

# ATTACHMENT 1

## 1/2024/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 plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan no.	Revision no.	Plan title	Drawn by	Date of plan
DA001	E	3D Perspectives	SBA Architects	14.6.2024
DA002	E	3D View Overall Site	SBA Architects	14.6.2024
DA003	E	3D Sections	SBA Architects	14.6.2024

DA011	D	Demolition Plan	SBA Architects	20.5.2023
DA100	H	Site Plan and Ground Floor Plan	SBA Architects	3.7.2024
DA101	F	Undercroft Car Parking Plan	SBA Architects	14.6.2024
DA102	D	Warehouse Office Mezzanine Floor Plan	SBA Architects	14.6.2024
DA103	C	Warehouse Roof Plan	SBA Architects	16.5.2024
DA200 - DA203 inclusive	D	Office 1A – Mezzanine Plans, Sections and Elevations	SBA Architects	20.5.2023
DA210	C	Dock Office Typical Details	SBA Architects	16.5.2024
DA300 and DA301	D	Warehouse Overall Elevations – Sheets 1 and 2	SBA Architects	20.5.2023
DA500 and DA501	C	Signage Details	SBA Architects	16.5.2024
LDA-00	E	Landscape Cover Page	Geoscapes	20.6.2024
LDA-01	E	Landscape Masterplan	Geoscapes	20.6.2024
LDA-02	E	Trees Retained/Removed	Geoscapes	20.6.2024
LDA-03 – LDA-07 inclusive	E	Landscape Detail Plan – Sheets 1, 2, 3, 4 and 5	Geoscapes	20.6.2024
LDA-08	E	Landscape Section AA – Airds Road Landscape Buffer	Geoscapes	20.6.2024
LDA-09	E	Specification Notes and Details	Geoscapes	20.6.2024
LDA-10	E	Planting Schedule and Imagery	Geoscapes	20.6.2024

C000 and C010	02	Cover Sheet, Drawing Schedule, Notes & Locality Sketch	Henry & Hymas	18.12.2023
C100	02	General Arrangement Plan	Henry & Hymas	18.12.2023
C101	05	Detail Plan Sheet 1 of 4	Henry & Hymas	7.6.2024
C102	08	Detail Plan Sheet 2 of 4	Henry & Hymas	7.6.2024
C103	05	Detail Plan Sheet 3 of 4	Henry & Hymas	7.6.2024
C104	08	Detail Plan Sheet 4 of 4	Henry & Hymas	7.6.2024
C110	03	Basement General Arrangement Plan	Henry & Hymas	7.6.2024
C111	03	Detail Plan – Basement WH1 Sheet 1 of 2	Henry & Hymas	7.6.2024
C112	02	Detail Plan – Basement WH1 Sheet 2 of 2	Henry & Hymas	18.12.2023
C150	03	Site Sections – Sheet 1 of 8	Henry & Hymas	7.6.2024
C151	02	Site Sections – Sheet 2 of 8	Henry & Hymas	18.12.2023
C152	03	Site Sections – Sheet 3 of 8	Henry & Hymas	18.03.2024
C153	02	Site Sections – Sheet 4 of 8	Henry & Hymas	18.12.2023
C154	04	Site Sections – Sheet 5 of 8	Henry & Hymas	03.07.2024
C155	03	Site Sections – Sheet 6 of 8	Henry & Hymas	31.01.2024
C156	04	Site Sections Electrical Easement – Sheet 7 of 8	Henry & Hymas	31.01.2024
C157	04	Site Sections Electrical Easement – Sheet 8 of 8	Henry & Hymas	31.01.2024
C160	03	Kerb Details	Henry & Hymas	6.7.2024
C200	04	Stormwater Miscellaneous Details and Pit Lid Schedule	Henry & Hymas	3.7.2024
C201	02	Stormwater Miscellaneous Details	Henry & Hymas	19.12.2023
C202	02	Pump Out Pit Detail	Henry & Hymas	18.12.2023
C220	04	Stormfilter Chamber Plan, Sections Details and MUSIC Calculation	Henry & Hymas	20.6.2024
C250	02	Pre-Development Catchment Plan	Henry & Hymas	18.12.2023
C251	03	Post-Development Catchment Plan	Henry & Hymas	7.6.2024
C310	02	Retaining Wall	Henry & Hymas	18.12.2023

		Details		
SE01	02	Sediment and Erosion Control Plan	Henry & Hymas	18.12.2023
SE02	02	Sediment and Erosion Control Details	Henry & Hymas	18.12.2023
BE01	04	Bulk Earthworks Cut and Fill Plan Bulk Level	Henry & Hymas	3.7.2024
BE02	04	Bulk Earthworks Cut and Fill Plan Depth Contours	Henry & Hymas	3.7.2024

Approved documents				
Document title	Version no.	Prepared by	Date of document	
Report on Detailed Site (Contamination) Investigation	0	Douglas Partners	20 December 2023	
Waste Management Plan	2.0	SLR Consulting Australia	18 December 2023	
Arboricultural Impact Assessment	1	ArborScan	13 December 2023	

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

*Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.*

## 2. Amended plans

The development is to incorporate the following amendments and the amended plans are to be submitted to the certifier, for approval, prior to the issuing of a construction certificate:

- All freestanding pylon and directory board signs shall not exceed a height of 8 metres.

*Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.*

## 3. Erection of signs

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
  - a. showing the name, address and telephone number of the principal certifier for the work, and
  - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.
3. The sign must be—

- a. maintained while the building work, subdivision work or demolition work is being carried out, and
  - b. removed when the work has been completed.
4. This section does not apply in relation to—
- a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
  - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

*Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.*

#### **4. Shoring and adequacy of adjoining property**

- 1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.
- 2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense —
  - a. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
  - b. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
- 3. This section does not apply if —
  - a. the person having the benefit of the development consent owns the adjoining land, or
  - b. the owner of the adjoining land gives written consent to the condition not applying.

*Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.*

#### **5. 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.

*Condition reason: Prescribed condition under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

#### **6. 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, selected from the Campbelltown Native Gardening Guide.

The first 3 metres of the landscaped area facing the street shall be planted of advanced canopy trees that are:

- i) a minimum of two (2) metres in height with a minimum pot size of 400 litres at the time of planting;
- ii) of native species;
- iii) planted every 10 metres

*Condition reason: To provide for planting that will enhance the natural and built environment.*

## **7. 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.

*Condition reason: To ensure the approved development is constructed in the form illustrated to Council during assessment.*

## **8. 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.

*Condition reason: To ensure that utilities are not directly visible from public spaces.*

## **9. Driveway**

The gradients of driveways, parking areas, sight distances, headroom and manoeuvring areas shall be designed in accordance with Australian Standards AS 2890.1, AS 2890.2 and AS 2890.6 (as amended). The finishes of the driveway paving surfaces are to be non-slip.

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.

*Condition reason: To ensure parking facilities are designed in accordance with relevant Australian Standards and Council's DCP.*

## **10. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

- 1. All vehicular entries and exits shall be made in a forward direction.
- 2. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- 3. 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.

*Condition reason: To ensure deliveries to the premises are carried out safely.*

## **11. Use of building - Separate DA required**

Separate development consent is required for the use of the premises prior to the occupation of the building.

*Condition reason: To comply with the provisions of the Environmental Planning and Assessment Act 1979.*

## **12. Advertising Sign**

1. All signage is to be erected/supported in a safe and secure manner.
2. At no time shall the intensity, period of intermittency and hours of illumination of the signage cause injury to the amenity of the neighbourhood.
3. No signage on site shall flash, move or display electronic images.
4. 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.
5. The advertising sign/s and any associated structure must be removed and the building/ site reinstated, within a period of 3 years from the date of consent or on the termination of the subject lease of the premises whichever is the lesser. If the advertising sign is to be retained after this period, a new development application must be lodged before the expiration of the consent for Council's consideration.

*Condition reason: To ensure signs do not interfere with the safety or amenity of the neighbourhood.*

## **13. 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.

*Condition reason: To ensure goods are stored wholly within the premises and protect the amenity of the local area.*

## **14. Security fencing**

All security fencing shall be established behind the required landscape areas and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

*Condition reason: To ensure that fencing does not detract from the aesthetic value of the development.*

## **15. 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.

*Condition reason: To protect and preserve the visual amenity of the surrounding public domain.*

## **16. Flood level controls – Industrial development**

This subject site is located within an area that has been identified as being at the risk of being affected by the 1% AEP flood. The floor area of any building erected on the site shall comply with the approved levels.

*Condition reason: To ensure that occupants of the building are protected from flooding.*

## **17. 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.

*Condition reason: To comply with Council requirements for engineering works.*

## **18. Car Parking Spaces**

184 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, 2 and 6 (as amended).

*Condition reason: To ensure that parking facilities are designed in accordance with the relevant Australian Standards.*

## **19. Rubbish/recycling bin storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas. The bin(s) shall only be stored in accordance with the approved plans.

The waste storage areas identified on the approved plans shall:

- Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- Have their floors shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- Have a hose cock be provided within the room.
- Be vented to the external air by natural or artificial means.

*Condition reason: To ensure waste storage does not impact upon amenity and areas required to be dedicated to vehicle access and landscaping.*

## **20. 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.

*Condition reason: To reuse rainwater and comply with any BASIX commitments made in the application.*

## **21. Construction certificate**

Before commencement of any works that require a construction certificate:

1. the applicant shall appoint a principal certifier;
2. the applicant shall obtain a construction certificate for the particular works; and
3. when Council is not the principal certifier, the appointed principal certifier shall notify Council of their appointment no less than two days before the commencement of any works.

*Condition reason: To comply with legislation.*

## **22. Allocation of street addresses**

To comply with AS4819:2011 - Rural and Urban Addressing, the 'NSW Address Policy and User Manual' (published by the Geographic Names Board) and Campbelltown City Council's requirements, the street addresses for the subject development are allocated as follows:

Dwelling descriptions and/or lot numbers shown on submitted plans	Location within development	Official proposed street address to comply with AS 4819:2011 and NSW Address Policy



Warehouse 1A Lot 5022 DP1012382	Northeastern	1/50 Airds Road MINTO NSW 2566
Warehouse 2A Lot 5022 DP1012382	Northwestern	2/50 Airds Road MINTO NSW 2566
Warehouse 1B Lot 5022 DP1012382	Southeastern	3/50 Airds Road MINTO NSW 2566
Warehouse 2B Lot 5022 DP1012382	Southwestern	4/50 Airds Road MINTO NSW 2566

Details indicating compliance with this condition must be shown on the plans and administration sheet lodged with any subdivision certificate application for Council's written approval.

*Condition reason: To ensure that the new lot / occupancy can be identified in accordance with relevant standards.*

## **23. Australian Rail Track Corporation Conditions**

### Fencing and Safety

The security of fencing along the rail corridor is essential to prevent unauthorised entry. A minimum 1.8 metre high chain wire fence or similar shall be provided to prevent access. A noise wall/fence may also be appropriate.

