

ATTACHMENT 1
3312/2021/DA-I
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 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
Architectural Plans			
DA001 – Locality and Context Plan	P3	Nettleton Tribe	20.10.2021
DA005 Site Plan	P12	Nettleton Tribe	04.03.2022
DA011 Warehouse 5 – Ground Plan/ Fencing Plan	P11	Nettleton Tribe	04.03.2022
DA012 Warehouse 6&7 – Ground Plan / Fencing Plan	P10	Nettleton Tribe	04.03.2022
DA013 Warehouse 5 – Roof Plan	P5	Nettleton Tribe	20.10.2021
DA014 Warehouse 6&7 – Roof Plan	P5	Nettleton Tribe	20.10.2021
DA015 Office 5A – Floor Plans	P3	Nettleton Tribe	20.10.2021
DA016 Office 5B&C & Dock Office TYP – Floor Plans	P3	Nettleton Tribe	25.10.2021
DA017 Office 6A&B – Floor Plans	P3	Nettleton Tribe	20.10.2021
DA018 Office 7A&B – Floor Plans	P2	Nettleton Tribe	20.10.2021
DA021 Site Elevations	P4	Nettleton Tribe	04.03.2022
DA022 Warehouse 5 – Building Elevations	P6	Nettleton Tribe	26.10.2021
DA023 Warehouse 6 – Building Elevations	P6	Nettleton Tribe	26.10.2021
DA024 Warehouse 7 – Building Elevations	P6	Nettleton Tribe	26.10.2021
DA025 Office Elevations - Wh5A	P5	Nettleton Tribe	25.10.2021
DA026 Office Elevations - Wh 5B&C & Dock Office	P4	Nettleton Tribe	25.10.2021
DA028 Office Elevations - Wh 6A&B	P3	Nettleton Tribe	20.10.2021
DA029 Office Elevations - Wh 7A&B	P2	Nettleton Tribe	20.10.2021
DA031 Site Sections	P3	Nettleton Tribe	26.10.2021
DA032 Warehouse 5 – Building Sections	P3	Nettleton Tribe	20.10.2021
DA033 Warehouse 6 & 7 – Building Sections	P3	Nettleton Tribe	20.10.2021
DA035 Office Sections WH5A	P2	Nettleton Tribe	20.10.2021

DA036 Office Sections - WH5B&C	P2	Nettleton Tribe	20.10.2021
DA037 Office Sections WH6&7 - TYP.	P2	Nettleton Tribe	20.10.2021
DA041 Area Plan	P2	Nettleton Tribe	20.10.2021
DA042 Signage Strategy Plan	P3	Nettleton Tribe	25.10.2021
DA043 Signage Details, Typical Colours & Material Schedule	P2	Nettleton Tribe	20.10.2021
DA051 Perspective - Sheet 1	P4	Nettleton Tribe	26.10.2021
DA052 Perspective - Sheet 2	P3	Nettleton Tribe	26.10.2021
Landscape Plans			
Dwg No. 000 Landscape Coversheet	B	Site Image Landscape Architects	27.10.2021
Dwg No. 101 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 102 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 103 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 104 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 105 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 106 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 107 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 108 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 109 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 110 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 111 Landscape Plan - Ground Floor	B	Site Image Landscape Architects	27.10.2021
Dwg No. 501 Landscape Details	B	Site Image Landscape Architects	27.10.2021
Dwg No. 502 Planting Schedules	A	Site Image Landscape Architects	27.10.2021
Civil Plans			
C012813.09-C10 Drawing List and General Notes	A	Costin Roe Consulting	17.12.2021
C012813.09-C20 Erosion and Sediment Control Plan	A	Costin Roe Consulting	17.12.2021
C012813.09-DA25 Erosion and Sediment Control Details	B	Costin Roe Consulting	05.10.2021
C012813.09-C31 Bulk Earthworks Plan Sheet 1	B	Costin Roe Consulting	23.12.2021
C012813.09-C32 Bulk Earthworks Plan Sheet 2	B	Costin Roe Consulting	23.12.2021
C012813.09-C33 Bulk Earthworks Plan	B	Costin Roe Consulting	23.12.2021

