

2020/2022/DA-CW

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/ Document No.	Version/ Revision	Prepared by	Date
DA 1.00 Cover Page & Aerial Perspective	B	Hill Thalís	26/5/22
DA 1.01 Site & Streetscape Analysis Plan	B	Hill Thalís	26/5/22
DA 2.01 Site Plan	B	Hill Thalís	26/5/22
DA 2.10 Ground Floor Plan	C	Hill Thalís	26/5/22
DA 2.11 Levels 1 to 3 & Roof Plan	C	Hill Thalís	4/11/22
DA 2.21 Elevations	C	Hill Thalís	4/11/22
DA 2.31 Sections	C	Hill Thalís	4/11/22
DA 3.00 Shadow Diagrams	A	Hill Thalís	26/5/22
DA 3.10 Materials	B	Hill Thalís	26/5/22
C0000 Cover Sheet, Drawing Schedule & Locality Plan	02	Northrop	24/5/22
C0100 Specification Notes	02	Northrop	24/5/22
C1000 Sediment and Soil Erosion Control Plan	04	Northrop	28/10/22
C1100 Sediment and Soil Erosion Control Details	02	Northrop	24/5/22
C3000 Siteworks and Stormwater Management Plan	03	Northrop	28/10/22
C4100 Stormwater Details – Sheet 01	02	Northrop	24/5/22
C4200 Stormwater Catchment Plan	04	Northrop	28/10/22
C7100 Details – Sheet 01	02	Northrop	24/5/22
C8100 Turning Path Plan	03	Northrop	28/10/22
L01 Title Sheet	B	JMD Design	25/5/22
L02 Overall Landscape Plan	B	JMD Design	25/5/22
L03 Detail Landscape Plan 01	B	JMD Design	25/5/22
L04 Detail Landscape Plan 02	B	JMD Design	25/5/22
L10 Materials & Finishes Board	B	JMD Design	25/5/22
L20 Indicative Plant Schedule	B	JMD Design	25/5/22
S0000 Cover Sheet and Drawing Index	1	O & S Consulting	May 2022
S0001 Scope of Works, General Notes, Legend and Abbreviations	1	O & S Consulting	27/5/22
S2000 Security Service Layout -	1	O & S Consulting	27/5/22

Lower Ground Level			
S2001 Security Service Layout - Levels 1-3 and Level 4/Roof	1	O & S Consulting	27/5/22
SW0000 Cover Sheet and Drawing Index	1	O & S Consulting	27/5/22
SW0001 Scope of Works, General Notes, Legend and Abbreviations	1	O & S Consulting	27/5/22
SW0010 Stormwater Services Schematics	1	O & S Consulting	27/5/22
SW1000 Stormwater Services Site	1	O & S Consulting	27/5/22
SW2000 Stormwater Service Layout - Lower Ground Floor	1	O & S Consulting	27/5/22
SW2001 Stormwater Service Layout - Levels 1-3 and Roof Plan	1	O & S Consulting	27/5/22
DS01 Contour & Feature Survey	A	Premise	1/12/21
DS02 Contour & Feature Survey	A	Premise	1/12/21
DS03 Contour & Feature Survey	A	Premise	1/12/21
DS04 Contour & Feature Survey	A	Premise	1/12/21
DS05 Contour & Feature Survey	A	Premise	1/12/21
DS06 Contour & Feature Survey	A	Premise	1/12/21
DS07 Contour & Feature Survey	A	Premise	1/12/21
DS08 Contour & Feature Survey	A	Premise	1/12/21
DS10 Contour & Feature Survey	A	Premise	1/12/21
DS11 Contour & Feature Survey	A	Premise	1/12/21
DS01 Contour & Feature Survey	A	Premise	1/12/21
Arboricultural Impact Assessment		Earthscape Horticultural Services	May 2022
BCA and Access Assessment Report C21389-NCC-r2	R2	Credwell	26 May 2022
Civil Stormwater Management Report SY212045-03	3	Northrop	28 October 2022
Design Statement JOB NO 21.41		Hill Thalix	24 May 2022
Flood Impact Assessment	1	Catchment Solutions Simulation	May 2022
Traffic Impact Assessment 21.359r03v01	v02	Traffix	27/05/2022
Waste Management Plan		Campbelltown City Council	27/5/22
Detailed Site Investigation	Rev 0	Douglas Partners	26/5/22

2. Trees

The development shall be carried out in accordance with recommendations of Arboricultural Impact Assessment Statement prepared by Earthscape Horticultural Services, dated May 2022.

3. 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.

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 a significant portion of native, low water demand plants.

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 considered to be a modification to the development consent and require separate approval by Council.

6. 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.

7. 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)*.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

8. 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.

9. 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.

10. 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.

11. Flood Level Controls

This site is located within an area that has been identified as being at the risk of being affected by the 100 year ARI flood and following control is applicable:

- The finished floor level control which for the lower level car park is 61.455m AHD

12. Engineering Design Works

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

13. Operating Hours

The use of the carpark may operate 24 hours a day.

14. Car Parking Spaces

Car parking spaces shall be designed, sealed, line marked, and adequately signed for all relevant users in accordance with Council's *Engineering Design for Development (as amended)* guide and Australian Standards AS1428, AS1742 and AS2890 (as amended).

15. 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.

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

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

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

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.

