

Attachment 1 – Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term ‘applicant’ means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out substantially 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.

Drawing Name	Drawing No.	Revision	Prepared by	Date
Cover sheet	A-000	K	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	9/12/21
Site analysis	A-1000	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	28/10/21
Basement plan	A-2000	I	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	20/10/21
Ground floor plan	A-2100	O	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
First floor plan	A-2101	K	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Second floor plan	A-2102	K	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Roof plan	A-2103	J	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Section 1	A-3100	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Section 2	A-3101	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
West elevation – building A/B/C	A-3200	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
West elevation – buildings D/E/F	A-3201	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
North elevation	A-3202	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
East elevation – buildings D/E/F	A-3203	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
East elevation – buildings A/B/C	A-3204	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21

Drawing Name	Drawing No.	Revision	Prepared by	Date
South elevation	A-3205	H	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Courtyard entry elevation	A-3206	C	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Photomontage 01	A-7001	B	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	13/04/21
Photomontage 02	A-7002	B	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	13/04/21
Photomontage 03	A-7003	B	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	13/04/21
Photomontage 04	A-7004	B	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	13/04/21
External materials and finishes	A-7100	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	28/04/21
Waste storage area	A-7005	A	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	3/11/21
GFA calculation diagrams	A-8011	A	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	21/10/21
Shadow diagrams	A-8100	B	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	21/10/21
View from sun analysis	A-8200	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	21/10/21
View from sun analysis	A-8201	A	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	21/10/21
Excavation plan	A-8252	A	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	29/11/21
Landscape plan	1 of 4	E	Greenland Design Pty Ltd	16/12/21
General landscape detail	2 of 4	E	Greenland Design Pty Ltd	16/12/21
General landscape specification	3 of 4	E	Greenland Design Pty Ltd	16/12/21
Communal landscaped area	4 of 4	E	Greenland Design Pty Ltd	16/12/21
Cover sheet, drawing registry and locality plan	CI-000-001	A	Stantec	27/01/21
General notes	CI-007-001	A	Stantec	27/01/21
Sediment and erosion control plan	CI-070-001	B	Stantec	12/02/21
Sediment and erosion control details	CI-076-001	A	Stantec	27/01/21

Drawing Name	Drawing No.	Revision	Prepared by	Date
Site works and stormwater drainage plan	CI-520-001	B	Stantec	12/02/21
Stormwater drainage details	CI-526-001	A	Stantec	27/01/21

Supporting Documentation

Document Title	Prepared by	Date
Design Verification Statement, SEPP 65 Design Quality Principles, ADG response	MAKO Architecture (Simon Mather)	14 April 2021
Construction and Operational Waste Management Plan - Revision B	Creative Planning Solutions	25 November 2021
Written clause 4.6 variation - clause 40(4)(a) of SEPP (Housing for Seniors or People with a Disability) 2004	BBC Consulting Planners	December 2021
Written clause 4.6 variation - clause 40(4)(b) of SEPP (Housing for Seniors or People with a Disability) 2004	BBC Consulting Planners	December 2021
Amended Statement of Environmental Effects	BBC Consulting Planners	December 2021
Access Report - Issue C	Vista Access Architects	30 March 2021
Geotechnical and Waste Classification Report	GeoEnviro Consulting Pty Ltd	29 January 2021
Traffic and Parking Assessment	The Transport Planning Partnership	14 April 2021
DA Acoustic Assessment - Revision 3	Acoustic Logic	26 April 2021
Building Code of Australia 2019 Amendment 1 Report	Metro Building Consultancy	14 April 2021
Additional Phase 2 Contamination Assessment (Ref: JC17299B-r1)	GeoEnviro Consultancy Pty Ltd	September 2019
Remediation Action Plan (RAP) (Ref: JC17299C-r1)	GeoEnviro Consultancy Pty Ltd	September 2019

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia* as required by Section 6.28(2) of the EP&A Act, 1979.

3. Occupants of the Accommodation

Occupants of the development are required to satisfy the definition below:

- a. seniors or people with a disability,
- b. people who live within the same household with seniors or people who have a disability,
- c. staff employed to assist in the administration of and provision of services to housing provided under this Policy.

In this condition:

seniors are any of the following—

- a. people aged 55 or more years,
- b. people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

people with a disability are people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life.

(State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004)

4. 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 native, low water demand plants consistent with BASIX requirements.

5. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are to be reviewed and endorsed by Executive Manager Urban Centres (or equivalent).

6. Garbage Storage Enclosure

The garbage storage area identified on the approved plans shall:

- a. Be provided with a concrete floor with concrete or cement rendered interior walls coved to the floor.
- b. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. A hose cock shall be provided within the bin area and be provided with an adequate supply of water with hose attachment.
- d. Garbage rooms shall be vented to the external air by natural or artificial means.
- e. The level of the floor and entry to the waste storage area is flat to match the level of the adjoining surface.

7. Fencing

A 1.8 metre high fence shall be erected on the site's rear boundaries (northern), in accordance with the stamped approved plans, at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted. Gates which provide secure access / egress for residents including those which discharge onto the council-owned drainage reserve at the appropriate point marked on the plans is also permitted.

8. Basement Storage

All basement storage is to be clearly allocated to each specific dwelling and have the ability to be secured/lockable.

9. Common Pedestrian Pathways

Common pedestrian paths must be constructed with durable materials commensurate with the standard of the adjoining public domain with appropriate slip resistant materials, tactile surfaces and contrasting colours.

10. Wayfinding Map

The applicant shall prepare and permanently affix a wayfinding map on the ground floor for use by visitors and emergency services personnel.

11. Switchboards and Air Conditioning Units

Except as shown on the approved drawings or as required by servicing agencies, switchboards, air conditioning units and storage for other utilities shall not be attached to the front elevations of the building or side elevations in a way that they can be clearly seen from a public place.

12. Driveways and Car Parking

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standards AS 2890.1 (*as amended*).

The finishes of the driveway surfaces are to be non-slip.

13. Lighting

Illumination of the site, including the communal open space area, 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.

Lighting shall be designed to minimise all forms of light pollution and must not use bright 'blue-white' LED lighting outside in order to avoid harmful effects on insects which has flow on effects for microbats and birds.

14. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property as soon as reasonably practicable following becoming aware of its application.

15. Unreasonable Noise, Dust and Vibration

The construction of the development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable levels of noise, dust or vibration which may cause 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 multiple recurrent noise related issues 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. Engineering Design Works

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

17. Car Parking Spaces

45 car parking spaces shall be designed and line marked in accordance with Australian Standards 2890.1 and 2 (as amended), with a single car parking space available for the primary resident of each unit.

18. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

19. On-going Waste Management

On-going waste management is to be conducted in accordance with the Waste Management Plan (prepared by creative planning solutions, dated 25 November 2021).

The development is to include the following on-going waste measures:

- Occupants of the dwellings to be responsible for transporting their general waste and recycling to the waste storage areas;
- A dedicated caretaker to be responsible for transporting all bins required to be moved to and from the street frontage on collection day;
- The owner of the site is to engage a general maintenance contractor who is to be responsible for collecting and disposing of garden organics offsite.
- Waste storage areas to be cleaned and maintained on a regular basis by the dedicated caretaker to ensure no issues arise in relation to odours, vermin or unsightliness.

20. 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.

21. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation in accordance with the approved plans.

22. Construction Certificate

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

- a. the applicant shall appoint a principal certifier;

- b. the applicant shall obtain a construction 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 CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of any construction 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 construction certificate.

23. Site Audit Statement

Prior to the issue of a Crown building work certificate or the commencement of works, whichever occurs first, a Section A1 Site Audit Statement under the *Contaminated Land Management Act 1997*, is required to be submitted, certifying that the land is suitable for “residential with minimal opportunity for soil access, including units”.

24. Access Compliance Report

Prior to the issue of a Crown building work certificate, the mandatory compliance recommendations of the Access Report (prepared by Vista Access Architects; Issue C; date 30/03/2021), must be detailed, submitted and approved by the appointed principal certifier.

25. Schedule 3 SEPP Seniors

Prior to the issue of a Crown building work certificate, a report prepared by an appropriate qualified professional is to be provided to ensure the Crown building work certificate plans are compliant with Schedule 3 of State Environmental Planning Policy (Seniors or Housing for People with a Disability) 2004.

26. Substation Details

Prior to the issue of a Crown building work certificate, the applicant is to provide details to the appointed principal certifier for the construction and installation for a pad mount style substation, external to the building and within the subject future allotment, along the Copperfield Road frontage, as indicated on the stamped plans. The substation shall be designed in accordance with Endeavour Energy's standards and requirements for access, noise influence and fire rating.