Sheet 3			
C012813.09-C34 Bulk Earthworks Plan Sheet 4	B	Costin Roe Consulting	23.12.2021
C012813.09-C35 Bulk Earthworks Section Sheet 1	A	Costin Roe Consulting	17.12.2021
C012813.09-C36 Bulk Earthworks Section Sheet 2	A	Costin Roe Consulting	17.12.2021
C012813.09-C40 Drawing Key Plan	A	Costin Roe Consulting	17.12.2021
C012813.09-C41 Stormwater Drainage Plan Sheet 1	B	Costin Roe Consulting	17.12.2021
C012813.09-C42 Stormwater Drainage Plan Sheet 2	B	Costin Roe Consulting	17.12.2021
C012813.09-C43 Stormwater Drainage Plan Sheet 3	B	Costin Roe Consulting	17.12.2021
C012813.09-C44 Stormwater Drainage Plan Sheet 4	B	Costin Roe Consulting	17.12.2021
C012813.09-C45 Stormwater Details - Sheet 1	A	Costin Roe Consulting	17.12.2021
C012813.09-C46 Stormwater Details - Sheet 2	A	Costin Roe Consulting	17.12.2021
C012813.09-C47 Stormwater Catchment Plan	B	Costin Roe Consulting	17.12.2021
C012813.09-C51 Finished Levels Plan Sheet 1	C	Costin Roe Consulting	23.12.2021
C012813.09-C52 Finished Levels Plan Sheet 2	C	Costin Roe Consulting	23.12.2021
C012813.09-C53 Finished Levels Plan Sheet 3	C	Costin Roe Consulting	23.12.2021
C012813.09-C54 Finished Levels Plan Sheet 4	C	Costin Roe Consulting	23.12.2021
C012813.09-C55 Access Driveway Long Section & Typical Cross Section	B	Costin Roe Consulting	17.12.2021
C012813.09-C60 Retaining Wall Details	A	Costin Roe Consulting	17.12.2021
C012813.09-C61 Retaining Wall Plan Sheet 1	A	Costin Roe Consulting	17.12.2021
C012813.09-C62 Retaining Wall Plan Sheet 2	A	Costin Roe Consulting	17.12.2021
C012813.09-C63 Retaining Wall Plan Sheet 3	A	Costin Roe Consulting	17.12.2021
C012813.09-C64 Retaining Wall Plan Sheet 4	A	Costin Roe Consulting	17.12.2021
C012813.09-C65 Retaining Wall Plan Elevations Sheet 1	B	Costin Roe Consulting	23.12.2021
C012813.09-C66 Retaining Wall Plan Elevations Sheet 2	B	Costin Roe Consulting	23.12.2021

- i. Transport Assessment prepared by Asongroup dated 1 November 2021. Ref. P1805r01.
- i. Construction and Operational Waste Management Plan prepared by Foresight Environmental dated 28 October 2021 rev. 2

- ii. Civil Engineering report prepared by Costin Roe ref Co12813.09 dated 27 October 2021.
- iii. Detailed Site Investigation prepared by JBS&G dated 7 March 2022.
- iv. BCA Assessment Report prepared by Blackett Maguire & Goldsmith dated 27 October 2021.
- v. Geotechnical Investigation ref PSM2450-034L Rev 1 dated 28 October 2021.
- vi. Noise and Vibration Impact Assessment prepared by PWNA dated 26 October 2021.
- vii. Koala Activity Assessment Report prepared by ecological ref. 21SYD_20175 Version 3 dated 24 March 2022.
- viii. Arboriculture Impact Assessment prepared by Australia Tree Management ref. 20221821 revision 3 dated 24 March 2022.
- ix. Biodiversity Development Assessment Report prepared by Ecological ref. 20175 version 4 dated 25 March 2022.
- x. Bushfire Assessment Report prepared by Bushfire Planning Australia ref. 2207 Ingleburn version 3 dated 24 March 2022.

