

ATTACHMENT 1
535/2021/DA-SW (Airds Stage 7)
Recommended Conditions of Consent

Version 03 – dated 25 September 2023
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
Plan of Subdivision Surveyors Reference: 830118810-DP7A DP1292401 Sheet 01 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7A DP1292401 Sheet 02 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7A DP1292401 Sheet 03 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7A DP1292401 Sheet 04 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7A DP1292401 Sheet 05 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7B Sheet 01 of 05		Matthew William Cleary	draft
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Plan of Subdivision Surveyors Reference: 830118810-DP7B Sheet 03 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7B Sheet 04 of 05		Matthew William Cleary	draft
Plan of Subdivision Surveyors Reference: 830118810-DP7B Sheet 05 of 05		Matthew William Cleary	draft
Plan of Road Closure of Samuel Place Surveyors Reference: 3041-00355-100-001		Matthew William Cleary	06 November 2022

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Stage 7 Civil Works General Notes - Sheet 02 PlanNo:395777-MMD-07-XX-DR-C-1003	P4	Mott MacDonald	18 November 2022
Stage 7 Civil Works - Legends Sheet & Drawing Index PlanNo:395777-MMD-07-XX-DR-C-1005	P4	Mott MacDonald	18 November 2022
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Stage 7 Civil Works - Tree Removal Plan PlanNo:395777-MMD-07-XX-DR-C-1008	P4	Mott MacDonald	22 September 2023
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Stage 7 Landscape Plan Package – PlanNo:21.20.01 Location & Context Plans	G	Distinctive Living Design	29 November 2022
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Supporting Documentation

Airds Stage 7 Water Cycle Management Report	Mott MacDonald	21 July 2023
Airds Bradbury Renewal Project Ecological and Bushfire Assessment	Hayes Environmental	April 2011
Ecological Assessment Report Stages 7 & 8 Airds Bradbury Urban Renewal project, Airds	Travers Bushfire & Ecology	May 2023
Airds Bradbury Renewal project Stage 7 Preliminary Aboriginal Heritage Assessment Version 04	Extent Heritage Advisors	March 2023
Bushfire Protection Assessment Stage 7 Airds Ref: 18LAND13V3	Travers Bushfire & Ecology	February 2023
Waste Management Plan	Landcom	11 November 2020

Detailed Site Investigation Stages 7A, 7B and 8 Doc. 52671-132551 (Rev 1)	JBS & G	29 March 2023
Geotechnical Investigation Ref. 14271/1 – AA Amended	Geotechnique Pty Ltd	13 November 2020
Traffic & Access Assessment Report Report No. PT18024r03_Final_V3	Positive Traffic Engineering/Planning	January 2023
Arboriculture Impact Assessment Report Airds Stage 7 Version 3	Arborsaw	November 2022
Urban Design Strategy Revision 07	E8urban	December 2022

2. Amended Plans

The development is to incorporate the following amendments and the amended plans are to be submitted to the Principal Certifier and Council for its records, for approval, prior to the issuing of a subdivision works Certificate:

- **Koala Street Tree Planting**

The northern section of the Stage 7 Airds renewal project abuts the Koala Linkage Area (Figure 11.1 of the VPA, ISDP); as such the applicant shall amend the landscape plan to include additional Eucalypts as Koala Refuge Trees into streets that occur in an east west direction (in particular Road 72) to augment the identified the koala linkage corridor.

3. Concept Plan Approval

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

4. Voluntary Planning Agreement

The development must be consistent with the requirements of the Airds Bradbury Renewal Project Planning Agreement that applies to the land. The provision and timing of infrastructure as detailed in the Airds Bradbury Renewal Project Planning Agreement between New South Wales Land and Housing Corporation (NSW LAHC) and Campbelltown City Council (CCC) dated November 2014, 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.

5. NSW Rural Fire Service – General Terms of Approval

The development shall comply with the general terms of approval issued by the NSW Rural Fire Service dated 08 July 2021 referenced as (CNR-21697) 535/2021/DA/SW-CNRforRFS.

6. Notice of Determination 2794/2022/DA-C (known as Amarina Learning Centre)

The works approved as part of this consent are to be undertaken in conjunction with the works approved and relevant conditions imposed as part of 2794/2022/DA-C (known as Amarina Learning Centre).

7. 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.

