

Sydney Western City Planning Panel
Att: Panel Chair – Justin Doyle

RE: Record of Deferral – Friday 03 June 2022: PPSSWC – 140 – Campbelltown – 11/2021/DA-SW known as Stage 11 Claymore Renewal Project

In response to the letter of deferral dated 3 June 2022, the following responses and amendments to the draft conditions are provided for your attention:

1. Contamination

LAHC have provided the updated Contamination Site Assessment report (Revision 0) dated 06 June 2022.

The condition as provided by Brian Kirk has been included within the draft conditions (Condition 55 Contamination – New Evidence).

2. Delineation of the Extent of Proposed Works

The applicant has provided an updated General Arrangement plan to confirm the extent of proposed works. Condition 1 (Approved Development) has been updated to reflect the new plan.

The process has revealed that owners consent from Council to undertake works in Lot 154 was not adequately sought or issued by Council to the applicant. Lot 154 is located just outside of the executed Claymore Renewal Project Voluntary Planning Agreement. Accordingly, new condition 7 (Batter and Drainage Works) has been added to the draft conditions along with “red pen” marking of relevant plan sheets in Condition 1 (Approved Development) to confirm that proposed battering and drainage works in Lot 154 are not approved as a component of the application and are to be retained wholly within LAHC land.

3. Ecology and zoning in relation to the proposed basin

Legal advice dated 21 December 2017, prepared by Minter Ellison on behalf of NSW Land and Housing Corporation was forwarded by Council to the Planning Panels Secretariat under separate cover on 31 May 2022. The advice addresses interpretation of the Claymore Concept Plan approval and the relationship between the approved Claymore Development Control Guidelines (CDCG) and Campbelltown Local Environmental Plan 2015.

4. Street Trees

Council’s Open Space Team Coordinator advised that Council’s street tree list had not been revisited in a long time and the identified trees were of a species/variety that are listed in Council’s planting schedule.

However, in response to the concern raised, the applicant has submitted an amended street tree landscape plan that has been reviewed and endorsed by Council's Open Space team.

Condition 1 (Approved Development) has been updated to reflect the new plan.

5. Acoustic Assessment

Refer to LAHC's response.

6. LAHC's response

LAHC's response to the Record of Deferral advice has been uploaded to the Planning Portal.

The draft conditions have been updated to incorporate the above matters and attached for the Panel's record.

Should the Panel require any further information to finalise the electronic determination of the application, please don't hesitate to contact the undersigned Officer.

Regards,

Alexandra Long
Senior Development Officer Airds/Bradbury, Claymore

Attachment 1: LAHC Response to Panel Deferral 10 June 2022



10 June 2022

DHB\20-128

General Manager
Campbelltown Council
Cnr Queen and Broughton Streets
Campbelltown NSW 2560

Attention: Ms Alexandra Long

Dear Ms Long,

Re DA 11/2021/DA-SW – STAGE 11 SUBDIVISION CLAYMORE

We refer to the reasons for deferral of the determination of the above development application by the Sydney West City Planning Panel (the Panel) at its meeting on 3 June 2022. The applicant's response to the reasons for deferral and matters raised for attention by the Panel are as follows.

Reasons for Deferral

1. Contamination

Request

Panel requires confirmation that the with appropriate remediation of any contamination found, the site would be able to be suitably remediated to be suitable for residential development.

Response

Please refer to attached letter and revised report from JBS&G to respond to the Panel's Contamination RFI. This enables the consent authority to comply with the provision of Section 4.6(1) of the State Environmental Planning Policy (Resilience and Hazards) 2021.

2. Delineation of extent of proposed works

Request

The submitted plans lack a drawing that clearly delineated the extent of proposed works/land the subject of this DA. Such a drawing is essential to avoid any confusion as to the extent of the land that development consent applies and to ensure works are consistent with the c134A approval.

Response

See attached updated DA plan DA031 Revision 5 which shows the area of works subject to the DA. The area of works has been defined by the civil works boundary and subdivision boundary. The Subdivision boundary shows the limit of newly created lots and Council road reserve areas. The civil works boundary shows the civil infrastructure connections (drainage to be dedicated to Council) and minor earthworks batters to match in surface levels from the subdivision boundary to the existing Fullwood Reserve surface levels.