27. Pedestrian Bridge Infrastructure

Prior to commencement of works on the pedestrian bridge, the applicant is required to provide the following details in relation to the pedestrian bridge connecting the site to the existing pedestrian footpath on Copperfield Drive to the Executive Manager of Urban Centres for review and written approval:

- A to-scale drawing;
- Materials to be of concrete/steel/robust/fire proof construction;
- Handrails to be continuous;
- No mound on landing – grade to be continuous so that the site drains properly;
- Free draining underneath bridge construction;
- Maintenance free under bridge i.e. concrete or filled in;
- Demonstrate that the bridge structure, and work associated with the bridge/pedestrian structure, does not impact on the GPT location/water quality works and any other

infrastructure within the drainage reserve to the east of the site and that consistent grade between projects is achieved;

- Show a pathway connection from the base of the stair/ramp landing through the drainage reserve to the main footpath network on Copperfield Drive (or to any other internal pathway within the drainage reserve already providing this connection). The connection is to form part of the works.

28. Utility Servicing Provisions

Prior the issue of a Crown building work certificate the applicant shall obtain correspondence from Sydney Water, Endeavour Energy, Jemena and the relevant telecommunications authority stating that the relevant services can be made available to service the 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.

29. Landscape Maintenance Program

Prior to the occupation of the buildings, the applicant must prepare a landscape maintenance program. The maintenance plan is required to cover a 12 month maintenance period to ensure that all approved landscape works become well-established by regular maintenance.

30. Geotechnical Report

Prior to issuing a construction certificate, a geotechnical report prepared by a NATA registered laboratory, shall be submitted stating that the land will not be subject to subsidence, slip, slope failure or erosion, where proposed excavation and/or filling exceeds 900mm in depth, or where the land is identified as having previously been filled.

31. Soil and Water Management Plan

Prior to issuing a of construction certificate, a detailed soil and water management plan shall be prepared and submitted to the appointed principal certifier.

32. Stormwater Management Plan

Prior to the issue of a Crown building work certificate , a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted to the appointed principal certifier for approval.

Stormwater shall be conveyed from the site to the existing pits located on the east southerly side on the lot. Drainage shall flow with gravity from the rainwater tank to the pit in the east southerly section on the lot.

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

33. Dilapidation Report

Prior to issue of a Crown building work certificate, the applicant shall prepare a dilapidation report for all buildings on lands that adjoin the subject works and provide to the appointed principal certifier.

34. Section 138 Roads Act 1993

Prior to the issue of a Crown building works certificate, the applicant shall lodge a Section 138 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 applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property, in accordance with Council's *Medium Density Vehicle Crossing Specification* and *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

All vehicular crossings shall be perpendicular to the street kerb and gutter.

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 works shall be undertaken by Council at the applicant's expense.

35. Design for Access and Mobility

Prior to the issue of a Crown building work certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

36. 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 Crown building work 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.

37. Sydney Water

Prior to the issue of a Crown building work 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.

38. Vehicle turning movements

Prior to the issue of a Crown building works certificate, vehicle turning movements shall be assessed by an appropriately qualified person for the following locations:

- Basement car parking
- Ramps in and out of the basement car parking.

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.

39. Noise Management

Prior to the issue of a Crown building work certificate, the applicant is to provide a statement from a suitably qualified acoustic consultant confirming that the construction plans and details are in compliance with the relevant acoustic standards detailed in the acoustic assessment, prepared by Acoustic Logic (Revision 3, dated 26/04/2021).

40. Dwelling Storage

Prior to issue of a Crown building works certificate, the applicant shall submit details to the certifier that each dwelling is provided with 8sqm of storage with at least 50% of which is to be located within each dwelling.

41. Statement by the Qualified Designer

Prior to the issue of a Crown building work certificate, a statement is required to be provided to the certifier which has been prepared by the qualified designer verifying that the plans and specifications achieve or improve the design quality of the development for which consent was granted, having regard to the design quality principles.

42. Basement Car Parking-

Prior to the issue of a Crown building work certificate, the applicant shall submit signage and line-marking plans for basement car parking in accordance with the relevant Australian standards. The signage and line-marking is to provide clear direction for vehicular movements through the basement.