### Stormwater

ARTC requires that stormwater from the development does not affect the rail corridor. Accordingly, prior to a Construction Certificate being issued, the applicant must submit details of stormwater disposal to the Principle Certifier for approval. The flow of stormwater toward the rail corridor must not be increased by the proposed development. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

### Excavation

Should excavation exceeding 2 metres be proposed within 25 metres of the track, the application will require additional review and further details will need to be provided to ARTC.

A geotechnical assessment or structural assessment for the earthworks shall be carried out, particularly for the works in close proximity to the rail corridor.

### Construction

Further consultation with ARTC shall occur if construction will involve the use of cranes that could have the potential to affect the rail corridor or involve any access onto ARTC's land or air space. For any works in, or having the potential to affect the Rail Corridor, a Third-Party Access application needs to be submitted to ARTC. The Third-Party access application can be found at: <https://www.artc.com.au/work/external-parties/>

Mitigation measures should ensure that stormwater and dust during construction cannot affect the rail corridor.

*Condition reason: To ensure that ARTC's assets are protected.*

## **24. Sydney Trains Conditions**

- a. Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.

- b. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Certifier with the application for a Construction Certificate. The Certifier 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.
- c. Prior to the commencement of works, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineer stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.
- d. Prior to the issuing 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 Certifier is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- e. 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.
- f. 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.
- g. 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.
- h. Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- i. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- j. No work is permitted within the rail corridor or any easements which benefit Sydney Trains/TAHE (Transport Asset Holding Entity), at any time, unless the prior approval of, or an Agreement with, Sydney Trains/TAHE (Transport Asset Holding Entity) has been obtained by the Applicant. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- k. 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.
- l. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:

- i. oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
  - ii. acts as the authorised representative of the Applicant; and
  - iii. 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.
- m. 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.
- n. 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](mailto:West_Interface@transport.nsw.gov.au).

*Condition reason: To ensure the protection of Sydney Trains rail assets.*

## **25. Endeavour Energy Conditions**

- a. The developer must employ SafeWork NSW (formerly WorkCover) codes of practice and guidelines whilst 'Working near underground and overhead Assets'.
- b. A spotter must be provided whilst working with machinery within easements, mindful of operating clearances.
- c. All care and responsibility lies with the property owner/developer and their contractors.
- d. The applicant should not assume adequate supply is immediately available to facilitate the proposed development.
- e. An application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
- f. Before commencing any underground activity the applicant must obtain advice from the Before You Dig service (check <https://www.byda.com.au/> or contact 1100).
- g. Remediation of soils or surfaces impacted by various forms of electricity infrastructure may be required.
- h. All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
- i. For public/road safety, and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
- j. The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
- k. For all electrical incidents, immediately contact Endeavour Energy's Emergency Services on 131 003 (Available 24/7). Endeavour Energy's emergency contact number 131 003 shall be included in any relevant risk and safety management plan.
- l. Electricity infrastructure shall not be subject to flood inundation or stormwater runoff.
- m. Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.

- n. Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
- o. Access to the electricity infrastructure may be required at any time, particularly in the event of an emergency.
- p. Electricity infrastructure shall be designed for safety and environmental compliance, consistent with safe design lifecycle principles.
- q. An appropriate application shall be submitted based on the maximum demand for electricity for connection of load.
- r. Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the Electricity Supply Act 1995 (NSW).
- s. Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
- t. Public safety training resources are available to help the general public / workers understand the risk and how to work safely near electricity infrastructure.
- u. Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
- v. Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
- w. The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
- x. Streetlighting shall be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
- y. Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies is encouraged.
- z. Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.

*Condition reason: To protect Endeavour Energy's assets*

## **26. Fire Safety Conditions**

- a. Comply with EP&A Act (General)

The requirements and provisions of Part 6, Division 6.3 of the Environmental Planning & Assessment Act 1979 and Part 5 of the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021 must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

- b. Prescribed condition (General)

In accordance with Section 19 of the Environmental Planning & Assessment (Development Certification and Fire safety) Regulation 2021, all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction

Code a prescribed condition. Compliance with the Performance Requirements can only be achieved by:

- i. Complying with the Deemed to Satisfy Provisions; or
- ii. Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

c. Products banned under the Building Products (Safety) Act 2017

No building products that are banned or products that are subject to a ban if used in a particular way under the Building Products (Safety) Act 2017 are to be used in the construction of the development.

d. Occupation

The premises must not be utilised until the principal certifier issues a Final Occupation Certificate.

e. Final Fire Safety Certificate

Final Fire Safety Certificate must be submitted to Council for any newly installed/ altered each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates;

- i. has been assessed by a properly qualified person, and
- ii. was found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

f. Fire Brigade Perimeter Vehicular Access

The proposal exceeds the maximum parameters in 'Table C3D3: Maximum size of fire compartments. As such, prior to issue of Construction Certificate confirmation is required if the building is considered to be 'Large isolated building' as specified in Clause C3D4 of the NCC and as such, the requirements of 'C3D5 Requirements for open spaces and vehicular access' are compliant and adequate.

Condition reason: To ensure that the proposed development has an adequate level of fire safety.

## **27. Public Amenity**

The following conditions have been applied to ensure that all activities involving the operation of the premises are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2005 and associated technical standards:

a. Amenity Of The Neighbourhood

The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

b. Offensive Noise

The development must be designed so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit 'offensive noise' as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:

- i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
- ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or

b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

In the event of a noise related issue arising, the person in charge of the premises shall, when required by Council, carry out a noise assessment of the operation. The noise assessment is to be carried out by a suitably qualified and experienced acoustic consultant. A report of the findings and any recommendations is to be submitted to Council for its review.

