

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION

BY GRANT OF CONSENT

Development Application No:	717/2023/JP
Development:	Demolition of existing structures, consolidation of land, tree removal and construction of six (6) residential flat buildings consisting of 346 apartments over basement parking with landscaping, stormwater drainage and public domain and associated site works.
Site:	Lots 202-207 in DP249973, Lots 301,302,304-313 in DP252593, Lot 303 in DP252593 and Lot 505 in DP258587, known as 1-19 Hughes Avenue, 20-36 Middleton Avenue and 34 Dawes Ave, Castle Hill, NSW, 2154

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 22 November 2024

Date from which consent takes effect: Date of determination

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site” means the land legally described as Lots 202-207 in DP249973, Lots 301,302,304-313 in DP252593, Lot 303 in DP252593 and Lot 505 in DP258587, and known as 1-19 Hughes Avenue, 20-36 Middleton Avenue and 34 Dawes Ave, Castle Hill, NSW, 2154.

REASONS FOR THE GRANT OF CONSENT

Council has considered the contentions raised in the Statement of Facts and Contentions filed on 1 May 2024 in Land and Environment Court proceedings No. 2024/104303 and considers that, for the following reasons, a grant of consent is now appropriate:

- amendments to the design to achieve design excellence by:

- providing appropriate interfaces between the building and the public domain at ground level
 - integrating the building and landscape design
 - providing a diverse approach to the built form of each of the buildings so as to achieve a reduction in the perception of the scale of the development and to introduce variety and a more fine-grained, human scale to the development
 - providing sufficient and suitable private open space to each dwelling
- amendments to the design to achieve an appropriate built form character by adopting a two storey terrace house appearance with individual gates and entrances for most ground floor dwellings which have frontage to a public road.
 - amendments to the landscape design to retain additional trees, provide appropriate and accessible private open space and increase the quantity and quality of landscaped areas.
 - amendments to infrastructure external to the site to enable retention of significant street trees while addressing stormwater disposal and flood risk.

The conditions of consent are as follows:

GENERAL MATTERS

1. Development in Accordance with Submitted Plans

The development being carried out in accordance with the following approved plans and documents, referenced in this consent except where amended by other conditions of consent.

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	PREPARED BY	REVISION	DATE
Architectural Plans				
DA001	Location Plan	Plus Architecture	B	15 November 2022
DA002	Existing & Demo Site Plan	Plus Architecture	F	21 October 2024
DA003	Constraint Plan	Plus Architecture	B	15 November 2022
DA004	Site Envelope Plan	Plus Architecture	D	23 August 2024
DA100	Building A & B – Basement 02 Floor Plan	Plus Architecture	D	23 August 2024
DA101	Building C, D & E – Basement 02 Floor Plan	Plus Architecture	D	23 August 2024
DA102	Building A & B – Lower Ground Floor & Basement 01 Plan	Plus Architecture	J	21 October 2024

DA103	Building C, D & E – Lower Ground Floor & Basement 01 Plan	Plus Architecture	D	23 August 2024
DA104	Building A & B – Ground Floor Plan	Plus Architecture	J	21 October 2024
DA105	Building C, D & E – Ground Floor Plan	Plus Architecture	G	20 September 2024
DA106	Building A & B – Level 1 Floor Plan	Plus Architecture	I	21 October 2024
DA107	Building C, D & E – Level 1 Floor Plan	Plus Architecture	G	20 September 2024
DA108	Building A & B – Level 2 Floor Plan	Plus Architecture	F	5 September 2024
DA109	Building C, D & E – Level 2 Floor Plan	Plus Architecture	E	5 September 2024
DA110	Building A & B – Level 3 Floor Plan	Plus Architecture	E	26 August 2024
DA111	Building C, D & E – Level 3 Floor Plan	Plus Architecture	E	5 September 2024
DA112	Building A & B – Level 4 Floor Plan	Plus Architecture	F	5 September 2024
DA113	Building C, D & E – Level 4 Floor Plan	Plus Architecture	D	23 August 2024
DA114	Building A & B – Level 5 Floor Plan	Plus Architecture	F	5 September 2024
DA115	Building C, D & E – Level 5 Floor Plan	Plus Architecture	D	23 August 2024
DA116	Building A & B – Level 6 Floor Plan	Plus Architecture	F	5 September 2024
DA117	Building C, D & E – Level 6 Floor Plan	Plus Architecture	E	5 September 2024
DA118	Building A & B – Level Roof Plan	Plus Architecture	F	5 September 2024
DA119	Building C, D & E – Level Roof Plan	Plus Architecture	D	23 August 2024
DA200	External Finishes	Plus Architecture	D	29 August 2024
DA201	Hughes Avenue Elevations	Plus Architecture	G	21 October 2024
DA202	Dawes Avenue and South Elevations	Plus Architecture	E	21 October 2024
DA203	Middleton Avenue Elevations	Plus Architecture	D	29 August 2024

DA210	Additional Elevations – Pedestrian Link	Plus Architecture	D	29 August 2024
DA220	Section A	Plus Architecture	F	7 October 2024
DA221	Section B	Plus Architecture	F	7 October 2024
DA222	Section C	Plus Architecture	F	7 October 2024
DA223	Cross Sections D & E	Plus Architecture	E	7 October 2024
DA224	Cross Sections F & G	Plus Architecture	E	7 October 2024
DA230	Additional Elevations – BLDG A	Plus Architecture	D	29 August 2024
DA231	Additional Elevations – BLDG B	Plus Architecture	D	29 August 2024
DA232	Additional Elevations – BLDG C, D & E	Plus Architecture	D	29 August 2024
DA250	Ramp 01 (Basement Entry) & Ramp 02 (Pedestrian Access) Plan and Sections	Plus Architecture	D	7 October 2024
DA251	Ramp 03 Plan and Section	Plus Architecture	B	15 November 2022
DA252	Ramp 04, 05, 07 & 08 Plans and Sections	Plus Architecture	B	15 November 2022
DA253	Ramp 06 Plan and Section	Plus Architecture	B	15 November 2022
DA714	Adaptable Apartments	Plus Architecture	D	23 August 2024
DA771	Site Tree Retention Diagram	Plus Architecture	E	21 October 2024
DA772	Site Tree Retention Diagram	Plus Architecture	E	21 October 2024
Landscape Plans				
LS	Landscape Cover Sheet	Greenplan	H	21 October 2024
LS-100	Landscape Site Photos	Greenplan	C	12 September 2023
LS-300	Landscape Concept Plan Lower Ground Floor	Greenplan	N	21 October 2024
LS-301	Landscape Concept Plan Ground Floor	Greenplan	N	21 October 2024
LS-302	Landscape Concept Plan Level One	Greenplan	M	21 October 2024

LS-303	Landscape Concept Plan Roof	Greenplan	I	5 September 2024
LS-401	Landscape Planting Plan Lower Ground Floor	Greenplan	J	21 October 2024
LS-401	Landscape Planting Plan Ground Floor	Greenplan	I	21 October 2024
LS-402	Landscape Planting Plan First Floor	Greenplan	I	21 October 2024
LS-403	Landscape Planting Plan Roof Floor	Greenplan	G	5 September 2024
LS-500	Landscape Details Planting Schedule	Greenplan	I	21 October 2024
LS-502	Landscape Details Planting Schedule	Greenplan	I	21 October 2024
LS-600	Landscape Details Typical Construction	Greenplan	B	23 August 2024
LS-601	Landscape Details Specification Notes	Greenplan	B	23 August 2024
LS-700	Landscape Calculations Soil Depths Over Podium	Greenplan	G	21 October 2024
LS-701	Landscape Calculations Soil Depths Over Podium	Greenplan	G	21 October 2024
LS-702	Landscape Calculations Soil Depths Over Podium	Greenplan	G	21 October 2024
LS-703	Landscape Calculations Soil Depths Over Podium	Greenplan	F	24 September 2024
Document				
Arboricultural Impact Assessment & Tree Protection Plan		Tree Survey	Version 2	18 October 2024

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

2. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or a Registered Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

3. Building Work to be in Accordance with BCA

All building work must be carried out in accordance with the provisions of the Building Code of Australia as referenced by Section 69 of the Environmental Planning and Assessment Regulation 2021.

4. External Finishes

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

5. Compliance with NSW Police Requirements

The following is required or as otherwise agreed by NSW Police and Council in writing:

Surveillance:

- Installation of a security intercom system is required to access the basement car park and main lobbies. Each unit is to contain an intercom system to enable access for visitors to the basement car park and lobby. Security access is to be utilised at the entrance of the basement.
- CCTV coverage is required to be installed to monitor all common areas and entry/exits points. Use of height indicator stickers on entrance/exit doors is required on entry/exit doors.
- Vegetation to be kept trimmed at all times.

Lighting:

- Lighting is to meet minimum Australian Standards. Special attention is to be made to lighting at entry/exit points from the building, the car park and driveways.

Territorial Reinforcement:

- All public access points are to be well marked.

Environmental Maintenance:

- Use of anti-graffiti building materials.

Access Control:

- Warning signs should be strategically posted around the building to warn intruders of what security treatments have been implemented to reduce opportunities for crime e.g. "Warning, trespasser will be prosecuted" or "Warning, these premises are under electronic surveillance". This should be visible from all restricted areas (not open to the public).
- Ensure improved strength and better quality locking mechanism to security roller shutters/garage doors.
- Fire doors are to be alarmed and a magnetic strip is required so that the door will shut closed.
- Caged storage units are to be built up to the ceiling with a door with better quality locking mechanisms to be used.
- Ensure there are no outer ledges capable of supporting hands/feet and balustrades cannot provide anchor points for ropes.

- Any fencing proposed is to be placed vertically. If spacing is left between each paling, it should be at a width that limits physical access.
- High quality letter boxes that meet AS ISO9001:2008 are required. The letterboxes are to be under CCTV surveillance.
- Park smarter signage to be installed around the car park.
- Signage to be installed in the car park warning residents to watch those who come in the entry/exit door behind them.