2. Amended Plans

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

- a. Front fencing details will be included on the amended plans.
- b. A detailed construction noise and vibration management plan is to be prepared.
- c. All measures outlined in the approved Arborist report, Biodiversity Development Assessment Report and Koala Activity Assessment Report are to be fully implemented and complied with.
- d. Tree 5 is to be detailed on all plans and all tree protection measures are to be notated on all plans.
- e. The planning controls for potential Koala Habitat in Section 6.4.8 of the Campbelltown Koala Plan of Management shall be notated on the plans and relevant documentation.

3. Arborist Certification

All protection measures outlined in the Arboriculture Impact Assessment report for Australis Tree Management (ref. 20221869 revision 3 dated 24 March 2022) are to be fully implemented on site and the tree will be retained and protected during construction.

All tree protection measures detailed in the Arboriculture Impact Assessment report for Australis Tree Management (ref. 20221869 revision 3 dated 24 March 2022) shall be inspected by the Arborist and written certification to be provided to the Principal Certifying Authority prior to the commencement of works.

The Arborist shall be on site to supervise excavation works and construction works being undertaken within the root zone of Tree 5.

4. Excavation and ground level changes near Tree 5

Excavations to integrate road levels for Stennett Road located approximately 2.5m from the trunk will cause root system disturbances. The proposed excavations must be performed with an air knife or hydraulic soil excavation to locate roots within the 9.6m TPZ. The root system must be protected during the proposed excavations, preventing damaged or severance to any root measuring over 40mm in diameter.

5. Acoustic Measures

The recommended mitigations and management controls should be included in the design, construction and operation of the site to ensure suitable on-going operation of the site include the following:

1. All external hardstand, driveways and the like should include flat services.
2. Any grates or metal drainage points should be securely fixed to prevent movement as vehicles pass over.
3. All surfaces being used for vehicles and forklifts should be brush finishes (i.e. not polished or painted).
4. Any expansion joints should include flush finishes including cover plates where vehicles pass over.
5. A site contact should be provided to residence for complaints.
6. Acoustic certification testing should be undertaken to confirm resulting noise emissions comply with the relevant criteria.

All measures outlined above will be notated on the plans prior to the issue of a Construction Certificate

Testing should be undertaken within 6 months of the facility being in operation. In the event noise levels are in excess of noise criteria additional acoustic mitigation and/or control to be specified and adopted to ensure noise emission criteria is achieved.

6. 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.

7. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants.

8. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

9. Switchboards/Utilities/Air Conditioning Units

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

10. Driveway

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

11. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

12. Separate Approval Required

Separate development approval is required for any of the following:

- a. Use of the premises for any use other than warehousing.
- b. Fit out for each warehouse.
- c. Installation of any cooling towers or rooftop plant.

13. Advertising Sign

- a. All signage is to be erected/supported in a safe and secure manner.
- b. Approval is required to be obtained for the signage content of the seven business identification signs, where the works are not considered to be exempt development.
- c. Signage shall not be illuminated.
- d. No signage on site shall flash, move or display electronic images.
- e. The advertising structure shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area.
- f. The advertising sign/s and any associated structure must be removed and the building/site reinstated, on the termination of the subject lease of the premises.

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 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

15. Storage of Goods

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

16. Storage of Dangerous Goods

Prior to the storage of any 'dangerous goods' on the premises, a licence from the Chemical Safety Branch of Work Cover shall be obtained and submitted to Council.

17. 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 within 48 hours of its application.

18. 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.

19. Engineering Design Works

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

20. Operating Hours

The operating hours for each warehouse are as follows:

Monday to Sunday 24 hours

21. Retail Sales

The direct retail sale of goods from the premises is prohibited.

22. Car Parking Spaces

272 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

23. 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 waste management plan.

24. 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.

25. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

All rainwater tanks shall comply with AS3500 (as amended) - National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas and Sydney Water's Guideline for Rainwater Tanks on Residential Properties.

