

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No:	DA-24-00024
Development:	Staged Development to create 126 residential lots, involving a mix of Torrens title lots and community title lots, as well as residue lots, a community lot and new roads
Site:	Lot 100 DP 1233054 & Lot 10 DP 31540 H/N; 30-32 and 52 Advance Road, Schofields NSW 2762.

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

Date of determination: 20 May 2025

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 known as 30-32 and 52 Advance Road, Schofields NSW 2762.

The conditions of consent are as follows:

1 **ADVISORY NOTES**

1.1 **Terminology**

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 6.3, 6.4 or 6.16 of the Environmental Planning and Assessment Act 1979.

1.2 **Scope of Consent**

- 1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992 (Commonwealth). The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

- 1.2.2 The granting of this consent is limited to the following staged development:

- Stage 1: (6137-SUB- ST1-C)
 - i. Lot 300 – development lot including ROC 5 Wide
 - ii. Lot 301 - SP2 (regional basin) lot
 - iii. Lot 302 - residue
- Stage 2A: (6137-SUB- ST2A- F)
 - i. Lot 155 – South temp OSD basin lot
 - ii. Lot 156 – residue lot for the community title lots
 - iii. Torrens title lots 101-154
 - iv. Lot 100 – North temp OSD basin lot
- Stage 2B: (6137-SUB- ST2B- E)
 - i. Community title lots 2-63
- Stage 3A: (6137-SUB- ST3A-A)
 - a. Lots 201-202
- Stage 3B: (6137-SUB- ST3B-B)
 - b. Lot 203-210.

- 1.2.3 The applicant is required to lodge either a separate Development Application for Council's consideration, for any part of the site for which required demolition has not been approved by this consent, or a separate Complying Development Certificate where permitted by the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Any application made to Council must include a Site Plan, Site Investigation Report, Work Plan, and Waste Management Plan, for the disposal of the demolition materials and should also address potential contamination concerns. A copy of the contractor's licence as issued by WorkCover Authority NSW is also to be submitted.

1.3 **Subdivision Configuration**

- 1.3.1 The boundaries and configuration of the subdivision shall be consistent with the corresponding zone boundaries of State Environmental Planning Policy (Precincts: Central River City) 2021.

1.4 Other Approvals

- 1.4.1 A separate valid Subdivision Works or Construction Certificate shall be issued prior to commencement of any subdivision or building works.
- 1.4.2 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:
- (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
 - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
 - (c) demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and
 - (d) the installation of a vehicular footway crossing servicing the development, and
 - (e) separate Council approval under the Roads Act 1993 for any crane used to construct this development that swings over public air space.
- 1.4.3 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) the installation of a caravan, temporary structure, stormwater drainage in a public place, amusement device or other activity not being an exempt activity under Council's Local Approvals Policy adopted under the provisions of the Local Government Act 1993.
- 1.4.4 This consent does not authorise the encroachment of any building or structure over or within any easement.
- 1.4.5 If any aboriginal objects are found during construction, work is to cease immediately. NSW Environment and Heritage is to be notified and the site, and objects, are to be assessed by a suitably qualified Aboriginal Heritage Consultant in accordance with the requirements of NSW Environment and Heritage. No further works are to be undertaken on the site without the written consent of NSW Environment and Heritage.

1.5 Services

- 1.5.1 The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
 - (b) A recognised Energy provider
 - (c) Natural Gas Company
 - (d) The relevant local telecommunications carrier (including NBN)

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the

approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 1.5.2 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.
- 1.5.3 Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.
- 1.5.4 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.5.5 The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
- 1.5.6 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

1.6 **Dial Before You Dig**

- 1.6.1 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

1.7 **Telecommunications Act 1997 (Commonwealth)**

- 1.7.1 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.

1.8 Tree Planting and Service Locations (After all other services)

1.8.1 Street tree planting must not impact on public utilities. The applicant should liaise with the relevant service authorities on the location and use of services within the public road reserve. These authorities may be able to lay their services on the opposite side of the road, thereby providing larger areas for tree planting.

1.8.2 Street tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

1.9 Identification Survey

1.9.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.10 Road Damage

1.10.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued

1.11 Engineering Notes

1.11.1 All works requiring approval under the *Roads Act 1993* (except standard vehicular crossings) or *Local Government Act 1993* must be approved PRIOR to the issue of the relevant Construction Certificate or Subdivision Works Certificate.

1.12 Payment of Engineering Fees

1.12.1 If the applicant wishes for Council to issue the Construction Certificate or Subdivision Works Certificate as nominated in the 'Prior to Construction Certificate/Subdivision Works Certificate please:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

1.13 Other Matters.

1.13.1 This plan of subdivision is not to be released until Public Road access is provided. This may require the registration of the adjoining subdivision.