6. Compliance with Endeavour Energy Requirements

Compliance with the requirements of Endeavour Energy as outlined in their letter dated 25 October 2022, uploaded to the NSW Planning Portal, and attached to this consent.

7. Tree Removal

Approval is granted for the removal of one-hundred and forty-two (142) trees identified and located as Trees No. 2, 5, 11, 13-18, 21-25, 28-54, 58-60, 63, 65-69, 71-85, 90-93, 95-102, 106-111, 113-140, 142-160, 162-175, 177, 179, 181, 183, 186, and 194 in the Arboricultural Impact Assessment & Tree Protection Plan (Version 2) prepared by Tree Survey Dated 18 October 2024.

All other trees on site, on neighbouring properties, and on Council land are to remain and are to be protected during all works

8. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m².

For all approved planting on slab and planter boxes, the following minimum soil depths must be achieved:

- 1.2m for large trees or
- 800mm for small trees;
- 650mm for shrubs;
- 300-450mm for groundcovers

9. Separate Application for Strata Subdivision

The strata title subdivision of the development is not included. A separate development application or complying development certificate application is required.

10. Protection of Public Infrastructure

Adequate protection must be provided prior to work commencing and maintained during building operations so that no damage is caused to public infrastructure as a result of the works. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site. The certifier is responsible for inspecting the public infrastructure for compliance with this condition before an Occupation

Certificate or Subdivision Certificate is issued. Any damage must be made good in accordance with the requirements of Council and to the satisfaction of Council.

11. Vehicular Access and Parking

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps are required, with their design and construction complying with:

- AS/ NZS 2890.1
- AS/ NZS 2890.6
- AS 2890.2
- DCP Part C Section 1 – Parking
- Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- All driveways and car parking areas must be concrete or bitumen. The design must consider the largest design service vehicle expected to enter the site.
- All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

12. Vehicular Crossing Request

Each driveway requires the lodgement of a separate vehicular crossing request accompanied by the applicable fee as per Council's Schedule of Fees and Charges. The vehicular crossing request must be lodged before an Occupation Certificate is issued. The vehicular crossing request must nominate a contractor and be accompanied by a copy of their current public liability insurance policy. Do not lodge the vehicular crossing request until the contractor is known and the driveway is going to be constructed.

13. Minor Engineering Works

This consent requires engineering works within the public road frontages of the development site in general accordance with the concept engineering plans prepared by Enspire Solutions listed below.

DRAWING No.	DESCRIPTION	REVISION	DATE
220054-DA-C05.01	Siteworks and Stormwater Management Plan – Sheet 01	8	23/10/2024
220054-DA-C05.02	Siteworks and Stormwater Management Plan – Sheet 02	8	23/10/2024

220054-DA-C06.01	Road Typical Cross Sections	5	18/10/2024
220054-DA-C11.01	Pavement Signage and Linemarking Plan and Details	6	18/10/2024

A separate application(s) and approval(s) will be required for these works under the Local Government Act 1993 and/or Roads Act 1993.

The above requirements are further outlined in the Prior to Construction Certificate section of this consent.

14. Excavation/ Anchoring Near Boundaries

Earthworks near the property boundary must be carried out in a way so as to not cause an impact on adjoining public or private assets. Where anchoring is proposed to support excavation near the property boundary, the following requirements apply:

- Written owner's consent for works on adjoining land must be obtained.
- For works adjacent to a road, anchoring that extends into the footpath verge is not permitted, except where expressly approved otherwise by Council, or Transport for NSW in the case of a classified road.
- Where anchoring within public land is permitted, a bond must be submitted to ensure their removal once works are complete. The value of this bond must relate to the cost of their removal and must be confirmed by Council in writing before payment.
- All anchors must be temporary. Once works are complete, all loads must be removed from the anchors.
- A plan must be prepared, along with all accompanying structural detail and certification, identifying the location and number of anchors proposed.
- The anchors must be located clear of existing and proposed services.

Details demonstrating compliance with the above must be submitted to the Principal Certifier and included as part of any Construction Certificate or Occupation Certificate issued.

15. Flood Protection Wall

A flood protection wall to RL101.95m AHD (i.e. 500mm above the 1% AEP flood level) must be constructed at the corner of Hughes Avenue and Dawes Avenue to protect those habitable parts of the development situated below the flood planning level in accordance with the recommendations contained in the Flood Impact Assessment by Northrop, Revision F, dated 18 October 2024. The wall and any supporting foundation must be wholly located within the subject site. Detailed plans of the proposed wall must be submitted before a Construction Certificate can be issued along with certification from a practising structural engineer that the wall can withstand the forces of floodwater up to the top of wall level.

16. Site Flood Emergency Response Plan

The approved Site Flood Emergency Response Plan prepared in accordance with Part C Section 6 – Flood Controlled Land of Council's DCP must be complied with.

17. Security Bond Requirements

A security bond required by this consent may be submitted in lieu of a cash bond. The security bond must:

- Be in favour of The Hills Shire Council;
- Be issued by a financial institution or other accredited underwriter approved by, and in a format acceptable to, Council (for example, a bank guarantee or unconditional insurance undertaking);
- Have no expiry date;
- Reference the development application, condition and matter to which it relates;
- Be equal to the amount required to be paid in accordance with the relevant condition;
- Be itemised, if a single security bond is used for multiple items.

Should Council need to uplift the security bond, notice in writing will be forwarded to the applicant 14 days prior.

18. Road Opening Permit

Should the development necessitate the installation or upgrading of utility services or any other works on Council land beyond the immediate road frontage of the development site and these works are not covered by a Construction Certificate issued by Council under this consent then a separate road opening permit must be applied for and the works inspected by Council's Maintenance Services team.

The contractor is responsible for instructing sub-contractors or service authority providers of this requirement. Contact Council's Construction Engineer if it is unclear whether a separate road opening permit is required.

19. Acoustic Requirements

The recommendations of the Acoustic Assessment prepared by Norrebro Design, referenced as Doc. Rev 2, dated 11 April 2023 and submitted as part of the Development Application are to be implemented as part of this approval.

20. Contamination Assessment & Site Remediation

The recommendations of the Site Assessment and Report prepared by Geotesta Pty Ltd, referenced as NE1327, dated 22 June 2022 and submitted as part of the Development Application are to be implemented as part of this approval.

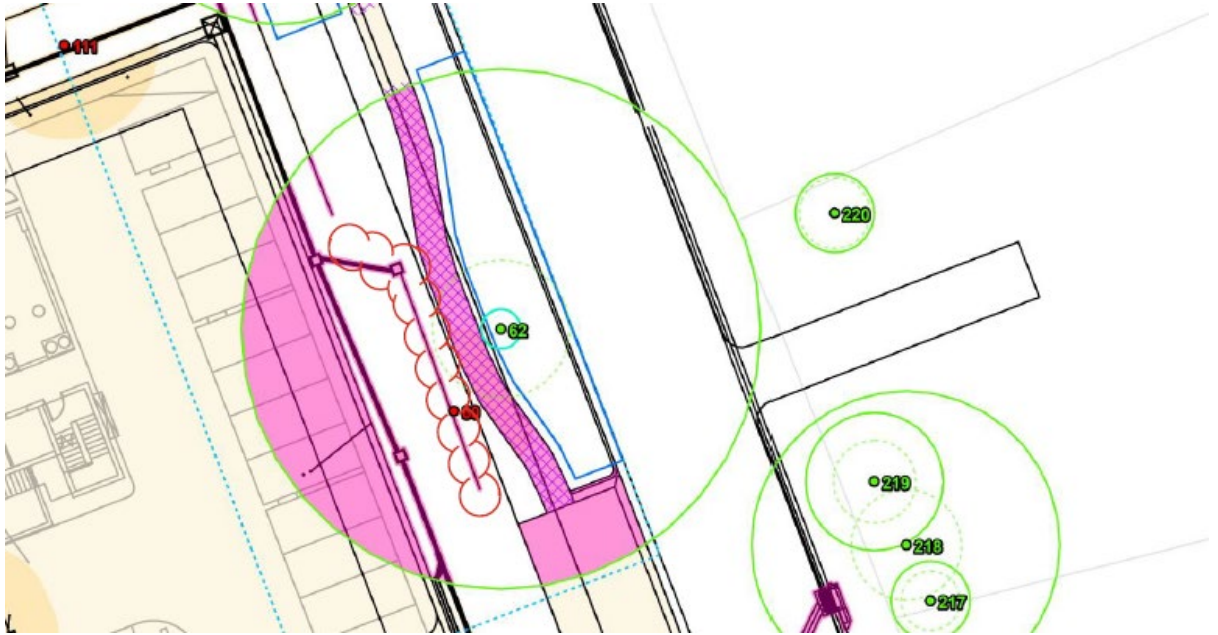
21. Retention of Trees

All trees not specifically identified on the approved plans for removal are to be retained with remedial work and site tree sensitive works to be carried out in accordance with the Arboricultural Impact Assessment & Tree Protection Plan (Version 2) prepared by Tree Survey dated 18 October 2024 including the following requirements:

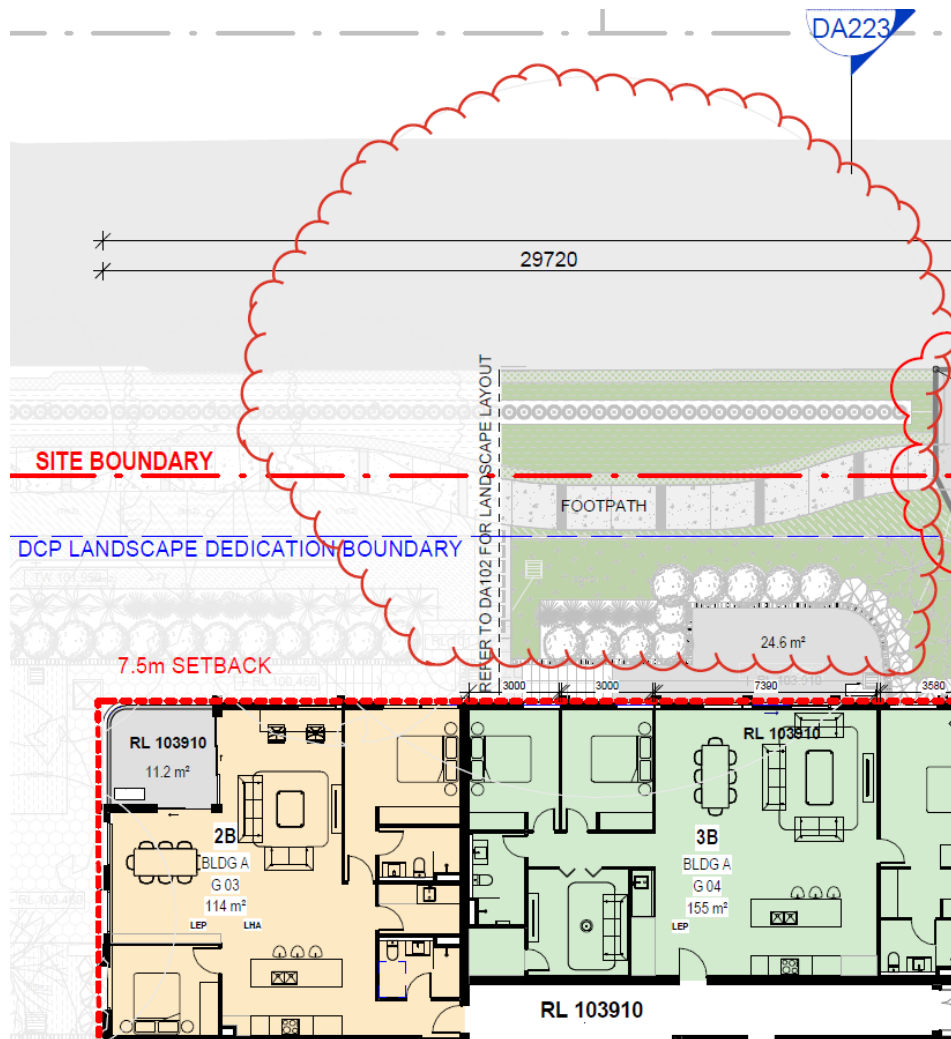
- Undertaking the specific mitigation measures as per Table 8 of the report for trees 4, 12, 19, 20, 26, 27, 55, 56, 57, 62, 70, 87, 94, 103, 104, 112, 161, 178, and 180.
- All excavations within the TPZ of trees is to be as per 7.9 and 7.10 of the report.
- Site Inspections undertaken as per 7.12 Site Inspections of the report.

The following additional Council Requirements to retain Tree 62 also apply:

- Stormwater pits and pipes within the Tree Protection Zone (TPZ) of Tree 62 highlighted in red below are to be deleted.



- The Private Open Space (POS) Terrace/Balcony of Unit BLDG A G04 must be cantilevered to allow the following ground levels highlighted in red to be maintained as Natural Ground Level (N.G.L) at all times.



- The pedestrian path within the council nature strip is to be constructed fully above grade and be directed around the trunk of the tree as per approved plans.

22. Control of early morning noise from trucks

Trucks associated with the construction of the site that will be waiting to be loaded must not be brought to the site prior to 7am.

23. Provision of Kitchen Waste Storage Cupboard

Waste storage facility must be provided in each unit/dwelling to enable source separation of recyclable material from residual garbage. Each unit/dwelling must have a waste storage cupboard provided in the kitchen with at least 2 removable indoor bins with a minimum capacity of 15 litres each. The bins provided should allow convenient transportation of waste from the kitchen to the main household bins or waste disposal point. The Principal Certifying Authority must visually confirm in person, or receive photographic evidence validating this requirement, prior to the issue of any Occupation Certificate.

24. Tree Removal on Public Land

Approval is granted for the removal of thirteen trees located and identified as 13, 14, 15, 17, 18, 69, 74, 85, 179, 181, 183, 186, and 194 in the Arboricultural Impact Assessment & Tree

Protection Plan (Version 2) prepared by Tree Survey dated 18 October 2024 located on the Council nature strip that will be impacted by works associated with the development.

All tree works must be undertaken by the owner/applicant at their cost. Prior to any works commencing on site, the owner/applicant must provide the following details to The Hills Shire Council's Manager – Environment & Health:

- Time and date of when the tree works will occur;
- Full details of the contractor who will be undertaking tree works (Minimum AQF level 3 Arborist);
- Current copy of the contractors Public Liability Insurance (Minimum \$10,000,000).

Note: The owner/applicant is to keep a photographic record pre and post tree removal works of the tree and surrounding Council infrastructure (e.g. concrete footpath, kerb & gutter) and provide these to Council upon request. The grass verge must be reinstated with any holes filled to existing natural ground level.

25. Access and Loading for Waste Collection

Minimum vehicle access and loading facilities must be designed and provided on site in accordance with Australian Standard 2890.2 for the standard 12.5m long Heavy Rigid Vehicle (minimum 4.5m clear vertical clearance). The following requirements must also be satisfied.

- All manoeuvring areas for waste collection vehicles must have a minimum clear vertical clearance of 4.5m. Any nearby areas where the clear headroom is less than 4.5m must have flexible striker bars and warning signs as per Australian Standard 2890.1 to warn waste collection contractors of the low headroom area.
- All manoeuvring and loading areas for waste collection vehicles must be prominently and permanently line marked, signposted and maintained to ensure entry and exit to the site is in a forward direction at all times and that loading and traffic circulation is appropriately controlled.
- Pedestrian paths around the areas designated for manoeuvring and loading of waste collection vehicles must be prominently and permanently line marked, signposted and maintained (where applicable) for safety purposes.
- The requirement for reversing on site must be limited to a single reverse entry into the designated waste service bay (typical three point turn).
- The designated waste service bay must allow additional space servicing of bins (wheeling bulk bins to the back of the waste collection vehicle for rear load collection).
- The loading area must have a sufficient level of lighting and have appropriate signage such as "waste collection loading zone", "keep clear at all times" and "no parking at any time".
- Access to restricted loading areas (i.e. via roller shutter doors, boom gates or similar) must be via scanning from the cab of heavy vehicles, remote access or alternative solution which ensures there is no requirement for waste collection contractors to exit the cab. Copies of scan cards or remotes must be provided to Council upon the commencement of waste services.

26. Communal Composting Areas

An area shall be incorporated in the landscape design of the development for communal composting. Whilst the operation of such a facility will depend upon the attitudes of occupants and their Owners Corporation, the potential to compost should exist.

27. Management of Construction and/or Demolition Waste

Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to its reuse onsite or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. A separate dedicated bin must be provided onsite by the builder for the disposal of waste materials such as paper, containers and food scraps generated by all workers. Building waste containers are not permitted to be placed on public property at any time unless a separate application is approved by Council to locate a building waste container in a public place.

Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and only to a place that can lawfully be used as a waste facility. The separation and recycling of the following waste materials is required: metals, timber, masonry products and clean waste plasterboard. This can be achieved by source separation onsite, that is, a bin for metal waste, a bin for timber, a bin for bricks and so on. Alternatively, mixed waste may be stored in one or more bins and sent to a waste contractor or transfer/sorting station that will sort the waste on their premises for recycling. Receipts of all waste/recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

Transporters of asbestos waste (of any load over 100kg of asbestos waste or 10 square metres or more of asbestos sheeting) must provide information to the NSW EPA regarding the movement of waste using their WasteLocate online reporting tool www.wastelocate.epa.nsw.gov.au.B

28. Provision of Waste Chute System

The development must incorporate dual waste chutes (1 x garbage chute and 1 x recycling chute) within the core of each residential block. Chute openings must be provided on every residential floor within the building corridors. The waste chutes must terminate into the waste storage rooms. Garbage must discharge into 1100 litre bins housed on a 2-bin linear conveyor with compactor (2:1 compaction ratio) and recyclables must discharge into 1100 litre bins housed on a 2-bin linear conveyor (no compaction). The waste chute system must be maintained in accordance with manufactory standards.

29. Provision of Bin Cupboards

A separate bin cupboard must be provided next to chute openings on every residential floor to allow for the disposal of items unsuitable for chute disposal or a third waste stream. The cupboards must be sized to store at least a single 240 litre bin. The dimensions of a 240 litre bin are 735mm deep, 580mm wide and 1080mm high.

30. Disposal of Surplus Excavated Material

The disposal of surplus excavated material, other than to a licenced waste facility, is not permitted without the previous written approval of Council prior to works commencing on site. Any unauthorized disposal of waste, which includes excavated material, is a breach of the

Protection of the Environment Operations Act 1997 and subject to substantial penalties. Receipts of all waste/ recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

31. Commencement of Domestic Waste Service

A domestic waste service must be commenced with Council and its Contractor. The service must be arranged no earlier than two days prior to occupancy and no later than seven days after occupancy of the development. All requirements of Council's domestic waste management service must be complied with at all times. Contact Council's Resource Recovery Team on (02) 9843 0310 to commence a domestic waste service.

32. Construction of Waste Storage Area(s)

The waste storage area(s) must be designed and constructed in accordance with the following requirements. The central bin collection room must provide minimum storage facility for 20 x 1100 litre garbage bins, 20 x 1100 litre recycling bins and 22 x 240 litre food organics bins. The waste chute termination rooms must provide minimum storage facility for 1 x 2-bin 1100L linear conveyor tracks and compaction unit for garbage and, 1 x 2-bin 1100L linear conveyor tracks for recycling (no compaction unit).