8. Project Arborist

An official "Project Arborist" should be commissioned to oversee the tree protection, any works within the TPZ's and complete compliance certification. The Project Arborist should have minimum five (5) years industry experience in the field of arboriculture.

9. Vegetation Clearance Timing

The clearance of trees and vegetation will only occur outside of winter (that is not within the months of June, July and August).

10. Clearing Supervision and Protocols

To minimise impacts to native fauna species, clearing is to be undertaken under the supervision of a suitably qualified ecologist, in a staged process.

The following management measures are to be included in staged clearing:

- Prior to commencing any works ensure appropriately qualified, licensed and experienced personnel (such as from WIRES/FAWNS) are available to care for any injured fauna that may be encountered.
- Ensure appropriately qualified personnel are on-site during clearing of habitat and inspect all habitat once it is removed (e.g. once a tree is felled), appropriately qualified personnel should capture, inspect and relocate any fauna to suitable habitat identified during pre-clearing.
- Inspect habitat to confirm the presence of fauna.
- Follow rescue and release procedures (developed during pre-clearing) in the event of remaining fauna, especially injured, shocked or juvenile fauna.
- Remove non-hollow-bearing trees, undergrowth, feed-trees, regrowth and grass whilst maintaining habitat trees, bushrock and other habitat features identified during the pre-clearing process.
- Allow a minimum of 24 hours between clearing of non-habitat and clearing of habitat to enable fauna to self relocate.
- Fell habitat trees with care to avoid possible injury to fauna still remaining within hollows (e.g. where possible by lowering slowly with a claw extension).

11. Landscaping

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.

The maintenance of landscaping shall be in accordance with the approved landscape plan.

12. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design Guide for Development (as amended)* and *Campbelltown (Sustainable City) DCP (as amended)*.

13. 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.

14. 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 AU-NZS1158* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

15. 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.

16. Electrical Substations

Substations are not permitted to be installed on land to be dedicated to Council as a part of this determination. If the applicant is to pursue the installation of substations on land to be dedicated to Council, the applicant is required to obtain separate approval and relevant licence from Council's Executive Manager Property (or equivalent).

17. Spraygrass

All land that has been disturbed by earthworks must be stabilised with native spray grass or similarly treated to establish grass cover.

18. Subdivision Works Certificate

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

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

PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

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

19. Vegetation Management Plan

Prior to the issuing of a Subdivision Works Certificate (SWC) or the commencement of any works (whichever occurs first), a Vegetation Management Plan (VMP) is to be submitted to Councils Manager Strategic Land Use Planning, for in writing approval.

To ensure the development is carried out in accordance with the TSC Act requirements under the NSW Cumberland Plain Recovery Plan, the draft Vegetation Management Strategy (Travers, 2021) for the Airds Bradbury Renewal Project is required to be updated to include a VMP Chapter addressing the additional loss of CPW under Stage 7 as described in the FFA (Travers Bushfire & Ecology, 2023) (totalling 0.89 ha of CPW comprising 190 CPW trees); and that provides appropriate means of offsetting to compensate for this loss (as per Principle 4 of the Recovery Plan).

Appropriate means of offsetting for a Critically Endangered Ecological Community (CEEC) in accordance with the Recovery Plan under the TSC Act are considered to be either revegetation measures comprising a minimum replacement ratio of 1:8 to be consistent with the NSW Biobanking Assessment Method, 2014 (BBAM), demonstrable biodiversity credit equivalency; or a combination of the two.

20. Utility Servicing Provisions

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

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

21. Geotechnical Report

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

22. 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.

23. Road Construction

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;

Road No.	Category	Traffic Loading (ESA)
Briar Road, Riverside Drive, New Greengate Road	E(i)	1 x 10 ⁶
71,72,73,74,75,76,77,81,83,85	D	3 x 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.

24. Road Construction (Roundabout)

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

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

25. Downstream Drainage

Prior to Council or an accredited certifier issuing a subdivision works certificate, the applicant shall liaise with the adjoining land owners regarding downstream drainage and shall submit to the Council written approval from the owner(s) granting permission to discharge stormwater and for the creation of any necessary easements. Council will determine the easement over any drainage works that traverse adjoining properties.

26. Stormwater Management Plan

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

All proposals shall comply with the requirements detailed in Council's *Engineering Design for Development (as amended)* guide, *Australian Rainfall and Runoff (current version)*, *NSW Floodplain Development Manual* and the *Water Cycle Management Plan for AirDS Stage 7* dated 27 Jan 2023/Rev B.

