

## **DRAFT CONDITIONS OF CONSENT**

### **NOTICE OF DETERMINATION**

Development Application No.: 308/2019/DA-CD

#### **Approval of a Concept development Application issued under Section 4.22 of the Environmental Planning and Assessment Act 1979**

This Consent will lapse unless the development is commenced within five years from the endorsed date of the original development consent or as otherwise provided under Section 4.53 of the Act.

Division 8.2 of the Act may allow an applicant who is dissatisfied with the determination of an application, a right to request a review of the determination within six months from the date of this notice, or within another period of time as specified in the Act

Section 8.9 of the Act allows an applicant who is dissatisfied with the determination of a consent authority, a right of appeal to the Land and Environment Court within six months from the date of this notice.

Property: Lot X DP 409704, Lot 15 DP 14782 and Lot 1 DP 1154928.  
Nos. 22 – 32 Queen Street, CAMPBELLTOWN

Proposed Development: Concept master plan which includes: -

- concept building footprints and massing envelopes for the future redevelopment of the site across three (3) key buildings in five (5) tower forms with a maximum height of 26 metres;
- conceptual identification including location of public open space and communal gardens;
- Vehicular access arrangements and egress points to/from the site and proposed basement car park; and
- Location and network of pedestrian paths.

Date of original determination: **<Panel meeting date>**

**Rana Haddad**  
**Coordinator Central Business Districts**  
**Contact: Steve McDiarmid**

## 1. Concept Development Application

Development consent is granted for Concept Development as shown in the approved plans for 22-32 Queen Street, Campbelltown. The grant of this concept approval does not authorise the carrying out of any physical demolition or construction works or development on any part of this site under clause 4.22 (4) of the Environmental Planning and Assessment Act, 1979 unless consent is subsequently granted to carry out development on the land.

## 2. Approved Concept development

The approved concept is that shown in the following drawings, subject to any changes as required by another condition of this consent:

Plan Prepared by	Concept Plan Name	Revision	Dated
Town Owen	Compliant (Building Envelope) Scheme.	2	June 2020
Town Owen	Indicative Basement Plan – Compliant Scheme.	2	June 2020
Town Owen	Proposed Massing Envelope – Compliant Scheme	2	June 2020

This consent does not authorise any physical works.

## 3. Consistency of future Development Applications

While this consent remains in force, the determination of any subsequent Development Applications for the subject site must be consistent with this consent.

## 4. Further Development Applications Seeking Operational Consent

Subsequent development applications must be prepared and submitted in accordance with *Schedule 1 (Forms), Parts 1 & 2 (Information to be included in development application)* of the *Environmental Planning and Assessment Act, 1979*.

Any such application must, where relevant, also be accompanied by information in accordance with Part 2(5)(*Documents to accompany development application*), for any defined “mixed use” and/or “residential flat building” development proposed in accordance with *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* (SEPP 65), which includes: -

- (a) an explanation of how—
  - (i) the design quality principles are addressed in the development, and
  - (ii) in terms of the Apartment Design Guide, the objectives of that guide have been achieved in the development,

- (b) drawings of the proposed development in the context of surrounding development, including the streetscape,
- (c) development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations,
- (d) drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context,
- (e) if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts,
- (f) photomontages of the proposed development in the context of surrounding development,
- (g) a sample board of the proposed materials and colours of the facade,
- (h) detailed sections of proposed facades,
- (i) if appropriate, a model that includes the context.

## 5. Building Design and Envelopes

All buildings approved in subsequent development applications must be located entirely within the approved building envelopes. The mixed use components of any future Development Applications for the subject land must demonstrate that the proposed building designs are compliant with the all relevant requirements specified in with the following: -

- a) *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* (SEPP 65);
- b) *the Apartment Design Guide* (ADG);
- c) *Campbelltown Local Environment Plan 2015* (CLEP); and
- d) *Campbelltown (Sustainable City) Development Control Plan 2015* (SCDCP), including Volume 1, Part 5 (*Residential Flat Buildings and Mixed-Use Development*).