3. Ecology and zoning in relation to the proposed basin

Request

The Panel notes that the "Ecological and arboriculture review of proposed DA" dated 13 May 2022 by Michael Sheather-Reid (B. Nat Res. Hons) BAM Accredited Assessor (BAAS17085) on behalf of Campbelltown City Council [included as Attachment 3 to the Assessment Report] - includes the following:

"Based on my understanding of the Clause 34A certification it is my view that the sediment basin is not covered under the Clause 34A Certification as the certification applies to the subdivision lands only....,

It also appears to be located in the RE1 (Public Recreation) zone (Fullwood Place), albeit that the RE1 zone includes as permitted uses:

"flood mitigation works" and "water supply system" defined to include a water storage facility,

Those issues should be addressed in supplementary advice.

Response

Clause 34A Certificate

The Clause 34A certificate applies to the concept plan approval. Compliance with the concept plan approval is addressed in Table 1 of the SEE accompanying the development application. Condition 2 of the concept plan approval states:

2. The Proponent shall carry out the Concept Plan **generally in accordance** with the:

- a. Claymore Renewal Project Environmental Assessment Report, prepared by BBC Consulting Planners dated September 2011, as amended by Claymore Renewal Project Final Response to Submissions and Preferred Project Report and Appendices, prepared by BBC Consulting Planners dated May 2012
- b. Claymore Urban Renewal Development Control Guidelines (May 2012)
- c. Statement of Commitments, dated May 2013
- d. the terms of this approval. [emphasis added]

The determination of future applications for development on the site is to be **generally consistent with** the terms of the concept plan approval. One of the terms of approval states as follows:

Water quality and riparian corridors

16. Any future applications for subdivision are to provide details on the proposed water sensitive urban design infrastructure, to the satisfaction of the consent authority.

The concept plan approval includes the *Claymore Estate Renewal Water Cycle Report* prepared by Mott MacDonald and dated 2012. This report sets out management strategies for the renewal project and proposes a series of water quantity and water quality controls for the site. The applicant has been working with Council to ensure that applications for subdivision are to the satisfaction of Council.

In 2020 and 2021, Landcom, on behalf of NSW Land and Housing Corporation commissioned Northrop to undertake a review of the 2012 strategy, **at the request of Council**, to incorporate Council's latest policies on water sensitive urban design and more recent information on flooding and performance of existing assets such as existing pinch points.

This resulted the preparation of *Water Cycle Management Plan for Claymore Urban Renewal Project*, prepared by Northrop and dated October 2021. Council's agreement to the Northrop strategy indicates its acceptance for the purposes of subsequent development applications.

As requested by Council, the water management system for the site is to be based on the Northrop report that improves on the design parameters of the 2012 report. The strategies in the Northrop report are consistent with the objectives of the approved 2012 water management strategy and with the terms of approval of the concept plan. Both documents allow flexibility in the implementation of water management strategies – it is important to note that the final basin location for Claymore 11 is generally in accordance with the Northrop Water Cycle Management Plan with an altered location to avoid removal of native vegetation species and conflicting placement with the Claymore Vegetation Management Plan re-vegetation area, a strategy approved with the Concept Plan.

The water management strategy proposed for Stage 11 subdivision is consistent with the concept plan approval and consequently with the Clause 34A certificate.

Permissibility

Water management and other works associated with the Stage 11 subdivision are located on land within Fullwood Reserve zoned RE1 Public Recreation. These subdivision works are permissible on land in this zone through the provisions of Clause 3B(2) ('Provisions applying with respect to approval of concept plans') of Schedule 2 of the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 provides as follows:

"(2) After the repeal of Part 3A, the following provisions apply to any such development (whether or not a determination was made under section 75P (1) (b) when the concept plan was approved):

(a) if Part 4 applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument)"

This is detailed in section 4.1 and 4.3 of the SEE accompanying the development application.

4. Street Trees

Request

A concern has been raised that the proposed street trees lack variation and are inappropriate because they are not of a species/variety that are listed in Council's preferred street tree planting schedule. Council's Tree Officer is to provide a comment/report on the acceptability and potentially resolve with the Applicant mutually acceptable street trees.

Response

Project landscape architects, JMDd, have discussed this item with Campbelltown Council planning officer, Alex Long, who clarified that the comment/item has arisen from a planning



The recommendations of the acoustic report will be reflected in the restrictions on the Section 88B instrument which is included within the sales contract of the lots.

Should any clarification of the above be required, please do not hesitate to contact this office.

Yours faithfully

BBC Consulting Planners

A handwritten signature in blue ink, appearing to read 'Dan Brindle', is written over a light blue horizontal line.