27. Alignment of New Works

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall liaise with Council and the adjoining land owners regarding the alignment and construction of new roads.

28. Work on Public Land

Prior to Council or the appointed Principal Certifier issuing a subdivision works certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the issuing of the subdivision certificate.

29. Contaminated Site Assessment

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, a detailed site investigation and a remedial action plan shall be undertaken/completed by a suitably qualified person in accordance with the relevant guidelines approved by the *Office of Environment and Heritage (OEHS)* required, 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 for approval.

30. 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.

31. Vehicle turning movements

Prior to Council or an accredited certifier issuing a Subdivision Works Certificate, vehicle turning movements (for the appropriate vehicle types as agreed with Council) are to be assessed and prepared by a professional Traffic Engineer using Autodesk Vehicle Tracking, and submitted for approval.

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

32. 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.

33. Water Quality

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

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

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

34. Filterra System Maintenance Bond

Prior to the issuing a subdivision works certificate, the applicant must make a written agreement with Council's Executive Manager Infrastructure (or equivalent) with respect to the proposed Filterra bio-retention system accepting the following clauses (but not limited to):

- a. The bio-retention system must be maintained by the applicant for at least 5 years from the construction of 80% of the building works, and a maintenance bond must be paid to council prior to release of a subdivision certificate. The amount of bond is to be worked out in consultation with Council's Executive Manager Infrastructure and Executive Manager Operations.

- b. The maintenance period must not be commenced until the building works are 80% complete and the sediment basin is removed.
- c. Additional years of maintenance obligation will be imposed on the applicant or a lump sum payment will be required to be paid to Council if the Filterra system fails to meet any of the following:
 - a. The design targets of performance.
 - b. Cost of maintenance.
 - c. Not experienced by significant rainfall events in terms of frequency and size of rainfall events.
- d. A testing regime is to be implemented to confirm performance and results to be supplied within 2-4 weeks after each storm events (i.e. all rainfall events that generate runoff). The water testing is to be managed by Council with an agreed company at no cost to Council.
- e. The operation and maintenance specification and schedule must be submitted to Council in the form of an operation and maintenance manual, and approved by Council's Executive Manager Infrastructure prior to the issue of a subdivision works certificate. The results of maintenance works must be supplied to Council after each maintenance is carried out.
- f. A written certification must be submitted prior to the handover of the Filterra bio-retention basin at the end of the 5 year maintenance period confirming that the installed filter media complies with the design parameters used in the MUSIC model and the parameters are unchanged throughout the maintenance period. The critical parameters (include, but are not limited to) are printed below:
 - a. Saturated hydraulic conductivity 3550 mm/hr.
 - b. Total Nitrogen content of filter media 200 mg/kg.
 - c. Orthophosphate content of filter media 0.1 mg/kg.

35. 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 subdivision works 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.

36. 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 subdivision works certificate.

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

37. Retaining Structures

Prior to Council or the appointed Principal Certifier issuing a Subdivision Works Certificate, the applicant shall engage a suitably qualified structural and geotechnical engineer to design all proposed retaining structures exceeding 800mm in height.

All retaining structures shall be constructed of a masonry material.

38. Landscape Requirements

Prior to Council or an appointed Principal Certifier issuing a subdivision works certificate, 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.

39. Street Lighting

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

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

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

40. Filterra Engineering Design Details

Prior to the commencement of works, the applicant shall submit detailed engineering design plans of the proposed bio-retention basin and Filterra system.

The plans must be consistent with its operation technical specifications, and must be approved by Council's Executive Manager Infrastructure (or equivalent).

41. Construction Environmental Management Plan

Prior to the commencement of any works a Construction Environmental Management Plan (CEMP) must be prepared and approved in writing by Campbelltown City Council's Manager Development Assessment (or equivalent). The CEMP must detail the environment management and control measures which will be implemented in association with the proposed construction activities to ensure the works are managed in a manner to reduce adverse impacts on the environment.