## 6. Building height

The maximum height of the buildings, including parapets, rooftop plant and equipment, lift overruns, stairwells and shading structures for the rooftop communal open space areas must not exceed 26 metres, (or must be consistent with clause 5.6 Architectural Roof Features of the Campbelltown Local Environment Plan 2015) as detailed on the plans approved for the 'Stage 1' Concept Plan.

## 7. Design requirements

- a) The facades of the proposed mixed use buildings must feature careful detailing/articulation in order to reduce the perceived length of the facades, including recesses;
- b) The basement structures must be suitably treated to ensure a suitable transition is provided between the ground floor apartment and the adjacent public footpath.
- c) Detailed landscaping design plans which accompany any future Development Application(s) must demonstrate that at least 50% of the trees and vegetation species to be planted on site are native and/or endemic to the local area.

## **8. Matters not approved**

The following items are not approved by this concept consent, and are to form part of subsequent applications:

- (i) Demolition, removal of trees, excavation, processing of materials on site construction and/or occupation;
- (ii) The design of the residential apartment floor plan layouts;
- (iii) The design of the commercial/retail floor plan layouts;
- (iv) The design of the building exteriors including facades;
- (v) Public domain and landscape designs;
- (vi) The number of car parking spaces, bicycle spaces or loading spaces/areas;
- (vii) The design and configuration of the basement car parking levels;
- (viii) Subdivision (including amalgamation of the lots, Torrens title, strata or community title subdivision).

## **9. Section 7.11 contributions**

The approval of this Concept Application is on the basis that Section 7.11 contributions will be assessed as part of each subsequent Development Application for the site.

## **10. Special infrastructure contributions**

The applicant is to make a special infrastructure contribution in line with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 7.17 or its equivalent of the Act that is in force on the date of the consent. The applicant must also obtain a certificate to that effect from the Department of Planning, Industry and Environment and provide it with each subsequent application for development and before any consent is issued

Information about the special infrastructure contribution can be found on the Department of Planning and Environment's website: <http://www.planning.nsw.gov.au/Policy-andLegislation/Infrastructure/Infrastructure-Funding/Special-Infrastructure-Contributions-SIC>

This consent does not preclude the requirement for special infrastructure contributions on the site for subsequent Development Applications.

## **11. BASIX**

A BASIX Certificate in line with the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 must be submitted with subsequent applications for the construction of any residential or commercial building development.

## **12. Management of Land Contamination**

A preliminary contaminated site assessment has been undertaken of the site and the land is *"land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out"* in accordance with Clause 7(4)(b) of State Environmental Planning Policy No 55 - Remediation of Land. Consequently, any development application lodged for the development of the site in accordance with this approved concept plan must address the following requirements:

Type of Development	Information Requirements
The use of land	A detailed contaminated site assessment and (if required) a remediation action plan
The subdivision of land	A detailed contaminated site assessment and (if required) a remediation action plan
The erection of a building	A detailed contaminated site assessment and (if required) a remediation action plan
The carrying out of a work	A preliminary contaminated site assessment
The demolition of a building or work	A preliminary contaminated site assessment

All reports and plans are to be prepared in accordance with State Environmental Planning Policy No 55 – Remediation of Land, its guidelines, the guidelines of the NSW Environmental Protection Authority and the National Environmental Protection (Assessment of Site Contamination) Measure of the Commonwealth. The standard for the remediation of the site shall be sufficient to allow it to be used for residential (limited soil access), commercial, industrial and childcare uses.

Nothing in this condition prevents the resubmission of, or reliance upon, the existing preliminary contaminated site assessment for the site.

### 13. Salinity

Any subsequent Development Application for the construction of any residential or commercial building development. must be consistent with the recommendations of a 'Salinity Assessment Report' which must be prepared by a suitably qualified geotechnical engineer in order to minimise the chance of any completed development increasing the risk of further impacting the soil and groundwater salinity on and/or beneath the site.