26. 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 a 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.

27. Koala Feed Tree Compensation

The submitted Koala Activity Assessment Report (KAAR) prepared by Ecological determines that the removal of 18 large preferred Koala Feed Trees requires compensation at a rate of 1:20 and the removal of one medium tree at a rate of 1:15. This requires a contribution for replacement tree plantings for 375 trees at a rate of \$35 per replacement tree. In total, \$13,125.00 in compensation is required to be paid to Council.

Prior to the issue of a Construction Certificate the applicant shall contact Council to obtain an invoice for payment of compensation in accordance with the KAAR, the compensation shall be paid prior to the issue of a Construction Certificate.

28. Substation Details

Prior to the issue of a Construction Certificate, the applicant will provide details to Council or the appointed principal certifier for the construction and installation for 3 pad mount style substation, external to the buildings. The substations shall be designed in accordance with Endeavour Energy's standards and requirements for access, noise influence and fire rating.

29. Utility Servicing Provisions

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant

telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

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

30. Waste Management Plan

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the relevant provisions of the approved Waste Management Plan is to be implemented to the satisfaction of Council.

31. Geotechnical Report

Prior to council or an accredited certifier issuing a construction 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.

A comprehensive geo-technical engineering report must be prepared by a suitably qualified and professional geotechnical engineer. The report must include but not be limited to the following:

- a. Provide an overall assessment of the engineering plans for the proposed development and their suitability in relation to the site's geotechnical characteristics, and compliance with geotechnical requirements outlined in the Campbelltown (Sustainable City) Development Control Plan, and Engineering Design for Development.
- b. Determine land that will be subject to subsidence, slip, slope failure or erosion, where; excavation and/or filling exceeds 900mm in depth, or is identified as filled land.
- c. Provide preferred excavation, retention and stabilisation techniques, and suitability of excavated materials for use in on-site earthworks.
- d. Detail construction methods, especially where required to avoid problem areas associated with loose materials and groundwater seepage.
- e. Provide requirements for surface and subsurface drainage lines.
- f. Provide an analysis of the level of risk to existing adjacent structures/buildings, including the scenario of vibratory rollers and other large earthworks machines used anywhere within the site the subject of these works. In the event that the proposed development, it's Construction, and use of vibratory rollers or other machinery could affect adjacent structures/buildings, both high risk areas and method of mitigation shall be identified on a plan and discussed in the report. This analysis shall include outlining the potential for possible damage to adjoining premises from excavation on the site, and specifying safe method(s) of underpinning the adjoining premises to prevent such damage.
- g. Outline the recommended treatment of any unstable areas within privately owned allotments surrounding the site the subject of these works.
- h. Determine the impact of the installation of services on overall site stability and specify recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation.

- i. Specify the foundation conditions and footing requirements of the site, such as bearing pressures, pile design parameters, special techniques for expansive clays, etc., and provide solutions for consideration of structural and civil engineers.
- j. Determine the extent and stability of any existing and proposed embankments.
- k. Specify all recommended Geotechnical testing requirements.
- l. Specify the level of geotechnical supervision required for each part of the works as defined under AS3798 - Guidelines on Earthworks for Commercial and Residential Developments.
- m. Address salinity in accordance with the Campbelltown (Sustainable City) Development Control Plan.

32. Soil and Water Management Plan

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

The SWMP must clearly identify site features, constraints and soil types together with the nature of the proposed land disturbing activities and also specifies the type and location of erosion and sediment control measures. In addition rehabilitation techniques that are necessary to deal with such activities should be referred to.