43. Clearance to the Services

The proposed vehicular crossing including wings shall be located clear of the existing services such as power poles, service pits etc., located on the road reserve to the distances recommended in the Council specifications.

A minimum of 1 metre clearance shall be provided to the vehicle crossing including wings from the nearest edge of lintel of the existing stormwater pit.

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.

44. 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.

45. 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 appointed principal certifier 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.

46. 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 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 the appointed principal certifier.
- d. Temporary waste tank emptied and serviced at regular intervals by a suitably qualified third party contractor.

47. 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.

48. 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 the public road system. Single sized aggregate, 40mm or larger and placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

49. Construction Management Plan

Prior to the commencement of any works on the land, a Construction Management Plan (CMP) is required to be prepared and approved by the appointed principal certifier. The CMP is required to detail the following appropriate mitigation measures to control construction impacts including;

- Dust mitigation measures;
- Noise control measures;
- Location of temporary vehicular entry points to the site;
- Perimeter fencing;
- Provisions for pedestrian traffic and any diversions that are proposed (if required);
- Work zone requirements, if proposed
- The number of type of vehicles to be used during the construction, proposed routes, turning paths and parking arrangements.

The recommendations of the CMP are required to be undertaken as part of the development. A copy of the CMP shall be kept on the site for the duration of the works, in accordance with *SafeWork NSW* requirements and copies shall also be forwarded to Campbelltown City Council for record keeping purposes.

50. Public Property

Prior to the commencement of any works on the subject site, the applicant shall advise Council of any damage to property which is controlled by Council and adjoins the site, including kerbs, gutters, footpaths and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

51. Fencing

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

52. Crane and Plant Equipment

Prior to the erection of a crane in association with the development, the applicant is to enter into an airspace license for the purpose of operating a crane, where such crane swings are proposed to traverse over land(s) which is not within the ownership of the applicant.

The applicant is to provide notification to Council's Property Team, Safety Manager of Police Transport and Public Safety Command and any other affected land owner where their airspace is affected, in relation to the following:

- a. Preliminary drawings of the crane on site
- b. RL of the crane fully extended; and
- c. Radius details of the crane

Correspondence provided by each party must be taken into consideration with finalising details of the erection of a crane, including any necessary approvals.

Written approval must also be obtained from the Safety Manager of Police Transport and Public Safety Command, in relation to the following:

- d. The start date including the commencement of construction of the crane;
- e. The end date of the crane including the deconstruction of the crane;
- f. RL of the crane fully extended;
- g. Confirmation that the crane is lit and marked;
- h. Drawings of the crane on site.

The response from the Safety Manager must be provided to Council for record keeping purposes.

53. Endeavour Energy Easement

Prior to the commencement of any works on the land, evidence is required to be provided to the appointed principal certifier detailing that the relevant redundant Endeavour Energy easements burdening the development site have been extinguished.

54. Structural Engineer Details

Prior to the issue of a Crown building work certificate works, the applicant shall submit all details prepared by a practicing structural engineer to the appointed principal certifier.

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. 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.

56. 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 appointed principal certifier. The erosion and sediment control devices shall remain in place until the site has been stabilised and fully revegetated.

Note: On the spot penalties of up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning

57. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works requiring the use of an external Work Zone, and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

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 standard compaction requirements.

60. 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.

61. Certification of Location of Building during Construction

Prior to the positioning of wall panels/bricks or block work, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment,

distances of walls and footings from the boundaries, and the dimensions of the building are consistent with the stamped approved plans and the plan of subdivision approved under Part 5 Activity Determination BGNTX (as modified).

62. Certification of Location of Building upon Completion

Upon completion of the building, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from boundaries in relation to the plan of subdivision approved under Part 5 Activity Determination BGNTX (as modified).

63. Certification of Levels of Building during Construction

Prior to the placement of any concrete of the basement and ground floor slabs, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

64. Termite Control

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the appointed principal certifier prior to occupation.

65. 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 Executive Manager Urban Centres (or equivalent).

66. 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.

67. 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.

68. Compliance with Council Specification

All applicable design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown Engineering Design Guide for Development (as amended);
- Soils and Construction (2004) (Bluebook) and
- All relevant Australian Standards and State Government publications.

69. 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 appointed principal certifier on request.

PRIOR TO OCCUPATION

The following conditions of consent must be complied with prior to occupation of the development the issue of an occupation certificate by the appointed principal certifier.

