

ATTACHMENT 1 - 906/2020/DA-SW
Updated Draft Conditions of Consent

Dated - 13 September 2022
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 documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and/or any conditions within.

Plan Detail	Revision Number	Prepared by	Date
Cover Sheet & Locality Plan No. 300178164.41.DA001 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Sheet Schedule & Notes Plan No. 300178164.41.DA002 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Demolition Plan Plan No. 300178164.41.DA011 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Service Demolition Plan Plan No. 300178164.41.DA021 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
General Arrangement Plan Plan No. 300178164.41.DA031 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Set Out Plan Plan No. 300178164.41.DA032 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Typical Road Cross Sections Sheet 01 Plan No. 300178164.41.DA041 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Typical Road Cross Sections Sheet 02 Plan No. 300178164.41.DA042 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Cut & Fill Plan including Contaminated Material Burial Cells Detail Plan No. 300178164.41.DA051	06	SMEC	14 April 2022

Claymore Redevelopment - Stage 4			
Civil Works Plan Sheet 01 Plan No. 300178164.41.DA101 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 02 Plan No. 300178164.41.DA102 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 03 Plan No. 300178164.41.DA103 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 04 Plan No. 300178164.41.DA104 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 05 Plan No. 300178164.41.DA105 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 06 Plan No. 300178164.41.DA106 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 07 Plan No. 300178164.41.DA107 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 08 Plan No. 300178164.41.DA108 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Civil Works Plan Sheet 09 Plan No. 300178164.41.DA109 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Road Longitudinal Section Road 01 Plan No. 300178164.41.DA201 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Road Longitudinal Section Road 03 Plan No. 300178164.41.DA202 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Road Longitudinal Section Road 04 Plan No. 300178164.41.DA203 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Road Longitudinal Section Road 05 & Road 07 Plan No. 300178164.41.DA204 Claymore Redevelopment -	06	SMEC	14 April 2022

Stage 4			
Road Longitudinal Sections Road 05 Link & Road 13 Plan No. 300178164.41.DA205 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Road Longitudinal Sections Future Road 08 Plan No. 300178164.41.DA206 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Road Longitudinal Section Dobell Road Plan No. 300178164.41.DA207 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Pre Development Catchment Plan Plan No. 300178164.41.DA501 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Post Development Catchment Plan Plan No. 300178164.41.DA502 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Basin Plan Plan No. 300178164.41.DA551 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Basin Sections Plan No. 300178164.41.DA556 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Basin Details Plan No. 300178164.41.DA561 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Retaining Wall Plan Plan No. 300178164.41.DA601 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Typical Retaining Wall Details Plan No. 300178164.41.DA651 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Typical Retaining Wall Notes Plan No. 300178164.41.DA661 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Signage & Line Marking Plan Plan No. 300178164.41.DA801 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Soil & Water Management Plan Plan No. 300178164.41.DA851 Claymore Redevelopment -	06	SMEC	14 April 2022

Stage 4			
Soil & Water Management Details Sheet 01 Plan No. 300178164.41.DA861 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Soil & Water Management Details Sheet 02 Plan No. 300178164.41.DA862 Claymore Redevelopment - Stage 4	06	SMEC	14 April 2022
Turning Path Plan Plan No. 300178164.01.SK006 Claymore Redevelopment - Stage 4	01	SMEC	26 May 2022
Plan of Proposed Subdivision of Lot 300 in DP 1261323 (unreg. Consolidation) Sheet 01 of 05 Ref. 19100(4)DA	D	JMD Development Consultants	16 March 2020
Plan of Proposed Subdivision of Lot 300 in DP 1261323 (unreg. Consolidation) Sheet 02 of 05 Ref. 19100(4)DA	D	JMD Development Consultants	16 March 2020
Plan of Proposed Subdivision of Lot 300 in DP 1261323 (unreg. Consolidation) Sheet 03 of 05 Ref. 19100(4)DA	D	JMD Development Consultants	16 March 2020
Plan of Proposed Subdivision of Lot 300 in DP 1261323 (unreg. Consolidation) Sheet 04 of 05 Ref. 19100(4)DA	D	JMD Development Consultants	16 March 2020
Plan of Proposed Subdivision of Lot 300 in DP 1261323 (unreg. Consolidation) Sheet 05 of 05 Ref. 19100(4)DA	D	JMD Development Consultants	16 March 2020
Plan of Building Envelopes Sheet 01 of 02 Ref. 19100(4)BE	A	JMD Development Consultants	16 March 2020
Street Tree Masterplan Path Hierarchy Masterplan Drawing No.L02	B	JMD Design	18 March 2020
Streetscape Plan 01 Drawing No.L03	B	JMD Design	18 March 2020
Streetscape Plan 02 Drawing No.L04	B	JMD Design	18 March 2020
Streetscape Sections 01 Drawing No.L05	B	JMD Design	18 March 2020
Streetscape Sections 02 Drawing No.L06	B	JMD Design	18 March 2020
Indicative Plant/Material Schedule Drawing No.L07	B	JMD Design	18 March 2020

Street Tree Planting Palette Drawing No.L08	B	JMD Design	18 March 2020
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Supporting Documentation

Detailed Site Investigation Claymore Urban Renewal Project Stage 4, Dobell Road, Claymore Project No. 76577.25 Revision 03	Douglas Partners	October 2020
Remediation Acton Plan Project 76577.25 Document No. R.005.Rev9,	Douglas Partners	April 2022
Site Remediation and Validation Ref: 14187/AA	Geotechnique	May 2021
Claymore Urban Renewal Project Aboriginal Cultural heritage Assessment Stage 4 Addendum Revision 02	Extent heritage Advisors	12 March 2020
Construction Waste Management Plan	SMEC	undated
Engineering Design Report Claymore Stage 04 Job No. 300178164.41 Revision 01	SMEC	10 August 2021
Arboricultural Impact Assessment Stage 4 - Claymore	Civica	26 May 2022
Claymore renewal project - Stage 4 Flora and Fauna Assessment and Ecological Consistency Assessment Revision 03	Cumberland Ecology	25 May 2022
Noise and Vibration Impact Assessment Claymore Urban Renewal Project, Stage 4 Project No. 190469 Revision B	JHA Services	12 March 2020
Transport Impact Assessment Job No. 272742 Issue 04	ARUP	12 March 2020

2. Concept Plan Approval

The development is to be generally consistent with the Terms of the Ministers Concept Plan Approval dated 24 May 2013, that applies to the subject land.

3. Vegetation Management Plan

The development must be carried out in accordance with the Vegetation Management Plan, prepared by Cumberland Ecology, dated September 2014 and as finalised July 2015.

Should there be any inconsistency with the approved plan, the Vegetation Management Plan is to be updated accounting for any work incursions within the open space areas demonstrating consistency with the approved Vegetation management Plan 2015 and the approved Biodiversity Offset Strategy. This may include an addendum for the purposes of future open space embellishment works and must demonstrate overall consistency with the Claymore Masterplan approval and the biodiversity offset ratios as approved in the Biodiversity Offset Strategy.

4. Claymore Water Cycle Management Plan

The development is to be generally in accordance with the requirements of the final Water Cycle Management Plan for Claymore prepared by Northrop (07 October 2021, Revision D).

5. Voluntary Planning Agreement

The development must be consistent with the requirements of the Claymore Renewal Project Planning Agreement that applies to the land. The provision and timing of infrastructure as detailed in the Claymore Renewal Project Planning Agreement between New South Wales Land and Housing Corporation (NSW LAHC) and Campbelltown City Council (CCC) dated July 2019, or as amended or otherwise agreed by the parties, must be undertaken by the Applicant in accordance with that Agreement throughout the Agreement's operation.