At a minimum the CEMP must address:

- i. Measures to delineate clearing areas and protect native vegetation that is to be retained, as set out in the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.
- ii. Preclearance survey requirements as outlined in the Ecological Assessment Report for stages 7 and 8 Airds Urban renewal project by Travers BE dated May 2023.
- iii. Measures to prevent the spread of priority and environmental weeds as set out in the Ecological Assessment Report for stages 7 and 8 Airds Urban renewal project by Travers BE dated May 2023.
- iv. Measures to prevent the transport and spread of *Phytophthora cinnamoni* and other plant pathogens (for example myrtle rust) into areas of conservation value within and adjacent to the Airds Urban renewal Area. Incorporate best practice site hygiene protocols to manage the potential spread of pathogens, such as *Phytophthora cinnamomi* and Myrtle Rust. Including the cleaning of all plant, equipment, hand tools and work boots prior to delivery onsite to ensure that there is no loose soil or vegetation material caught under or on the equipment and within the tread of vehicle tyres. Any equipment onsite found to contain soil or vegetation material is to be cleaned in a quarantined work area or wash station and treated with fungicides.
- v. Required Sediment and Erosion Control Measures/stockpile management as per Managing Urban Stormwater: Soils and Construction (Landcom, 2004) – The Blue Book and as set out in the Ecological Assessment Report for stages 7 and 8 Airds Urban renewal project by Travers BE dated May 2023.
- vi. Noise control measures.
- vii. Air quality control measures (dust).
- viii. Hazardous material management protocols (ie. fuel etc.) addressing storage, use, refuelling etc.
- ix. Incident and emergency response protocols.
- x. Competence, training and awareness procedures (ie. Environmental inductions, Toolbox talks, training and awareness).
- xi. Roles and responsibilities for implementing, monitoring and reviewing CEMP requirements.
- xii. An overview of relevant Environmental management documentation.
- xiii. Waste Management procedures as per the submitted Waste Management Plan.
- xiv. Inspection, monitoring and auditing requirements for all environmental controls and adaptive management to ensure environmental mitigation measures remain effective.

42. 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:

- a. Detail any potential impacts on the amenity of nearby existing dwellings and existing lane uses within the locality;

- b. Detail how access is being maintained to the existing dwellings;
- c. Describe the project in detail, including activities undertake;.
- d. Detail noise and vibration management measures to be implemented to protect the amenity of the existing and adjoining residents within close proximity to the site; and
- e. Outline a monitoring regime to check the adequacy of controls and mitigation measures and ensure that they remain in good working order;
- f. Measures to minimise ground disturbance and prevent the transportation of soil onto any public road system.

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

43. Construction Traffic Management Plan

Prior to the commencement of works, 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 for approval.

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

44. Traffic Committee

Prior to commencement of works, 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.

45. Traffic Control Plans

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

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

46. Dilapidation Report

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

47. 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.

48. Waste Management Plan

Prior to the commencement of any works, the relevant provisions of Council's Waste Management Plan is to be updated and is to be completed to the satisfaction of Council.

49. Erosion & Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

50. Erection of Construction Sign

Prior to the commencement of any works on the land, signs must be erected in prominent positions on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such signs are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

51. Toilet on Construction Site

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

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

52. 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.

53. 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.

54. Public Property

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

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

55. 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 Council and shall 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 building or structure that contains asbestos, the applicant shall request that the principal certifying authority 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.

56. Site Remediation and Site Audit Process

Prior to the commencement of any works:

- a. The consent holder must engage an appropriately qualified and experienced supervising environmental consultant to supervise all aspects of site remediation and validation. The environmental consultant must supervise all aspects of the remediation and validation works in accordance with the approved Remedial Action Plan.
- b. A Site Auditor shall be appointed for the project prior to the commencement of any works authorised by this consent. The site auditor must be a person accredited under the Contaminated Land Management Act, 1997.
- c. Council shall be notified of the appointment of the site auditor at least 2 business days prior to the commencement of any works authorised by this consent. This notification shall include the name, contact details and accreditation details of the auditor.

57. Site Audit

Following the completion of the approved demolition works and including bulk earthworks and prior to the commencement of the approved construction works, the applicant shall submit to Council and/or the appointed Principal Certifier 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.

58. 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.

59. Inductions/Toolbox Talks

The civil contractor is to ensure that during the site induction process and site toolbox talks, all site workers and visitors are aware of the no-access areas within the site. Site Inductions are to include communication on tree protection measures. Installation of fences around specified tree protection zones.

All tree work is to be carried out by a suitably qualified and insured Arborist, as set out in the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

60. Delineation of Clearing Limits

Clearing limits are to be marked either by high visibility tape on trees or metal/wooden pickets, fencing or an equivalent boundary marker. Where they adjoin the development areas, the boundaries of the conservation areas shall be clearly marked out on-site to ensure their protection.