### 14. Food or public health related commercial activities

Any subsequent Development Application which includes food or public health related commercial activities must demonstrate that the use and fit out of all relevant premises will meet satisfactory compliance with the requirements of the Food Act 2003, and associated Regulations, in addition to the Australian Standard (AS) 4674-2004 for the "Design, construction and fit-out of food premises".

### 15. Noise impact assessment report

A noise impact assessment report is to be submitted with any subsequent Development Application that includes residential premises. A qualified acoustic engineer must certify that the buildings have been designed to minimise the noise intrusion from any external noise source and when constructed the building must satisfy the following criteria with windows and doors closed:

Internal space	Time period	Criteria: LAeq (period)
Living Areas	Any time	Any time 40 dB(A)
Sleeping Areas	Day (7 am – 10 pm)	40 dB(A)

	Night (10pm – 7 am)	35 dB(A)
--	---------------------	----------

A certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that they are acoustically attenuated so that the noise emitted:

- a. does not exceed an LAeq sound pressure level of 5dB(A) above the ambient background noise level when measured at the:
  - i. most effected point on or within any residential property boundary; or
  - ii. external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates.
- b. cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10 pm and 7 am.

The method of measurement of sound must be carried out in line with Australian Standard 1055.1. The noise assessment is to be in line with the Environment Protection Agency Industrial Noise Policy (INP).

## 16. Basement access and car parking spaces

Any subsequent Development Application for the construction of any residential or commercial building development. must demonstrate that the minimum required car parking and bicycle parking spaces have been provided within the basement car parking levels in accordance with the requirements specified in the *Campbelltown (Sustainable City) Development Control Plan 2015*. All parking areas must be designed in accordance with AS 2890, Council's and relevant standards (e.g. AusRoads, RMS Guidelines). Further, the application must also be accompanied by detailed plans of the parking areas which accurately depict the dimensions of any ramps, parking aisle widths, space widths/lengths and overhead clearances.

These plans must also include all on-site traffic management measures for residential and non-residential (commercial) land uses, in addition to those intended to service the completed development.

The entire path of travel for waste and loading/servicing vehicles on the ground or basement car parking levels must achieve a minimum height clearance of 4.5 m from any overhead services in addition to having a minimum articulated vehicle length of 11 m.

Head room clearance at the basement ramps and levels must also reflect compliance with AS 2890.1 (Section 5.3) for a "Disabled Vehicle" in addition to AS 2890.1 - Appendix C for the "Disabled parking space".

Sight distance must be maintained at the basement car parking entrances in terms of both pedestrian and vehicular sight distances.

All loading and unloading operations associated with commercially servicing of the site must be undertaken within the confines of the site, at all times, and must not obstruct other properties or the public domain.

## **17. Stormwater drainage**

As part of the first subsequent development application for the construction of any residential or commercial building development under this consent a detailed stormwater drainage design plan and report must be submitted for approval which reflects, but is not limited to, the following: -

- a. The proposed stormwater drainage system which meets compliance with the SCDGP 2015, the "Engineering Design for Development" guides (as amended), AS3500-1: "Plumbing and drainage" and the NSW Floodplain Development Manual (current versions)
- b. All relevant geotechnical and structural engineering requirements as outlined in any engineering report/investigation(s);
- c. All engineering design details, calculations, and assumptions made;
- d. Proposed development must not result in any adverse impact stormwater flows onto surrounding properties, In this regard, the post-development site discharge flow rate must be equal to or less than total pre-development flow rate;
- e. Proposed minor and major site stormwater systems must safely discharge into the Queen Street road reserve by gravity from a single site boundary pit.
- f. The proposed basement stormwater pump out chamber must be automatically controlled to discharge ponded stormwater directly into the site boundary pit, at a flow rate which does not result in the total post development discharge exceeding the total pre-development flow rate. Full basement drainage system details, including pump sizing, discharge flowrates and velocity into the boundary discharge pit;
- g. Details of automatic/manual control of discharge pumps,
- h. The method of disposal of all stormwater, and connection from the site's drainage system into Council's Stormwater drainage network, including; augmentation of the existing system in Queen Street, existing and finished ground and surface levels, all pervious and impervious areas, estimated flow rates, pipe velocities, invert levels, clearances between other services, and sizes of all pipelines, must be detailed on the plans, and discussed in the design report.
- i. Safe overflow stormwater drainage paths must be designed with freeboard to cater for 1% AEP storm event.
- j. Rainwater tank dimensions, point of overflow discharge, and details of the pump control system required to provide water to the toilets, clothes washer and/or any other fixture identified in the BASIX certificate, must be provided.