The SWMP must take into account the requirements of Landcom's publication *Managing Urban Stormwater - Soils and Construction (2004)* thus ensuring the following objectives are achieved, namely:

- a. minimise the area of soils exposed at any one time,
- b. conserve topsoil for reuse on site,
- c. identify and protect proposed stockpile locations,
- d. preserve existing vegetation and identify revegetation techniques and materials.
- e. control surface water flows through the development construction site on a manner that:
 - i. diverts clean run-off around disturbed areas.
 - i. minimises slope gradient and flow distance within disturbed areas.
 - ii. ensures surface run-off occurs at non-erodible velocities.
 - iii. ensures disturbed areas are promptly rehabilitated.
- f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilized (includes landscaping).
- g. specifies measures to control dust generated as a result of construction activities on site.
- h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,
- i. design scour protection for the 10 year ARI event at all inlet and outlet structures.
- j. including measures to prevent the tracking of sediment off the site.

33. Pollution Control

Prior to Council or appointed Principal certifier issuing a construction certificate, the applicant shall provide engineering details to Council for approval of a suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of the Department of Environment and Climate Change (DECC), Department of Water and Energy (DWE), and with the design requirements of the Campbelltown (Sustainable) City DCP - Volumes 1 (as amended) for the stormwater drainage system and generally in accordance with the submitted Civil Engineering Report, Rev B, prepared by Costlin Roe Consulting prior to discharge from the site.

34. Waste Management – Private Collection

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit to Council details of the collection and disposal of internal waste generated by the occupants to be arranged through a licensed authorised contractor.

35. Traffic Control Plans

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

36. Stormwater Management Plan

Prior to Council or appointed Principal certifier issuing a Construction Certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to the nearest Stormwater Pit located in Stennett Road. All proposals shall comply with Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

A detailed drainage design of the site must be submitted and approved prior to the release of the Construction Certificate. The detailed plan must:

- a. be generally in accordance with Concept Stormwater Plan C012813.01 prepared by Costin Roe Consulting, with the exception of pits A16 & A17 and GPT, which shall be relocated to avoid the existing tree,
- b. drain to the council pit,
- c. indicate the method of disposal of all stormwater and must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines,
- d. be to the satisfaction of the Principal Certifier,
- e. be designed to cater for the 5% AEP storm event storm event,
- f. safe overflow drainage paths are to be provided and be designed with freeboard to cater for the 1% AEP storm event,
- g. comply with Council's *Development Control Plan* unless variation is specifically noted and approved on DA concept drainage plan.

37. Dilapidation Report

It is the applicant's responsibility to notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a Dilapidation Report. The report must be supported with suitable photographic records. This information must be submitted to Council prior to the issue of construction certificate. The report shall include major construction traffic routes through; Campbelltown Rd, Stennet Rd & Williamson Rd.

38. Work on Public Land

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

39. Design for Access and Mobility

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

40. Telecommunications Infrastructure

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

41. Sydney Water

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

42. Vehicle turning movements

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, Vehicle turning movements (for the appropriate vehicle types as agreed with Council) shall be assessed by an appropriately qualified person using Autodesk Vehicle Tracking and provided to Council for approval. In this regard the Vehicle Tracking files and associated development proposal shall be submitted in dwg/dxf format and the speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

43. Section 7.12 Contributions

Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of **\$585,509.97** for the purposes of the Local Infrastructure identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (the Plan).

The contribution rate will be adjusted on a quarterly basis with CPI indexation as detailed in Section 6.3.2 of the Plan. The exact amount of the contribution will be calculated at the rate applicable at the time of payment.

Indexation

The monetary contribution is based on a proposed cost of carrying out the development of \$58,550,99.70 indexed to the quarter immediately prior to the date of this consent. This cost (and consequently the monetary contribution) must be indexed between the date of this consent and the date of payment in accordance with the following formula:

Indexed development cost (\$) =	$\$C_0 \times \text{Current CPI}$
	Base CPI

Where:

- $\$C_0$ is the original development cost estimate.
- Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the time of the quarter immediately prior to the date of payment.
- Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of lodgement of the development application.

Time for payment

The contribution must be paid prior to the release of a construction certificate for any works authorising construction above the floor level of the ground floor.

How to make the contribution payment

Contact Council's Development Contributions Officer on 4645 4000 or email, council@campbelltown.nsw.gov.au for an invoice which will also provide details of the various methods of payment available, prior to payment.