All areas of natural vegetation retention shall be protected by fencing, prior to construction, to ensure that these areas are not damaged during the construction phase. Disturbance, including stockpiling, is to be restricted to the clearing limits, as set out in the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

61. Pre-Clearance Surveys

- i) Prior to the commencement of any works: Pre-clearance surveys are to be conducted in all areas of vegetation to be cleared, pre-clearance surveys are to be undertaken within two weeks of clearing of vegetation. Habitat features appropriate for relocation, are to be marked during the pre-clearing survey.
- ii). Fauna pre-clearance surveys are to be undertaken by a suitably qualified ecologist, prior to any habitat removal, a comprehensive search for Cumberland Plain Land Snails is to be undertaken on site to relocate any individuals into the nearby creek line vegetation to the immediate south of site.
- iii) Upon completion of pre-clearance surveys, a report outlining the pre-clearance surveys carried out, including survey effort, results and outcomes will be completed and submitted to Council for review.
- iv) If threatened species are roosting in any habitat to be removed, a detailed threatened species relocation plan will be developed and submitted to Council's Manager Development Assessment (or equivalent), for approval prior to the issuing of a construction certificate or the commencement of any on ground works.

- v) If any habitat features (trees, logs or parts thereof) are identified to be appropriate for relocation to the proposed conservation areas in the Stage 7 of the Airds Bradbury Urban Renewal Area, the felling/removal procedures and storage is to be specified, to personnel undertaking vegetation removal
- vi) If any breeding females or females with young are detected during the pre-clearance surveys, then clearance will be postponed until breeding is complete and hollows are vacant.

62. Hollow Offset Replacement

- i) Prior to the commencement of any works, a Hollow Offset Replacement Strategy and associated monitoring and maintenance program must be prepared and submitted to Council's Manager Development Assessment (or equivalent) for approval.
- i) The number of hollows/nest boxes required for offset replacement is set out in section 4.7.4 of the Ecological Assessment Report for Stages 7 and 8 Airds Urban renewal project by Travers BE dated May 2023.

63. Management of Hollows and Hollow dependent fauna

- ii) The felling of hollow-bearing trees is to be conducted under the supervision of a fauna ecologist to ensure appropriate animal welfare procedures are taken, particularly for threatened species. Hollows of high quality or with fauna recorded residing within should be dismantled for relocation and all hollows should be inspected for occupation, signs of previous activity and potential for reuse.
- iii) Subsequent hollows of retention value are to be relocated to nearby conservation areas. If these are placed as on ground habitat and are not reattached to a new recipient tree then they are to be replaced with appropriately sized nest boxes affixed to a retained tree. All hollow sections considered suitable for should where possible be recovered and prepared for placement into an appropriate retained tree.
- iv) Augmented Hollows and or Constructed nest boxes should target recorded hollow dependent threatened species (and their prey species). Boxes should be constructed all of weatherproof timber (marine ply), fasteners and external paint and appropriately affixed to a recipient tree under the guidance of a fauna ecologist.
- v) All high quality hollows of likely occupation by fauna are to be inspected prior to removal and to avoid nest periods of hollow dependent threatened fauna.
- vi) If any fauna species, a nest or roost is located during development works, then works should cease until safe relocation can be advised by a contract fauna ecologist.

64. Threatened Species Relocation Plan

A Threatened Species Relocation Plan is to be prepared and submitted to Council, that includes the methodology to be employed to capture and relocate threatened species recorded from the subject land during pre-clearance surveys and/or clearance supervision, as set out in the Ecological Assessment Report for stages 7 and 8 Airds Urban renewal project by Travers BE dated May 2023.

65. Protection of Existing Trees on the Development Site (Retained Trees)

Prior to the commencement of works, Tree protection fencing is to be undertaken as set out in Sections 11.3 (Tree Protection fencing) and 11.4 (Tree protection Signage) of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

The 51 trees nominated for retention must be fenced as per the fencing method described in Section 11.3 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

Note: Tree number 476 requires trunk wrapping to a height of 2m, in line with AS 4970:2007, as set out in Section 11.5 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

66. Tree Removal

The following trees are approved for removal as set out in Appendix 16.1 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

These trees are numbered 1-276, 279-306, 310-311, 321-327, 331, 336-345, 348, 353-359, 361-363, 366, 368, 372-388, 395-409, 420-475, 477-499 and 501-528.