6. Statement of Commitments

The development is to be carried out generally in accordance with the Statement of Commitments contained within the Claymore Urban Renewal Concept Plan, approved by the Minister for Planning and Infrastructure on 24 May 2013.

7. Department of Environment and Heritage: General Terms of Approval

The development shall comply with the general terms of approval (Aboriginal Cultural Heritage Regulation conditions) issued by the Department of Environment and Heritage dated 26 February 2021 referenced as DOC20/557741, as follows:

- a. An Aboriginal Heritage Impact Permit (AHIP) under section 90 of the National Parks and Wildlife Act 1974 must be sought and granted for Aboriginal objects to be harmed by the development prior to the commencement of works.
- b. The AHIP application must be accompanied by appropriate documentation and mapping as outlined in Applying for an Aboriginal Heritage Impact Permit: Guide for applicants (OEH 2011) and with reference to the requirements of Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).
- c. Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010). Full documentation of this process is required.
- d. The AHIP application must include complete records satisfying the requirements of the Code of Practice for Archaeological Investigation of Aboriginal objects in NSW (DECCW 2010).
- e. Long term management of Aboriginal objects must be determined in consultation with the Registered Aboriginal Parties.
- f. The AHIP application must be accompanied by a copy of the development consent.

8. Remediation of Land

The site shall be remediated as part of the subdivision works.

Remediation shall be undertaken generally in accordance with the Remediation Action Plan Project 76577.25, Document No. R.005.Rev9, prepared by Douglas Partners, dated April 2022.

9. Remediation of Pt Lot 17 DP 258940 known as Davis Park

Part Lot 17 DP 258940 known as Davis Park shall be remediated as a component of the subdivision works.

A detailed site investigation and if required a remedial action plan shall be undertaken 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's Executive Manager Urban Release & Engagement (or equivalent)/PCA for approval.

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.

10. Separate Planning Approval - Future Embellishment Works

Separate planning approval must be sought for the future landscape embellishment works of the new Davis Park.

11. Building Code of Australia

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

12. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works.

13. Security Fencing

All security fencing shall be established behind the required landscape areas and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

14. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall 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 shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

15. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

16. Shoring and Adequacy of Adjoining Property

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

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

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

17. Boundary of Works

No works are permitted to occur outside of the limit of works shown on the approved plans.

Prior to the commencement of works, the boundary of the limit of works must be appropriately demarcated via appropriate fencing and signage.

18. Lighting

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

19. Obligation to Minimise Harm to the Environment

The Applicant shall implement, in accordance and consistent with this consent all reasonable and practicable measures to prevent or minimise any harm to the environment that may result from the development.

20. Statutory Requirements

The Applicant shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

21. Statutory Requirements – Waste Management

The Applicant shall obtain any necessary approvals for the management and disposal of waste that may be required under the Protection of the Environment Operations Act 1997 and the Waste Avoidance and Recovery Act 2001.

22. Staging/Timing of Works

- a) The Applicant shall not commence remediation works on the site until it has:
 - complied with the relevant conditions of this consent applicable prior to the commencement of remediation works; and
 - received and complied with the relevant conditions that may be specified by the EPA through any requirements, licences or approvals under the Protection of the Environment Operations Act 1997, the Environmentally Hazardous Chemicals Act 1985 and the Contaminated Land Management Act 1997.
- b) The Applicant shall not commence civil works for the relevant development components until it has:

- complied with the relevant conditions of this consent applicable prior to commencement of civil works;
- removed all contaminated materials from the site, for disposal and/ or treatment; and
- received certification from an EPA-accredited Site Auditor that the site has been remediated and validated as being appropriate for its intended use.

23. Subdivision Works Certificate

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

- a. the applicant shall appoint a Principal Certifier;
- b. the applicant shall obtain a subdivision works certificate for the particular works; and
- c. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a subdivision works certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a subdivision works certificate.

24. Containment Cell Agreement

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, an agreement between Council and Land and Housing (LAHC) must be executed to comply with the general terms of agreement in support of the remediation of lands within the Claymore Renewal project via the establishment of containment cells under a number of roadways within Stage 4 (as denoted upon the submitted plan), and which involves:

- Easements registered over parts of new roadways to be dedicated;
- Easements to reference an Environmental Management Plan for the containments cells.

25. Geotechnical Report

Prior to the appointed Principal Certifier issuing a subdivision works certificate, comprehensive geotechnical site inspection and testing shall be undertaken, and an accompanying engineering report prepared and submitted to the Certifying Authority for approval. The report must include but not be limited to the following:

- a. Be signed, dated, and certified as fit for purpose by a suitably qualified and experienced professional engineer registered on the NER (or equivalent);
- b. Geotechnical assessment details of; overall site development, architectural and engineering plans, suitability in relation to the site's geotechnical characteristics, and, compliance with any geotechnical requirements outlined in the BCA, Campbelltown City Council's (Sustainable City) Development Control Plan, Engineering Design for Development, and any other current best practice guidelines;
- c. Identification of land that will be subject to subsidence, slip, slope failure or erosion, where; excavation and/or filling exceeds 900mm in depth, or is identifiable as filled land;
- d. Required demolition, excavation, retention, and stabilisation techniques;
- e. Suitability of excavated materials for use on-site;

- f. Construction methods to avoid problem areas associated with loose, weak foundation materials and groundwater seepage;
- g. Requirements for surface and subsurface drainage lines including proposed method of collection and discharge in accordance with Council's requirements;
- h. Analysis and assessment of the level of risk to all existing adjacent structures/buildings, caused by use of vibratory rock breakers and other 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 rock breakers 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 shall 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. a detailed dilapidation survey shall be prepared and annexed to the report, determining condition of surrounding buildings and property, presence and type of underground/basement levels, foundation and footings, and zone of influence, for all neighbouring properties that may be adversely impacted by construction;
- i. Requirements for minimizing construction noise and vibration during all phases of construction;
- j. Recommended treatment of unstable areas within the site subject of these works, and surrounding privately owned allotments;
- k. Extent and stability of any existing and proposed embankments;
- l. 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;
- m. 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, ground water management and drainage etc, and provide solutions for consideration of structural and civil engineers;
- n. All required geotechnical testing requirements; prior, during and post construction, which shall be completed by a NATA registered geotechnical laboratory; and
- o. Level of geotechnical supervision required for each part of the works as defined under AS3798 - Guidelines on Earthworks for Commercial and Residential Developments.

26. Waste Management Plan

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the relevant provisions of Council's Waste Management Plan is to be completed to the satisfaction of Council.

27. Soil and Water Management Plan

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, a detailed soil and water management plan shall be submitted for approval.

28. Road Construction (New)

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

The categories and traffic loadings to be adopted for the design of the road pavements shall be as follows:

Road No.	Category	Traffic Loading
01, 03, 05, 06, 07, 13	D	3×10^5
04, Dobell Road, Gidley Crescent	E (i)	1×10^6

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 for Development (as amended)* guide.

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

29. Road Construction (Roundabout)

Prior to Council or an accredited certifier issuing a subdivision works certificate, the applicant shall submit engineering details of the required roundabout construction described below to Council's Development Engineer for approval:

The applicant shall design and construct a roundabout at the intersection of Future Road 08 and Dobell Road. The roundabout(s) shall be designed to *Austroads* and Council's current specifications and shall include all construction and reconstruction including SBS modified asphaltic concrete seal 60mm thick to the roundabout and approaches, signposting, thermoplastic line marking, reflectors, landscaping, the capital cost of street lighting to Integral Energy requirements, reinstatements, service relocations and adjustments, any work required to make a smooth connection to existing construction and any other associated works.