- The waste storage area(s) must be of adequate size to comfortably store and manoeuvre the total minimum required number of bins and associated waste infrastructure as specified above.
- The layout of the waste storage area(s) must ensure that each bin is easily accessible and manoeuvrable in and out of the areas with no manual handling of other bins. All internal walkways must be at least 1.5m wide.
- The walls of the waste storage area(s) must be constructed of brickwork.
- The floor of the waste storage area(s) must be constructed of concrete with a smooth non-slip finish, graded and drained to sewer. The rooms must not contain ramps and must be roofed (if located external to the building).
- The central bin collection room must have a waste servicing door, with a minimum clear floor width of 1.5m. The door must be located to allow the most direct access to the bins by collection contractors. Acceptable waste servicing doors are single or double swinging doors and roller doors (preferred). The waste servicing door must be supplied with a lock through Council's Waste Management Master Key System 'P3520'. See condition titled 'Installation of Master Key System to Waste Collection Room' for further details.
- The waste storage area(s) must have a resident access door, which allows wheelchair access for adaptable sites. Suitable resident access doors are single or double swinging doors. The resident access door must be separate to the waste servicing door. If a loading dock is proposed in the development the resident access door must be located to ensure that residents do not have access to the loading dock to gain access to the waste storage area(s).
- All doors of the waste storage area(s), when fully opened, must be flush with the outside wall(s) and must not block or obstruct car park aisles or footways. All doors must be able to be fixed in position when fully opened.

- The waste storage area(s) must be adequately ventilated (mechanically if located within the building footprint). Vented waste storage areas should not be connected to the same ventilation system supplying air to the units.
- The waste storage area(s) must be provided with a hose tap (hot and cold mixer), connected to a water supply. If the tap is located inside the waste storage area(s), it is not to conflict with the space designated for the placement of bins.
- The waste storage area(s) must be provided with internal lighting such as automatic sensor lights.
- The maximum grade acceptable for moving bins for collection purposes is 5%. Under no circumstance is this grade to be exceeded. It is to allow the safe and efficient servicing of bins.
- The waste storage area(s) must have appropriate signage (Council approved designs) mounted in a visible location on internal walls and are to be permanently maintained by Owners corporation
- Finishes and colours of the waste storage area(s) are to complement the design of the development.

Example Bin Measurements (mm)

240L: 735 (d) 580 (w) 1080 (h) 1100L: 1245 (d) 1370 (w) 1470 (h)

33. Property Numbering and Mailboxes for Multi Dwelling Housing, Residential Flat Buildings, Mixed Use Development, Commercial Developments and Industrial Developments

The responsibility for property numbering is vested solely in Council under the *Local Government Act 1993*.

The Hills Shire Council starts unit numbering to the left of the lifts and require numbering follows suit.

Under no circumstances can unit numbering be repeated or skipped throughout the development regardless of the building name or number.

Approved numbers, unless otherwise approved by Council in writing, are to be displayed clearly on all door entrances including stairwells, lift and lobby entry doors.

Revised numbering plans in accordance with Council requirements must be lodged and approved by Council before a Construction Certificate is issued.

Signage

External directional signage is to be erected on site at driveway entry points, on buildings, stairwells and lifts to ensure that all numbering signage throughout the complex is clear to assist emergency service providers locate a destination easily & quickly.

Mailboxes

Australia Post requires cluster mailboxes within a foyer to be as close to the footpath or road as possible.

Parking for Postal officer motorcycle/walk buggy is to be provided in a safe location that is viewable from foyer mailboxes to ensure the security of mail located on the vehicle. An intercom or doorbell is to be provided for each unit for the delivery of parcels.

Locations are to be approved by Australia Post for mail delivery. Plans are to be provided to Sobhana Gangadharan at the Seven Hills Delivery Centre via email Sobhana.Gangadharan@auspost.com.au or phone 02 9674 4027. Australia Post approval is required to be provided to Council.

The number of mailboxes to be provided is to be equal to the number of flats/units/townhouses etc. plus one (1) for the proprietors of the development and be as per Australia Post size requirements. The proprietors additional mailbox is to be located within the cluster located at Building A.

34. Provision of Parking Spaces

The development is required to be provided with a total of 471 off street car parking spaces, which includes 82 visitor parking spaces and 389 resident parking spaces. These car parking spaces must be available for off street parking at all times.

35. Provision of an In-shaft Goods Personnel Hoist

The development must incorporate an In-shaft goods personnel hoist to facilitate the transportation of bins across basement levels. The hoist must comply with AS1418.8 and is to incorporate the following specifications:

- A minimum platform of 3m x 2.4m (approx. 3m x 3m shaft).
- A capacity of at least 2000kg.
- Electrically operated roller doors with full width door opening interlocked to the safe operation of the hoist.
- Programmed automatically to lift or lower on a single button control.
- Design registered to carry personnel with SafeWork NSW.
- An operating speed of at least 9m per minute.

36. Insect and Odour Control

An insect control system must be provided in the waste storage area(s). The equipment installed must be an ultraviolet fly trap with a UV lamp of at least 20W or higher or similar. The fly trap should be an electric-grid style and mounted to an internal wall or attached to the ceiling. In addition, an adequate air deodoriser must be installed to help prevent offensive odours.

37. Pathway Link

A pedestrian pathway link must be constructed in the location shown on the approved plans. The design of the pedestrian pathway link must comply with the above documents and the relevant section of the DCP.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**38. Notice of Requirements**

The submission of documentary evidence to the Certifying Authority, including a Notice of Requirements, from Sydney Water Corporation confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities.

Following an application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water / sewer extensions can be time consuming and may impact on other services and building, driveway and landscape design.

39. Onsite Stormwater Detention – Hawkesbury River Catchment Area

Onsite Stormwater Detention (OSD) is required in accordance with Council’s adopted policy for the Hawkesbury River catchment area, the Upper Parramatta River Catchment Trust OSD Handbook, with amended parameters for the site storage requirement and permissible site discharge.

The stormwater concept plans prepared by Wehbe Consulting, Drawing SW1036-01 to SW1036-19, Issue F dated 21/10/2024 is for development application purposes only and is not to be used for construction. The detailed design must reflect the stormwater concept plan and the following necessary changes:

(a) Water Sensitive Urban Design

Water sensitive urban design elements, consisting of On-site Detention Tanks and Stormfilter Chambers, are to be located generally in accordance with the plans and information submitted with the application.

Detailed plans for the water sensitive urban design elements must be submitted for approval. The detailed plans must be suitable for construction, and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following environmental targets:

- 90% reduction in the annual average load of gross pollutants
- 85% reduction in the annual average load of total suspended solids
- 65% reduction in the annual average load of total phosphorous
- 45% reduction in the annual average load of total nitrogen

All model parameters and data outputs are to be provided.

The design and construction of the stormwater management system must be approved by either Council or an accredited certifier. A Compliance Certificate certifying the detailed design of the stormwater management system can be issued by Council. The following must be included with the documentation approved as part of any Construction Certificate:

- Design/ construction plans prepared by a hydraulic engineer.

- A completed OSD Drainage Design Summary Sheet.
- Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes.
- A completed OSD Detailed Design Checklist.
- A maintenance schedule.

40. Stormwater Pump/ Basement Car Park Requirements

The stormwater pump-out system must be designed and constructed in accordance with AS/NZS 3500.3:2021 – Plumbing and Drainage – Stormwater drainage. The system must be connected to a junction pit before runoff is discharged to the street (or other point of legal discharge) along with the remaining site runoff, under gravity. Where Onsite Stormwater Detention is required, the system must be connected to that Onsite Stormwater Detention system. All plans, calculations, hydraulic details and manufacturer specifications for the pump must be submitted with certification from the designer confirming compliance with the above requirements.

41. Works on Adjoining Land

Where the engineering works included in the scope of this approval extend into adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council before a Construction Certificate is issued.

42. Security Bond – Road Pavement and Public Asset Protection

In accordance with Section 4.17(6) of the Environmental Planning and Assessment Act 1979, a security bond of \$430,320.00 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the per square metre rate set by Council's Schedule of Fees and Charges, with the area calculated based on the road frontage of the subject site plus an additional 50m on either side (326m – Middleton Avenue only) multiplied by the width of the road (10m).

The bond must be lodged with Council before a Construction Certificate is issued.

The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these costs

43. Security Bond – External Works

In accordance with Section 4.17(6) of the Environmental Planning and Assessment Act 1979, a security bond is required to be submitted to Council to guarantee the construction, completion and performance of all works external to the site. The bonded amount must be based on 150% of the tendered value of providing all such works. The bond amount must be confirmed with Council prior to payment. The tendered value of the work must be provided for checking so the bond amount can be confirmed.

The bond must be lodged with Council before a Construction Certificate is issued.

The bond is refundable upon written application to Council and is subject to all work being completed to Council's satisfaction.

44. External Engineering Works

The design and construction of the engineering works listed below must be provided for in accordance with Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments.

Works within an existing or proposed public road, or works within an existing or proposed public reserve can only be approved, inspected and certified by Council.

Depending on the development type and nature and location of the work the required certificate or approval type will differ. The application form covering these certificates or approvals is available on Council's website and the application fees payable are included in Council's Schedule of Fees and Charges.

The concept engineering plans prepared by Enspire Solutions as listed at Condition 13 are for development application purposes only and is not to be used for construction. The design and construction of the engineering works listed below must reflect the concept engineering plan and the conditions of consent.

(a) Driveway Requirements

The design, finish, gradient and location of all driveway crossings must comply with the above documents and Council's Driveway Specifications.

The proposed driveway/s must be built to Council's heavy-duty standard.

Specifically, unless additional driveway crossings are clearly shown on the approved plans, only one driveway crossing is approved/ permitted.

A separate vehicular crossing request fee is payable as per Council's Schedule of Fees and Charges.

(b) Disused Layback/ Driveway Removal

All disused laybacks and driveways must be removed and replaced with kerb and gutter together with the restoration and turfing of the adjoining footpath verge area. Specifically, this includes the removal of any existing laybacks, regardless of whether they were in use beforehand or not.