Dan Brindle
Director

Attachment 2: Updated Conditions – 21 June 2022

11/2021/DA-SW

Recommended Draft Conditions of Consent

Dated 21 June 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	Prepared by	Date
Cover Sheet & Locality Plan No. 300178186.11.DA001 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Sheet Schedule & Notes Plan No. 300178186.11.DA002 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Demolition Plan Plan No. 300178186.11.DA011 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
General Arrangement Plan Plan No. 300178186.11.DA031 Claymore Redevelopment Stage 11	05	SMEC	06 June 2022
Typical Road Sections Plan No. 300178186.11.DA041 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Cut & Fill Plan Plan No. 300178186.11.DA051 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Civil Works Plan Sheet 1 Plan No. 300178186.11.DA101 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Civil Works Plan Sheet 2 Plan No. 300178186.11.DA102 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Longitudinal Road Section Sheet 1 Plan No. 300178186.11.DA201 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Longitudinal Road Section Sheet 2 Plan No. 300178186.11.DA202 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Pavement Signage & Linemarking Plan Plan No. 300178186.11.DA351 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022

Drainage Catchment Management Plan Details Plan No. 300178186.11.DA501 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Water Quality & Quantity Plan & Details Sheet 1 Plan No. 300178186.11.DA551 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Water Quality & Quantity Plan & Details Sheet 2 Plan No. 300178186.11.DA552 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Turning Path Plan Plan No. 300178186.11.DA801 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Soil & Water Management Plan Plan No. 300178186.11.DA851 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Soil & Water Management Details Plan No. 300178186.11.DA861 Claymore Redevelopment Stage 11	04	SMEC	21 April 2022
Claymore Renewal – Stage 11 Proposed Plan of Subdivision Drawing No. 300178186.11.P01-01 Sheet 1 of 3	C	SMEC	19 November 2021
Claymore Renewal – Stage 11 Proposed Plan of Subdivision Drawing No. 300178186.11.P01-02 Sheet 2 of 3	C	SMEC	19 November 2021
Claymore Renewal – Stage 11 Proposed Plan of Subdivision Drawing No. 300178186.11.P01-03 Sheet 3 of 3	C	SMEC	19 November 2021
Claymore Renewal – Stage 11 Proposed Streetscape Plan Drawing No. L01 Title Sheet	D	JMD Design	10 June 2022
Claymore Renewal – Stage 11 Proposed Streetscape Plan Drawing No. L02 Path Hierarchy Masterplan	D	JMD Design	10 June 2022
Claymore Renewal – Stage 11 Proposed Streetscape Plan Drawing No. L03 Street Tree Hierarchy Masterplan	D	JMD Design	10 June 2022
Claymore Renewal – Stage 11 Proposed Streetscape Plan Drawing No. L04 Streetscape Plan 01	D	JMD Design	10 June 2022
Claymore Renewal – Stage 11 Proposed Streetscape Plan Drawing No. L05 Streetscape Plan 02	D	JMD Design	10 June 2022
Claymore Renewal – Stage 11 Proposed Streetscape Plan Drawing No. L06 Streetscape Sections	D	JMD Design	10 June 2022
Claymore Renewal – Stage 11	D	JMD Design	10 June 2022

Proposed Streetscape Plan Drawing No. L07 Material & Street Tree Planting Palette			
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Supporting Documentation

Geotechnical Investigation – Claymore Stage 11	Pells Sullivan Meynink	18 December 2020
Contamination Site Assessment 59958-134310 (Rev 0)	JBS & G	06 June 2022
Salinity Assessment Management Plan 59958/134717	JBS & G	21 December 2020
Aboriginal Cultural Heritage Assessment Stage 11 Addendum	Extent Heritage Advisors	November 2021
Construction Waste Management Plan	Cardno	December 2020
Traffic and Impact Assessment Report	Positive Traffic Engineering/Planning	November 2020
Road Safety Audit (RSA) Revision B	DTal Consulting	13 December 2021
Acoustic Impact Assessment	Renzo Tonin & Associates	18 December 2020
Engineering Design Report Reference No. 300178186.11	SMEC	06 May 2021
Treeaz assessment of tree health and longevity (sule) Stage 11 Claymore Job number: 2386	Anderson Consulting	04 December 2020
Arboriculture Impact Assessment – Stage 11 Version 03	Arborsaw	April 2022

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 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. Batter & Drainage Works

The proposed battering and drainage works (as identified within Lot 154 DP 774619) are not approved as a component of these works and are to be retained wholly within LAHC land.