## **18. Unreasonable Noise, Dust and Vibration**

The development and future use of the site, including operation of vehicles, must be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be

taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises must when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises must implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

## **19. Vehicle Parking Spaces**

Vehicle parking spaces must be designed, sealed, line marked, and made identifiable for all users/vehicle types of the site, including car and trailer combination, in compliance with Council's DCP and the Engineering Design for Development guides, and relevant parts of Australian Standard 2890 (as amended).

The minimum number of accessible spaces as per Council's DCP is required to be provided and are to be shown on the plans submitted with each subsequent development application for the construction of any residential or commercial building development.

## **20. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends within the zone of influence of adjoining public infrastructure on adjoining land or public roads, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining properties and infrastructure from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining properties and infrastructure to prevent any such damage.

Any works that affect public infrastructure must obtain written clearance from Campbelltown Council's 'City Delivery' Department prior to any work commencing on site.

## **21. Utility Servicing Provisions**

The applicant must obtain a letter from both the relevant electricity authority and the 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.

## **22. Geotechnical Report**

Any subsequent Development Application for the construction of any residential or commercial building development must include a comprehensive geo-technical engineering



report prepared by a suitably qualified geotechnical engineer, with NATA registered laboratory testing facilities, to the satisfaction of Council.

The report must include but not be limited to the following:

- a) an overall assessment of all architectural and engineering plans for the proposed development and suitability in relation to the site's geotechnical characteristics, and compliance with requirements outlined in the BCA, Campbelltown City Council's (Sustainable City) Development Control Plan, and Engineering Design for Development guide;
- b) Identify land that will be subject to subsidence, slip, slope failure or erosion, where; excavation and/or filling exceeds 900mm in depth, or is identified as filled land.
- c) preferred excavation/retention/stabilisation techniques and suitability of excavated materials for use in on-site earthworks;
- d) construction methods to avoid problem areas associated with loose materials and groundwater seepage;
- e) requirements for surface and subsurface drainage lines.
- f) an analysis of the level of risk to all existing adjacent structures/buildings, including the scenario of vibratory rollers and other large earthworks machines used anywhere within the site the subject of these works. In the event that the proposed development, its construction, and use of vibratory rollers or other machinery could affect adjacent structures/buildings, high risk areas and method of mitigation must be identified on a plan and discussed in the report. This analysis must include outlining the potential for possible damage to adjoining premises from excavation on the site, and specifying safe method(s) of underpinning the adjoining premises to prevent such damage.
- g) recommended treatment of any unstable areas within privately owned allotments surrounding the site the subject of these works.
- h) impact of the installation of services on overall site stability and specify recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation.
- i) specification of foundation conditions and footing requirements of the site, such as bearing pressures, pile design parameters, special techniques for expansive clays, saline soil conditions etc, and provide solutions for consideration of structural and civil engineers. Note Campbelltown is known for significant soil salinity issues, and footing design must assume maximum salinity potential foundation soils, providing recommended design and mitigation strategies;
- j) the extent and stability of any existing and proposed embankments;
- k) all required Geotechnical testing requirements; and
- l) the level of geotechnical supervision required for each part of the works as defined under AS3798 - Guidelines on Earthworks for Commercial and Residential Developments.

## **23. Contamination – Unexpected Finds**

An unexpected finds protocol shall be submitted for any subsequent development application that includes excavation below existing ground level. The protocol must be prepared by a suitably qualified person, accredited by the Office of Environment and Heritage (OEH).