2 GENERAL

2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

DRAWING/DOCUMENT	Drawing No/Ref	Rev	Date
Architectural Plan by Archidrome			
Cover	N/A	N/A	N/A
MASTER PLAN SUBDIVISION	M01	R-00	20/03/2025
BIN LAYOUT PLAN + PITS	s01.a	R-00	20/03/2025
BIN LAYOUT PLAN	B1.a	R-00	20/03/2025
UNIT PLAN- 3B (LOT 7.35m x 21.3m)	A 01	R-05	20/03/2025
UNIT PLAN-3BX (LOT 7.35m x 21.3m)	A 02	R-05	20/03/2025
UNIT PLAN - 3B1 (LOT 7.3m x 22m)	A 03	R-05	20/03/2025
UNIT PLAN - 3B1X (LOT 7.3m x 22m)	A 04	R-05	20/03/2025
UNIT PLAN - 3B2 (LOT 7.665m x 20m)	A 05	R-05	20/03/2025
UNIT PLAN - 3B3 (LOT 7.25m x 20m)	A 06	R-05	20/03/2025
UNIT PLAN - 3B4 (LOT 7.25m x 20m)	A 07	R-05	20/03/2025
ELEVATIONS - TYPE 3B FACADE TYPE 1	- 01.1	R-05	20/03/2025
ELEVATIONS - TYPE 3B FACADE TYPE 2	E01.2	R-05	20/03/2025
ELEVATIONS - TYPE 3B FACADE TYPE 3	E01.3	R-05	20/03/2025
ELEVATIONS- TYPE 3BX FACADE TYPE 1	- 02.1	R-05	20/03/2025
ELEVATIONS- TYPE 3BX FACADE TYPE 2	E02.2	R-05	20/03/2025
ELEVATIONS- TYPE 3BX FACADE TYPE 3	E02.3	R-05	20/03/2025
ELEVATIONS - TYPE 3B1 FACADE TYPE 1	- 03.1	R-05	20/03/2025
ELEVATIONS - TYPE 3B1 FACADE TYPE 2	- 03.2	R-05	20/03/2025
ELEVATIONS - TYPE 3B1X FACADE TYPE 1	E04.1	R-05	20/03/2025
ELEVATIONS - 3B2	E05.1	R-05	20/02/2025
ELEVATIONS - 3B3	E06.1	RR-05	20/03/2025
ELEVATIONS - TYPE 3B4 FACADE TYPE 1	E07.1	R-0	20/03/2025
VIEWS - TYPE 3B - FACADE 1	VO1.1	R-05	20/03/2025
VIEWS - TYPE 3B - FACADE 2	V01.2	R-05	20/03/2025
VIEWS - TYPE 3B - FACADE 3	V01.3	R-05	20/03/2025

VIEWS - TYPE 3BX - FACADE 1	V02.1	R-00	20/03/2025
VIEWS - TYPE 3BX - FACADE 2	V02.2	R-00	20/03/2025
VIEWS - TYPE 3BX-FACADE 3-MATERIAL 1	V02.4	R-00	20/03/2025
VIEWS - TYPE 3BX - FACADE 3 - MATERIAL 2	V02.3	R-00	20/03/2025
VIEWS - TYPE 3B1 FACADE 1	V03.3	R-00	20/03/2025
VIEWS - TYPE 3B1- FACADE 2	V03.2	R-00	20/03/2025
VIEWS - TYPE 3B1X FACADE	V04.1	R-00	20/03/2025
VIEWS - TYPE 3B1X - FACADE 2	V04.2	R-00	20/03/2025
VIEWS - TYPE 3B2 FACADE 1	V05.1	R5	20/03/2025
VIEWS - TYPE 3B3 FACADE 1	V06.1	R5	20/03/2025
VIEWS - TYPE 3B3 FACADE 2	V06.2	R5	20/03/2025
VIEWS - TYPE 3B4 FACADE 1	V07.1	R5	20/03/2025
UNIT PLAN - 4BX (LOT 8m x 22m)	A08	R-05	20/03/2025
UNIT PLAN - 4BX - B (LOT 8m x 22m)	A09	R-05	20/03/2025
UNIT PLAN - 4B1 (LOT 8.3m x 21.3m)	A10	R-05	20/03/2025
UNIT PLAN - 4B1X (LOT 8.3m x 21.3m)	A11	R-05	20/03/2025
UNIT PLAN - TYPE 4B2 FACADE TYPE 1	A12	R-05	20/03/2025
UNIT PLAN - TYPE 4B3 01	A13A	R-05	20/03/2025
UNIT PLAN - TYPE 4B3 02	A13B	R-05	20/03/2025
UNIT PLAN - TYPE 4B4 FACADE TYPE 1	A14	R-05	20/03/2025
UNIT PLAN 4B5 (LOT 8.54m x 22.95m)	A15	R-05	20/03/2025
UNIT PLAN - TYPE 4B6 01	A16	R-05	20/03/2025
UNIT PLAN - TYPE 4B6 02	A16B	R-05	20/03/2025
UNIT PLAN 4BT (LOT 7.3m x 22.6m)	A17	R-05	20/03/2025
UNIT PLAN 4BS - (LOT 10.9m x 17.77m) WITH BALCONY	A18	R-05	20/03/2025
UNIT PLAN 4BS - (LOT 10.9m x 17.77m) WITHOUT BALCONY	A18	R-05	20/03/2025
UNIT PLAN 4BL - (LOT 11m x 18m) WITH BALCONY	A19	R-05	20/03/2025
UNIT PLAN 4BL - (LOT 11m x 18m) WITHOUT BALCONY	A19	R-05	20/03/2025
UNIT PLAN 4BC (LOT 8m x 17.3m)	A20	R-05	20/03/2025
ELEVATIONS - TYPE 4BX 01 FACADE TYPE 1	E08.1	R-05	20/03/2025
ELEVATIONS - TYPE 4BX 02 FACADE TYPE 2	E08.2	R-05	20/03/2025
ELEVATIONS - TYPE 4B1_01 FAÇADE TYPE 1	E010.1	R-05	17/03/2025
ELEVATIONS - TYPE 4B1_02 FAÇADE TYPE 2	E010.2	R-05	17/02/2025