The following tree numbers are to be additional to the approved trees for removal, as they were assessed and reported as trees in group in Appendix 16.1 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

Tree Number	Trees in Group	Tree Number	Trees in Group
4	3	9	2
195	2	276	18
283	2	285	3
286	5	287	2
288	6	331	3
345	4	350	2
354	3	355	3
372	7	386	12
495	2	498	8
516	3	517	5

67. Tree Retention

A total of 46 trees are to be retained for the development as set out in Appendix 16.1 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022.

These trees are numbered and identified as 277, 278, 307, 308, 309, 312, 313, 319, 320, 328, 329, 330, 332, 333, 334, 335, 346, 347, 349, 350, 351, 352, 360, 364, 365, 367, 369, 370, 371, 389, 390, 391, 392, 393, 394, 410, 411, 412, 413, 414, 415, 417, 418, 419, 476 and 500.

Note: Trees numbered 314-318 are not listed in Appendix 16.1 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022; these trees are to be protected as per Section 10.3.2 of the Arboricultural Impact Assessment prepared by Arborsaw, Airds Stage 7 dated November 2022.

68. Tree Protection Zones (TPZ's)

The project Arborist must supervise any works within the TPZ's of Trees to be retained. Upon completion of the works within the TPZ, the project Arborist is to document whether the works have impacted the viability of the subject trees. Details to be submitted to Council, accordingly.

All works within the TPZs must be completed by techniques that do not damage tree roots.

Excavation and demolition works should be undertaken using techniques that are sensitive to tree roots to avoid unnecessary damage.

Such techniques include:

- Excavation/ demolition by hand
- Excavation/ demolition by machine with Arborist supervision.
- Excavation using a high pressure water jet and vacuum truck.
- Excavation using an Air Spade with vacuum truck.
- Machine excavation is prohibited within the remaining TPZ areas of retained trees unless undertaken at the direct consent from the project arborist and/or the responsible authority.

Activities Restricted within the TPZ is noted as follows:

- Machine excavation without Arborist supervision;
- Demolition by machine without Arborist supervision;
- Excavation for silt fencing;
- Storage;
- Preparation of chemicals, including preparation of cement products;
- Dumping of waste;
- Wash down and cleaning of equipment;
- Placement of fill;
- Soil level changes;
- Temporary or permanent installation of utilities and signs;
- Physical damage to the tree;
- Parking or driving of vehicles/machinery.

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.

69. Disposal of Contaminated Soils/Waste

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

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

70. 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.

71. 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.

72. 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.

73. 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.

74. 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.

75. Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

76. 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.

77. 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.

78. 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.

79. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, minimum 1.2m wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times. The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the State Roads Authority manual "Traffic Control at Work Sites" (as amended), all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all Work Cover Authority requirements are complied with. Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

80. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*;
- b. Council's *Engineering Design Guide for Development (as amended)*;
- c. Council's *Campbelltown (Sustainable City) DCP (as amended)*;
- d. *Soils and Construction (2004) (Bluebook)*; and
- e. Relevant Australian Standards and State Government publications.

81. Footpath

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.

82. Pavement Thickness Determination

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

83. Residential Footpath and Layback Crossing

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property, in accordance with Council's *Residential Vehicle Crossing Specification* and *Engineering Design Guide for Development (as amended)*.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

84. 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.

85. Redundant Laybacks

All redundant laybacks shall be reinstated as conventional kerb and gutter, in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (as amended)*.

86. 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.

87. Protection of Existing Trees

During construction, other than those trees approved for removal, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council unless those trees are within three metres of the footprint of a building that has been approved by Council.

All trees that are to be retained are to be protected by fencing, firmly staked within the drip line/canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvable materials such as roots and stumps shall be disposed of to a waste management centre or other approved form.

88. Protection of Koalas during Construction

During construction the following mitigation measures must be undertaken:

- Clearing of native vegetation and/or earthworks as part of any development approval consent from Council must be temporarily suspended within a range of 25m from any tree which is concurrently occupied by a koala and must not resume until the koala has moved from the tree of its own volition;
- Any clearing of land must not commence until the area proposed for clearing has been inspected for the presence of koalas by a suitably qualified ecologist and approval given in writing;
- Approval to proceed with the clearing of vegetation in accordance with this section is only valid for the day on which the inspection has been undertaken; and
- A suitably qualified ecologist must remain on site during any approved clearing of vegetation. If clearing operations are being undertaken concurrently in different sections of a property, a suitably qualified ecologist must be present in each section.