## 24. Soil and Water Management Plan

Any subsequent Development Application for the construction of any residential or commercial building development must include a Soil and Water Management Plan (SWMP), prepared by a suitably qualified professional engineer

The SWMP must be prepared in accordance with the methodologies and requirements of Landcom's Managing Urban Stormwater - Soils and Construction (2004) (aka The Blue Book), be in accordance with all geotechnical engineering requirements for the development, and also comply with the following;

- a) clearly identify site features, constraints, existing and proposed slope grades, soil types, and nature of the proposed land disturbing activities;
- b) specify the type and location of erosion and sediment control measures, and detail them on the plans in accordance with standard drawings and plan examples from the Blue Book;
- c) recommended rehabilitation and revegetation techniques;
- d) specify measures to control dust generated from the site;
- e) provide civil works and structural engineering details of all erosion and sediment controls;
- f) fence temporary sediment ponds/traps where the batter slope exceeds 1 vertical to 5 horizontal;
- g) secure the site against unauthorised access, provide stabilised and drained site entry and exit point, circulation road to all site construction offices, temporary onsite staff car park areas, and any machinery storage/maintenance areas;
- h) stage the development to minimise the area of soils exposed at any one time,
  - (i) conserve topsoil for reuse on site, and identify on the plan the location of proposed soil and materials stockpile locations;
  - (ii) preserve existing native and riparian vegetation in accordance with any vegetation report recommendations,
- i) control surface water flows safely through the construction site, from all storm events up to and including the 1% AEP event, in a manner that:
  - (i) diverts clean run-off around disturbed areas;
  - (ii) minimises slope gradient and flow distance within disturbed areas;
  - (iii) is non-erodible;
  - (iv) allows prompt rehabilitation of the site.
- j) trap eroded sediment on site as close as practicable to the source, with scour protection designed for the 10 year ARI event. (Note: Hay bales are not to be used as sediment control devices. Straw bales are permitted);
- k) provide details of a regular self-auditing program, monitoring and maintenance of erosion and sediment control measures, weather forecasting (at least the 3-day forecast), staging of rehabilitation and site stabilisation works, up to and including completion of any maintenance period (includes landscaping). A log book must be kept onsite and be made available at all times for all staff, government authorities, and authorised site visitors to access, for record keeping of these requirements, and provision of standing orders and emergency actions to be observed during normal work hours, after-hours, weekends, and holidays.

## **25. Pollution Control**

Any subsequent Development Application for the construction of any residential or commercial building development must include a pollution control plan and report detailing engineering design, construction, operation and maintenance of all required pollution control, water quality treatment and rain water harvesting/reuse systems.

This report must be prepared by a suitably qualified professional. The plan and report must comply with Campbelltown (Sustainable City) Development Control Plan 2015, and Engineering Design for Development guides, any manufacturers' specifications, operating & maintenance guides for third part proprietary infrastructure, and/or current best practice guides or documents.

## **26. Traffic Committee**

Engineering design and construction plans for the construction of any residential or commercial building development must accompany any subsequent Development Application and detail the relevant prescribed traffic control devices/facilities, including associated line marking and/or sign posting.

This information must be prepared by a suitably qualified professional civil/traffic engineer for approval of Council's Local Traffic Committee.

## **27. Construction Traffic Management Plan**

A comprehensive Construction Traffic Management Plan (CTMP) must be submitted with any subsequent Development Application for the construction of any residential or commercial building development and be prepared by an accredited 'Roads & Maritime Service' (RMS) consultant.

The CTMP must detail, but not be limited to, the following development related activities;

- day-to-day management of all development related construction traffic and staff, visitor and public pedestrian movements in and around the site;
- method of daily log book keeping to record all construction traffic activities and movements, for review and approval by the site superintendent;
- external vehicle movements and routes;
- Traffic Control Plans for each stage of the development, 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 must be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy must be submitted to Council for its records. It is anticipated that TCP's will be revised during the demolition and construction phases of development proposal, and approval obtained from Council for each revision;
- internal site vehicle movements, routes and haul roads,
- number of truck/machinery and their related movements,
- location of truck/machinery maintenance and storage areas,
- fuel storage and filling operations areas, including bunding arrangements,
- hours of operation,
- access arrangements,

- methods to mitigate impacts of construction traffic on pedestrians and local traffic.
- removal of soil/rock from the site, and delivery of materials
- method(s) of briefing/informing all staff, construction workers, sub-contractors, supervisors, visitors, and relevant public adjacent to the site to ensure that the CTMP procedures are adhered to at all times.