44. Civil Works under S138 Roads Act

Prior to Council or appointed Principal certifier issuing any construction certificate, a S138 Roads Act application, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for construction of stormwater drainage system, vehicle crossings in Stennett road and any associated civil works. The applicant shall provide a 1.5m wide concrete footpath along the full frontage of the development, as per *Council's Engineering Design for Developments Guide*.

45. Retaining Wall Structural Engineer

Where a retaining wall exceeds 800mm in height, the wall must be designed by a practising structural engineer in accordance with AS4678 and a Construction Certificate must be obtained prior to the commencement of work on the retaining wall.

All retaining walls must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

46. Road Geometry

All roadworks shall be carried out in accordance with section 2.12 of *Council's 'Engineering Design for Developments Guide'* such as:

- a. The radii of the cul-de-sac shall be a minimum 15m
- b. The radii of the kerb returns shall be a minimum 12.5m with a 5.5m x 5.5m splay corner.

47. Pit Grates

All pits must have flush fitting grates. All pits larger than 600mm x 600mm are to be grated galvanised steel grid hinged and be heavy duty type where traffic loading is expected.

48. Certification of Civil Works (Design)

Certification by a qualified Structural Engineer on the structural design for retaining walls, drainage pits, driveways and concrete pavements which do not conform to Council's Design Specification shall be provided to Council or an appointed Principal Certifier prior to the issue of a Construction Certificate.

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.

49. Construction Noise Measures

The following management controls are recommended to mitigate construction noise levels on the site:

- a. All plant and equipment are to be maintained such that they are in good working order.
- b. A register of complaints is to be recorded in the event of complaints being received, including location, time of complaint, nature of the complaint and actions resulting from the complaint.
- c. If required a noise level measurement of the offending plant item generating complaints is to be conducted and noise mitigations undertaken to reduce noise levels to within Noise Management levels in the event magnitude of noise levels is found to be above suitable levels.
- d. The use of percussive and concrete sawing should be undertaken behind a closed façade when possible.
- e. The use of high noise generating equipment including hydraulic hammers, rock cutters or the like should not be undertaken prior to 8am Monday to Friday or 8.30am Saturdays.
- f. The loading of trucks should be conducted such that there is not a requirement to stack truck on the roadways adjacent to the residential receivers.

In addition to the recommended mitigations above details of the proposed construction (including demolition) works to be conducted on the site, including type of activities to be conducted as well as the expected duration of activities should be provided to the surrounding receivers.

50. Biodiversity Offset Requirements

a. Ecosystem credits

Prior to the commencement of any works the class and number of ecosystem credits in Table 1 below must be retired to offset the loss residual biodiversity impacts of the development within the meaning of the *Biodiversity Conservation Act 2016*.

- b. The credit requirement in Table 1 has been calculated using the BBAM. Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of (a) above must be provided to Council's Director City Development and written acknowledgement received prior to Council or an appointed Principal Certifier the commencement of any works.

Table 1: Ecosystem Credits

Plant Community Type	Number of ecosystem Credits to be retired
PCT 1071: Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion	1

51. Vegetation Clearance

Prior to the commencement of works, pre-clearance surveys are to be undertaken.

52. Construction noise and vibration management plan

The construction noise and vibration management plan shall be implemented on site during all works (including earthworks) and during construction.

53. 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.

54. Erection of Construction Sign

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

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

55. 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.

56. 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.

57. 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.

58. 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.

59. Footpath and Vehicular Crossing Levels

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

60. 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.

61. Structural Engineer Details

Prior to the commencement of any works, the submission to the principal certifying authority of all details (including retaining walls) prepared by a practicing structural engineer.

62. Site Management Plan

Prior to the commencement of works, the applicant must submit to and obtain approval for a construction and site management plan from the Certifying Authority that clearly sets out the following:

- a. what actions are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like,
- b. the proposed method of loading and unloading excavation machines, building materials and formwork within the site,
- c. the proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period,
- d. sediment and erosion control measures as per Landcom's publication 'Managing Urban Stormwater - Soils and Construction (2004)' also known as the 'Blue Book' or subsequent revisions.
- e. how it is proposed to ensure that soil/excavated materials are not transported on wheels or tracks of vehicles or plant and deposited on the roadway and,
- f. the proposed method of support to any excavation adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an appropriately qualified and experienced engineer.