ELEVATIONS - TYPE 4B1_03 FACADE TYPE 3	E010.3	R-05	17/02/2025
ELEVATIONS - TYPE 4B1X_01 FACADE TYPE 1	E011.1	R-05	18/02/2025
ELEVATIONS - TYPE 4B1X_02 FACADE TYPE 2	E011.2	R-05	18/02/2025
ELEVATIONS - TYPE 4B1X_03 FACADE TYPE 3	E011.3	R-05	18/02/2025
ELEVATIONS - TYPE 4B2 FACADE TYPE 1	E012	R-05	12/03/2025
ELEVATIONS - TYPE 4B3 (a) FACADE TYPE 1	E13a	R-05	14/03/2025
ELEVATIONS - TYPE 4B3 (b) FACADE TYPE 1	E013b	R-05	14/03/2025
ELEVATIONS - TYPE 4B4 FACADE TYPE 1	E014	R-05	12/03/2025
ELEVATIONS - TYPE 4B5 FACADE TYPE 1	E015	R-05	6/03/2025
ELEVATIONS - TYPE 4B6 (a) FACADE TYPE 1	E016a	R-05	13/03/2025
ELEVATIONS - TYPE 4B6 (b) FACADE TYPE 1	E016b	R-05	12/03/2025
ELEVATIONS - TYPE 4BT FACADE TYPE 1	E017	R-05	18/03/2025
ELEVATIONS - TYPE 4BS FACADE TYPE 3	E18.1	R-05	11/03/2025
ELEVATIONS - TYPE 4BS FACADE TYPE 1 MATERIAL 1	E18.2	R-05	11/03/2025
ELEVATIONS - TYPE 4BL FACADE TYPE 1	E19.1	R-05	11/03/2025
ELEVATIONS - TYPE 4BL FACADE TYPE 2	E19.2	R-05	11/03/2025
ELEVATIONS - TYPE 4BC FACADE TYPE 1	E20	R-05	6/03/2025
VIEWS - TYPE 4BX FACADE 1 MATERIAL 1 (LOT NO. 7)	V08.1	R-00	20/03/2025
VIEWS - TYPE 4BX FACADE 2 MATERIAL 2 (LOT NO.11)	V08.2	R-00	20/03/2025
VIEWS - TYPE 4BX FACADE 1 MATERIAL 2 (LOT NO. 5)	V08.3	R-00	20/03/2025
VIEWS - TYPE 4BX FACADE 1 MATERIAL 3 (LOT NO. 7)	V08.4	R-00	20/03/2025
VIEWS - TYPE 4BX FACADE (MATERIAL 1: LOT NO. 3)	V08.5	R-00	20/03/2025
VIEWS - TYPE 4BX FACADE 4 (LOT NO. 133)	V08.6	R5	20/03/2025
VIEWS - TYPE 4BX B FACADE 1 MATERIAL 1(LOT NO. 35)	V09.1	R-00	20/03/2025
VIEWS - TYPE 4BX B FACADE 2 MATERIAL 1(LOT NO. 27)	V09.2	R-00	20/03/2025
VIEWS - TYPE 4BX B FACADE 1 MATERIAL 2(LOT NO. 31)	V09.3	R-00	20/03/2025
VIEWS - TYPE 4BX B FACADE 1 MATERIAL 3(LOT NO. 27, 52 AND 55)	V09.4	R-00	20/03/2025