8. 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.

9. 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. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. Subdivision Works Certificate

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

- a. the applicant shall appoint a Principal Certifier;
- a. the applicant shall obtain a subdivision works certificate for the particular works; and
- b. 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.

17. 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.

18. Road Construction (New)

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall submit design details for approval of the proposed road construction.

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

Roads No.	Category	Traffic Loading
1	D	3×10^5
2	D	3×10^5

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.

19. Road Safety Audit

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, a detailed road safety audit (RSA) is to be undertaken for the design of the proposed roadworks and traffic facilities by an independent road safety auditor.

20. 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) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking.

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

For Local roads, garbage collection vehicles with three axles and up to 10.4 metres in length shall be considered as part of the above assessment. For Collector roads, buses upto 12.5m in length shall be considered as part of the above assessment.

21. 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 (as amended)* and be generally in accordance with Water Cycle Management Plan prepared by Northrop Rev D dated 7 Oct 2021.

22. 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.

23. Dilapidation Report

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works not owned by the applicant.

24. 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.

25. 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.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed Principal Certifier prior to issue of a construction certificate.

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

26. Retaining Structures

Prior to Council or an accredited 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.

27. 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:

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.

28. 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:

- a. 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.
- b. 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).
- c. The power supply to the street lighting shall meet the load requirements of Campbelltown City Council.
- d. 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.

29. 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 ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

30. Compulsory Acquisition of Land

The development includes works to Council owned land that is classified as community land under the Local Government Act 1993, being Lot 33 DP 258939 and part Lot 154 in DP 774619.

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

Prior to the commencement of works on Lot 33 DP 258939 and part Lot 154 in DP 774619, the notification of compulsory land acquisition must be published in the New South Wales Government Gazette, at which time land ownership passes from Campbelltown City Council to New South Wales Land and Housing Corporation.

31. 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 27, Street Lighting.

32. Waste Management Plan

Prior to commencement of any works, the relevant provisions of the approved Construction Waste Management Plan (Cardno, December 2020) are to be completed to the satisfaction of Council.

33. 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.

34. 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.

35. 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
- a. Stating that unauthorised entry to the work site is prohibited
- b. 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)
- c. Stating the approved construction hours in which all works can occur
- d. 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.

36. 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
- a. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- b. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

37. 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.

38. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto 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.

39. Public Property

Prior to the commencement of any works on the land, 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.

40. Construction Management Plan

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

- Detail any potential impacts on the amenity of nearby existing dwellings and existing lane uses within the locality;
- Describe the project in detail, including activities undertaken;
- The noise and vibration management measures listed within the acoustic report prepared by Renzo Tonin and Associated, dated 18 December 2020; and
- Outline a monitoring regime to check the adequacy of controls and mitigation measures and ensure that they remain in good working order.

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

41. Site Audit

Following the completion of the approved bulk earthworks and prior to the commencement of the approved construction works, the applicant shall submit to Council/PCA a statement from a suitably

qualified person accredited by the Office of Environment and Heritage (OEH), that the investigations carried out to date and the site validation report adheres to all relevant requirements of the OEH and the *Contaminated Land Management Act 1997*.

42. 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.

43. Protection of Existing Trees on the Development Site

Prior to the commencement of any works on the land, a project arborist is required to be nominated (with a minimum qualification of AQF 5 (Arboriculture)) and the stages and related certification or similar documentation is to be issued to the Council and the appointed Principal Certifier for their records.

Protection measures (chapter 10 and Appendix of the Arboriculture Impact Assessment dated April 2022 prepared by Arborsaw) are required to be implemented for the trees nominated for retention and installed before initiation of site works (including demolition/excavation) and retained until the landscaping works are required unless otherwise specified.

All workers related to the construction process and before entering the site must be briefed about the requirements/conditions, relative to the zone of protection, measures, and specifications before the initiation of work.