(c) Concrete Footpath Paving

Concrete footpath paving, including access ramps at all intersections, must be provided across the street frontages of the development transitioning into the existing footpath adjacent to the site. Footpaths widths are to be as follows:

Road Frontage	Footpath Width
Hughes Avenue	1.5m
Dawes Avenue	2.0m

Middleton Avenue	2.5m
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(d) Footpath Verge Formation

The grading, trimming, topsoiling and turfing of the footpath verge fronting the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site. Any necessary adjustment or relocation of services is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

(e) Indented Parking Bays/ Road Widening (Showground Precinct)

The entire site frontage to Hughes Avenue must be reconstructed including footpath paving, stormwater drainage adjustments and any other ancillary work to make this construction effective.

The existing 3.5m wide footpath verge measured from the face of kerb must be widened by 2m to 5.5m (and this road widening dedicated to the public). Within this widened verge the required formation must generally be in accordance with Council's Showground Precinct Public Domain Plan, Council's Showground Precinct Verge Treatment Detail/ Plans dated 15 February 2019, the above documents and Council's standard drawings/ details relating to these works.

The pedestrian pavement type and street lighting category must match the Showground Precinct Public Domain Plan.

The minimum longitudinal dish drain gradient within the indented parking bays shall be 0.5%.

(f) Signage and Line Marking Requirements/ Plan

A signage and line marking plan must be submitted with the detailed design. This plan needs to address street name signs and posts, regulatory signs and posts (such as no parking or give way signs), directional signs and posts (such as chevron signs), speed limit signs and posts and line marking, where required.

Thermoplastic line marking must be used for any permanent works. Any temporary line marking must be removed with a grinder once it is no longer required, it cannot be painted over.

Details for all signage and line-marking must be submitted to Council's Construction Engineer for checking prior to works commencing. For existing public roads, signs and line marking may require separate/ specific approval from the Local Traffic Committee.

Street name signs and posts must be provided in accordance with the above documents and Council's Standard Drawing 37. With respect to street name signs specifically, all private roads must include a second sign underneath which reads "private road".

(g) Stormwater Drainage Upgrades

Details of the upgrade of the existing stormwater drainage system in Hughes and Dawes Avenues, as shown on concept plans 220054-DA-C05.01 and C05.02 prepared by Enspire

Solutions, Revision 8, dated 23/10/2023, including any associated roadworks and utility service adjustments, are to be provided in general accordance with the approved concept plan. Structural design certification shall be provided for all pits associated with the trunk drainage system.

45. Construction Management Plan

Prior to the issuing of a Subdivision Works Certificate a Construction Management Plan must be submitted to Council's Manager – Subdivision and Development Certification for approval. The Construction Management Plan must specifically address each of the following matters:

- Construction traffic (internal).
- Traffic control (external). This needs to consider road closures and delivery routes with respect to the surrounding road network as separately conditioned.
- Public asset protection.
- Dust management as separately conditioned.
- Sediment and erosion control as separately conditioned.
- Stockpiles.
- Noise; outside of standard work hours for float deliveries will need to have written Transport for NSW approval and Council and affected neighbours must be notified in writing.
- Working hours; including plant warming up and/ or noise above conversation levels before the nominated starting time.
- Tree/ vegetation protection.
- Fauna protection, recovery and relocation (including fauna habitat)

46. Erosion and Sediment Control/ Soil and Water Management Plan

The detailed design must be accompanied by an Erosion and Sediment Control Plan (ESCP) or a Soil and Water Management Plan (SWMP) prepared in accordance with the Blue Book and Council's Works Specification Subdivision/ Developments.

A SWMP is required where the overall extent of disturbed area is greater than 2,500 square metres, otherwise an ESCP is required.

An ESCP must include the following standard measures along with notes relating to stabilisation and maintenance:

- Sediment fencing.
- Barrier fencing and no-go zones.
- Stabilised access.
- Waste receptacles.
- Stockpile site/s.

A SWMP requires both drawings and accompanying commentary (including calculations) addressing erosion controls, sediment controls, maintenance notes, stabilisation requirements and standard drawings from the Blue Book.

An SWMP is required for this development.

47. Protection of Internal Noise Levels (Residential Unit/Townhouse/Villa Development)

An acoustic statement is required to be submitted providing methods of noise attenuation (if any) prior to the issue of a Construction Certificate ensuring the following noise levels are achieved:

- (a) 35 dB (A) in any bedroom between 10pm and 7am.
- (b) 40dB (A) elsewhere (other than garage, kitchen, bathroom and hallway) anytime.

48. Section 7.11 Contribution

The following monetary contributions must be paid to Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act, 1979, to provide for the increased demand for public amenities and services resulting from the development.

Payments comprise of the following:-

	Purpose: 1 bedroom unit	Purpose: 2 bedroom unit	Purpose: 3 bedroom unit	Purpose: Credit
Open Space - Land	\$ 4,729.95	\$ 6,621.92	\$ 8,198.57	\$ 10,720.84
Open Space - Capital	\$ 2,390.82	\$ 3,347.16	\$ 4,144.10	\$ 5,419.03
Transport Facilities - Land	\$ 1,176.37	\$ 1,646.91	\$ 2,039.04	\$ 2,666.34
Transport Facilities - Capital	\$ 1,830.58	\$ 2,562.82	\$ 3,173.01	\$ 4,149.18
Water Management - Capital	\$ 477.95	\$ 669.14	\$ 828.46	\$ 1,083.33
Administration	\$ 62.90	\$ 88.08	\$ 109.05	\$ 142.58
Total	\$ 10,668.58	\$ 14,936.03	\$ 18,492.22	\$ 24,181.30

No. of 1 Bedroom 80 Units:	No. of 2 Bedroom 194 Units:	No. of 3 Bedroom 72 Units:	Sum of Units	No. of Credits: 20	Total S7.11
\$ 378,396.31	\$ 1,284,651.96	\$ 590,296.94	\$ 2,253,345.20	\$ 214,416.79	\$ 2,038,928.41
\$ 191,265.92	\$ 649,348.66	\$ 298,375.15	\$ 1,138,989.73	\$ 108,380.53	\$ 1,030,609.20
\$ 94,109.63	\$ 319,500.88	\$ 146,810.53	\$ 560,421.04	\$ 53,326.89	\$ 507,094.15
\$ 146,446.76	\$ 497,187.20	\$ 228,456.84	\$ 872,090.81	\$ 82,983.59	\$ 789,107.22
\$ 38,236.17	\$ 129,812.66	\$ 59,649.29	\$ 227,698.12	\$ 21,666.69	\$ 206,031.43
\$ 5,031.62	\$ 17,087.55	\$ 7,851.25	\$ 29,970.41	\$ 2,851.60	\$ 27,118.81
\$ 853,486.41	\$ 2,897,588.91	\$ 1,331,440.01	\$ 5,082,515.32	\$ 483,626.10	\$ 4,598,889.22

The contributions above are applicable at the time this consent was issued. Please be aware that Section 7.11 contributions are periodically indexed and will be updated at the time of payment, in accordance with the provisions of the applicable plan. A reference to the 'applicable plan' within this condition refers to the Contributions Plan in force at the time this consent was issued.

Prior to payment of the above contributions, the applicant is advised to contact Council's Development Contributions Officer on 9843 0555.

As per Council's exhibited Fees and Charges effective from 1 July 2022, **Council will no longer accept payments by cash or by cheque.** Payments will be accepted via Debit or Credit Card or Direct Debit from a bank account.

This condition has been imposed in accordance with Contributions Plan No 19.

Council's Contributions Plans can be viewed at www.thehills.nsw.gov.au or a copy may be inspected or purchased at Council's Administration Centre.

49. Internal Pavement Structural Design Certification

Prior to a Construction Certificate being issued, a Certified Practicing Engineer (CPEng) must submit a letter to Council confirming the structural adequacy of the internal pavement design. The pavement design must be adequate to withstand the loads imposed by a loaded 12.5m long heavy rigid waste collection vehicle (i.e. 28 tonne gross vehicle mass) from the boundary to the waste collection point including any manoeuvring areas.

50. Irrigation

An automatic watering system is to be installed as a minimum to all common areas. Details including backflow prevention device, location of irrigation lines and sprinklers, and control details are to be communicated to Council or Private Certifier prior to issue of the construction certificate.

51. Design Verification

Prior to the release of the Construction Certificate design verification is required from a qualified designer to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in Schedule 9 State Environmental Planning Policy (Housing) 2021.

51a. Street Tree Species

Prior to the release of the Construction Certificate, a substitute street tree species for the six (6) street trees to be planted between indented parking areas on Hughes Avenue is to be submitted to the satisfaction of Council's Manager – Environment and Health. These trees will be required to be from THSC Showground Precinct Public Domain Plan species of trees for tree pits greater than 1.5m.

All other street tree species are to be as per the approved Landscape Plans.

PRIOR TO WORK COMMENCING ON THE SITE

52. Sydney Water Building Plan Approval

A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

A copy of the building plan approval and receipt from Sydney Water Tap in™ (if not already provided) must be submitted to the Principal Certifier upon request prior to works commencing.

Please refer to the website <http://www.sydneywater.com.au/tapin/index.htm>, Sydney Water Tap in™, or telephone 13 20 92.

53. Tree Protection Measures

Prior to any works commencing on site Tree Protection Fencing must be in place around trees or groups of trees nominated for retention.

The location of fencing shall be as indicated in dark blue in the Tree Protection Plan contained in the Arboricultural Impact Assessment & Tree Protection Plan (Version 2) prepared by Tree Survey dated 18 October 2024.

The erection of a minimum 1.8m chain-wire fence to delineate the TPZ is to stop the following occurring:

- Excavation, installation of services or other works within the TPZ;
- Stockpiling of materials within TPZ;
- Placement of fill within TPZ;
- Parking of vehicles within the TPZ;
- Compaction of soil within the TPZ;
- Cement washout and other chemical or fuel contaminants within TPZ; and
- Damage to tree crown.