VIEWS - TYPE 4B1 - FACADE 1 (LOT NO. 15, 40)	V10.1	R-00	20/03/2025
VIEWS - TYPE 4B1 - FACADE 2 (LOT NO. 51, 57)	V10.2	R-00	20/03/2025
VIEWS - TYPE 4B1 - FACADE 3 (LOT NO. 38, 58 , 108)	V10.3	R-00	20/03/2025
VIEWS - TYPE 4B1X - FACADE 1 (LOT NO. 39, 49, 59 , 111)	V11.1	R-00	20/03/2025
VIEWS - TYPE 4B1X-FACADE 2 (LOT NO. 50 ,37)	V11.2	R-00	20/03/2025
VIEWS - TYPE 4B2 FACADE 1 (LOT NO. 88)	V12	R-05	20/03/2025
VIEWS - TYPE 4B3 FACADE 1 (LOT NO. 116)	V13	1A ST N	20/03/2025
VIEWS - TYPE 4B4 (LOT NO. 116)	V14	R-05	20/03/2025
VIEWS - TYPE 4B5 (LOT NO. 146)	V15	R5	20/03/2025
VIEWS - TYPE 4B6 FACADE 1 (LOT NO. 115)	V16	R-05	20/03/2025
VIEWS - TYPE 4BT FACADE 1 (LOT NO.149)	V17	R-05	20/03/2025
VIEWS - TYPE 4BS with balcony FACADE 1 (LOT NO. 83)	V18	R-05	20/03/2025
VIEWS - TYPE 4BS without balcony (LOT NO. 82)	V18.2	R5	20/03/2025
VIEWS - TYPE 4BS without balcony FACADE 2 (MATERIAL 3: LOT NO. 84)	V18.3	R5	20/03/2025
VIEWS - TYPE 4BL with balcony FACADE 1 (MATERIAL 1: LOT NO. 119)	V19	R-05	20/03/2025
VIEWS - TYPE 4BL FACADE 1 (LOT NO. 125)	V19	R5	5/03/2025
VIEWS - TYPE 4BL with balcony FACADE 2 (LOT NO. 118)	V19.1	R5	20/03/2025
VIEWS - TYPE 4BL FACADE 3(LOT NO. 131)	V19.2	R5	20/03/2025
VIEWS - TYPE 4BL without balcony(LOT NO. 120)	V19.3	R5	20/03/2025
VIEW - TYPE 4BL FACADE 4 LOTS: 124	V19.4	R5	20/03/2025
VIEWS - TYPE 4BC - FACADE 1 (LOT NO. 45, 63)	V20	R-00	20/03/2025
UNIT PLAN 5B- (LOT 9m x 21.3m)	A21	R-05	20/03/2025
UNIT PLAN 5B- (LOT 9m x 21.3m)	A21.2	R-05	20/03/2025
UNIT PLAN 5BX- (LOT 9m x 21.3m)	A22	R-05	20/03/2025
UNIT PLAN 5B1 - (LOT 11.8m x 21.3m) REVISED	A23	R-05	20/03/2025
UNIT PLAN - TYPE 5B2	A24	R-05	20/03/2025
UNIT PLAN - TYPE 5B2X	A25	R-05	20/03/2025
UNIT PLAN - TYPE 5B3 FACADE TYPE 1	A26	R-05	20/03/2025