If required by Council, the appropriate person shall implement any or all of the recommendations tabled within the acoustic consultant's report and/or any additional operational measures deemed reasonable by the Council.

c. Unreasonable Noise, Odour, Dust And Vibration

In the event of a noise, fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate 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.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

d. Health and Public Nuisance

The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

e. Regulated Systems

In the event a regulated system is installed, the following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Public Health Act 2010, Public Health Regulation 2022, Local Government Act 1993 and associated technical standards.

**CONSTRUCTION** - Any regulated system/s on the premises must be designed and installed in accordance with the Public Health Act 2010, Public Health Regulation 2022 and AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning.

The regulated system/s and plant room must have appropriate measures to prevent wastewater from the regulated system/s entering the stormwater system. All waste water must enter the sewerage system.

**TRADE WASTE AGREEMENT** - A trade waste agreement must be provided in accordance with the local water authority if the regulated system/s discharges more than 500 litres per day. Please contact Sydney Water on 132092 for further information.

**SAFE ACCESS** - There must be safe and easy access to the regulated systems for the purpose of cleaning, inspection and maintenance. Safe access must comply with Section 2.1.2 of AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning.

In the event that a regulated system is installed, prior to the issue of an occupation certificate, a compliance certificate shall be provided to Council to certify that the regulated system/s is constructed and installed in accordance with Public Health Act 2010, Public Health Regulation 2022 and AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning and Sydney Water Requirements.

In the event that a regulated system is installed, prior to the issue of an occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake for an inspection of the premises. An inspection fee will be charged in accordance with Council's current schedule of fees and charges.

In the event that a regulated system is installed, prior to the issue of an occupation certificate, the regulated system/s is required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. A business registration form is available on Council's website which must be completed and submitted to Council prior to the release of the occupation certificate.

**OPERATION OF THE REGULATED SYSTEMS** - Any regulated system on the premises must comply and operate in accordance with the Public Health Act 2010, Public Health Regulation 2022 and the following Australian Standard:

- a) AS/NZS 3666.2:2011 Air-handling and water systems of buildings—Microbial control—Operation and maintenance, OR
- b) AS/NZS 3666.3:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of cooling water systems.

**ROUTINE INSPECTIONS** - Council's Environmental Health Officers will inspect your cooling tower/s on a regular basis. All inspections are unannounced to assess compliance with health and safety requirements. A service charge for each inspection applies and the proprietor of the business will be invoiced a short time after the inspection.

**CHANGES TO THE PUBLIC HEALTH ACT 2010** - The provisions of the Public Health Act 2010 may change over time and irrespective of this condition compliance with this Act, Regulations, Australian Standards and other standards adopted under the Public Health Act (as amended) are mandatory.

**Decommissioning Existing System** - The occupier must notify the local government authority of the decommissioning of any water-cooling system within 7 days by completing the notification of installation or change in particulars Form 6 available from NSW Health.

*Condition reason: To ensure that the operation of the development does not disrupt public amenity.*

## **28. Retaining Walls**

All retaining walls must be constructed wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works adjacent to the common boundaries shall not compromise the structural integrity of any existing structures.

Where retaining structures exceed 600mm in height, they shall be designed by an appropriately qualified engineer. Upon completion, the retaining structures shall also be certified by an

appropriately qualified engineer as having been constructed in accordance with the approved design.

*Condition reason: To ensure the structural integrity of all structures.*

## **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.

### **29. Utility servicing provisions**

Before the issue of 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 authority's water or sewer infrastructure.

*Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.*

### **30. Soil and water management plan**

Before the issue of a construction certificate, a detailed soil and water management plan shall be submitted for approval.

*Condition reason: To ensure no sediments or substances other than rainwater enters the stormwater system and waterways.*

### **31. Soil and water management plan**

Prior to issue of a construction certificate, a Soil and Water Management Plan (SWMP) must be prepared by a professional engineer registered on the NER with relevant experience, generally in accordance with methodologies and requirements of Landcom's Managing Urban Stormwater - Soils and Construction - March 2004 (aka The Blue Book), Council's LEP, DCP, and Engineering Design for Development guide, to the satisfaction of the appointed registered certifier.

*Condition reason: To ensure no sediments or substances other than rainwater enters the stormwater system and waterways.*

### **32. Traffic control plans**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall prepare 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) and obtain approval from an accredited person. A copy of the approved TCP shall be kept on site for the duration of the works, in accordance with Work Cover Authority requirements and a copy shall be submitted to Council for its records.

*Condition reason: To ensure that construction traffic does not interfere with the public road network.*

### **33. Stormwater management plan**

A detailed stormwater drainage design plan and associated design report shall be prepared by an experienced and qualified professional civil or hydraulics engineer registered on the NER, to the satisfaction of the appointed principal certifier prior to issue of a construction certificate. The plan and report shall clearly demonstrate;