30. Traffic Committee

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

31. Street Lighting

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, street lighting plans shall be prepared by an appropriate qualified engineer, certified by a Level 2 ASP and submitted to Council's Executive Manager Infrastructure (or equivalent) and shall comply with the following:

- All street lighting is to be LED "Smart" lighting to Council's specification. The lighting of residential roads and public places must comply with AS/NZS1158 Residential Street Lighting Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements 2005, using the appropriate categories.
- The design and installation of the street lighting is to be such that Council can take ownership of the street lighting in this subdivision (ie. separate circuit to residential supply).
- The power supply to the street lighting shall meet the load requirements of Campbelltown City Council.
- The location of meters to service the street lighting network.

- e. The street lighting plan must consider the impact of street tree planting (at planting and mature height and form) on the lighting.
- f. The street lighting and associated infrastructure in this subdivision is to be dedicated to Council and not be handed over to the energy supplier.

32. Stormwater Management Plan

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, plans, electronic models and other supporting information indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site and adjacent catchments, shall be submitted for approval. Where adjacent properties are affected, drainage formalisation shall be extended to include these properties to the satisfaction of the adjacent owners and Council.

All proposals shall comply with the requirements detailed in Council's *Engineering Design for Development (as amended)* guide, *Australian Rainfall and Runoff (current version)*, *NSW Floodplain Development Manual* and the *Water Cycle Management Plan for Claymore Urban Renewal Project* dated 7 Oct 2021/Rev D.

33. Work on Public Land

Prior to Council or the appointed Principal Certifier issuing a subdivision works 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 applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the Principal Certifier issuing a practical completion certificate.

34. Works Outside the Site Boundary

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, engineering plans for any work outside the site boundary shall be submitted to Council for approval.

All works shall comply with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design Guide for Development (as amended)* and *Campbelltown (Sustainable City) DCP (as amended)*, and shall be inspected by Council at all stages of construction.

A compliance certificate for the work shall be obtained from Council prior to the appointed principal certifier issuing a practical completion certificate.

Council assessment and inspection fees, apply to the above requirements.

35. Vehicle turning movements

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, vehicle turning movements (for the appropriate vehicle types as agreed with Council) are to be assessed using Autodesk Vehicle Tracking and provided to Council for review prior to the issue of a Subdivision works certificate.

Vehicle Tracking files and associated development proposal are to be submitted to Council in .dwg/.dxf format for assessment.

The speed environment used in the assessment is to be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

36. Civil Works under Section 138 Road Act

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall lodge a S138 Roads Act application for any proposed civil works proposed on public land.

The application shall be accompanied with detailed engineering plans designed in accordance with the requirements detailed in *Austroads Guides* and Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design for Development (as amended)* guide.

The application shall include payment for plan assessment and inspection fees.

All works shall be carried out in accordance with the Roads Act approval, the approved stamped plans and Council specifications.

Inspection of this work shall be undertaken by Council at the applicant's expense.

37. Utility Servicing Provisions

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall 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.

38. Telecommunications Infrastructure

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed Principal Certifier prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

39. Sydney Water

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, 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.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

40. Retaining Structures

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, the applicant shall engage a suitably qualified civil/structural engineer to design all proposed retaining structures exceeding 800mm in height.

All retaining structures shall be constructed of sandstone material and shall be constructed wholly within the property boundary, including footings and agricultural drainage lines.

41. Landscape Requirements

Prior to Council or an appointed Principal Certifier issuing a subdivision works certificate for civil works, the applicant shall submit detailed landscape plans for approval by the appointed Principal Certifier.

Landscaping of the development site shall be undertaken in accordance with the approved plans incorporating the following requirements where necessary:

- a. All planting (trees, understorey, groundcover and grasses) in parks and public places shall maximise the use of locally indigenous species ie, use of tree species commensurate with Cumberland Plain Woodland;
- b. Street tree installation shall comply with the following requirements:
 - i. Root boxes or barriers are required for all street trees which are being placed within 1m of infrastructure. Such infrastructure shall include footpaths, share ways road ways, kerb and gutter, underground pipes.
 - ii. Unless specified otherwise the minimum size for root control boxes shall be 800mm x 800mm by 500mm deep. Trees are to be installed centrally within the root control box.
 - iii. Alternatively, root barrier is to be placed on the road and footpath side of all street trees. Vertical ribbed root barrier a minimum of 600mm deep and 0.75mm thick is to be used in all instances.
 - iv. Root boxes or barriers must be placed:
 - 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/share way and kerb with the tree centrally placed
 - such that it extends a minimum of 100mm below the adjoining road pavement
 - such that is not a trip hazard.

42. Wildlife Management Strategy

Prior to the release of a subdivision works certificate a Wildlife Management Strategy (WMS) is to be prepared and submitted to Council for its written approval. The WMS must provide details of how mitigation against native animal welfare issues will be achieved. Reference is to be made to the provisions identified within Section 5.1.3 of the submitted Cumberland Ecology (May 2022) report.

The WMS must also:

- Identify fauna guilds likely to occur on-site and advise management actions to avoid and/or mitigate the risk of harm to the welfare of native animals;
- Identify on a plan and require the physical marking of habitat trees;
- Detail the timing and effort required for pre-clearance surveys;
- Provide timeframe/schedules and protocols for clearing of non-habitat trees, and then habitat trees. The protocols for clearing of habitat trees are to identify the most benign method of dislodging fauna and felling trees and are to include visual inspection, measures to encourage fauna to leave prior to felling, relocation of fauna/tree felling while the fauna remains in-situ, and treatment of captured fauna. Where safe to do so, all habitat features should be sectionally dismantled and lowered by a climbing arborist;
- The Project Ecologist must supervise all tree clearing and construction works to mitigate any native animal welfare issues. Clearing works shall follow the specific tree and vegetation clearing protocols outlined in Wildlife Management Strategy approved under this consent.
- Identify nearby release areas for animals requiring immediate relocation (this may include a recommendation to install nest boxes in adjacent habitat prior to clearing as temporary refuge for displaced animals). Contact details for the nearest vet are to be included. Ensure appropriate permissions have been granted to enter third party properties if the animals are to be released offsite.
- Identification of the five (5) hollow trees (Cumberland Ecology Report, May 2022), logs or parts thereof that would be appropriate for fauna habitat reuse within the adjoining open space areas are to be augmented (modified) and reused within VMP areas.

The Project Ecologist is to provide certification to Council within 10 working days following completion of:

- The pre-clearing surveys, marking of all habitat trees, marking of trees and vegetation to be retained;
- The erection of required tree protection fencing;
- Removal of habitat trees.

43. Nestbox Management Plan

Prior to the commencement of any works or the issuing of a subdivision works certificate (whichever occurs first), a Nestbox Management Plan and associated monitoring and maintenance program is to be prepared in accordance with Section 11.2.2 of the Campbelltown (Sustainable City) Development Control Plan (DCP) 2015 and providing a minimum replacement ratio of hollows of 1:2; and submitted to Council's Executive Manager Urban Release and Engagement (or equivalent) for in writing approval.

The Nestbox Management Plan is required to prioritise the salvage of existing tree hollows associated with trees approved for removal within the development footprint, for relocation and mounting onto suitable recipient trees located within the VMP area.