## **28. Detailed Drainage Design**

Any subsequent Development Application for the construction of any residential or commercial building development must include a detailed site drainage design plan, prepared by a suitably qualified, professional engineer. The detailed design must generally comply with the plans approved under this development consent, and clearly demonstrate that all areas of the site have been designed to adequately cater for the relevant design storm intensity and stormwaters received from upstream and adjoining catchments, and that all areas are free draining and discharge directly to the closest Council owned drainage facility, in accordance with Council's Development Control Plan and Engineering Design for Development guide, the Building Code of Australia, Australian Standard AS3500, and Australian Rainfall and Runoff, unless otherwise noted on the plans approved under this consent.

## **29. Easements & Engineer's Details**

The applicant must engage a suitably qualified structural engineer to prepare engineering design plans for the walls/supports of any structure that adjoins an easement boundary.

The design must clearly demonstrate that the walls/supports can withstand all forces should the easement be excavated to existing pipe invert level(s).

There must be no structural building columns positioned over Council's storm water culvert.

## **30. Design for Access and Mobility**

An access and mobility engineering design plan must be prepared by a suitably qualified, professional engineer, and submitted with any subsequent development application for the construction of any residential or commercial building development.

- The design plan must include and detail compliance with: -
  - Council's Development Control Plan;
  - Engineering Design for Development guide;
  - the Building Code of Australia; and
  - Australian Standards AS1428 and AS2890.
- indicate that the locations of all safe accessible paths, shared areas and general pedestrian paths (delineated and non-delineated) are available from site boundary access points and parking bays to building entries/exits with minimal conflicts between pedestrian and vehicle manoeuvring paths;
- provide delineation details and specifications for accessible and general pedestrian access paths, e.g. line marking, signage, and tactile ground surface indicators.

### **31. Telecommunications Infrastructure**

If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation will be required from the service provider that they have agreed to proposed works. The arrangements and costs associated with any adjustment to telecommunications infrastructure must be borne in full by the applicant/developer.

### **32. Sydney Water**

Information must be provided with any subsequent development application for the construction of any residential or commercial building development to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

### **33. Vehicle Swept Path Plan**

A Vehicle Swept Path Plan must be prepared by a qualified and experienced professional civil/traffic engineer, and be submitted to Council with any subsequent development application for the construction of any residential or commercial building development for the site.

The Vehicle Swept Path Plans must be submitted in: -

- A3 hardcopy,
- AutoCAD Civil 3D (.dwg/ .dxf ) file format, and
- All native swept path model files.

### **34. Engineered Vehicle Parking and Pavement**

All vehicle parking, manoeuvring, circulation, and aisle areas must be paved, drained, signed and line marked, with engineering design prepared in accordance with Council's Engineering Design for Development guide, and certified by a qualified and experienced professional civil engineer. Details demonstrating compliance with this requirement shall be submitted with any subsequent application for building works.

Pavement areas, including laybacks and verge crossings in public road reserves, must be able to withstand expected traffic loadings from a development of this size and type over the development's design life. Associated works within the public road reserve must be in accordance with Council's industrial standards, with the work carried out by Council or a Council approved contractor at the applicant's expense, including all alteration to public infrastructure where necessary.

### **39. Waste collection**

Any subsequent Development Application for the construction of any residential or commercial building development is to demonstrate compliance with Council's requirements for waste collection and *Campbelltown (Sustainable City) Development Control Plan 2015* (SCDCP). This is to include the submission of a Waste Management Plan (WMP) and detailed architectural plans which address Council's requirements.

