Prior to Council or an accredited certifier issuing a construction certificate, vehicle turning movements (for the appropriate vehicle types as agreed with Council) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking and provided to Council or an accredited certifier.

In particular, the following proposed intersections which must demonstrate that they can be negotiated by respective designed vehicles. The intersections are:

- a. Laneways/Adjoining Roads (Garbage truck 10.40m long)
- b. Campbellfield Avenue/Riverside Drive - West intersection (Single unit truck/bus 12.5m long).
- c. Campbellfield Avenue/Riverside Drive - East intersection (Single unit truck/bus 12.5m long).

The Vehicle Tracking files and associated development proposal shall be submitted in .dwg/ .dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

## **31. Landscape Requirements**

The following landscaping requirements shall be addressed and detailed in the construction plans. The plans shall be submitted for approval prior to issue of a construction certificate.

- a. The following species listed in the approved landscaping plan are not considered to be suitable for street trees and shall be replaced with the alternative species given below:

Name of unsuitable species	Name of acceptable alternative species
Fraxinus pennsylvanica	<ul style="list-style-type: none"><li>• Quercus palustris</li><li>• Lagerstroemia indica</li><li>• Jacaranda mimosifolia</li></ul>
Liriodendrum tulipifera	<ul style="list-style-type: none"><li>• Lophostemon confertus</li></ul>



	<ul style="list-style-type: none"> <li>• <i>Waterhousia floribunda</i></li> <li>• <i>Tristaniopsis laurina</i></li> </ul>
--	---

- b. The applicant shall demonstrate that the proposed trees along the verge of the two Campbellfield Avenue and Riverside Drive roundabouts do not obstruct traffic sight lines.
- c. The applicant shall amend the landscape plan to include additional Eucalypts as Koala Refuge Trees into streets that occur in an east west direction to create a linkage both with those identified in a north south direction within Stage 4 and outside the development to the north, east and west.
- d. In locations where Council maintenance is required, narrow turf strips are not acceptable and they shall be replaced with either planted bed areas or widened to a more substantial area of turf that is usable by the community. The minimum width of the turf strip must be 1000mm and the minimum width of the planted bed must be 500mm. Proposed vegetation beds narrower than 500mm shall be replaced by a suitable concrete strip.
- e. For any planting in the public domain, root boxes or barriers are required for all street trees being placed within 1m of infrastructure. Such infrastructure shall include footpaths, shared paths, roadways, kerb and gutter. The specification of the root barrier shall be submitted to Council's Executive Manager Infrastructure or accredited certifier.
  - i. Unless specified otherwise, the minimum size for root control boxes shall be 800mm wide and 500mm deep. Trees are to be installed centrally within the root control box.
  - ii. Alternatively, root barrier is to be placed on the road and footpath side of all street trees for a minimum length of 2m. Vertical ribbed root barrier shall be a minimum of 600mm deep and 0.75mm thick in all instances.
  - iii. Root boxes or barriers must be placed:
    - At a minimum of 300mm behind the back of kerb so that it does not compromise the road pavement (i.e. the trunk of the tree shall be a minimum of 700mm from the back of kerb).
    - Flush with or marginally below the ground surface.
    - Flush with or marginally below the adjoining top of footpath.
    - For a 3m extent along the footpath/shared paths and kerb with the tree centrally placed.
    - Such that it is not a trip hazard.
- g. Street tree locations and species shall be made under consideration of street light location to limit the impact of tree canopies on the effectiveness of street lighting. Best practice shall be observed.
- h. Any turf surface having an interface with a garden bed or walls or any other structure, must have 100Wx200D 25MPa concrete edge strip reinforced with Poly Fibre Forta Ferro (or equivalent) equivalent to SL82 and is to comply with the following:
  - Fibre length – 54mm

- Material – virgin copolymer/polypropene
- Specific gravity – 0.91
- Tensile strength – 658 to 758 MPa

This does not apply to street tree pits in verge, a timber edge is standard here.

### **32. Street Lighting**

Prior to issue of a construction certificate, the applicant shall prepare a street lighting plan for the written approval of Council's Executive Manager Infrastructure, which address the following:

- Light distribution drawings shall be provided.
- All street light luminaires are to be LED.
- The street lighting plan must consider the impact of street tree planting (at planting and mature height and form) on the lightings effectiveness.