At a minimum the provision of two (2) nest boxes suitable for microbats is to be installed in Tree 10 (or other retained trees).

44. Water Quality

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, plans, electronic models and other supporting information indicating all engineering details and calculations relevant to the water quality treatment of stormwater from the site and adjacent catchment shall be submitted to Council's Executive Manager Infrastructure (or equivalent) for approval.

Maintenance details for the water quality devices in the form of an *Operation and Maintenance Manual* and *Maintenance Schedule*, must be submitted to Council's Executive Manager Infrastructure (or equivalent) for approval prior to the issue of a construction certificate. The Manual and Schedule are to be updated and discussed with Infrastructure Section prior to handover of these assets to Council.

All proposals shall comply with the requirements detailed in Council's *Engineering Design for Development (as amended)* guide and the applicable *Development Control Plan*.

45. Pedestrian/Cyclist Accessibility

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, a detail civil plan demonstrating design and layout of adequate pedestrian crossing points and associated road facilities including pram ramps and pedestrian refugee islands to ensure safe crossing of Dobell Road for pedestrians and cyclists, shall be submitted to Council's Development Engineer for approval.

A reinforced concrete cycleway, 2 metres wide and 125mm thick, shall be provided and constructed on:

- Road 04 (western side);
- Gidley Crescent/Future Road 08 (western side);
- Dobell Road (western side);

in accordance with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)* and *Campbelltown (Sustainable City) DCP (as amended)*.

46. Contamination Assessment – RAP Approval

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, the Remediation Action Plan (RAP) as prepared by Douglas Partner (Project 76577.25 dated April 2022) shall be reviewed, updated and accordingly approved by a suitably qualified site auditor accredited by the EPA, and all remediation works shall be undertaken in accordance with the approved RAP.

A copy of the approved RAP shall be forwarded to Council for its records.

47. Remediation Specification

Prior to Council and/or the appointed principal certifier issuing a subdivision works certificate, a Remediation Specification for all remediation works excluding that of Part Lot 17 DP 258940 known as Davis Park, shall be submitted and approved by a Site Auditor and which includes, but is not limited to the following;

- the remediation works, as per the Remediation Action Plan approved and amended and identified in Condition 46;
- details of capping material over the contaminated fill;
- the design and construction of the containment cell; and
- requirements for period inspections and recordings.

48. Containment Cell

Prior to Council or the appointed principal certifier issuing a subdivision works certificate, the detail design and specifications for the containment cells shall be submitted to Council's Executive Manager Urban Release & Engagement and the Principal Certifier for approval and include the following provisions:

- location of the containment cells;
- consideration of utility services;
- details of barrier systems;
- leak detection systems;
- leachate management;
- capping layer design including seal bearing system;
- groundwater impact review.

49. Voluntary Planning Agreement

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the development must be consistent with the requirements of the Claymore Renewal Project Planning Agreement that applies to the land. The provision and timing of infrastructure as detailed in the Claymore Renewal Project Planning Agreement between New South Wales Land and Housing Corporation (NSW LAHC) and Campbelltown City Council (CCC) dated July 2019, or as amended or otherwise agreed by the parties, must be undertaken by the Applicant in accordance with that Agreement throughout the Agreement's operation.

PRIOR TO THE COMMENCEMENT OF REMEDIATION 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 remediation works on site.

50. Construction Environmental Plan of Management

Prior to the commencement of any works, a site-specific Construction Environmental Management Plan (CEMP) must be prepared addressing prescriptions for the mitigation of environmental impacts and associated monitoring requirements.

The CEMP must be approved in writing by Council's Executive Manager Urban Release and Engagement (or equivalent) prior to the commencement of physical development works.

At a minimum the CEMP must include/address in detail:

- Required Sediment and Erosion Control Measures/stockpile management as per Managing Urban Stormwater: Soils and Construction (Landcom, 2004) – The Blue Book.
- Noise control measures and hours of operation.
- Air quality control measures (including dust management).
- Water management (including maintaining/monitoring water quality in nearby dams/waterways).
- Measures to mitigate impacts to areas of native vegetation.
- Measures to prevent the spread of priority and environmental weeds including African Love Grass and other weed species, including spread via machinery movements both within the development site and offsite via the relocation of fill material including top soil.
- Details of required preclearance and clearance surveys.
- Hazardous material management protocols (ie. fuel etc) addressing storage, use, refuelling etc.
- Details of how fill will be stored on site (ie. proposed number of piles, proposed location of piles, sedimentation and erosion control treatment measures, and an estimate of how long the fill will be stockpiled, inspection and monitoring requirements).
- Incident and emergency response protocols.
- Competence, training and awareness procedures (ie. Environmental inductions, Toolbox talks, training and awareness).
- Roles and responsibilities for implementing, monitoring and reviewing CEMP requirements.
- An overview of relevant environmental management documentation.
- Waste Management Procedures in accordance with the submitted Waste Management Plan.
- Inspection, monitoring and auditing requirements for all environmental controls and adaptive management to ensure environmental mitigation measures remain effective.
- Community Consultation and Liaison.

The environmental controls outlined in the CEMP are to form part of the site induction process and daily toolbox meetings.

51. Aboriginal Heritage Impact Permit

Prior to the commencement of remediation works on the land, the following must be satisfied:

- An Aboriginal Heritage Impact Permit (AHIP) for the proposed harm to AHIMS must be sought and granted prior to the commencement of works that will impact on those objects.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined on page 6 of *Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants*.

- Consultation with the Aboriginal community undertaken as part of the AHIP application must be in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

52. Statutory Requirement

Prior to the commencement of remediation works on the site, the Applicant shall consult with the EPA to determine any requirements, licences or approvals for the handling, storage and/or management of contaminated materials on the site, as may be required under the Protection of the Environment Operations Act 1997, the Environmentally Hazardous Chemicals Act 1985 and the Contaminated Land Management Act 1997.

The Applicant shall notify Council and the appointed principal certifier of any such requirements, licences or approvals as soon as practicable after the EPA has specified such requirements or issued such licences or approvals.

53. Land Remediation

All remediation work carried out shall be conducted in accordance with the guidelines in force under the provisions of the Contaminated Land Management Act 1997.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council's Executive Manager, Urban Release & Engagement, the Site Auditor and the appointed Principal Certifier.

Any variations to any approved/certified Remediation Action Plan shall be approved in writing by the Site Auditor prior to the commencement of such work.

54. Notification – New Contamination Evidence

Any new information which comes to light during site remediation works which has the potential to alter previous conclusions about site contamination shall be notified to Council's Executive Manager Urban Release & Engagement and the appointed Principal Certifier accordingly.

55. ACM Pipes & Pits

ACM pipes and pits are to be disposed of via a licensed landfill and cannot be placed within the containment cell/s.

56. Remediation Site Management Plan

Prior to the commencement of any remediation works on site, the Applicant shall prepare and submit to Council for approval by Council's Executive Manager Urban Release & Engagement (or equivalent), a remediation site management plan to outline environmental management practises and procedures to be followed during the remediation site works.