17. Electric Vehicle Charging

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the applicant shall provide details on the plans of infrastructure required for electric vehicle charging, to accommodate a minimum of two charging points. Details must include:

- The location within the carpark and clearly line marked and sign-posted;
- Consideration should be given to the placement of the EV charging system to allow for further expansion;
- The EV charging universal charging systems that are not assigned to any particular vehicle manufacturer;
- The EV charging system shall be designed to provide top up charging and will be time restricted to ensure equitable access;
- All ancillary infrastructure (including signage, parking bays and charging infrastructure) shall be easily visible and accessible for users to find;
- Lighting of the electric vehicle charging locations for safety given the 24 hour operation of the public carpark; and
- All aspects of EV charging bays are to be designed and constructed in accordance with relevant Australian Standards.

18. 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.

19. Fencing & Crash Barriers

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the applicant shall provide details on the plans of any new fencing and/or crash barriers along the two frontages to Farrow Road and its connection to existing fencing.

20. 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.

21. Geotechnical Report

Prior to Council or the appointed Principal 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.

22. 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.

23. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction 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 for approval.

All proposals shall comply with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)* and the design shall be generally in accordance with the *stormwater drainage concept plan drawing number C3000 Rev 03 dated 28.10.22 prepared by NorthRop*

24. 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.

25. Vehicle turning movements

Vehicle turning movements (for the appropriate vehicle types as agreed with Council) are to be assessed using Autodesk Vehicle Tracking review prior to the issue of a Construction Certificate.

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

26. Civil Works under S138 Roads Act

Prior to Council or an accredited 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 Farrow Road*.

Detailed engineering plans for the proposed works in Farrow Road shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications.

27. On-Site Detention facility

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit details & design calculations of the On-Site Detention (OSD) system for approval. OSD system shall comply with the requirements detailed in the *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

In this regard, an Operation and Maintenance Manual for the detention facility shall be submitted to Council for approval, prior to Council or an accredited certifier issuing a construction certificate.

28. 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.

29. 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.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

30. 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.

31. Erection of Construction Sign

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

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

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

32. 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.

33. 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.

34. 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.

35. 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.

36. 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.

37. 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.

38. Fencing

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

39. Structural Engineer Details

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

40. Tree Removal

Trees approved for removal include the following trees as identified in the Arboricultural Impact Assessment Statement (AIA) Earthscape Horticultural Services, dated May 2022:

- Trees 1, 2, 3 and 4;
- All other trees identified within the report are to be retained.

A qualified ecologist shall be present during tree removal to ensure any fauna present can be relocated to a nearby area of native vegetation.

41. Protection of Retained Trees

a) Trees to be retained, are detailed in the Arboricultural Impact Assessment Statement (AIA) Earthscape Horticultural Services, dated May 2022 and include the following:

- Tree 5.
- Non-Destructive Root Investigation works will need to be undertaken to ascertain location of roots prior to any excavation works.

b) The applicant is to demonstrate that the following;

- A site specific tree protection plan has been produced and at a minimum includes;
 - a. Measures to minimise impacts to retained trees in accordance with chapter 6 of the Arboricultural Impact Assessment Statement (AIA) dated 4th June 2021 prepared by Our Garden Path Pty Ltd

c) All works within proximity to retained trees will comply with ANS 4970 Protection of Trees on Development Sites:

- All compound/ stockpile, laydown, vehicle park up and amenities shall be located in cleared areas and beyond the dripline of retained trees.
- Prior to the commencement of works temporary and permanent protective fencing must be erected around all trees identified for retention.
- Prior to the commencement of any works, the area required for site access will be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.

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.

42. 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.

43. 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.

44. 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.

45. 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.

46. 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.

47. 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.

48. 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.

49. Compliance with Council Specification

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Council's Engineering Design Guide for Development

- Campbelltown (Sustainable City) DCP as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

50. Footpath Kerb and Gutter

The applicant shall re-construct all damaged bays of concrete path paving and kerb and gutter, adjacent to the site. 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) and Engineering Design Guide for Development (as amended).

51. 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 Engineering Design Guide for Development (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.

52. 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.

53. 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 Engineering Design Guide for Development (as amended).

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.

54. 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.

55. 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.

56. 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.

57. Works as Executed Plans

Prior to the principal certifying authority 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 Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design Guide for Development (as amended).

58. 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.

59. 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.

60. Inundation by Flood Waters

The subject land has been identified as being at risk from inundation by flood waters in the 1:100 year flood. Consequently, prior to the principal certifying authority issuing a subdivision certificate.

- a. The subject lots shall be filled to the levels specified by Council;
- b. The filling works 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);
- c. The finished surface levels shall comply with the approved engineering drawings;
- d. A registered surveyor shall certify the finished surface levels.

61. 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.

62. Compliance Certificate

All the works on public area in relation to the development shall be completed as per the Council approved plans. A compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

TRANSPORT FOR NSW (SYDNEY TRAINS)

The following conditions from TfNSW (Sydney Trains) are to be complied with at all times.

63. TfNSW

- Prior to the issue of a Construction Certificate, the Applicant is to engage an Electrolysis Expert to prepare a report of the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- Prior to the issue of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- During all stages of the development the Applicant must take extreme care to prevent any form of pollution entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.
- The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains.
- Sydney Trains advises they have a High Voltage Aerial Transmission Line (33kV) immediately adjacent to the development site. The proposed development should note the requirements of the below electrical standards/guidelines:

- ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure.
- The Safe Approach Distances (SADs) in the Sydney Trains Document titled “SMS-06-GD-0268 – Working Around Electrical Equipment”.
- “Workcover Code of Practice – Work near Overhead Power Lines (The Code)

In addition, all landscaping should be in accordance with the Sydney Trains High Voltage Powerline Tree Management Plan.

- Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
- The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - oversees the carrying out of the Applicant’s obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is West Interface, and they can be contacted via email on West_Interface@transport.nsw.gov.au.

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. 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. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

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 *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 11. Bonds and Bank Guarantees

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

Advice 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

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