### **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.

### **33. Compulsory Acquisition of Land**

The development includes works to Council owned land that is classified as community land under the *Local Government Act 1993*, being Lot 1100 DP 1107354 and Lot 20 DP 1180338.

Pursuant to Clause 22(1) of the Housing Act 2001, New South Wales Land and Housing Corporation intends to acquire the Council owned land by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of residential development.

Prior to the commencement of works on Lot 1100 DP 1107354 and Lot 20 DP 1180338, the notification of compulsory land acquisition must be published in the New South Wales Government Gazette, at which time land ownership passes from Campbelltown City Council to New South Wales Land and Housing Corporation.

### **34. Biodiversity and Land Clearing**

Prior to the commencement of works, Pre-Clearing and Clearing Surveys are to be undertaken in accordance with Section 5.2.3 of the document Airds Bradbury Renewal Project – Stage 4 Subdivision Flora and Fauna Impact Assessment prepared by Cumberland Ecology, Version 2, dated 14 February 2017 (ref. 15074RP4).

In addition to the measures detailed at Section 5.2.3, the following shall also be undertaken:

- Include within the pre-clearance survey the requirement to include searching, removal and translocation of any Cumberland Plain Land Snail located on the site.

- Include a Nest-box Management Strategy that includes the installation of 4 nest boxes suitable for target fauna species and details on nest-box designs, site suitability (within the development footprint and in proximity to the trees being removed), installation protocols, nest-box monitoring /maintenance commitments and the requirement for nest-box installation prior to clearing.
- Include a requirement for WIRES staff to be present for any felling of trees.

### **35. 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.

### **36. 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
- 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.

### **37. 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.

### **38. 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.

### **39. 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.

#### **40. Construction Management Plan**

Prior to the commencement of any works on the land, a site specific Construction Management Plan (CMP) is required to be prepared. The CMP must include the following details:

- Detail any potential impacts on the amenity of nearby existing dwellings and existing lane uses within the locality
- Describe the project in detail, including activities undertaken
- Outline a monitoring regime to check the adequacy of controls and mitigation measures and ensure that they remain in good working order
- Detail the proposed routes for heavy vehicles accessing the site

The recommendations of the CMP must be in place prior to any works commencing.

#### **41. Closure of Roads (pathways)**

Prior to work commencing, the plan prepared to close road portion within the development site shall be registered with NSW Land Registry Services (surveyor's ref. 78157.01.L01).

#### **41A. Koala Investigation**

Prior to works commencing, the applicant shall undertake a koala survey in the approved development area to investigate whether the site is core koala habitat, using standard reportable techniques of koala survey in accordance with Circular B35 - SEPP 44 Koala Habitat Protection Guidelines - Section 2.1 Investigating Potential Koala Habitat for Core Koala Habitat (i)-(iv), such as RG-bSAT technique in a manner consistent with the SAT Koala Survey carried out for Stage 2 of the Airds-Bradbury urban renewal project.

#### **41B. Deleted**

### **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.

#### **42. 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 5.00pm
Sunday and public holidays	No Work.

#### **43. 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 \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.**

#### **44. Fill Compaction Requirements**

Any filling operations are to be carried out in accordance with AS3789-Guidelines for Residential and Commercial Developments.

#### **45. 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.

#### **46. 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.

#### **47. 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.

#### **48. Revegetation**

Revegetation to the requirements of the manual – *'Soils and Construction (2004) (Bluebook)* shall be applied to all disturbed areas within seven days after completion

of earthworks, and shall be fully established prior to release of the maintenance security bond.

**49. 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.

**50. Path Paving**

Concrete path paving shall be constructed in accordance with *Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the design requirements detailed in the *Campbelltown (Sustainable City) DCP(as amended) & Campbelltown City Council Engineering Design Guide for Development (as amended)*. The unpaved areas of the road verge shall be regraded, topsoiled and turfed. The verge formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing levels.

**51. Pavement Thickness Determination**

A road pavement shall be designed by a qualified geotechnical Engineer based on a geotechnical report, prepared by a N.A.T.A. registered laboratory. Pavement design report shall be forwarded to Council and/or the principal certifying authority a minimum of 2 working days prior to the inspection of the exposed sub grade. The pavement design shall be prepared in accordance with *Campbelltown City Council Engineering Design Guide for Development (as amended)* and *Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended)*.