89. Weed Management

Weed control activities are to be undertaken in accordance with the Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022; as reported in the Ecological Assessment Report for stages 7 and 8 Airds Urban renewal project by Travers BE dated May 2023.

90. Compliance Inspections & Reports

As per Section 11.10 of the Arboricultural Impact Assessment by Arborsaw Airds Stage 7 dated November 2022, inspections are to be conducted by the Project Arborist at key points (bimonthly) during the construction in order to ensure that protection measures are being adhered to during construction stages and decline in tree health or additional remediation measures can be identified.

Tree inspections and compliance reporting by the project arborist is required as follows:

- Following the tree removal works and the installation of the tree protection fencing & Trunk Protection for tree 476.
- During any works within TPZ's of trees to be retained unless specific methodologies are developed and approved by the project arborist.
- Every 2 months during the works to ensure compliance.
- At the practical completion of the project.

Following each inspection, the project arborist shall prepare a brief Compliance report detailing the condition of the trees. These reports should contain photographic evidence where required to demonstrate that the protection measures are in place as specified and a copy provided to Council and the appointed Principal Certifier.

Any Non-Compliance Statements shall be submitted to the Project Manager (as well as the clients' nominated representative) if tree protection conditions have been breached. Reports should contain clear remedial action specifications to minimise any adverse impact on any subject.

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.

91. Subdivision Certificate

Prior to the 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.

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

92. Section 73 Certificate – Subdivision Only

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

Application shall be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

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

93. Restriction on the Use of Land

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act.

- a. *Floor Level Control – 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. *Drainage Floor Level Control Easements – (100yr flow, depressed) – where applicable*
- h. *No Cut or Fill – (Existing Geotech Report from N.A.T.A. reg. Laboratory) – where applicable*
- i. *No Cut or Fill – (Geotech Report Required) – where applicable*
- j. *Battle-Axe Lots where reciprocal rights of carriageway are proposed*
- k. *Lots with any other restrictions eg. Refuse Collection.*
- l. *The APZ requirements as dictated by NSW RFS.*
- m. *Residential fencing to be constructed in accordance with Section 6.4.5 of Campbelltown's Comprehensive Koala Plan of Management (Biolink, 2018).*
- n. *Building Siting Envelope Plans.*

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

94. Bond (Outstanding Work)

Prior to the principal certifying authority issuing a subdivision certificate and to facilitate the release of the subdivision certificate, Council may accept bonding for outstanding asphaltic concrete work, foot paving and vehicle crossings/driveways or other minor work.

Following a written request from the applicant, Council will determine the bond requirements. Council acknowledges that Landcom and/or LAHC may submit Letters of Undertaking in this regard.

95. Maintenance Security Bond

Prior to the appointed principal certifying authority 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.

Council acknowledges that Landcom and/or LAHC may submit Letters of Undertaking in this regard.

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

Prior to the principal certifying authority issuing a subdivision certificate, all residential lots are to be individually classified in accordance with guidelines contained in the Australian Standard AS 2870-1996 *Residential Slabs and Footings (as amended)*.

97. Contaminated Land

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

98. Site Validation Report

Upon completion of the approved remediation works, a site validation report completed by a the appointed Site Auditor shall be submitted to Council and the appointed principal Certifier indicating that the soil on the site complies with the requirements for the use of the site as proposed.

99. Road Widening

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

100. Splay Corner (Residential)

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

101. Final Inspection – Works as Executed Plans

Prior to the appointed principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 3 (as amended).

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

Survey Information

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

Format

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

AutoCAD Option

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

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

Include textures from materials

Include files from data links

Include photometric web files

Bind external references

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

MapInfo Option

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

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

102. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority 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 digital 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 digital copies of all compliance certificates in accordance with consent authority requirements, including supply of pipes and precast units, supply of sub-base material, supply of base course material, supply of concrete, and supply of bituminous materials.

All reports/certificates shall be prepared by a N.A.T.A. registered laboratory or qualified engineer in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended) and shall list the relevant compliance standard(s) and certify that the whole of the area of works or materials tested comply with the above specification. All reports/certificates shall be complete, fully referenced, clearly indicate the area or material tested, the location and required/actual values of all tests and retesting, and be collated and suitably bound.