UNIT PLAN - TYPE 5B3X FACADE TYPE 1	A27	R-05	20/03/2025
UNIT PLAN 5B4 - (LOT 7.53m x 26m) REVISED	A28	R-05	20/03/2025
UNIT PLAN 5B4 - (LOT 7.53m x 26.5m) REVISED	A28.2	R-05	20/03/2025
UNIT PLAN 5B4X - (LOT 7.53m x 26m) REVISED	A29	R-05	20/03/2025
UNIT PLAN 5B4X - (LOT 7.53m x 26.5m) REVISED	A29.2	R-05	20/03/2025
UNIT PLAN 5B5 - (LOT 7.33m x 33.86m) REVISED	A30	R-05	20/03/2025
UNIT PLAN 5B5X-(LOT 7.33m x 33.86m) REVISED	A31	R-05	20/03/2025
UNIT PLAN 5BC REVISED	A32	R-05	20/03/2025
UNIT PLAN 5BC FIRST FLOOR OP 1 REVISED	A32.1	R-05	20/03/2025
UNIT PLAN 5BC FIRST FLOOR OP 2 REVISED	A32.2	R-05	20/03/2025
UNIT PLAN 5BC2 REVISED	A33	R-05	20/03/2025
UNIT PLAN 5BC2 FIRST FLOOR OP 1 REVISED	A33	R-05	20/03/2025
UNIT PLAN 5BC2 FIRST FLOOR OP 2 REVISED	A33.2	R-05	20/03/2025
UNIT PLAN 5BC3 REVISED	A34	R-05	20/03/2025
UNIT PLAN 5BC3 REVISED	A34	R-05	20/03/2025
UNIT PLAN - TYPE 5BC4 GF	A35	R-05	10/03/2025
UNIT PLAN - TYPE 5BC4 FF	A35B	R-05	20/03/2025
UNIT PLAN 5BE	A36	R-05	20/03/2025
UNIT PLAN 5BE	A36	R-05	20/03/2025
UNIT PLAN 5BE2 - Basement Level	A37	R-05	20/03/2025
UNIT PLAN 5BE2 - Ground Floor	A37	R-05	20/03/2025
UNIT PLAN 5BE2 - First Floor	A37	R-05	20/03/2025
UNIT PLAN 5BE3 - Basement Level	A38	R-05	20/03/2025
UNIT PLAN 5BE3 - Ground Floor	A38	R-05	20/03/2025
UNIT PLAN 5BE3 - First Floor	A38	R-05	20/03/2025
UNIT PLAN 5B (LOT 8m x 22m) SIDE ACCESS	A39	R-05	20/03/2025
UNIT PLAN 5BXT - (LOT 10.88m x 21.3m)	A40	R-05	20/03/2025
UNIT PLAN 5BXT - (LOT 11.335m x 21.3m)	A40.1	R-05	20/03/2025
ELEVATIONS - UNIT 5B FACADE TYPE 1	E21.1	R-05	20/03/2025
ELEVATIONS - UNIT 5B FACADE TYPE 2	A21.2	R-05	20/03/2025
ELEVATIONS - UNIT 5BX FACADE TYPE 1	A22.1	R-05	20/03/2025
ELEVATIONS - TYPE 5B1 FACADE TYPE 1	A23.1	R-05	20/03/2025

ELEVATIONS - TYPE 5B2 FACADE TYPE 1	A24.1	R-05	20/03/2025
ELEVATIONS - TYPE 5B2X FACADE TYPE 1	A25.1	R-05	20/03/2025
ELEVATIONS - TYPE 5B3 FACADE TYPE 1	A26.1	R-05	20/03/2025
ELEVATIONS - TYPE 5B3 FACADE TYPE 2	A26.2	R-05	20/03/2025
ELEVATIONS - TYPE 5B3X FACADE TYPE 1	A27.1	R-05	20/03/2025
ELEVATIONS - TYPE 5B3X FACADE TYPE 2	A27.2	R-05	20/03/2025
ELEVATIONS - TYPE 5B3X FACADE TYPE 3	A27.3	R-05	20/03/2025
ELEVATIONS - UNIT 5B4 FACADE TYPE 1	E28.1	R-05	20/03/2025
ELEVATIONS - UNIT 5B4X FACADE	E29.1	R-05	20/03/2025
ELEVATIONS - UNIT 5B4X FACADE 2	E29.2	R-05	20/03/2025
ELEVATIONS - UNIT 5B5 FACADE 1	E30.1	R-05	20/03/2025
ELEVATIONS - UNIT 5B5 FACADE 2	A30.2	R-05	20/03/2025
ELEVATIONS - UNIT 5B5X FACADE 1	E31.1	R-05	20/03/2025
ELEVATIONS - UNIT 5B5X FACADE 2	E31.2	R-05	20/03/2025
ELEVATIONS - UNIT 5BC FACADE 1	A32.1	R-05	20/03/2025
ELEVATIONS - UNIT 5BC FACADE 2	E32.2	R-05	20/03/2025
ELEVATIONS - UNIT 5BC2 FACADE 1	E33.1	R-05	20/03/2025
ELEVATIONS - UNIT 5BC2 FACADE 2	E33.2	R-05	20/03/2025
ELEVATIONS - UNIT 5BC3 FACADE 1	E34.1	R-05	20/03/2025
ELEVATIONS -1 - TYPE 5BC4 FACADE TYPE 1	E35.1	R-05	20/02/2025
ELEVATIONS -2 - TYPE 5BC4 FACADE TYPE 1	E35.1.1	N/A	20/03/2025
ELEVATIONS - TYPE 5BE FACADE TYPE 1 MATERIAL 1 - Front and Rear Elevation	E36.1	R-05	N/A
ELEVATIONS - TYPE 5BE FACADE TYPE 1 MATERIAL 1 - Left and Right Elevation	E36.1	R-05	N/A
VIEWS - TYPE 5B - FACADE 1 - MATERIAL 1 (LOT NO. 19, 201)	V21.1	R-00	20/03/2025
VIEWS - TYPE 5B FACADE 3 (LOT NO. 123)	V21.4	R5	20/03/2025
VIEWS - TYPE 5BX - FACADE 1 (LOT NO. 22)	V22.1	R-00	20/03/2025
VIEWS - TYPE 5B1- FACADE 1 LOT NO. 23,112)	V23.1	R-00	20/03/2025