Note: Where the provision of the tree protection fencing is impractical due to its proximity to the proposed development footprint, trunk protection shall be erected around nominated trees to avoid accidental damage. The trunk protection shall consist of a layer of carpet underfelt (or similar) wrapped around the trunk, followed by 1.8m metre lengths of softwood timbers (90 x 45mm in section) aligned vertically and spaced evenly around the trunk at 150mm centres (i.e. with a 50mm gap) and secured together with galvanised hoop strap. Where practicable all areas within the root protection zone are to be mulched with composted leaf mulch to a depth of not less than 100mm.

Where street trees are to be retained and tree protection fencing is indicated, low, open fencing such as crowd control fencing is to be provided to the Council nature strip, avoiding blocking any existing pedestrian path to limit the likelihood of vehicular movement or stockpiling of material within the TPZ.

Tree Protection for Tree 62 is to be expanded to extend toward to development a maximum of 2m from the basement extent to protect as much for the TPZ as possible as indicated in blue below:



Areas identified in the Tree Protection Plan with dashed blue lines are exclusion zones where no site entries, vehicle movements, site sheds/offices/structures, lunch areas, materials storage, or crane pads are permitted.

54. Tree Protection Signage

Prior to any works commencing on site a Tree Protection Zone sign must be attached to the Tree Protection Fencing stating "Tree Protection Zone No Access" (The lettering size on the sign shall comply with AS1319). Access to this area can only be authorised by the project arborist or site manager.

55. Mulching within Tree Protection Zone

Prior to any works commencing on site all areas within the Tree Protection Zone are to be mulched with composted leaf mulch to a depth of 100mm.

56. Trenching and Excavation within Tree Protection Zone

Any trenching and excavation for installation of drainage, sewerage, irrigation or any other services, and/or for construction of any ancillary structures shall not occur within the Tree Protection Zone (TPZ) of any tree(s) identified for retention unless under supervision and certification of a suitably qualified AQF Level 5 Project Arborist.

Certification of supervision by a Project Arborist must be provided to the Certifying Authority (Council) within 14 days of completion of trenching works.

The installation of the stormwater drainage system and/or the construction of any ancillary structures within the TPZ of tree(s) to be retained shall be carried out by adopting sensitive construction methods under the supervision of a Project Arborist.

Demolition or earth works within the Tree Protection Zone of tree(s) identified for retention shall be carried out so as to avoid damage to the tree roots. Manual excavation shall be carried out under the supervision of the Project Arborist.

Where roots within the Tree Protection Zone are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection sheeting should be pegged in place and kept moist during the period that the root zone is exposed.

Root pruning should be avoided, however where necessary, all cuts shall be clean cuts made with sharp tools such as secateurs, pruners, handsaws, chainsaws or specialised root pruning equipment. Where possible, the roots to be pruned should be located and exposed using minimally destructive techniques such as hand-digging, compressed air or water-jetting, or non-destructive techniques.

No roots larger than 40mm diameter to be cut without Arborist advice and supervision. All root pruning must be done in accordance with Section 9 of Australia Standard 4373-2007 Pruning of Amenity Trees.

57. Property Condition Report – Public Assets

A property condition report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include:

- Planned construction access and delivery routes; and
- Dated photographic evidence of the condition of all public assets.

58. Dust Management Plan

A site specific dust management plan must be developed to proactively address the issue of dust during construction. This plan must be submitted to Council's Manager – Subdivision and Development Certification for written approval before works commence. The plan must address/ include the following matters, where relevant:

- Water carts must be used to regularly wet down exposed areas. The number of water carts required on site (at all times, and with additional carts available on demand) must be nominated and justified.
- Additives that can be mixed with the water to aid dust suppression.
- A dust cloth must be installed along the perimeter of the site.
- Where required, a sprinkler/ misting system along the perimeter of the site.
- Dust control at source, such as machine mounted sprinklers, ground mounted water cannons where material is being excavated, loaded and placed and measures to ensure loads are covered.
- Speed control on haul routes.

- Stockpile management such as location, orientation, volume and height to minimise impacts on neighbouring properties. Covering of stockpiles with tarpaulins or vegetation should also be considered where warranted by the duration of the stockpile. Stockpiles expected to be in place for longer than 14 days are considered non-temporary.
- Interim seeding and/ or hydro-mulching of exposed areas as work progresses.
- Final topsoil placement and planting or seeding exposed areas as soon as possible.
- Jute matting of the core riparian zone within any creeks/ riparian corridors.
- Weather forecast systems to predict adverse weather conditions and allow for early action for dust management and to avoid dust generating activities when weather conditions are unfavourable.
- Education of all site personnel on reducing dust.
- Community engagement plan and complaints management system demonstrating how dust complaints will be received, recorded, resolved and responded to.
- How the dust management controls will be monitored, reviewed and revised on a regular basis to ensure their ongoing effectiveness.

59. Traffic Control Plan

A Traffic Control Plan is required to be prepared and approved. The person preparing and approving the plan must have the relevant accreditation to do so. A copy of the plan must be submitted to Council's Manager – Subdivision and Development Certification for approval before being implemented. Where amendments to the plan are made, they must be submitted to Council before being implemented.

A plan that includes full (detour) or partial (temporary traffic signals) width road closure requires separate specific approval from Council. Sufficient time should be allowed for this to occur.

60. Contractors Details

The contractor carrying out the subdivision works must have a current public liability insurance policy with an indemnity limit of not less than \$20,000,000.00. The policy must indemnify Council from all claims arising from the execution of the works. A copy of this insurance must be submitted to Council prior to works commencing.

61. Erosion and Sediment Control/ Soil and Water Management

The approved ESCP or SWMP measures must be in place prior to works commencing and maintained during construction and until the site is stabilised to ensure their effectiveness. For major works, these measures must be maintained for a minimum period of six months following the completion of all works.

62. Property Condition Report – Private Assets

A property condition report must be prepared and submitted by a structural engineer recording the condition of any dwelling or ancillary structures on adjacent properties and within the likely zone of influence from any excavation, dewatering or construction induced vibration.

63. Pavement Design

A pavement design based on Austroads (A Guide to the Structural Design of Road Pavements) and prepared by a geotechnical engineer must be submitted to Council for approval before the commencement of any pavement works.

The pavement design must be based on sampling and testing by a NATA accredited laboratory of the in-situ sub-grade material and existing pavement material. Details of the pavement design and all tests results, including design California Bearing Ratio values for the subgrade and design traffic loadings, are to be provided.

64. Management of Building Sites

The erection of suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied.

The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after hours contact name and telephone number.

65. Consultation with Service Authorities

Applicants are advised to consult with Telstra, NBN Co and Australia Post regarding the installation of telephone conduits, broadband connections and letterboxes as required.

Applicants are advised to consult with the relevant electricity authority with respect to electricity supply and connection points to the site, or any other electrical infrastructure located in close proximity to the proposed works. Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment.

66. Approved Temporary Closet

An approved temporary closet connected to the sewers of Sydney Water, or alternatively an approved chemical closet is to be provided on the land, prior to building operations being commenced.

67. Details and Signage - Principal Contractor and Principal Certifier

Details

Prior to work commencing, submit to the Principal Certifier notification in writing of the principal contractor's (builder) name, address, phone number, email address and licence number.

Before work commences, details of the Principal Certifier, in accordance with Section 57 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, is to be lodged on the NSW Planning portal.

Signage

A sign is to be erected in accordance with Section 70 of the Environmental Planning and Assessment Regulation 2021. The sign is to be erected in a prominent position on the site before the commencement of the work, and show –

- (a) the name, address and telephone number of the Principal Certifier,
- (b) the name and a telephone number on which the principal contractor/person responsible for the work may be contacted outside working hours.

The sign must state that unauthorised entry to the work site is prohibited.

68. Engagement of a Project Arborist

Prior to works commencing, a Project Arborist (minimum AQF Level 5) is to be appointed and the following details provided to The Hills Shire Council's Manager – Environment & Health:

- (a) Name:
- (b) Qualification/s:
- (c) Telephone number/s:
- (d) Email:

If the Project Arborist is replaced, Council is to be notified in writing of the reason for the change and the details of the new Project Arborist provided within 7 days.

69. Erosion and Sedimentation Controls

Erosion and sedimentation controls shall be in place prior to the commencement of site works and maintained throughout construction activities, until the site is landscaped and/or suitably revegetated. These requirements shall be in accordance with *Managing Urban Stormwater – Soils and Construction (Blue Book)* produced by the NSW Department of Housing.

This will include, but not be limited to a stabilised access point and appropriately locating stockpiles of topsoil, sand, aggregate or other material capable of being moved by water being stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

70. Erosion & Sediment Control Plan Kept on Site

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and available to Council on request.

71. Demolition Works and Asbestos Management

The demolition of any structure is to be carried out in accordance with the Work Health and Safety Act 2011. All vehicles transporting demolition materials offsite are to have covered loads and are not to track any soil or waste materials on the road. Should demolition works obstruct or inconvenience pedestrian or vehicular traffic on adjoining public road or reserve, a separate application is to be made to Council to enclose the public place with a hoard or fence. All demolition works involving the removal and disposal of asbestos must only be undertaken by a licenced asbestos removalist who is licenced to carry out the work. Asbestos removal must be carried out in accordance with the SafeWork NSW, Environment Protection Authority and Office of Environment and Heritage requirements. Asbestos to be disposed of must only

be transported to waste facilities licenced to accept asbestos. No asbestos products are to be reused on the site.

72. Discontinuation of Domestic Waste Services

Council provides a domestic waste service to the property subject to this Development Application. This service must be cancelled prior to demolition of the existing dwelling or where the site ceases to be occupied during works, whichever comes first. You will continue to be charged where this is not done. No bins provided as part of the domestic waste service are to remain on site for use by construction workers, unless previous written approval is obtained from Council. To satisfy this condition, the Principal Certifying Authority must contact Council on (02) 9843 0310 at the required time mentioned above to arrange for the service to be discontinued and for any bins to be removed from the property by Council.

73. Construction and/or Demolition Waste Management Plan Required

Prior to the commencement of works, a Waste Management Plan for the construction and/ or demolition phases of the development must be submitted to and approved by the Principal Certifying Authority. The plan should be prepared in accordance with The Hills Development Control Plan 2012 Appendix A. The plan must comply with the waste minimisation requirements in the relevant Development Control Plan. All requirements of the approved plan must be implemented during the construction and/ or demolition phases of the development.