103. Restoration of Public Roads

Prior to the principal certifying authority issuing an subdivision certificate, any restoration of the public road pavement required as a result of the development, shall be carried out by Council and all costs shall be paid by the applicant.

104. Public Utilities

Prior to the appointed Principal Certifier issuing a subdivision certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

105. Service Authorities

Prior to the principal certifying authority issuing a subdivision certificate, two copies of all servicing plans shall be forwarded to Council in accordance with the following:

Written advice from *Sydney Water*, *Endeavour Energy* and where applicable the relevant gas company, shall be submitted, stating that satisfactory arrangements have been made for the installation of either service conduits or street mains in road crossings, prior to the construction of the road pavement. All construction work shall conform to the relevant authority's 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.

106. NBN Co

Prior to the issue of 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.

107. Lot/House Numbers

Prior to 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.

108. Line Marking / Sign Posting Documentation (subdivision)

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council for the Local Traffic Committee's records, two copies of the work as executed plans for the line marking / sign posting in relation to the subdivision. The information shown on the plan shall be in accordance with the recommendations of the Traffic Committee and shall note the date/s of installation.

109. Residential Inter-Allotment Drainage

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

Works (as amended), Engineering Design Guide for Development (as amended) and Campbelltown (Sustainable City) DCP (as amended).

110. Retaining

Prior to the appointed principal certifier issuing a subdivision certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development.

Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

111. Council Fees and Charges

Prior to the appointed Principal Certifier issuing a subdivision certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

112. Compliance Certificate

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 issuing a subdivision certificate.

113. 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 that the site is suitable for the purpose as zoned.

114. 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.

115. Certification of Retaining Structures

Prior to 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.

116. CCTV footage verifying integrity of all new pipes and existing pipes

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

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

117. Bush Fire Certification

Prior to the issue of a subdivision certificate, a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment shall be submitted to Council and/or the accredited certifier stating that the development conforms to the relevant specifications and requirements as specified in the relevant condition from the NSW Rural Fire Service forming part of this consent.

118. Implementation of Vegetation Management Plan

Prior to Council or the appointed Principal Certifier issuing a subdivision certificate, evidence of the implementation of Condition 19 – being the Vegetation Management Plan (VMP) for Stage 7 and/or biodiversity credit equivalency are to be submitted to Councils Manager Strategic Land Use Planning, for in writing approval.

119. Completion of Landscaping Works

Prior to the release of the subdivision certificate documentation must be submitted to Council or the Appointed Principal Certifier that all landscaping works have been completed in accordance with the approved plans.

120. 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.

121. Tree Compliance and Certification Report

Prior to Council or an appointed principal certifier issuing a subdivision 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 Manager Development Assessment (or equivalent) 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.

122. Post Development Conditions Reporting & Ongoing Maintenance of Filterra System

The ongoing reporting and maintenance of the proposed Filterra bio-retention system must satisfy the following requirements:

- The bio-retention system must be maintained by the applicant for at least 5 years from the construction of 80% of the building works, and a maintenance bond must be paid to council prior to release of a subdivision certificate. The bond is to be worked out in consultation with Council's Executive Manager Infrastructure (or equivalent) and Council's operation department.
- A testing regime is to be implemented to confirm performance and results to be supplied within 2-4 weeks after each storm events. The water testing is to be managed by Council with an agreed company at no cost to Council.
- The operation and maintenance specification and schedule must be submitted to Council in the form of an operation and maintenance manual, and approved by Council's Executive Manager Infrastructure (or equivalent) prior to the issue of a subdivision works certificate. The results of maintenance works must be supplied to Council after each maintenance is carried out.

Written certification must be submitted prior to the handover of the Filterra bio-retention basin at the end of the 5 year maintenance period, confirming that the installed filter media complies with the design parameters used in the MUSIC model and the parameters

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

Advice 1. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

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

Advice 2. Filling on Site

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

Advice 3. 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. 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. Adjustment to Public Utilities

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

Advice 6. Principal Certifying Authority – Subdivision

Council is the principal certifying authority for the construction of the proposed subdivision and issue of the subdivision certificate and Council shall carry out all inspections required by the development consent. Work must not proceed past any inspection point until Council has approved the work inspected.

Advice 7. 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 8. 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 9. 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 10. Easements Over Council Controlled Lands

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

Advice 11. Dial before you Dig

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

Advice 12. Telecommunications Act 1997 (Commonwealth)

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

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

END OF CONDITIONS