VIEWS - TYPE 5B2 FACADE 1 (LOT NO.155)	V24.1	R5	20/03/2025
VIEWS - TYPE 5B2 FACADE 2 (LOT NO. 157)	V24.2	R5	20/03/2025
VIEWS - TYPE 5B2X FACADE 1 (LOT NO. 154)	V25.1	N/A	20/03/2025
VIEWS - TYPE 5B3 FACADE 1 (LOT NO. 151)	V26.1	R5	20/03/2025
VIEWS - TYPE 5B3 FACADE 2 (LOT NO. 153)	V26.2	R5	20/03/2025
VIEWS - TYPE 5B3X FACADE 1 (LOT NO. 150)	V27.1	R5	20/03/2025
VIEWS - TYPE 5B3X FACADE 2 (LOT NO. 96)	V27.2	R5	20/03/2025
VIEWS TYPE 5B4 FACADE TYPE 1-MATERIAL 1 (LOT NO. 143)	V28.1	R-05	20/03/2025
VIEWS TYPE 5B4 FACADE TYPE 1-MATERIAL 2 (LOT NO. 141)	V28.2	R-05	20/03/2025
VIEWS TYPE 5B4X FACADE TYPE 1 (LOT NO. 141)	V29.1	R-05	20/03/2025
VIEWS TYPE 5B4X FACADE TYPE 2 (LOT NO. 140)	V29.2	R-05	20/03/2025
VIEWS TYPE 5B5 FACADE TYPE 1 (LOT NO. 139)	V30.1	R-05	20/03/2025
VIEWS TYPE 5B5 FACADE TYPE 2 (LOT NO. 137)	V30.2	R-05	20/03/2025
VIEWS TYPE 5B5X FACADE TYPE 1 (LOT NO. 138)	V31.1	R-05	20/03/2025
VIEWS TYPE 5B5X FACADE TYPE 2 (LOT NO. 136)	V31.2	R-05	20/03/2025
VIEWS TYPE 5BC FACADE TYPE 1 (LOT NO. 126)	V32.1	R-05	20/03/2025
VIEWS TYPE 5BC FACADE TYPE 2-MATERIAL 1 (LOT NO. 127)	V32.2	R-05	20/03/2025
VIEWS TYPE 5BC FACADE TYPE 2-MATERIAL 2 (LOT NO. 122)	V32.3	R-05	20/03/2025
VIEWS TYPE 5BC2 FACADE TYPE 1 (LOT NO. 134)	V33.1	R-05	20/03/2025
VIEWS TYPE 5BC2 FACADE TYPE 2 (LOT NO. 159)	V33.2	R-05	20/03/2025
VIEWS TYPE 5BC3 FACADE TYPE 1 (LOT NO. 121)	V34.1	R-05	20/03/2025
VIEWS TYPE 5BC4 FACADE TYPE 1 (LOT NO. 121)	V35.1	R-05	20/03/2025
VIEWS - TYPE 5BE FACADE 1 (LOT NO. 85)	V36.1	R5	20/03/2025
VIEWS - TYPE 5BE2 FACADE 1 (LOT NO. 114)	V37.1	R5	20/03/2025
VIEWS - TYPE 5BE3 FACADE 1 (LOT NO. 113)	V38.1	R5	20/03/2025
VIEWS - TYPE 5BS FACADE 1 MATERIAL 1 (LOT NO. 4, 10)	V39.1	R-00	20/03/2025
VIEWS - TYPE 5BS FACADE 2 MATERIAL 1 (LOT NO. 8)	V39.2	R-00	20/03/2025