DURING CONSTRUCTION

74. Location of Works

The total extent of the development shall be contained wholly within the confines of the allotment boundaries including the footings and any associated drainage lines. A survey report from a registered land surveyor may be required for confirmation of the same.

75. Standard of Works

All work must be carried out in accordance with Council's Works Specification Subdivisions/ Developments and must include any necessary works required to make the construction effective. All works, including public utility relocation, must incur no cost to Council.

76. Compliance with BASIX Certificate

Under Section 75 of the Environmental Planning and Assessment Regulation 2021, it is a condition of this Development Consent that all commitments listed in BASIX Certificate Nos. 1323430M_04 and 1323483M_04 is to be complied with. Any subsequent version of this BASIX Certificate will supersede all previous versions of the certificate.

77. Critical Stage Inspections and Inspections Nominated by the Principal Certifier

Section 6.6 of the Environmental Planning and Assessment Act 1979 requires critical stage inspections to be carried out for building work as prescribed by Section 61 of the Environmental Planning and Assessment (Development Certification and fire Safety) Regulation 2021. Prior to allowing building works to commence the Principal Certifier must give notice of these inspections pursuant to Section 58 of the Environmental Planning and Assessment (Development Certification and fire Safety) Regulation 2021.

An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspection or other inspection required by the Principal Certifier is not carried out. Inspections can only be carried out by the Principal Certifier unless agreed to by the Principal Certifier beforehand and subject to that person being a registered certifier.

78. Stockpiles

Stockpiles of topsoil, sand, aggregate or other material capable of being moved by water shall be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

79. Asbestos Removal

Any asbestos containing material, whether bonded or friable, shall be removed by a licenced asbestos removalist. A signed contract between the removalist and the person having the benefit of the development application is to be provided to the Principle Certifying Authority, identifying the quantity and type of asbestos being removed. Details of the landfill site that may lawfully receive the asbestos is to be included in the contract.

Once the materials have been removed and delivered to the landfill site, receipts verifying the quantity received by the site are to be provided to the Principal Certifying Authority.

Transporters of asbestos waste (of any load over 100kg of asbestos waste or 10 square metres or more of asbestos sheeting) must provide information to the NSW EPA regarding the movement of waste using their WasteLocate online reporting tool www.wastelocate.epa.nsw.gov.au.

80. Dust Control

The emission of dust must be controlled to minimise nuisance to the occupants of the surrounding premises. In the absence of any alternative measures, the following measures must be taken to control the emission of dust:

- Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the construction work;
- All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and
- All stockpiles of materials that are likely to generate dust must be kept damp or covered.

81. Project Arborist

The Project Arborist must be on site to supervise any works in the vicinity of or within the Tree Protection Zone (TPZ) of any trees required to be retained on the site or any adjacent sites.

Supervision of the works shall be certified by the Project Arborist and a copy of such certification shall be submitted to the PCA within 14 days of completion of the works.

Site inspections are to be undertaken in accordance with Section 7.12 of the Arboricultural Impact Assessment & Tree Protection Plan (Version 2) prepared by Tree Survey dated 18

October 2024. All inspection reports are to be submitted to the PCA within 14 days of any site inspection.

82. Further contamination assessment

A contamination assessment of the soils shall be carried out in areas that were inaccessible at the time of the initial contamination assessment. A copy of the assessment shall be submitted to Council's Manager – Environment & Health.

83. Rock Breaking Noise

Upon receipt of a justified complaint in relation to noise pollution emanating from rock breaking as part of the excavation and construction processes, rock breaking will be restricted to between the hours of 9am to 3pm, Monday to Friday.

Details of noise mitigation measures and likely duration of the activity will also be required to be submitted to Council's Manager – Environment and Health within seven (7) days of receiving notice from Council.

84. Construction Noise

The emission of noise from the construction of the development shall comply with the *Interim Construction Noise Guideline published by the Department of Environment and Climate Change (July 2009)*.

85. Washing of Vehicles

The car wash bay is to be roofed and bunded to exclude rainwater. All wastewater from car washing is to be discharged to the sewer under a suitable Trade Waste Agreement from Sydney Water.

86. Contamination

Ground conditions are to be monitored and should evidence such as, but not limited to, imported fill and/or inappropriate waste disposal indicate the likely presence of contamination on site, works are to cease, Council's Manager- Environment and Health is to be notified and a site contamination investigation is to be carried out in accordance with the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

The report is to be submitted to Council's Manager – Environment and Health for review prior to works recommencing on site.

87. Survey Report and Site Sketch

A survey report and site sketch signed and dated (including contact details) by the registered land surveyor may be requested by the Principal Certifier during construction. The survey shall confirm the location of the building/structure in relation to all boundaries and/or levels. As of September 2018 the validity of surveys has been restricted by legislation to 2 years after issue.

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE**88. Section 73 Certificate must be submitted to the Principal Certifier before the issuing of an Occupation Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your land > water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifier before occupation of the development/release of the plan of subdivision.

89. Landscaping Prior to Issue of any Occupation Certificate

Landscaping of the site shall be carried out prior to issue of an Occupation Certificate. The Landscaping shall be either certified to be in accordance with the approved plan by an Accredited Landscape Architect or be to the satisfaction of Council's Manager Environment and Health. All landscaping is to be maintained at all times in accordance with THDCP Part C, Section 3 – Landscaping and the approved landscape plan.

90. Completion of Engineering Works

An Occupation Certificate must not be issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

91. Property Condition Report – Public Assets

Before an Occupation Certificate is issued, an updated property condition report must be prepared and submitted to Council. The updated report must identify any damage to public assets and the means of rectification for the approval of Council.

92. Public Road/ Road Widening Dedication

An Occupation Certificate must not be issued until the proposed public roads/ road widening have been dedicated in accordance with the undertaking submitted relating to 2m wide dedication in Hughes Avenue.

93. Consolidation of Allotments

All allotments included in this consent must be consolidated into a single allotment before an Occupation Certificate is issued. A copy of the registered plan must be submitted to Council.

94. Pump System Certification

Certification that the stormwater pump system has been constructed in accordance with the approved design and the conditions of this approval must be provided by a hydraulic engineer.

95. Stormwater Management Certification

The stormwater management system must be completed to the satisfaction of the Principal Certifier prior to the issuing of an Occupation Certificate. The following documentation is required to be submitted upon completion of the stormwater management system and prior to a final inspection:

- Works as executed plans prepared on a copy of the approved plans;
- For Onsite Stormwater Detention (OSD) systems, a certificate of hydraulic compliance (Form B.11) from a hydraulic engineer verifying that the constructed OSD system will function hydraulically;
- For OSD systems, a certificate of structural adequacy from a structural engineer verifying that the structures associated with the constructed OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime;
- Records of inspections; and
- An approved operations and maintenance plan.

Where Council is not the Principal Certifier a copy of the above documentation must be submitted to Council.

96. Flood Protection Wall Certification

Certification that the flood protection wall has been constructed in accordance with the approved design and the conditions of this approval must be provided by the structural engineer.

97. Completion of Public Domain Works

An Occupation Certificate cannot be issued prior to the satisfactory completion of all public domain works covered by this consent. A satisfactory final inspection by Council's Construction Engineer is required in addition to the provision of the following documentation:

- (a) Works as Executed Plans
- (b) Stormwater Drainage CCTV Recording
- (c) Pavement Density Results
- (d) Structural Certification of Drainage Pits for all pits over 900x900mm in plan.

98. Performance/ Maintenance Security Bond

A performance/ maintenance bond of 5% of the total cost of the public domain works is required to be submitted to Council. The bond will be held for a minimum defect liability period of six months from the certified date of completion of the works. The minimum bond amount is \$5,000.00. The bond is refundable upon written application to Council and is subject to a final inspection.

99. Provision of Electrical Services

Submission of a notification of arrangement certificate confirming satisfactory arrangements have been made for the provision of electrical services. This must include the under-grounding of the existing electrical services fronting the site and removal of all redundant poles and cables, unless otherwise approved by Council in writing. The certificate must refer to this development consent and all of the lots created.

100. Property Condition Report – Private Assets

Before an Occupation Certificate is issued, an updated dilapidation report must be prepared and submitted to the certifying authority. The updated report must identify any damage to adjoining properties and the means of rectification for the approval of the certifying authority.

101. Provision of Telecommunication Services

The developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:

The installation of fibre-ready facilities to all individual lots and/ or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and

The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/ or premises in a real estate development project demonstrated through an agreement with a carrier.

Real estate development project has the meanings given in Section 372Q of the Telecommunications Act 1978 (Cth).

For small developments, NBN Co will issue a Provisioning of Telecommunications Services – Confirmation of Final Payment. For medium and large developments, NBN Co will issue a Certificate of Practical Completion of Developers Activities.

For non-fibre ready facilities, either an agreement advice or network infrastructure letter must be issued by Telstra confirming satisfactory arrangements have been made for the provision of telecommunication services. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council.

A copy of the works as executed (WAE) plans for the telecommunications infrastructure must also be submitted.

102. Final Plan and Section 88B Instrument

The final plan and Section 88B Instrument must be registered before the issue of an Occupation Certificate and shall provide for the following. Council's standard recitals must be used.

(a) Dedication – Road Widening

The dedication of the proposed road widening must be included on the final plan in accordance with the undertaking submitted relating to 2m wide dedication in Hughes Avenue.

(b) Easement – pedestrian link

An easement of the proposed local pedestrian link must be included on the final plans using the terms included in the standard recitals.

(c) Covenant – Onsite Waste Collection

The subject site must be burdened with a positive covenant relating to onsite waste collection using the “onsite waste collection” terms included in the standard recitals.

(d) Covenant – Water Sensitive Urban Design

The subject site must be burdened with a covenant that refers to the WSUD elements referred to earlier in this consent using the “water sensitive urban design elements” terms included in the standard recitals.