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.

63. 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.

64. 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.

65. 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 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.

66. Protection of Existing Trees

During construction, no trees are to be cut down, lopped, destroyed or removed that are not identified in the approved Arborist report.

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.

67. 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:

- a. Must preserve and protect the building from damage; and
- b. If necessary, must underpin and support the building in an approved manner, and
- c. 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.

68. 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.

69. 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.

70. 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.

71. 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.

72. Earth Works/Filling Works

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

- a. Undertaken in accordance with Council's 'Specification for Construction of Subdivisional Roads and Drainage Works' (as amended), AS 3798 'Guidelines for Earthworks for Commercial and Residential Development' (as amended), and approved construction drawings;
- b. 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
- c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.

73. 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.

74. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's Engineering Design for Developments guide;
- b. *Campbelltown (Sustainable City) DCP - Volumes 1 (as amended);*
- c. 'Soils and Construction (2004)(Bluebook); and
- d. Relevant Australian standards and State Government publications.

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

The applicant shall re-construct all damaged bays of concrete path paving and kerb and gutter, adjacent to the site, in Stennett Road. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Council's Engineering Design for*

Developments guide and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1(as amended).

76. Pavement Thickness Determination

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

77. Industrial / Commercial Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's *Industrial/Commercial Vehicle Crossing Specification* and *Campbelltown (Sustainable City) DCP - Volumes 1(as amended)*.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

78. 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.

79. Redundant Laybacks

All redundant layback/s shall be reinstated to conventional kerb and gutter to 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)*.

80. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under *Section 81A of the Act*.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

81. Imported 'waste-derived' fill material

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

- a. virgin excavated natural material (within the meaning of the *Protection of the Environment Operations Act 1997*); and
- b. 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.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

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

82. Restriction on the Use of Land

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

1. Substation restrictions

The applicant shall liaise with Council regarding the required wording. 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.

83. Section 73 Certificate

Prior to the appointed Principal Certifier issuing an occupation certificate, 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.

84. Structural Engineering Certificate

Prior to the appointed Principal Certifier issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

85. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

86. Works as Executed Plans

Prior to the appointed Principal Certifier issuing an occupation certificate, 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 *Engineering Design Guide for Development (as amended)*.

87. Engineering Documentation

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall submit to Council the following documents:

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

All reports/certificates shall be prepared by a N.A.T.A. registered laboratory or qualified engineer in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 (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.

88. Restoration of Public Roads

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

89. Public Utilities

Prior to the appointed Principal Certifier issuing an occupation 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.

90. Service Authorities

Prior to the appointed Principal Certifier issuing a occupation certificate, two copies of all servicing plans shall be forwarded to Council in accordance with the following:

Written advice from *Sydney Water*, *Integral 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 authorities specification/s.

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.

91. Council Fees and Charges

Prior to the appointed Principal Certifier issuing an occupation 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.

92. Certification of Civil Works (Construction)

Engineer's certification shall be provided to the appointed Principal Certifier for all structural engineering civil works specified in the condition *Certification of Civil Works (Design)*, carried out within the private property prior to any occupation of the development or the issue of any Occupation Certificate.

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 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. 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 5. 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 6. Tenancy Fit Out

A separate development application is required to be submitted for the fit out of individual tenancies.

Advice 7. Inspections – Civil Works

The appointed Principal Certifier shall inspect works at the following stages of construction:

- a. EROSION AND SEDIMENT CONTROL – Direction/confirmation of required measures. After installation and prior to commencement of earthworks. 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. ROADS – Proof rolls for each road pavement layer
- e. 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. 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 11. Smoke Free Environment Act

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

Advice 12. 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 13. 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

DRAFT