VIEWS - TYPE 5BS FACADE 1 MATERIAL 2 (LOT NO. 12)	V39.3	R-00	20/03/2025
VIEWS - TYPE 5BS FACADE TYPE 3 MATERIAL 1(LOT NO. 8)	V39.4	R-00	20/03/2025
VIEWS - TYPE 5BXT- FACADE 1 (LOT NO.44)	V40.1	R-00	17/03/2025
MATERIAL SCHEDULE	MS01	R-05	20/03/2025
MATERIAL SCHEDULE	MS02	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE	S01a	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE	S01b	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE	S01c	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE	S01d	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE	S01e	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 9:00AM	S02	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 10:00AM	S03	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 11:00AM	S04	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 12:00PM	S05	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 1:00PM	S06	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 2:00PM	S07	R-05	20/03/2025
SOLAR ACCESS COMPLIANCE 3:00PM	S08	R-05	20/03/2025
DOOR & WINDOW SCHEDULE	DW1	R-05	20/03/2025
DOOR & WINDOW SCHEDULE	DW2	R-05	20/03/2025
DOOR & WINDOW SCHEDULE	DW3	R-05	20/03/2025
DOOR & WINDOW SCHEDULE	DW4	R-05	20/03/2025
DOOR & WINDOW SCHEDULE	DW5	R-05	20/03/2025
SUBDIVISION PLAN			
MASTER PLAN OF SUBDIVISION OF LOT 300 IN A PROPOSED SUBDIVISION OF LOT 100 IN DP1233054 & LOT 10 IN DP31540 BEING No.30-32 & 52 ADVANCE STREET, SCHOFIELDS	6137-MASTER_G	G	06/05/2025
PLAN OF PROPOSED SUBDIVISION OF LOT 100 IN DP 1233054 AND LOT 10 IN DP 31540 BEING No.30-32 & 52 ADVANCE STREET, SCHOFIELDS	6137-SUB-ST1_C	C	29/01/2025
PLAN OF PROPOSED SUBDIVISION OF LOT 300 IN A PROPOSED SUBDIVISION OF LOT 100 IN DP1233054 & LOT 10 IN DP31540 BEING No.30-32 & 52 ADVANCE STREET, SCHOFIELDS	6137-SUB-ST2A_F	F	06/05/2025

PLAN OF PROPOSED COMMUNITY TITLE SUBDIVISION OF LOT 156 IN A PROPOSED SUBDIVISION OF LOT 300 IN DP1233054 & LOT 10 IN DP31540 BEING No.30-32 & 52 ADVANCE STREET, SCHOFIELDS	6137-SUB-ST2B_E	E	01/05/2025
PLAN OF PROPOSED SUBDIVISION OF LOT 100 IN A PROPOSED SUBDIVISION OF LOT 300 IN DP1233054 & LOT 10 IN DP31540 BEING No.30-32 & 52 ADVANCE STREET, SCHOFIELDS	6137-SUB-ST3A_A	A	11/03/2025
PLAN OF PROPOSED SUBDIVISION OF LOT 155 IN A PROPOSED SUBDIVISION OF LOT 300 IN DP1233054 & LOT 10 IN DP31540 BEING No.30-32 & 52 ADVANCE STREET, SCHOFIELDS	6137-SUB-ST3B_B	B	29/04/25
LANDSCAPE CONCEPT PLANS			
Cover Page		F	05/05/2025
OVERALL LANDSCAPE & PUBLIC DOMAIN PLAN	G204_LP_00	F	05/05/2025
TREE RETENTION & REMOVAL PLAN	G204_LP_01	F	05/05/2025
LANDSCAPE CONCEPT: DETAIL PLAN 1	G204_LP_02	F	05/05/2025
LANDSCAPE CONCEPT: DETAIL PLAN 2	G204_LP_03	F	05/05/2025
LANDSCAPE CONCEPT: DETAIL PLAN 3	G204_LP_04	F	05/05/2025
LANDSCAPE CONCEPT: DETAIL PLAN 4	G204_LP_05	F	05/05/2025
PLANTING PALETTE	G204_LP_06	F	05/05/2025
DETAILS, SPECIFICATION & NOTES	G204_LP_07	F	05/05/2025
OTHER DOCUMENTS			
Arboricultural Impact Statement prepared by Creating Planning Solutions Pty Limited	G204	C	05/05/2025
BASIX Certificate prepared by Eco-Mantra Design	1731808M_02		3/4/2025
Stormwater Management Report by Mepstead & Associates	6137	6	09/05/2025
Traffic and Parking Impacts Report by TEF Consulting	23088	1	26/02/2024
Waste Management Plan by Dickens Solutions	23264		February 2024
Aboriginal Heritage Assessment by Artefact	N/A	N/A	30/11/2023
Combined Stage 1 and Stage 2 Detailed Site Investigation by	DRM P23.1040-R01		7/11/2023

Development Risk Management Pty Ltd			
Remedial Action Plan by Development Risk Management Pty Ltd	DRM P23.1040-R05	N/A	6/12/2023
Flood Impact Assessment	20173-R01-Mepstead-30-32AdvanceStSchofields-FIA-0.docx	0	21/12/2023
Salinity Assessment by Development Risk Management Pty Ltd	DRM P23.1040-R04		11/12/2023
Vegetation Management Plan by Environmental Services & Education Australia Pty Ltd	20240040	2.0	06/05/2025
Streamlined Assessment (BDAR) for Small Area	20240040	4.0	06/05/2025

* Unless modified by any conditions of this consent.