The Plan shall include, but not be limited to, the following:

- A description of all activities to be undertaken on the site during remediation;
- Statutory and other obligations that the Applicant is required to fulfil during remediation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- Pollution control measures;
- Potential environmental impact and environmental risk management;
- Details of how the environmental performance of the remediation works will be monitored and what actions will be taken to address identified adverse environmental impacts;

- In the case where the containment cell is breached and fill materials need to be transported off site, all wastes generated shall be classified, managed and disposed in accordance with the Environmental Guidelines: Assessment, Classification and Management of Liquid & Non Liquid Wastes (DEC 2004).
- Any application for a road opening permit, development and/or works within the vicinity of the containment cell shall be made aware of the Long Term Environmental Management Plan (LTEMP);
- A description of the roles and responsibilities for all relevant employees involved in remediation works;
- Arrangements for community consultation and complaints handling procedures during remediation.

57. Remediation Specification & Site Management Plan for Pt Lot 17 DP 258940 known as Davis Park

Prior to remediation works commencing for Part Lot 17 DP 258940 known as Davis Park, a Remediation Specification and Site Management Plan for the remediation works, shall be submitted and approved by Council's Executive Manager Urban Release and Engagement (or equivalent) and the appointed Site Auditor to outline environmental management practises and procedures to be followed during the remediation site works.

The Plan shall include, but not be limited to, the following:

- A description of all activities to be undertaken on the site during remediation;
- Statutory and other obligations that the Applicant is required to fulfil during remediation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- Pollution control measures;
- Potential environmental impact and environmental risk management;
- Details of how the environmental performance of the remediation works will be monitored and what actions will be taken to address identified adverse environmental impacts;
- Any application for a road opening permit, development and/or works within the vicinity of the containment cell shall be made aware of the Long Term Environmental Management Plan (LTEMP);
- A description of the roles and responsibilities for all relevant employees involved in remediation works;
- Arrangements for community consultation and complaints handling procedures during remediation.

58. Site Auditor

A Site Auditor shall be appointed for the project prior to the commencement of remediation works authorised by this consent. The site auditor must be a person accredited under the Contaminated Land Management Act, 1997.

Council shall be notified of the appointment of the site auditor at least 2 business days prior to the commencement of any works authorized by this consent. This notification shall include the name, contact details and accreditation details of the auditor. In addition to any powers given to the site auditor under legislation, the auditor may, under this condition of consent, order all other work on the site to cease until such work identified by the auditor is complete. Any works undertaken in breach of an order given under this condition will be taken to be works in breach of this consent.

The site auditor may require modifications to the approved remediation action plan and any additional works as they see fit. Any such modifications and additional works must be completed to the satisfaction of the site auditor.

The site auditor is to be retained until they issue a category "A" site audit statement for the whole site specifying that it is suitable for day care centres, preschools and residential. No Subdivision Certificate shall be issued under this consent prior to the issuance of this audit statement.

Any person having benefit of this consent may not replace a site auditor appointed under a condition of this consent without the approval of Council. The power for Council to approve the appointment of a new site auditor is a power created by this condition and is not a reference to a need for further development consent under the EP&A Act. Council may withhold approval under this condition unless it is satisfied that the previously appointed site auditor is unwilling or unable to continue servicing the project.

59. Validation Report/Site Audit Report

Upon completion of the approved remediation works and prior to commencement of civil works;

- a. An interim Validation Report is to be completed by a suitably qualified environmental consultant with experience in land contamination and New South Wales EPA contaminated land legislation and guidelines including the Contaminated Land Management Act 1997. The report is to satisfactorily document the following:
 - i. The extent of validation sampling, and the results of the validation testing;
 - ii. That the remediation and validation of the site has been undertaken in accordance with the RAP; and
 - iii. The site is suitable for the proposed use.
- b. The report shall be audited by a qualified site auditor accredited by EPA, and shall be submitted to the appointed PCA indicating that the soil on the site complies with the requirements for the use of the site as proposed.

A copy of the reports is to be provided to Council for its records.

60. Preclearance/Clearance Fauna Surveys

If required, a fauna relocation plan is to be prepared by a suitably qualified fauna ecologist and submitted prior removal of trees and submitted to Council's Executive Manager Urban Release for approval.

The fauna relocation plan is to include the following:

- a. Preclearance fauna surveys must be undertaken by a suitably qualified fauna ecologist with animal handling training and vaccination against transmissible diseases. Preclearance fauna surveys must be undertaken 2 weeks prior to clearance of trees that will:
 - i. Detect roosting and/or nesting of hollow dependent threatened and non-threatened fauna.
 - ii. Be carried out within two weeks prior to the trees being removed.
 - iii. Include targeted surveys for Hollow dependent fauna species inclusive of ultrasound detection and hollow inspection, where practical, and visually identify whether any breeding activity or young rearing is occurring at that time.
 - iv. Include roost searches for micro-chiropteran bats by using a torch to shine in holes, cracks and crevices, and by using a handheld bat detector to locate and identify bats that may call.
 - v. In the event that the tree is unsafe or it is impractical to climb or inspect by cherry picker, an alternative methodology is to be used including spotlighting, stag watching and hollow watching on the evening before the tree will be cleared, for a minimum of one hour prior to dusk, and for at least one hour after dusk.
 - vi. Subject to the advice of the appointed fauna ecologist, to safely relocate non-threatened fauna to nearby native woodlands before the tree is cleared.
 - vii. To identify preferred recipient site for the fauna relocation and sensitive hollow dependent fauna species to be removed within a sectionally dismantled hollow sediment sealed at

both ends. Once relocated to the approved recipient site the hollow is to be opened at one end to allow the wildlife to move freely at an appropriate time.

- viii. Include the demarcation of all hollow-bearing trees and fallen logs (with the latter being >10cm diameter), along with any other key habitat features.
 - ix. Identification of any hollows, logs or parts thereof that would be appropriate for fauna habitat reuse within the adjoining open space areas are to be augmented(modified) and reused within adjoining woodland areas. Where relevant specifications for felling/ removal (to enable retention of features for fauna habitat) must also be specified if the fauna relocation plan.
 - x. Include specifications for the augmentation of hollows for reuse and relocation into adjoining or nearby native trees.
 - xi. Include specifications for felling/removal of hollows within hollow bearing trees by sectional dismantling.
- b. Upon the completion of preclearance surveys, a fauna ecologist report outlining all the preclearance surveys carried out, including survey effort, results and outcomes must be submitted to Council as evidence of meeting the requirements of conditions 52 & 53 and including the approved fauna relocation plan.

61. Unexpected Fauna Observations

A fauna rescue and release procedure is to be prepared for the subject site.

Where tree removal is required then a licensed wildlife carer or fauna ecologist will be required on site as a fauna handler ('Rescuer' under the Code – "Code of practice for injured, sick and orphaned protected fauna" 2011) during tree removal works.

The procedure is to include aspects for dealing with unexpected threatened species finds. The procedure must include, as a minimum, the following:

- i. stop work arrangements in the immediate area of the threatened species;
- ii. notification and communication protocol;
- iii. consultation with the specialists to assess the significance of the find; and
- iv. a list of approvals, licences or permits likely required prior to recommencing works.

62. Construction Traffic Management Plans

Prior to the commencement of remediation works on the land, a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control, shall be submitted to Council's Executive Manager Urban Release and Engagement (or equivalent) for approval.

Copies of the approved CTMP's shall be kept on site for the duration of the works, in accordance with *Work Cover Authority* requirements and copies shall also be forwarded to Council for its records.

PRIOR TO THE COMMENCEMENT OF CIVIL 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 civil works on site.