44. Tree Removal

- a. One hundred and ninety (190) trees are approved for removal as shown on the Demolition and Tree Removal Plan (SMEC Drawing no. 300178186.11.DA011 Revision 04), and include the following trees as identified in the Arboriculture report (prepared by Arborsaw, dated April 2022):
 - i. Twenty-six (26) Cumberland Plain Woodland (CPW) trees, as identified in the Arboriculture report (Arborsaw, dated April 2022);
 - ii. Sixty two (62) River Flat Eucalypt Forest (RFEF) trees; and
 - iii. Forty six (46) trees identified within the report are to be retained.
- b. The removal of the trees will be required to be offset in accordance with the approved Vegetation Management Plan and Bushland Revegetation Strategy and BBC Consulting Planners response (dated 22 April 2022) as follows:
 - i. Trees comprising native tree species, approved for removal will be offset at a minimum ratio of 4.6:1, area of ecological community coverage as depicted in the Clause 34A approval (7 December 2021) and corresponding Vegetation Management Plan (as amended).
 - ii. Other trees approved for removal are required to be offset on site a minimum ratio of 1:1 to be consistent with Council's Sustainable City Development Control Plan (SCDCP), as depicted in the approved Landscape Plan (Claymore Renewal – Stage 11 Proposed Streetscape Plan, dated JMDd November 2021).

45. Flora and Fauna

- a. There will be no removal of any trees or vegetation (outside of that specified in Condition 43)
- b. Mitigation measures are to be undertaken on site as identified within the Arboriculture Assessment report (Arborsaw, dated April 2022), including:
 - i. Remnant trees should be retained wherever possible to reduce impacts on CPW and maintain urban connectivity for koalas.

- i. *Eucalyptus fibrosa*, or other suitable koala feed trees, are to be planted at 20 m intervals (or as approved) within the verge on both sides of the re-formed street and maintained until establishment.
- ii. Replacement landscaping is to use locally occurring native species commensurate with CPW including trees, shrubs and ground covers to encourage local fauna use, to consolidate remnant vegetation linkages and to provide 'island' refuges for native flora and fauna species within the locality. Dedicated landscape beds are to be established with CPW tree, shrub and ground layer species.

46. 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.

47. 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.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. 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.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works.
- e. 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.

48. Traffic Committee

Prior to commencement of any works on the land, 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.

49. Traffic Control Plans

Prior to commencement of any works on the land, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended). A copy of the approved TCP shall be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy shall be submitted to Council for its records.

50. Construction Traffic Management Plans

Prior to the commencement of any 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).

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.

51. Signage and Line Marking Concept Plan

Prior to the commencement of any works on the land, the applicant shall submit a Concept Plan detailing the construction of prescribed traffic control devices and traffic control facilities and all associated line marking and/or sign posting to obtain approval from Council's Local Traffic Committee.

This includes the installation of regulatory/advisory sign posting, traffic control devices and traffic control facilities with associated revised swept path

52. Utility Servicing Provisions

Prior to the commencement of any works on the land, 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.

53. Contaminated Site Assessment

Prior to the commencement of any works on the land, a detailed site investigation (DSI) and, if required by the findings of the (DSI), a remediation action plan shall be undertaken/completed by a suitably qualified person in accordance with the relevant guidelines approved by the Office of Environment and Heritage (OEH) and in accordance with the requirements of the *Contaminated Land Management Act 1997* and shall be submitted to Council (for its records) and the Principal Certifier.

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.

54. 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 unexpected finds protocol endorsed by a suitably qualified contaminated land consultant
- A 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.

55. Contamination – New Evidence

Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to Council and the appointed principal Certifier.

56. 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.

57. 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.

58. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and
- If necessary, must underpin and support the building in an approved manner, and
- Must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

59. 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.

60. 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.

61. 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.

62. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

63. 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.

64. 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.

65. 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.

66. 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.

67. Footpaths/Cycleways

The footpath/cycleway construction shall be to the satisfaction of Council and in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design for Development (as amended)* guide.

A 1 metre wide turf strip shall be laid immediately behind the kerb.

68. 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 submitted to the principal certifying authority for approval, a minimum of 2 working days prior to the inspection of the exposed sub grade.

The pavement design shall be prepared in accordance with the requirements detailed in Council's *Engineering Design for Development (as amended)* guide.

69. 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 construction certificate.

70. 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.

71. 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

72. Imported 'waste-derived' fill material

The only waste-derived fill material that may be received at the development site is:

- virgin excavated natural material (within the meaning of the Protection of the *Environment Operations Act 1997*); and
- any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

73. 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.

74. Noise Management

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 as outlined below:

Lot(s)	Restrictions
1181 and 1182	No dwelling may be constructed or permitted to remain on the lot unless any second storey component is constructed in accordance with the requirements of Category 2 Construction under the Development Near Rail Corridors and Busy Roads – Interim Guideline (NSW Department of Planning, 2008).

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 Executive Manager, Urban Release and Engagement 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.

75. 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.

76. Section 73 Certificate – Subdivision Only

Prior to Council or 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.