(e) Covenant – Onsite Stormwater Detention

The subject site must be burdened with a restriction and positive covenant using the “onsite stormwater detention systems” terms included in the standard recitals.

(f) Covenant – Stormwater Pump

The subject site must be burdened with a covenant using the “basement stormwater pump system” terms included in the standard recitals.

(g) Covenant – Flood Protection wall

The subject site must be burdened with a covenant preventing modification of the flood protection wall. Details of the wording must be approved by Council.

103. Internal Pavement Construction

Prior to any Occupation Certificate being issued, a Certified Practicing Engineer (CPEng) must submit a letter to Council confirming that the internal pavement has been constructed in accordance to the approved plans, and is suitable for use by a 12.5m long waste collection vehicle when fully laden (i.e. 28 tonnes gross vehicle mass).

104. Final Inspection of Waste Storage Area(s)

Prior to any Occupation Certificate being issued, a final inspection of the waste storage area(s) and associated management facilities must be undertaken by Council’s Resource Recovery Project Officer. This is to ensure compliance with Council’s design specifications and that necessary arrangements are in place for domestic waste collection by Council and its Domestic Waste Collection Contractor. The time for the inspection should be arranged at least 48 hours prior to any suggested appointment time.

105. Provision of Signage for Waste Storage Areas

Prior to any Occupation Certificate being issued, a complete full set of English and traditional Chinese waste education signage (garbage, recycling and no dumping) must be installed in a visible location on every internal wall of all waste storage areas. Additionally, one set of English and Chinese garbage and recycling signage must be provided above every chute opening on every floor. The signage must meet the minimum specifications below and must be designed

in accordance with Council's approved artwork. Waste signage artwork can be downloaded from Council's website; www.thehills.nsw.gov.au.

- Flat size: 330mm wide x 440mm high
- Finished size: 330mm wide x 440mm high. Round corners, portrait
- Material: Aluminium / polyethylene composite sheet 3.0mm, white (alupanel)
- Colours: Printed 4 colour process one side, UV ink
- Finishing: Over laminated gloss clear. Profile cut with radius corners and holes.

106. Domestic Waste Collection Risk Assessment

Prior to any Occupation Certificate being issued, a risk assessment must be undertaken on site by Council's Coordinator Resource Recovery. The time for the assessment must be arranged when clear unobstructed circulation in and out of the site is available for Council's Domestic Waste Contractor to perform a mock collection run at the site.

107. Waste Chute System Installation Compliance Certificate

Prior to any Occupation Certificate being issued, a letter of compliance must be submitted to and approved by the Principal Certifying Authority. The letter must be prepared by the equipment supplier/installer confirming that the Council approved waste chute system, including all associated infrastructure, has been installed to manufacture standards and is fully operational and satisfies all relevant legislative requirements and Australian standards.

108. Installation of Master Key System to Waste Collection Room

Before the issue of an Occupation Certificate, the site project manager must organise with Council's locksmith to install a lockbox fitted with Council's Waste Management Master Key System 'P3520' on an accessible external wall of the waste holding room. The lockbox must store the site-specific keys that open the waste holding room so that Council's Waste Collection Contractor can access the room for ongoing waste collection. The lockbox fitted with Council's Master Key System is to be installed through Council's locksmith at the cost of the developer. Please contact Council's Resource Recovery Project Officer to organise the installation.

109. In-shaft Goods Personnel Hoist Compliance Certificate

Before the issue of an Occupation Certificate, a letter of compliance must be submitted to and approved by the Principal Certifying Authority. The letter must be prepared by the equipment supplier/installer confirming that the in-shaft goods personnel hoist installed complies with AS1418.8. It is required that the in-shaft goods hoist has:

- A minimum platform of 3m x 2.4m (approx. 3m x 3m shaft),
- A capacity of at least 2000kg,
- Electrically operated roller doors with full width door opening interlocked to the safe operation of the hoist,
- Programmed automatically to lift or lower on a single button control,

- Design registered to carry personnel with SafeWork NSW and
- An operation speed of at least 9m per minute.

110. Design Verification Certificate

Prior to the release of the Occupation Certificate design verification is required from a qualified designer to confirm that the development has been constructed in accordance with approved plans and details and has satisfied the design quality principles consistent with this approval.

THE USE OF THE SITE

111. Offensive Noise - Acoustic Report

The use of the premises and/or machinery equipment installed must not create offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Council staff, an acoustic assessment is to be undertaken (by an appropriately qualified consultant) and an acoustic report is to be submitted to Council's Manager – Environment and Health for review. Any noise attenuation measures directed by Council's Manager - Environment and Health must be implemented.

112. Waste and Recycling Management

To ensure the adequate storage and collection of waste from the occupation of the premises, all garbage and recyclable materials emanating from the premises must be stored in the designated waste storage area(s), which must include provision for the storage of all waste generated on the premises between collections. Arrangement must be in place in all areas of the development for the separation of recyclable materials from garbage. All waste storage areas must be screened from view from any adjoining residential property or public place. A caretaker must be appointed to manage waste operations on site including undertaking all instructions issued by Council to enable waste collection. Waste storage area(s) must be kept clean and tidy, bins must be washed regularly, and contaminants must be removed from bins prior to any collection.

ATTACHMENT - Endeavour Energy Requirements

**Development Application and Planning Proposal Review
NSW Planning Portal Concurrence and Referral**



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
The Hills Shire Council	717/2023/JP	CNR-47066	Sanda Watts	24/10/2022	14/11/2022	25/10/2022

Address	Land Title
1-19 HUGHES AVENUE, 20-34 MIDDLETON AVENUE & 34 DAWES AVENUE CASTLE HILL 2154	Lots 203-207 DP 249973, Lots 301-313 DP 252593 and Lot 505 DP 258587

Scope of Development Application or Planning Proposal

Demolition of existing structures, consolidation of land, construction of four residential flat buildings consisting of 350 units, basement parking, landscaping, stormwater drainage and site works.

As shown in the below site plan from Endeavour Energy's G/Net master facility model:

There is:

- An easement benefitting Endeavour Energy (indicated by red hatching) for padmount substation no. 7947 located at 3 Hughes Avenue (Lot 306 DP 252593).
- Low voltage and 11,000 volt / 11 kilovolt (kV) high voltage underground cables to the Hughes Avenue road verge / roadway.
- Low voltage and 11 kV high voltage underground cables to the Dawes Avenue road verge / roadway.
- Low voltage underground cables coming from the opposite side of the road to low voltage pillars on the Middleton Avenue road verge.
- Low voltage underground service conductors coming from the low voltage pillars and low voltage panels in the streetlight columns going to the customer connection points for the existing dwellings.

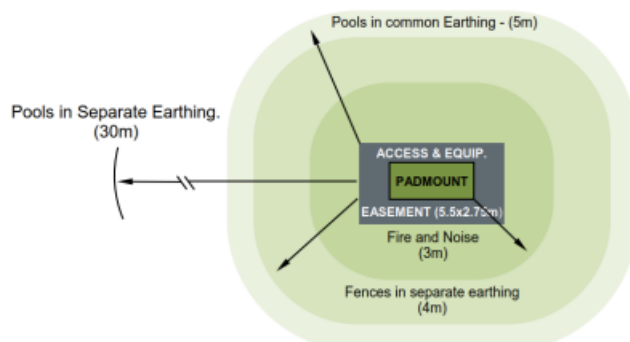
Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒.

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input type="checkbox"/>	<input type="checkbox"/>	24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995 (NSW)</i> .
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input type="checkbox"/>	<input type="checkbox"/>	28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input type="checkbox"/>	<input type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input type="checkbox"/>	31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Completed by:				Decision
Cornelis Duba				Approve (with conditions)

Reason(s) for Conditions / Decision (If applicable)

- The Statement of Environmental Effects does not appear to address the easement for padmount substation no. 7947 affecting the site.
- Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Figure A4.3 'Padmount easements and clearances', in addition to the easement also require:
 - Restriction for fire rating which usually extends 3 metres horizontally from the base of the substation footing / plinth.
 - Restriction for swimming pools which extends 5 metres from the easement.

A4.3 - Padmount easements and clearances

These clearances were introduced on a case for case basis from 2003 before becoming standard in 2009. The easement for padmount substation no. 7947 created under DP 252593 was registered in 1976 (please refer to the extract below). Whilst the restrictions are not included with the easement registered on the title to 3 Hughes Avenue (Lot 306 DP 252593), Endeavour Energy strongly recommends that they be considered and adopted for any new development.

- All encroachments and/or activities (works) within or affecting an easement or relevant to the restrictions for a padmount substation (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project and even if not part of the Development Application) need to be referred to Endeavour Energy's Easement Officer for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities within the easement.

For further information please refer to the attached copies of Endeavour Energy's:

- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
- The Infrastructure Report includes the following advice as to whether the available electricity services are adequate for the proposed development.

2.2.3 Electrical Servicing

The proposed development on all frontages has underground HV and LV cables. It is anticipated there will be sufficient capacity in the existing LV network to service the proposed development, however this is subject to the spare capacity within the existing infrastructure. The anticipated point of connection is the underground network to the development's frontage along Hughes Avenue utilising the existing infrastructure.

An application to Endeavour Energy will be necessary to commence the overall planning process. Endeavour Energy will issue a Connection Offer and Design Brief outlining the servicing requirements of the proposed development.

- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension and / or augmentation of the existing local network will be required. Whilst there are a number of padmount substations in the area (including padmount substation no. 7947 on the site) which are likely to have some spare capacity, it is not unlimited and unlikely to be sufficient to facilitate the proposed development.

Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.

- The required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant / Accredited Service Provider (ASP) prior to finalising plans in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.
- Driveways should be designed to increase the separation to the any electricity infrastructure on the road verge as much as reasonably possible.
- The planting of large / deep rooted trees to near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Development Application. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

Yours faithfully

Cornelis Duba

Development Application Specialist

Sustainability & Environment

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