63. Validation Report/Site Audit Report Part Lot 17 DP 258940 known as Davis Park

Prior to commencement of civil works upon part Lot 17 DP258940 known as Davis Park, and in accordance with Condition 46;

- a. An interim Validation Report is to be completed by a suitably qualified environmental consultant with experience in land contamination and New South Wales EPA contaminated land legislation and guidelines including the Contaminated Land Management Act 1997. The report is to satisfactorily document the following:
 - i. The extent of validation sampling, and the results of the validation testing;
 - ii. That the remediation and validation of the site has been undertaken in accordance with the RAP; and
 - iii. The site is suitable for the proposed use.
- a. The report shall be audited by a qualified site auditor accredited by EPA, and shall be submitted to the appointed PCA indicating that the soil on the site complies with the requirements for the use of the site as proposed.

A copy of the report/s is to be provided to Council for its records.

64. Traffic Control Plans

Prior to commencement of civil work, the applicant shall prepare a Traffic Control Plan (TCP) in accordance with the *RMS manual "Traffic Control at Work Sites"* and Australian Standard AS 1742.3 (*as amended*) and obtain approval from an accredited person.

A copy of the approved TCP shall be kept on site for the duration of the works, in accordance with *Work Cover Authority* requirements and a copy shall be submitted to Council for its records.

65. Dilapidation Report

Prior to the commencement of civil works, the applicant shall submit a dilapidation report to Council for its records and the appointed Principal Certifier, for all buildings in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

66. Street Lighting

Prior to commencement of Street Lighting works, approval shall be received from Council's Executive Manager Infrastructure (or equivalent) for the street lighting plans submitted to satisfy Condition 31, Street Lighting.

67. Waste Management Plan

Prior to commencement of any works, the relevant provisions of the approved Construction Waste Management Plan (SMEC, undated) is to be completed to the satisfaction of Council.

68. 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.

69. Erection of Construction Sign

Prior to the commencement of any works on the land, signs must be erected in prominent positions 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 (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- 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 signs are 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.

70. Toilet on Construction Site

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

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

71. Trade Waste

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

72. 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.

73. Public Property

Prior to the commencement of any works on site, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) 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.

74. Footpath and Vehicular Crossing Levels

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

75. 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.

76. Construction Management Plan

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

The CMP must include the following details:

- a. Detail any potential impacts on the amenity of nearby existing dwellings and existing lane uses within the locality;
- b. Detail how access is to be maintained to the existing dwellings;
- c. Describe the project in detail, including activities undertake;
- d. Detail noise and vibration management measures to be implemented to protect the amenity of the existing and adjoining residents within close proximity to the site including the noise and vibration management measures as listed within the acoustic report prepared by JHA services, dated 12 March 2020;
- e. Outline a monitoring regime to check the adequacy of controls and mitigation measures and ensure that they remain in good working order;
- f. Measures to minimise ground disturbance and prevent the transportation of soil onto any public road system.
- g. Community Safety Plan;
- h. Detail arrangements for temporary pedestrian and vehicular access;
- i. Storage and Handling of Materials Procedures.

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

77. Unexpected Finds Protocol

The applicant shall prepare and implement an 'unexpected finds protocol' with respect to dealing with unexpected finds that pose a contamination risk or potential Aboriginal or European heritage significance risk.

78. Demolition Works

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

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall

be submitted to and approved by the appointed Principal Certifier and include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

- a. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- b. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- c. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works.
- d. Immediately prior to the commencement of the demolition or handling of any structure that contains asbestos, the applicant shall request that the appointed principal certifier attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and WorkCover NSW prior to the commencement of any works.

79. Endorsement of Contamination Documentation

Prior to the commencement of any works on the land, all of the following shall be provided to Campbelltown City Council for approval:

- An interim validation report from a suitably qualified contaminated land consultant demonstrating that the soil underneath the demolished structures is suitable for the proposed use of the land
- A clearance certificate issued by a suitably qualified hygienist certifying that surface waste from the site has been suitably disposed of.

Where Council is not the certifier a copy of the documents required by this condition endorsed by Council are to be submitted to the appointed Certifier prior to the commencement of any works under this consent.

In this condition:

'Suitably qualified contaminated land consultant' means a person who possesses one or more of the following accreditations:

- Certified Environmental Practitioner (Site Contamination) with the Environment Institute of Australia and New Zealand (CEnvP(SC)); and
- A Certified Professional Soil Scientist with specialist certification in Contaminated Site Assessment and Management with Soil Science Australia (CPSS CSAM); and
- An EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

'Suitably qualified hygienist' means a Certified Occupational Hygienist accredited by the Australian Institute of Occupational Hygienists or an EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

'Accredited site auditor' means EPA Accredited Site Auditor under the Contaminated Land Management Act 1997.

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.

80. Construction Work Hours

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

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

81. 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.

82. 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)*, Australian Standard AS 3798 *Guidelines for Earthworks for Commercial and Residential Development (as amended)*, and the approved construction drawings;
- b. Supervised, monitored, inspected, tested and reported in accordance with Australian Standard AS 3798 *Appendix B 2(a) Level 1 and Appendix C* by a NATA registered laboratory appointed by the applicant. Electronic 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 Australian Standard AS3798.

83. Disposal of Contaminated Soils/Waste

All transport of waste and disposal of materials must be conducted in accordance with the requirements of the Protection of the Environment and Operations (POEO) Act (1997). All required licences and approvals required for disposal of the material will be obtained prior to removal of the materials from the site. Transport of Spoil must also be via a clearly delineated, pre-defined haul route.

Removal of waste materials from the site shall only be conducted by a licensed contractor holding the appropriate licence, consent or approvals to dispose of waste materials according to the classification outlined in the NSW EPA *Waste Classification Guidelines (2014)* and with appropriate approvals obtained from the EPA, if required.

All contaminated soils/waste removed from the site must be disposed of in accordance with the approved Remediation Action Plan.

84. Earth Fill

- a. All fill material imported to the site shall meet one of the characterizations detailed the table below:

Defining Instrument	Definition
Protection of the Environment Operations Act, 1997	Virgin Excavated Natural Material
Protection of the Environment Operations (Waste) Regulation 2014	<p>The following resource recovery exemptions:</p> <ul style="list-style-type: none"> • Excavated natural material • Foundry sand • Recovered fines (provided no samples have a benzo(a)pyrene concentration exceeding 3 mg/kg 'dry weight')
N/A	<ul style="list-style-type: none"> • Non-waste engineered construction materials • Any other material certified by the site auditor as suitable for day care centres, preschools, primary schools and residential, including substantial vegetable garden and poultry.

- a. All filling works are to be undertaken in accordance with the endorsed environmental management plan including (without limitation):
- Security Arrangements
 - Docketing and load recording arrangements
 - Illegal dumping and contaminated load management
 - On-site testing and quality control
 - Site surveying
 - Traffic control
 - Operating hours
 - Communication with neighbours and affected residents
 - Reporting to Council
- b. At the conclusion of filling works final reports are to be submitted to Council in accordance with the endorsed environmental management plan.

85. Fill Compaction Requirements

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

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer.

86. Fill Contamination

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

87. 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 appointed Principal Certifier.

88. Earth Works/Filling Works

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

- 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;
- 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
- Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.

89. 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.

90. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

91. Compliance with Council Specification

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

92. Footpath, Kerb and Gutter (PUBLIC VERGE AREA, KERB & GUTTER)

The applicant shall re-construct all damaged bays of concrete path paving and kerb & gutter, adjacent to the site. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be 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)*.

93. Pavement Thickness Determination

A road pavement design and pavement thickness report, prepared by a N.A.T.A. registered laboratory and appointed by the applicant, 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 Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (as amended)*.

94. Residential Driveway and 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 *Engineering Design for Development (as amended)* guide.