- a. general compliance with the approved Civil Plan outlined in condition 1 of this consent.
- b. compliance with geotechnical and structural engineering requirements outlined in any engineering report/investigation that has been submitted to support the development or to comply with conditions of this consent required to be met for issue of the construction certificate.
- c. compliance with Council's applicable development control plans & Engineering Design for Development (as amended), Australian Standards AS3500, Australian Rainfall and Runoff (current version) and NSW Floodplain Development manual.
- d. details of all hydrologic and hydraulic engineering design, calculations, HGL analysis and assumptions made in relation to site regrading, collection and disposal of stormwater from the site, building/s and adjacent sub-catchments to the approved point of discharge. Where third party proprietary software is used to model design stormwater events, full model setup details including parameters, assumptions made, calibration, validation, and sensitivity analysis shall be provided in the engineering report. Copies of all model files shall be submitted with the plan and report.
- e. no adverse impacts to surrounding properties and stormwater behaviour up to and including the 1% AEP storm event.
- f. minor and major stormwater flows for all storm events up to and including the 1% AEP event shall be safely conveyed by gravity through the site to the approved point of discharge. Formalised overflow drainage paths shall be provided to cater for any surcharge from the existing and proposed underground stormwater drainage system, overland flow up to and including the 1% AEP storm event, including adequate freeboard to all building floor levels, basement parking facility, and prevent and ponding of stormwater against the buildings or entering into the basement carpark.
- g. management and disposal of stormwater, connection from the site's drainage system into Council's existing stormwater drainage network to the fronting road reserve, existing and finished ground and surface levels, all pervious and impervious areas, estimated surface and pipe flow rates, velocities, invert levels, clearances between other services, and sizes of all pipelines.
- h. stormwater drainage system of the basement car park complies with Section 4.13.8 of Council's Engineering Design for Development (as amended).
- i. no long-term ponding of water on site
- j. hydraulic and structural design and construction details of rainwater tanks(s), and any water harvesting systems, including but not limited to dimensions, materials, overflow discharge path to safe overland flow path or pipe system designed to cater for 1% AEP stormwater flows, and associated pump and pipe system details for irrigation purposes.
- k. details of sub-soil drainage system including method of collection and disposal of subsurface drainage. Groundwater must not be discharged to the Council stormwater system without Council approval. Groundwater shall be discharged to Sydney Water sewer system with trade waste agreement.

*Condition reason: To protect the operation of stormwater systems.*

#### **34. Dilapidation report**

Before the issue of a construction certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works.

*Condition reason: To establish and document the structural condition of buildings on adjoining properties prior to work commencing.*

#### **35. Work on public land**

Before the issue of 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 applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifier issuing an occupation certificate.

*Condition reason: To ensure that work on public land is undertaken with approval.*

#### **36. Telecommunications infrastructure**

1. 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 certifier prior to the issue of a construction certificate or any works commencing, whichever occurs first; and
2. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

*Condition reason: To ensure that the development does not impact any telecommunications infrastructure and that appropriate arrangements have been made for the approved development.*

### **37. Sydney Water**

Before the issue of 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 certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

*Condition reason: To ensure the development does not adversely affect Sydney Water infrastructure and that appropriate arrangements have been made to connect to Sydney Water services.*

### **38. Section 7.12 Contributions**

#### Contribution

The developer must make a monetary contribution to Campbelltown City Council in the amount of \$608,556.53 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 \$60,015,959.42 indexed to the quarter immediately prior to the date of this consent (\$60,855,652.52). 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 (\$) =	$\$CC \times \frac{CPI_P}{CPI_C}$

*Where:*

- \$CC is the contribution amount shown in this certificate expressed in dollars
- CPI<sub>P</sub> is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution.
- CPI<sub>C</sub> is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate – 137.7 - March 2024.

#### 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](mailto:council@campbelltown.nsw.gov.au) for an invoice which will also provide details of the various methods of payment available, prior to payment.

*Condition reason: To contribute to the provision of public amenities and services to meet the increased demands created by the new development.*

### **39. Housing and productivity contribution**

1. The housing and productivity contribution (HPC) set out in the table below, but as adjusted in accordance with condition 2, is required to be made:

<b>Housing and productivity contribution</b>	<b>Amount</b>
Housing and productivity contribution (base component)	
Transport project component	
Total housing and productivity contribution	\$392,285.38

2. The amount payable at the time of payment is the amount shown in condition 1 as the total housing and productivity contribution adjusted by multiplying it by:

$$\frac{\text{highest PPI number}}{\text{consent PPI number}}$$

where:

**highest PPI number** is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2<sup>nd</sup> last quarter before the quarter in which the payment is made, and

**consent PPI number** is the PPI number last used to adjust HPC rates when consent was granted, and

**June quarter 2023** and **PPI** have the meanings given in clause 22 (4) of the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.

3. The HPC must be paid before the issue first construction certificate in relation to the development, or before the commencement of any work authorised by this consent (if no construction certificate is required). However, if development is any of the kinds set out in the table below, the total housing and productivity contribution must be paid as set out in the table:

<b>Development</b>	<b>Time by which HPC must be paid</b>
Development consisting only of residential subdivision within the meaning of the HPC Order	Before the issue of the first subdivision certificate
High-density residential development within the meaning of the HPC Order for which no construction certificate is required	Before the issue of the first strata certificate
Development that consists only of residential strata subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building	Before the issue of the first strata certificate
Manufactured home estate for which no construction certificate is required	Before the installation of the first manufactured home

In the Table, **HPC Order** means the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

4. The HPC must be paid using the NSW planning portal (<https://pp.planningportal.nsw.gov.au/>).
5. If the Minister administering the Environmental Planning and Assessment Act 1979 agrees, the HPC (apart from any transport project component) may be made, instead of as a monetary contribution, in the following ways:
  - a) the dedication or provision of land for the purpose of regional infrastructure in the region in which the development will be carried out,
  - b) the carrying out of works for the purpose of regional infrastructure in the region in which the HPC development will be carried out.

If the HPC is made partly as a monetary contribution, the amount of the part payable is the amount of the part adjusted in accordance with condition 2 at the time of payment.

6. Despite condition 1, a housing and productivity contribution is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 exempts the development from the contribution. The amount of the contribution may also be reduced under the order, including if payment is made before 1 July 2025.