#### **40. Access**

An access report must be submitted with any subsequent Development Application for the construction of any residential or commercial building development to demonstrate that the proposed building works have been appropriately designed and are capable of being constructed to provide suitable access and facilities for people with a disability, in accordance with the Disability Discrimination Act 1992 and Access to Premises Standards.

#### **41. Compliance with building standards**

Any subsequent Development Application for the construction of any residential or commercial building development must demonstrate compliance with the applicable performance requirements of the Building Code of Australia (BCA) in order to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Any subsequent Development Application is to satisfy the requirements of the relevant Australian Standards.

#### **42. Landscaping**

Detailed landscape plans must be submitted with any subsequent Development Application for the construction of any residential or commercial building development. The landscaping plans are to be consistent with the landscaping demonstrated on the approved concept plans, including the provision of deep soil landscaping areas along the boundaries of the site and internal courtyard areas, and landscaping to the rooftop communal open space areas. The landscaping plans are also to detail all boundary fencing to be retained and/or replaced, recreation features furniture within the communal open space areas, street tree planting and retaining structures (which are required to be of masonry construction). The landscaping plan shall also detail any proposed works on the public footpath in Queen Street.

#### **43. Crime Prevention through Environmental Design (CPED)**

Any subsequent Development Application for the construction of any residential or commercial building development must be accompanied by a CPED Report, or similar, which demonstrates that the design and operation of the proposal is consistent with the principles of the NSW Police's policy entitled "Crime Prevention Through Environmental Design" (CPTED). This is to be to the satisfaction of the Local Police.

#### **44. Traffic Modelling (Transport for NSW)**

Network SIDRA modelling must be submitted with any subsequent development application for review and prior approval by Transport for NSW. The required modelling must also include the envisaged 'intersection performance' for key intersections, including base plus 10 year scenarios with and without development. In this regard, any intersections along Campbelltown Road/Moore-Oxley bypass should be modelled at a maximum cycle of 140 seconds while the 'signalised' intersections along Queen Street should be modelled at 100 seconds.

#### **45. Traffic Control Signal and Swept Path Plans (Transport for NSW)**

As the proposed access point on Queen Street is located within the existing signalised T-intersection, an updated traffic control signal and swept path plans must be submitted with any subsequent development application for review and prior approval by Transport for

NSW. These plans must also clearly indicate the proposed driveways that will be installed to the site from this intersection.

#### **46. Sydney Trains**

Any subsequent Development Application for the construction of any residential or commercial building development must demonstrate that all structures are designed, constructed and maintained so as to avoid any damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the future rail corridor construction and rail operations and Sydney Metro Rail Facility to the proposed development.

#### **47. Sydney Water**

Any subsequent Development Applications for the construction of any residential or commercial building development must provide details on the diversion of the existing Sydney Water sewer line. This is to be done in line with the relevant requirements of Sydney Water.

#### **48. Signage**

If signage is proposed, any subsequent Development Application for the construction of any residential or commercial building development must include details of proposed business identification signage and way finding signage for occupants, staff and servicing vehicles.

#### **44. Services**

Any subsequent Development Application for the construction of any residential or commercial building development is to demonstrate appropriate servicing of the development including water, sewer, trade waste, energy, gas, telecommunications, NBN.

### **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 separate operational development consents prior to the commencement of any works. .
- 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 operational consent 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 a tree outside three metres of the building envelope unless you have obtained prior written consent from Council.

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 (NSW).

### **Advice 3. Provision of Equitable Access**

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

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

Where no building works are propose, and an operational consent is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

### **Advice 4. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

### **Advice 5. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of any subsequent development applications for the construction of any residential or commercial building development. Further information regarding salinity management is available within Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended).

### **Advice 6. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is



recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](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 7. Smoke Free Environment Act**

Nothing in this consent is to be taken to imply that the development meets the requirements of the Smoke Free Environment Act 2000 (SFEA2000) or the Smoke Free Environment Regulations 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

### **Advice 8. 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 9. 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.