Laybacks are to be constructed in accordance with the endorsed driveway location plan submitted with the application.

95. Associated Works

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

96. 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.
- d. SUBGRADE – Joint inspection with a NATA Registered Laboratory after preliminary boxing, to confirm pavement report/required pavement thicknesses.
- e. SUBGRADE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles prior to placement of sub-base.
- f. CONDUITS – Laid and jointed prior to backfilling.
- g. PAVEMENT THICKNESS MEASUREMENT (Dips) – After placement of kerb and gutter and final trimming of sub-base.
- h. SUB BASE – 10/12 tonne 3-point roller proof test and finished surface profiles after finishing and prior to base course placement.
- i. BASECOURSE – 10/12 tonne 3-point roller proof test, density tests and finished surface profiles after finishing and prior to sealing.
- j. OVERLAND FLOWPATHS – After shaping and prior to topsoil/turf placement.
- k. CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- l. ASPHALTIC CONCRETE SEAL – Finished surface profiles after sealing.
- m. FINAL INSPECTION – All outstanding work

97. Inspection of Remediation Works

All remediation works for the contaminated materials shall be supervised by the appointed Site Auditor.

All details of the inspections and compliance shall be included within the validation report and submitted to Council for its records.

98. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall 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 shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate

acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

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 the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a subdivision certificate.

99. CCTV Footage verifying integrity of all new pipes and existing pipes

Prior to Council or the appointed Principal 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, 3 Mbps 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.

100. Section 73 Certificate – Subdivision Only

Prior to the appointed Principal certifier issuing a subdivision certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* shall 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 shall be made through an authorised Water Servicing Coordinator.

For help either visit 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.

101. Final Inspection – Works as Executed Survey Plans

Prior to Council or the appointed Principal Certifier 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 the Campbelltown (Sustainable City) DCP Volume 3 (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 5m within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of 15 site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

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

AutoCAD Option

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

Package Type	-	zip
File Format	-	AutoCAD 2004 Drawing Format or later
Transmittal Options	-	Include fonts

Include textures from materials

Include files from data links

Include photometric web files

Bind external references

The drawing is **not** to be password protected.

MapInfo Option

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

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

102. Final Inspection – Works as Executed Plans

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall submit to Council the following documents:

- An electronic set 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 of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended) and one additional separate fully marked up copy of the plan sheet(s) and the line marking/signposting plan(s).
- Electronic 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.

- Electronic 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 bituminous materials.

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 of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (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.

103. Voluntary Planning Agreement

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the development must be consistent with the requirements of the Claymore Renewal Project Planning Agreement that applies to the land. The provision and timing of infrastructure as detailed in the Claymore Renewal Project Planning Agreement between New South Wales Land and Housing Corporation (NSW LAHC) and Campbelltown City Council (CCC) dated July 2019, or as amended or otherwise agreed by the parties, must be undertaken by the Applicant in accordance with that Agreement throughout the Agreement's operation.

104. Works as Executed – Electrical Network

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall submit to Council's Executive Manager Infrastructure (or equivalent) the following documents in relation to the private lighting network:

- A complete set of works as executed plans of the private lighting network in CAD files .DWG format in accordance with Endeavour Energy's specifications. The WAE must be certified by an independent Level 2 ASP certifier.
- Appropriate certificates, manufacturer's brochures and technical data of all materials used during construction of the private lighting network.
- Warranty documentation for all street lighting assets (12 months minimum from the time of commissioning the network).
- Location of assets and the corresponding asset numbers provided by Council.

105. Certification of Retaining Structures

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, all retaining structures shall be certified by an appropriately qualified engineer as having been constructed in accordance with the approved design. An electronic copy of all documentation shall be submitted to Council for its records.

106. Restriction on the Use of Land

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act.

- Floor Level Control – where applicable*
- No Alteration to Surface Levels – subject to geotechnical advice*
- Lots Filled – where applicable*
- Access Denied – where applicable*

- e. *Set Back from Access Denied Roads – where applicable*
- f. *Uncontrolled Fill – where applicable*
- g. *No Cut or Fill – (Existing Geotech Report from N.A.T.A. reg. Laboratory) – where applicable*
- h. *No Cut or Fill – (Geotech Report Required) – where applicable*
- i. *Lots with any other restrictions eg. Refuse Collection, Acoustic measures*
- j. *Drainage Floor Level Control Easements – (100yr flow, depressed) – where applicable*
- k. *Building envelope plans for allotments less than 300sqm*
- l. *Easement for maintained purposes (retaining walls and zero lot boundaries)*
- m. *Easement for support (retaining walls)*
- n. *Driveway Location Plan*
- o. *Containment Cell location and details.*

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

107. Deposited Plan and 88B Instrument – Rights and Interests

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the applicant must obtain written consent from the benefitted lot(s), road(s) bodies or Prescribed Authorities regarding any easements, profit a prendre, restriction or positive covenants registered on the land with respect to the approved development.

108. Bond (Outstanding Work)

Prior to Council or the appointed Principal Certifier 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.

Council acknowledges that Land and Housing Corporation (LAHC) may submit Letters of Undertaking in this regard.

109. Maintenance Security Bond

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, a maintenance security bond of 5 per cent 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 five (5) years 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.

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

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

111. 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.

112. Road Widening

Prior to the appointed principal certifying authority issuing a subdivision certificate, the land required for road widening shown on the approved plan shall be dedicated at no cost to Council.

113. Splay Corner (Residential)

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

114. Restoration of Public Roads

Prior to the appointed Principal Certifier issuing a subdivision certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

115. Public Utilities

Prior to the appointed Principal Certifier 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.

116. Service Authorities

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the appointed Principal Certifier issuing a Subdivision Certificate the following is required:

- a. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development
- b. Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development
- c. Gas supplier (if relevant)- Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and
- d. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

All construction work shall conform to the relevant authorities' specifications.

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.

117. NBN Co

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the appointed Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following:

- The requirements of the Telecommunications Act 1997;
- For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

118. Lot/House Numbers

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate all lot/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.

119. Line Marking / Sign Posting Documentation (subdivision)

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

120. Residential Inter-Allotment Drainage

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

121. Long Term Environmental Management Plan (LTEMP)

Prior to Council or the appointed principal certifier issuing a subdivision certificate, a Long Term Environmental Management Plan shall be provided to Council in accordance with Department of Infrastructure, Planning and Natural Resources (DIPNR) guidelines.

The LTEMP must be approved in writing by Council's Executive Manager Urban Release and Engagement, and shall include but not be limited to:

- Details of installed Containment Cells and Design System;
- Management and mitigation measures of environmental contamination;
- Details of monitoring requirements and frequencies;
- Groundwater monitoring;
- Risk assessment;
- No impact/interference with infrastructure services.

122. Sandstone Specifications

Prior to the appointed Principal Certifier issuing a subdivision certificate, a compliance certificate issued by the sandstone supplier shall be submitted to Council stating that all the sandstones supplied to the site comply with the following Council's requirements.

- a. Hard and durable (having a minimum design life of 50 years).
- b. Have a wet crushing strength of at least 25 MPa, a minimum point load strength index (Is50) of 1 MPa and wet/dry strength ratio of no less than 45%.
- c. Demonstrated durability against saline environment when tested as per test method AS 4456.10.
- d. Shall be angular with not more than 25% of the rock having a length more than twice the breadth/ thickness.
- e. Shall have a minimum relative density of 2.2.
- f. Free from seams, pockets, foreign matter and imperfections.
- g. Generally sound, clean and of uniform colour and texture.