*Condition reason: To comply with state legislation.*

#### **40. Green Travel Plan**

Prior to the issue of a construction certificate, a Green Travel Plan (GTP) must be prepared to promote the use of active and sustainable transport modes. The plan must:

- (a) Be prepared by a suitably qualified traffic consultant;
- (b) Include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
- (c) Include specific tools and actions to help achieve the objectives and mode share targets;
- (d) Include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
- (e) Include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

The GTP shall be submitted to Council for information, and shall form part of the approved documentation of the development.

*Condition reason: To account for the numerical shortfall in car parking spaces.*

#### **41. Extinguishment of Easement**

Prior to the issue of a construction certificate, the easement for the electrical switching station shall be extinguished.

*Condition reason: To ensure that works are not carried out over an existing easement.*

#### **42. Swept Paths and Ground Clearance**

Prior to issue of a construction certificate, a swept path and ground clearance analysis with a design certificate shall be prepared by a suitably qualified engineer and submitted to the appointed Principal Certifier for approval. The swept path and ground clearance must demonstrate that each of

the proposed largest vehicles can enter and exit the site in a forward direction having a maximum of three-point movement without bottoming or scraping.

*Condition reason: To ensure that vehicular movements are carried out in an orderly fashion.*

#### **43. No Loading on Easement Pipeline**

Prior to issue of a construction certificate, the Principle Certifier shall ensure that the foundations of retaining walls and other structures proposed adjacent to the easement pipeline have been designed clear of the zone of influence.

*Condition reason: To protect existing structures.*

#### **44. Geotechnical Investigation and Reporting**

A comprehensive geotechnical engineering report and testing shall be prepared and undertaken by a professional geotechnical engineer and NATA registered laboratory, to the satisfaction of the appointed principal certifier prior to release of the construction certificate. The report must include but not be limited to the following:

- a. An overall assessment of all approved architectural and construction engineering plans for the proposed development (Building and site civil works) and suitability in relation to the site's geotechnical characteristics, and compliance with requirements outlined in the BCA, Campbelltown City Council's (Sustainable City) Development Control Plan, and Engineering Design for Development guide.
- b. Identify 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. Preferred excavation/retention/stabilisation techniques and suitability of excavated materials for use in on-site earthworks.
- d. Construction methods to avoid problem areas associated with loose materials and groundwater seepage.
- e. Requirements for surface and subsurface drainage lines.
- f. Analysis of the level of risk to all 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, its construction, and use of vibratory rollers or other machinery could affect adjacent structures/buildings, high risk areas and method of mitigation must 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. Recommended treatment of any unstable areas within privately owned allotments surrounding the site the subject of these works.
- h. 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 construction.
- i. Specification of foundation conditions and footing requirements of the site, such as bearing pressures, pile design parameters, special techniques for expansive clays, saline soil conditions etc, and provide solutions for consideration of structural and civil engineers. Note Campbelltown is known for significant soil salinity issues, and footing design shall assume maximum salinity potential foundation soils, providing recommended design and mitigation strategies.
- j. Recommendations for footing design and prevention of adverse impacts to building footings and foundation from existing and proposed landscape vegetation and large trees proposed adjacent the buildings. Geotechnical engineer to collaborate with the applicant's arborist, civil and structural engineers.
- k. Extent and stability of any existing and proposed embankments.
- l. All required Geotechnical testing requirements.
- m. Level of geotechnical supervision required for each part of the works as defined under AS3798 - Guidelines on Earthworks for Commercial and Residential Developments.

*Condition reason: To ensure structural integrity.*

#### **45. Pollution Control**

Prior to issue of a construction certificate, a pollution control plan and report detailing engineering design, construction, operation and maintenance of all required stormwater pollution controls, water quality treatment, and rainwater harvesting/reuse systems, shall be prepared by a qualified and experienced professional engineer registered on the NER to the satisfaction of the appointed principal certifier.

The plan and report shall comply with preliminary engineering reporting & plans approved by Council, relevant guidelines of the Department of Climate Change, Energy, Environment and Water (DCCEEW) or equivalent State and Federal Authorities, Council's DCP and Engineering Design for Development Guide, manufacturer's specifications, operating & maintenance guides for third party proprietary infrastructure and devices. The electronic MUSIC-X model submitted with Development Application shall be revised by taking into account the rainfall threshold relevant to the land use, input variables for soil type relevant to the subject site and high flow bypass of rainwater tanks as per the "NSW MUSIC Modelling Guideline (2015)" and the model shall be submitted to the appointed principal certifier for approval.

*Condition reason: To protect the environment from pollution.*

#### **46. Construction Traffic/Pedestrian Management Plan**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit to Council's Manager, Development Assessment for approval, separate Construction Traffic/Pedestrian Management Plans (CTMPs) for the demolition, excavation and construction stages of the development.

The CTMP's shall include, but not be limited to, the following details;

- a) The staging and timing of the construction works.
- b) Perimeter fencing and hoarding requirements.
- c) Locations of temporary vehicular entry points to the site.
- d) Provisions for pedestrian traffic and any diversions that are proposed.
- e) Hoisting arrangements for cranes, travel towers or lift operations.
- f) The number and type of vehicles to be used during the demolition, excavation & construction stages, their proposed routes, turning paths and parking arrangements.
- g) Work zone, Road Occupancy and Standing Plant application requirements, if proposed.
- h) Traffic control associated with road occupancy and standing plant.
- i) Waste collection areas.
- j) hours of operation.

In preparing the CTMPs, the applicant shall address all relevant NSW road rules and consideration shall be given to public notification. Copies of the approved CTMPs shall be kept on site for the duration of the works, in accordance with Work Cover Authority requirements and copies shall also be forwarded to Council for its records. Council reserves the right to request modification to the CTMPs during the development works, in order to maintain adequate and safe management of vehicular and pedestrian traffic.