77. Subdivision Certificate – Final Inspection

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, a satisfactory final inspection is required to be issued for all works relevant to the subdivision certificate.

78. 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.

79. 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:

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

80. Vegetation Management Plan

Prior to Council or the appointed Principal Certifier issuing a Subdivision 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.

81. 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.

82. 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. 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.
- b. Appropriate certificates, manufacturer's brochures and technical data of all materials used during construction of the private lighting network.
- c. Warranty documentation for all street lighting assets (12 months minimum from the time of commissioning the network).
- d. Location of assets and the corresponding asset numbers provided by Council.

83. 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.

84. 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.

- a. *Floor Level Control – where applicable*
- b. *No Alteration to Surface Levels – subject to geotechnical advice*
- c. *Lots Filled – where applicable*
- d. *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. *Building envelope plans for allotments less than 300sqm*

- k. *Easement for maintained purposes (retaining walls and zero lot boundaries)*
- l. *Easement for support (retaining walls)*
- m. *Driveway Location Plan.*

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.

85. Linen Plan Registration

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate, the plan of subdivision approved under development application number 11/2021/DA-SW shall be registered with Land and Property Information NSW.

86. 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.

87. 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.

88. 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 six months from the date of release of the subdivision certificate, whichever is the longer. All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution.

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

89. Classification of Residential Lots (Development with dwelling construction)

Prior to Council or the appointed Principal Certifier issuing a Subdivision Certificate for any dwellings approved under this consent, 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).

All slabs and footings shall be designed in accordance with the relevant site classifications and recommendations resulting from a geotechnical investigation of the site. The designing structural engineer shall certify that the design of all slabs and footings is in accordance with the geotechnical investigation and soil classification for the site.

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

Prior to Council or the appointed Principal Certifier 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).

91. Contaminated Land

Prior to Council or the appointed Principal Certifier 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.

92. Splay Corner (Residential)

Prior to Council or the appointed Principal Certifier 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.

93. Restoration of Public Roads

Prior to Council or 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.

94. Public Utilities

Prior to Council or 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.

95. Service Authorities

To ensure that an adequate level of services and infrastructure is provided to this development, and prior to Council or 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
- a. Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development
- b. Gas supplier (if relevant)- Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and
- c. 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.

96. 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.

97. 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.

98. Line Marking / Sign Posting Documentation (subdivision)

Prior to Council or 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.

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.

99. 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.

100. Residential Inter-Allotment Drainage

Prior to the appointed principal certifier issuing a practical completion certificate, a work as executed plan for the drainage works shall be submitted to Council demonstrating that inter-allotment drainage and associated easements, in accordance with Council's Specification for Construction of

Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended) have been provided for residential lots where all or part of the lots do not drain to a public road.

101. Structural Engineering Certificate

Prior to the appointed Principal Certifier issuing a practical completion certificate, the submission of a certificate from a practising structural engineer certifying that the works have been completed in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

102. 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.

103. 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.

Two collated 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.

104. 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.

105. Sandstone Specifications

Prior to the appointed Principal Certifier awarding practical completion of works, 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).
- a. 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%.
- b. Demonstrated durability against saline environment when tested as per test method AS 4456.10.
- c. Shall be angular with not more than 25% of the rock having a length more than twice the breadth/ thickness.
- d. Shall have a minimum relative density of 2.2.
- e. Free from seams, pockets, foreign matter and imperfections.
- f. Generally sound, clean and of uniform colour and texture.

106. 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.

107. 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.

108. 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).

109. 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.

110. Tree Compliance and Certification Report

Prior to Council or an appointed principal certifier issuing a prior to practical completion Certificate, the applicant must:

- a. Engage a suitably qualified, minimum AQF5 accredited Arborist to prepare a Tree Compliance and Certification Report to be submitted to Councils Executive Manager Urban Release and Engagement for in writing approval. The report is to provide an audit of the retained trees to demonstrate compliance with the approved plans and applicable conditions.

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. Permit for the Clearing of Vegetation - Removal

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 policies and controls.

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. 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.
 - i. After installation and prior to commencement of earthworks.
 - ii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.

- c VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d FINAL INSPECTION – All outstanding work.

Advice 4. Inspection within Public Areas

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

Advice 5. 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 6. Linen Plan Checking Fee

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

Advice 7. Salinity

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

Advice 8. 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 9. Dial before you Dig

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

and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 10. Telecommunications Act 1997 (Commonwealth)

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

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

END OF CONDITIONS