PRIOR TO THE ISSUE OF A PRACTICAL COMPLETION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a practical completion certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for practical completion.

123. Vegetation Management Plan

Prior to Council or the appointed Principal Certifier issuing a Practical Completion Certificate, a planting status report shall be submitted to Council, for its records, providing and update with regard to the requirements of the endorsed Vegetation Management Plan. This is to be completed by a suitably qualified Arborist or Ecologist.

124. Road Safety Audit – Post Construction

Prior to the 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.

125. Completion of Landscaping Works

Documentation must be submitted to Council or the Appointed Principal Certifier that all landscaping works have been completed in accordance with the approved plans.

126. Compliance Certificates

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

- Service Authority Clearance - prior to placement of final seal/vehicle crossing construction.
- Work as Executed Plans.
- Pavement materials compliance certificates, including AC and rubberised seals where provided.
- Drainage pipes, headwalls, GPT, etc.
- Geotechnical Testing and Reporting Requirements.
- Lodgement of Bonds/Letters of Undertaking.
- Letter addressing all Conditions of the Development Consent.
- Structural engineer's certification for all structural components of the development.
- Operation & Maintenance Manuals and Maintenance Schedules for water quality devices where applicable.
- Hydraulic engineer's Compliance certificates for drainage works, bio-retention basin/s including media materials.
- Sandstone used as a part of the subdivision works.

Electronic copies of all the related plans, documents, reports, forms or other evidence along with electronic copies the above documents in PDF format shall be submitted to Council.

127. Retaining

Prior to the appointed principal certifier issuing a practical completion 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.

128. Council Fees and Charges

Prior to the appointed Principal Certifier issuing a practical completion certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full.

Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

129. Compliance Certificate – Public Area

All the works on public area in relation to the development shall be completed as per the Council approved plans.

A compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issues a practical completion certificate.

130. Site Audit

Prior to the issue of a subdivision certificate for the development, a site audit report shall be prepared in accordance with the requirements of the NSW Environmental Protection Authority (EPA) Guidelines for Consultants reporting on Contaminated Site (published 2011). The report shall be prepared by a Site Auditor accredited under the Contaminated Land Management Act, 1997, and shall state in an end statement that the fill material is suitable for the proposed use of the land.

131. Site Audit Statement for Land Being Dedicated to Council

Prior to the principal certifying authority awarding a practical completion certificate, the applicant shall provide a Site Audit Statement in respect of the land to be dedicated to Council.

The Site Audit Statement must outline the conclusions of a site audit and must contain an accompanying Site Audit Report that summarises the information reviewed by the auditor and provides the basis for the conclusions contained in the Site Audit Statement. The Site Auditor shall be accredited under Section 49 of the Contaminated Land Management Act 1997.

Council will not accept dedication of the land unless the Site Audit Statement demonstrates compliance with the Claymore Renewal Project Planning Agreement (refer to condition 5).

132. Replacement Street Trees

Prior to Council or the Appointed Principal Certifier issuing a prior to practical completion certificate, evidence shall be submitted to the satisfaction of the principal certifying authority that the street tree/s have been replaced in an appropriate location so as not impede sightlines or services and utilities within the road reserve.

All landscaping works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use;
- AS 4454 Compost, Soil Conditions and Mulches; and
- AS 4373 Pruning of Amenity Trees.

Written confirmation from a qualified landscape professional is to be provided to the principal certifying authority confirming compliance with this condition.

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. 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. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *NSW Biosecurity Act 2015* or included within the NSW Governments Greater Sydney Strategic Management Plan 2017-2022.

Advice 2. Filling on Site

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

Advice 3. Inspection within Public Areas

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

Advice 4. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 5. 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 6. Subdivision Certificate Application and Plan Copies

As part of a subdivision certificate application, the following documents shall be submitted for Council's assessment through the NSW Planning Portal:

- A cover letter that details how each condition relevant to issue of a subdivision certificate has been addressed
- A copy of each required service authority certificate
- A draft plan administration sheet (including subdivision certificate)
- A draft deposited plan/ strata plan (if required) drawing
- A Section 88B instrument (where required), and
- A letter from the registered owner providing owners consent for subdivision application.

NSW Planning Portal <https://www.planningportal.nsw.gov.au/>

Upon Council's direction, the applicant must supply three final hard copy documents for affixing of signatures and stamps.

Note: the administration sheet is required to include a schedule of lots and addresses in accordance with Section 60(c) of the Surveying and Spatial Information Regulation 2017.

Advice 7. 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 8. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 9. Easements Over Council Controlled Lands

The applicant is advised that Council may seek monetary compensation for the granting of an easement over Council controlled lands. In this regard the applicant is required to liaise with Council's Property Manager.

Advice 10. Bonds and Bank Guarantees

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

Advice 11. 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 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 12. 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



Your reference: 906/2020/DA-SW
Our reference: DOC20/557741

CNR Team
Campbelltown City Council
Email: cnr@campbelltown.nsw.gov.au

Dear Campbelltown City Council

**HERITAGE NSW – GENERAL TERMS OF APPROVAL
INTEGRATED DEVELOPMENT APPLICATION
NATIONAL PARKS & WILDLIFE ACT 1974**

Address: Gidley Crescent, Claymore 2559

Proposal: Subdivision to create 179 residential lots, 2 residual lots and associated works-Stage 4

IDA application no: 906/2020/DA-SW (CNR-9859)

Thank you for referring the above Integrated Development Application (IDA) to our office via the NSW Concurrence and Referral Portal. We understand that Council is seeking our General Terms of Approval (GTAs) pursuant to s4.46 of the *Environmental Planning & Assessment Act 1979* relating to a Stage 4 subdivision.

After reviewing the information provided, we advise that an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the *National Parks & Wildlife Act 1974* can be issued subject to recommended conditions.

We request Council include the GTAs provided at **Attachment A** in any development consent.

If the development footprint changes from that shown in the information provided, we advise Heritage NSW should be further consulted to determine whether our recommended conditions need to be modified.

If you have any questions regarding the above information please contact me on (02) 6229 7089 or at jackie.taylor@environment.nsw.gov.au.

Yours sincerely

Jackie Taylor
Senior Team Leader, Aboriginal Cultural Heritage Regulation - South
Heritage NSW
26 February 2021

Encl: Attachment A: General Terms of Approval for 906/2020/DA-SW

ATTACHMENT A: GENERAL TERMS OF APPROVAL FOR DA 906/2020/DA-SW

Based on the information that has been provided to Heritage NSW we provide the following General Terms of Approval (GTAs):

Aboriginal Cultural Heritage Regulation conditions

- An Aboriginal Heritage Impact Permit (AHIP) under section 90 of the *National Parks and Wildlife Act 1974* must be sought and granted for Aboriginal objects to be harmed by the development prior to the commencement of works.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined in [*Applying for an Aboriginal Heritage Impact Permit: Guide for applicants*](#) (OEH 2011) and with reference to the requirements of [*Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales*](#) (OEH 2011).
- Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the [*Aboriginal Cultural Heritage Consultation Requirements for Proponents*](#) (DECCW 2010). Full documentation of this process is required.
- The AHIP application must include complete records satisfying the requirements of the [*Code of Practice for Archaeological Investigation of Aboriginal objects in NSW*](#) (DECCW 2010).
- Long term management of Aboriginal objects must be determined in consultation with the Registered Aboriginal Parties.
- The AHIP application must be accompanied by a copy of the development consent.