*Condition reason: To ensure that construction traffic does not have an unreasonable impact on the environment.*

#### **47. Roads Act Approval**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall obtain a S138 Roads Act approval from Campbelltown City Council for the civil works proposed on Airds Road.

The application shall be accompanied with detailed engineering plans designed in accordance with the requirements detailed in Austroads Guides and Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design for Development (as amended). The application shall include payment for plan assessment and inspection fees.

All works shall be carried out in accordance with the Roads Act approval, the approved stamped plans and Council specifications. Inspection of this work shall be undertaken by Council at the applicant's expense.

*Condition reason: To comply with the Roads Act.*

#### **48. Clearance to Services**

The proposed vehicular crossings including wings shall be located clear of the existing services such as power poles, sewer pits, Telstra pits, stormwater pits etc. located on the road reserve to the distances recommended in the relevant utility service authorities and the Council specifications.

*Condition reason: To protect public assets.*

#### **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. Erosion and sediment control**

Before any site work commences on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

*Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.*

#### **50. Erection of construction sign**

Before any site work commences on the land, signs must be erected in prominent positions on the site:

1. 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
2. Stating that unauthorised entry to the work site is prohibited
3. 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)
4. Stating the approved construction hours in which all works can occur
5. Showing the name, address and telephone number of the principal certifier for the work.

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

*Condition reason: Prescribed condition under Section 70 of the Environmental Planning and Assessment Regulation 2021.*

#### **51. Toilet on construction site**

Before any site work commences 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:

1. A public sewer, or

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

*Condition reason: To ensure that appropriate toilets are provided for construction workers.*

## **52. Trade waste**

Before any site work commences 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.

*Condition reason: To ensure all waste is moved off-site for disposal.*

## **53. Vehicular access during construction**

Before any site work commences 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.

*Condition reason: To ensure that construction vehicles do not disturb the soil and adversely impact Council infrastructure.*

## **54. Vehicular access during construction**

Before any site work commences 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.

*Condition reason: To ensure that construction vehicles do not disturb the soil and adversely impact Council infrastructure.*

## **55. Public property**

Before any site work commences on site, the applicant shall advise Council, with photographic evidence, of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like.

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

*Condition reason: To accurately identify the source of damage to public property and ensure appropriate rectification.*

## **56. Demolition works**

Demolition works shall be carried out in accordance with the following:

1. Before any site work commences on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by the Principle Certifier and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.



2. Before any site work commences on the land, the demolition Contractor(s) licence details must be provided to Council.
3. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
4. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works.
5. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifier attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

*Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.*

## **57. Hoarding / Fence**

Before any site work commences, 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.

*Condition reason: To protect workers, the public and the environment.*

## **58. Fencing**

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

*Condition reason: To protect workers, the public and the environment.*

## **59. CCTV Footage and Report**

Prior to the commencement of any works, CCTV footage and a report of the existing drainage pipelines located within the 22.5m wide drainage easement located along the eastern site boundary within the site shall be submitted to Campbelltown City Council. The footage and report shall comply with the following requirements:

- a. the files shall be in MP4 format.
- b. file resolution shall be 640 by 480 pixels, 3Mbps and 25 frames per second.
- c. each pipe reach (i.e. between two pits) shall be provided as a separate file.
- d. the CCTV inspection shall be undertaken in accordance with the IPWEA Condition Assessment and Asset Performance Guidelines, Practice Note 5, Stormwater Drainage
- e. the speed and panning of the footage shall be sufficient to demonstrate that there are no significant cracks.
- f. Viewing and assessing of the video footage and preparation of a certified report shall be undertaken by a suitably qualified Engineer.

*Condition reason: To identify the condition of existing stormwater infrastructure.*

## **60. Recommendations of Site Investigation - Prior to Construction Works Commencing**

The following additional works are required prior to construction works commencing:

- a. Hazardous building materials (HBM) survey on the existing buildings and subsequent appropriate removal of any identified HBM by a suitability qualified contractor prior to demolition with appropriate clearance certificates provided to the developer;
- b. Given the detections of buried concrete slabs, deeper footings and redundant services as part of this investigation, along with the previous use of the north-eastern building on 52 Airs Road as a canteen, a process for addressing inground infrastructure when encountered during works should be developed. This should be agreed between the developer and the contractor prior to starting works; and
- c. Development and implementation of an asbestos finds protocol and unexpected finds protocol.

*Condition reason: To comply with the recommendations of the Detailed Site Investigation Report.*

## **61. Demolition Traffic Management Plan**

A demolition traffic management plan shall be provided to the Principle Certifier prior to the commencement of any works, noting the load limit on Ben Lomond Road bridge.

*Condition reason: To ensure that traffic associated with the demolition of the existing structures is carried out in an orderly manner.*

## **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.

## **62. 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.

*Condition reason: To protect the amenity of the surrounding area.*

## **63. 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 certifier. 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.

*Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater and waterways.*

## **64. 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.

*Condition reason: To comply with legislative requirements and minimise impacts on traffic safety and efficiency.*

## **65. Protection of existing trees**

While site work is being carried out, no trees are to be cut down, lopped, destroyed or removed unless they have been approved by Council for removal.

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.