**52. Residential Layback Crossing**

The applicant shall provide a layback in the kerb and gutter at the entrance to all residential lots that have a frontage to barrier kerb. Construction shall be in accordance with Council's *Residential Vehicle Crossing Specification* and Council's *'Engineering Design Guide for Development'*.

Generally, the laybacks will be located on the lower side of the lot frontage.

**53. Associated Works**

The applicant shall undertake any works within reason 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.

**54. Compliance with Council Specification**

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 (as amended) & Campbelltown City Council Engineering Design Guide for Development (as amended)*;
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

## **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.

### **55. Section 73 Certificate – Subdivision Only**

Prior to the principal certifying authority issuing a subdivision certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to Council prior to the release of the subdivision certificate.

### **56. NBN Services**

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

### **57. Road Safety Audit - Post Construction**

Prior to dedication of the roads to Council, a Road Safety Audit of the completed works is to be undertaken by a suitably qualified person to identify any potential safety risks for the users of roads and pedestrian facilities (day to day usage and maintenance activities).

The objective of the audit is to identify potential risks to the users of roads and pedestrian facilities and to ensure compliance with the approved plans and that the measures to eliminate or reduce identified risks as suggested in the report have been implemented prior to the dedication of the roads to Council.

### **58. Structural Engineer's Certification**

Prior to issue of a subdivision certificate, a structural engineer's certification shall be submitted to Principal Certifying Authority, certifying that all structural elements have been constructed in accordance with the approved design. A copy of the certification shall be provided to Council where Council is not the Principal certifying Authority.

**59. CCTV footage verifying integrity of all new pipes and existing pipes**

Prior to Council or an accredited certifier issuing a Subdivision Certificate, the applicant shall provide CCTV footage to Council for all new pipes and for all existing pipes which are modified by works prior to Linen release. The footage shall comply with the following requirements:

- the files shall be in MP4 format
- file resolution shall be 640 by 480 pixels, 3Mbps and 25 frames per second
- each pipe reach (i.e. between two pits) shall be provided as a separate file
- the CCTV inspection shall be undertaken in accordance with the IPWEA Condition Assessment and Asset Performance Guidelines, Practice Note 5, Stormwater Drainage
- the speed and panning of the footage shall be sufficient to demonstrate that there are no significant cracks in the pipe and that the joints have been properly constructed
- the files shall have a name corresponding with the unique label provided in the associated stamped approved drawings and
- a summary report (\*.pdf) shall accompany the data.

**60. 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 identified
- b. No Alteration to Surface Levels
- c. Lots Filled – Lots to be identified
- d. Access Denied – Lots to be identified
- e. Drainage Floor Level Control Easements - (100yr flow, depressed)
- f. Lots with any other restrictions eg refuse collection, bushfire hazard management
- g. Easement for maintenance purposes (retaining walls and zero lot boundaries)
- h. Easement for support (retaining walls)
- i. Building envelope plans for allotments less than 300sqm
- j. Lots with rear laneways – garages must be at rear

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.

**61. Inter-Allotment Drainage Easement**

Prior to the principal certifying authority issuing a subdivision certificate, an inter-allotment drainage easement shall be provided for all residential lots that cannot be



directly drained to the street kerb and gutter. Easement width shall be complied with Campbelltown City Council Engineering Design for Development (as amended).

**61B. Water Management Facility – Airds Town Centre**

Prior to the issue of a Subdivision Certificate, the applicant is to demonstrate that hydraulic, stormwater works required within Basin 1 (and in accordance with the stormwater management components outlined within the Stage 4 development in Section 3.3 of Flood and Stormwater Impact Assessment (Revision 3) prepared by Catchment Simulation Solutions, May 2018) are to be completed to the satisfaction of the Council's Executive Manager Urban Release and Engagement.

Compliance with Campbelltown City Council requirements (as relevant to flooding) should also be demonstrated.

**62. Bond (Outstanding Work)**

Prior to the principal certifying authority issuing a subdivision certificate and to facilitate the release of the subdivision certificate, Council may accept bonding for outstanding asphaltic concrete work, footpath paving, vehicle crossings/driveways or other minor works. Following a written request from the applicant, Council will determine the bond requirements.