70. Section 73 Certificate

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

Application must be made through an authorised Water Servicing Coordinator.

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

The Section 73 Certificate must be submitted to the appointed principal certifier prior to the issue of an occupation certificate.

71. Structural Engineering Certificate

Prior to occupation, the submission of a certificate from a practising structural engineer certifying that the building is structurally adequate and has been erected in compliance with the approved structural drawings and the relevant Australian Standards and Building Codes.

72. Basement Operation

Prior to occupation, the applicant shall submit details of electronic basement access control to ensure the safety of residents.

73. Completion of External Works Onsite

Prior to occupation, all external works, repairs and renovations detailed in the approved construction documentation are to be completed to the satisfaction of the appointed principal certifier.

74. Activity Determination Subdivision Plan Registration

Prior to occupation, the plan of subdivision approved under Part 5 Activity Determination BGNTX (as modified) is required to be registered with Land and Property Information NSW.

75. Restriction on the Use of Land

Prior to occupation, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act, including but not limited to a:

- Restriction of over 55's in accordance with clause 18 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- Substation restrictions

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.

76. Works as Executed Plans

Prior to occupation, the applicant shall submit to Council a copy of a work as executed plan, certified by a qualified surveyor, which has been prepared in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Engineering Design Guide for Development (as amended)*.

77. Restoration of Public Roads

Prior to occupation, the restoration of the public road pavement and associated works required as a result of the development shall be carried out by the developer to the satisfaction of council, or shall be completed by Council with all costs to be paid by the applicant. Council acknowledges that Land and Housing Corporation may submit Letters of Undertaking in this regard.

78. Public Utilities

Prior to occupation, 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.

79. Service Authorities

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the occupation the following is required:

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

All construction work shall conform to the relevant 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. Council acknowledges that Land and Housing Corporation may submit Letters of Undertaking in relation to the final seal.

80. Noise Management

Prior to the occupation, the applicant is to provide a statement from a suitably qualified acoustic consultant confirming that the development as constructed complies with the relevant acoustic standards detailed in the acoustic assessment, prepared by Acoustic Logic (Revision 3, dated 26/04/2021).

81. Compliance Certificate

Prior to occupation, the applicant shall obtain a compliance certificate from Council approving all the works carried out in the public area. Council acknowledges that Land and Housing Corporation may submit Letters of Undertaking in relation to any agreed outstanding works.

82. BASIX Certificate Requirements

Prior to occupation, completion of all requirements listed in the relevant BASIX certificate for the subject development shall be completed/installed.

83. Access to Services and Facilities

Prior to occupation, the applicant shall ensure that the development site complies with the suitable access pathway requirements of Clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

In this regard the footpath from the site along Road No. 2 and around the corner to continue in front of residue Lot 193, which connects into the exiting footpath network on Copperfield Drive, are to be completed and the rectification works to the kerb ramp on Copperfield Drive, as required by the Access Report (Issue C), prepared by Vista Access Architects, dated 30/03/2021, to comply with AS 1428.1.

The above footpaths are required to be surveyed to ensure compliance with the following gradients:

- a. The overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable:
 - i. a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,
 - ii. a gradient of no more than 1:10 for a maximum length of 5 metres at a time,
 - iii. a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.

84. Schedule 3 SEPP Seniors

Prior to occupation, a statement prepared by an appropriate qualified professional is to be provided to ensure the building, as completed, is compliant with Schedule 3 of State Environmental Planning Policy (Seniors or Housing for People with a Disability) 2004.

85. Statement by a qualified designer

The development shall not be occupied until a statement by a qualified designer verifying that the development achieves the quality of design detailed in the approved Crown building work certificate documentation.

ADVISORY NOTES

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

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
- b. Nominate a principal certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. 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 3. Provision of Equitable Access

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

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

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 4. Smoke Alarms

All NSW residents are required to have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the appointed principal certifier a certificate certifying compliance with AS 3000 and AS 3786.

Advice 5. Retaining Walls

A separate application for development consent shall be submitted and approved for any retaining walls that do not meet the exempt requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Consent must be received for the construction of any such retaining walls before work commences.

Advice 6. Covenants

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

Advice 7. 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 8. 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 9. 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 10. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Council's *Engineering Design Guide for Development (as amended)*.

Advice 11. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 12. Rain Water Tank

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

Advice 13. 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 14. 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