*Condition reason: To protect and retain existing trees.*

## **66. Excavation and backfilling**

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

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

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

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

*Condition reason: To comply with legislative requirements and ensure the protection of buildings on adjacent properties.*

## **67. Fill contamination**

Any landfill used on the site is to be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

*Condition reason: To ensure any fill material used on site is not contaminated and is safe for future occupants.*

#### **68. 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.

*Condition reason: To minimise the impacts of the development construction on the environment.*

#### **69. 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.

*Condition reason: To ensure that the levels of the land remain consistent with the approved plans.*

#### **70. Public safety**

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

*Condition reason: To protect workers, traffic and the public.*

#### **71. Compliance with Council specification**

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

*Condition reason: To ensure earthworks are carried out in accordance with the relevant Australian Standards, best practice and Council's DCP.*

#### **72. Footpath kerb and gutter**

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

*Condition reason: To ensure any damage to public infrastructure is upgraded to comply with Council's requirements.*

#### **73. Industrial / Commercial driveway and layback crossing**

The applicant shall provide reinforced concrete footpath crossings and laybacks at the entrance to the property, in accordance with Council's Industrial or Commercial Vehicle Crossing Specification and the Council's Engineering Design for Development and Standard Drawings (as amended).

Any vehicle crossing/wing shall be located a minimum of 1.0m clear of the lintel of existing stormwater pit located in Airds Road.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council on the NSW Planning Portal as a Section 138 application.

*Condition reason: To allow for satisfactory vehicular access to the site.*

#### **74. 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.

*Condition reason: To ensure that work on public land is undertaken with approval in accordance with Councils requirements.*

#### **75. 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).

*Condition reason: To ensure any redundant infrastructure is removed.*

#### **76. Demolition work/plan**

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of Australian Standard A52601-2001 The Demolition of Structures.

*Condition reason: To ensure demolition works are carried out in accordance with the relevant Australian Standards.*

#### **77. Imported 'waste-derived' fill material**

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

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

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

*Condition reason: To ensure any fill material used on site is not contaminated and is safe for future occupants.*

#### **78. Recommendations of Site Investigation – During Construction**

Confirmation of the preliminary waste classifications for any soils to be disposed off-site shall be provided. Noting that the fill is preliminary classified as general solid waste (non-putrescible) and the

natural soils and bedrock is preliminary classified as VENM. Given the generally low contaminant concentrations recorded in the current and previous investigations, as part of the final waste classification assessment, consideration could also be given to undertaking an assessment against the NSW EPA Excavated Natural Material Order 2014 and/or other relevant resource recovery orders / exemptions (should off-site disposal be required). If such an approach is to be pursued, given the recorded nickel concentrations in some samples, caution should be applied not to mix higher nickel impacted soils with other soils which may results in precluding an excavated natural material classification being able to be achieved;

*Condition reason: To comply with the recommendations of the Detailed Site Investigation Report.*

## **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.

### **79. Section 73 certificate**

Before the issue of the relevant 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](http://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.

*Condition reason: To ensure that adequate infrastructure is supplied to the development.*

### **80. Completion of external works onsite**

Before the issue of the relevant 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 certifier.

*Condition reason: To ensure that approved, landscaping, driveways, fencing, external finishes and retaining walls are in place prior to occupation of the building.*

### **81. Final inspection – Works as Executed plans**

Before the issue of the relevant occupation certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 3 (as amended).

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

#### **Survey Information**

- Finished ground and building floor levels together with building outlines.
- Spot levels every 5m within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.

- A minimum of 15 site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

## **Format**

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

## *AutoCAD Option*

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

Package Type	- zip
File Format	- AutoCAD 2004 Drawing Format or later
Transmittal Options	- Include fonts
Include textures from materials	
Include files from data links	
Include photometric web files	
Bind external references	
The drawing is <b>not</b> to be password protected.	

*MapInfo Option*

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

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

*Condition reason: To demonstrate compliance with the approved plans.*

## **82. Restoration of public roads**

Before the issue of the relevant 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.

*Condition reason: To ensure any damage to public infrastructure is rectified.*

## **83. Public utilities**

Before the issue of the relevant 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.

*Condition reason: To ensure any damage to public infrastructure is rectified.*

## **84. Council fees and charges**

Before the issue of the relevant 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.

*Condition reason: To ensure that there are no outstanding fees, charges or rectification works associated with the approved development.*

## **85. CCTV footage verifying integrity of easement pipelines**

Prior to Council or the appointed Principal Certifier issuing an occupation certificate, the applicant shall provide CCTV footage to Council for the existing drainage pipelines located within the 22.5m wide drainage easement located along the eastern site boundary within the site. The footage shall comply with the following requirements:

- the files shall be in MP4 format.
- file resolution shall be 640 by 480 pixels, 3Mbps and 25 frames per second.
- each pipe reach (i.e. between two pits) shall be provided as a separate file.
- the CCTV inspection shall be undertaken in accordance with the IPWEA Condition Assessment and Asset Performance Guidelines, Practice Note 5, Stormwater Drainage
- the speed and panning of the footage shall be sufficient to demonstrate that there are no significant cracks in the pipe.
- a summary report (\*.pdf) shall accompany the data.
- Viewing and assessing of the video footage and preparation of a certified report shall be undertaken by a suitably qualified engineer.
- Any damage identified shall be rectified in consultation with Campbelltown City Council.

*Condition reason: To identify the condition of the pipeline.*

## **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. 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 3. 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 4. 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 5. Tenancy Fit Out**

A separate Development Application / Complying Development Certificate is required to be submitted for the fit out of individual tenancies.

### **Advice 6. Inspections – Civil Works**

Where Council is nominated as the principal certifier 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 7. 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 certifier releasing the Occupation Certificate.

### **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 certifier releasing the Occupation Certificate.

### **Advice 9. Salinity**

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

### **Advice 10. 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](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://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](http://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**