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

Council may consider accepting a letter of undertaking from Landcom as a substitute to the bond.

**63. 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 six years after the issue of the subdivision certificate, Council will surrender the bond to the *Office of State Revenue*.

Council may consider accepting a letter of undertaking from Landcom as a substitute to the bond.

**64. 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).

**65. 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 Form Health Based Soil Investigation Levels - Soil Series No. 1* and a copy of the laboratory report shall be submitted to Council with an end statement (site validation report completed by a suitably qualified person) that the land is suitable for the proposed end use.

**66. Splay Corner (Residential)**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall dedicate splay corners in the property boundaries of all lots located adjacent to road intersections in accordance with Council's Engineering Specifications and at no cost to Council.

**67. Final Inspection – Works as Executed Plans**

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in Campbelltown City Council Engineering Design Guide for Development (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 0.3.m 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 2012 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.

### 68. Engineering Documentation

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council the following documents:

- Two copies of lot classification reports, geotechnical stability reports, dispersion tests, earthworks and fill placement reports, concrete core tests, sub grade and pavement density reports, structural and all other testing undertaken.
- Two copies of all compliance certificates in accordance with consent authority requirements, including supply of pipes and precast units, supply of sub-base material, supply of base course material, supply of concrete, and supply of AC material including rubberised seals where provided.

All reports/certificates shall be prepared by a N.A.T.A. registered laboratory or qualified engineer 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 City Council Engineering Design Guide for Development (as amended)* and shall list the relevant compliance standard(s) and certify that the whole of the area of works or materials tested comply with the above specification. All reports/certificates shall be complete, fully referenced, clearly indicate the area or material tested, the location and required/actual values of all tests and retesting, and be collated and suitably bound.

### 68. 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.

### 69. 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, NBN Co. and where available 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 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, the amount to be determined by Council, to cover the cost of trench restoration by Council and the placement of the final asphaltic concrete seal.

Council may consider accepting a letter of undertaking from Landcom as a substitute to a bond.

**70. Retaining**

Prior to the principal certifying authority issuing a subdivision certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

**71. House Numbers**

Prior to the principal certifying authority issuing a subdivision certificate all house 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.

For all new additional lots created, please contact Council's Land Information Unit on 4645 4465 to ensure the correct house number is stencilled.

**72. 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 the work as executed plans for the line marking / sign posting in relation to the subdivision. The information shown on the plan shall be in accordance with the recommendations of the Traffic Committee and shall note the date/s of installation.

**73. 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.

**74. Local Traffic Committee**

Prior to the release of a subdivision certificate and installation of regulatory/advisory line marking and signage, plans are to be lodged with Campbelltown City Council and approved by the Local Traffic Committee.

Notes:

1. Contact Campbelltown Council's City Delivery Team on telephone 46454000 for advice regarding the application process and applicable fees.
2. Allow for twelve (12) weeks for approval by the Local Traffic Committee.

## **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 4.17 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. 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 -
  - i. Direction/confirmation of required measures.
  - ii. After installation and prior to commencement of earthworks.
  - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. SUBSOIL DRAINS – After:
  - i. The trench is excavated.
  - ii. The pipes are laid.
  - iii. 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. GULLY PITS & OTHER CONCRETE STRUCTURES –Prior to pouring concrete.
- h. PAVEMENT THICKNESS MEASUREMENT (Dips) – After placement of kerb and gutter and final trimming of sub-base.
- i. SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.
- j. BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- k. OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- l. CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- m. ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.
- n. FINAL INSPECTION – All outstanding work.

### **Advice 3. 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 subdivision certificate.

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

Council is the principal certifying authority for the construction of the proposed subdivision and issue of the subdivision certificate and Council 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**

An original linen plan, administration sheet and if required 88B Instrument together with thirteen copies, including all service certificates, cover letter and, copy of contents on a USB shall be submitted to Council prior to the release of the subdivision certificate.

Note the administration sheet is required to include a schedule of lots and addresses in accordance with Section 60(c) SSI Regulation 2012.

### **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 Council's 'Engineering Design Guide for Development'.

**Advice 8. Deleted**

**Advice 9. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**Advice 10. Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**