2.1.2 This consent (DA-24-00024) grants approval for the following, subject to full compliance with all other conditions of this consent:

- Stage 1: (6137-SUB- ST1-C)
 - c. Lot 300 – development lot including ROC 5 Wide
 - d. Lot 301 - SP2 (regional basin) lot
 - e. Lot 302 - a half lot dedicated either as road or reserve
- Stage 2A: (6137-SUB- ST2A-F)
 - a. Lot 155 – South temp OSD basin lot
 - b. Lot 156 – residue lot for the community title lots
 - c. Torrens title lots 101-154
 - d. Lot 100 – North temp OSD basin lot
- Stage 2B: (6137-SUB- ST2B- E)
 - a. Community title lots 2-63 and Community Property Lot 1
- Stage 3A: (6137-SUB- ST3A-A)
 - f. Lots 201-202
- Stage 3B: (6137-SUB- ST3B-B)
 - g. Lot 203-210.

2.2 Services

2.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

2.3 Suburb Name

2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: Schofields

2.3.2 Any advertising of land sales in association with the approved development shall clearly indicate that the development is located in the following suburb. No other estate names shall be used in any advertisements or other promotional information:

Suburb: Schofields

2.4 Tree Removal

- 2.4.1 Any tree not indicated on the approved Development Plans as being removed shall be effectively protected against damage, in accordance with AS:4970-2009 Protection of Trees on Development Sites and the approved Tree Management Plan.

2.5 Inconsistency between Documents

- 2.5.1 If there is any inconsistency between the plans and documentation referred to in the consent, the most recent document or plan will prevail to the extent of the inconsistency. However, conditions of the consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved sections and plans, the plans prevail

2.6 Compliance with BASIX Certificate

- 2.6.1 All commitments listed in the Amended BASIX Certificate numbers shall be complied with the following revision numbers:

Certificate No.: 1731808M_04 dated 7 May 2025 prepared by ECO-MANTRA DESIGN

The BASIX Certificates are to be revised to accord with the final approved plans.

2.7 Water NSW Requirements

- 2.7.1 Any requisite controlled activity approval required for the development under the Water Management Act 2000 must be obtained and complied with.

2.8 Waste Management Plan

- 2.8.1 The development is to be carried out generally in accordance with the approved waste management plan.

2.9 Salinity

- 2.9.1 At the completion of subdivision works, a post works salinity assessment shall be carried out and provide appropriate recommendations on construction materials for floor slab, footings and internal beams in accordance with AS2870-2011 'Residential Slabs and Footings'.

2.10 Imported "Waste Derived" Fill Material

- 2.10.1 The only waste derived fill material that may be received at the development site is:
- (a) virgin excavated natural material (within the meaning of the *Protection of the Environment Operations Act 1997*),
 - (b) any other waste-derived material the subject of a resource recovery exception under cl.51A of the *Protection of the Environment Operations (Waste) Regulation 2005* that is permitted to be used as fill material.

2.11 Other Matters

- 2.11.1 No construction preparatory work, excavation, filling, and the like shall be undertaken on the land prior to a valid Construction or Subdivision Works Certificate being issued for the relevant works.
- 2.11.2 Any future substation, temporary drainage works, or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.
- 2.11.3 All new and replacement boundary fencing associated with this development is to be at full cost to the parties acting on this consent.

2.12 **Aboriginal Archaeological Finds**

- 2.12.1 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately. NSW Environment and Heritage is to be notified and the site and objects are to be assessed by a suitably qualified Aboriginal Heritage Consultant in accordance with the requirements of NSW Environment and Heritage. No further works are to be undertaken on the site without written consent of NSW Environment and Heritage.

2.13 **Engineering Matters**

2.13.1 **Design and Works Specification**

- 2.13.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version)
including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council Growth Centre Precincts Development Control Plan
- (e) Blacktown City Council On Site Detention General Guidelines and Checklist

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.13.1.2 The Applicant is required to submit to Council, Bonds and/or Contributions for works associated with the development in conjunction with the civil engineering works required to be constructed as part of this development. Works may include:

- Path Paving construction
- Final Layer Asphaltic Concrete (AC) construction
- Maintenance of the construction works
- Removal of temporary infrastructure

These matters will be individually addressed within the consent

Note: A bond release inspection fee will apply.

2.13.1.3 Prior to release of any bond securities held by Council for civil engineering works, the payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.

2.13.1.4 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

2.13.2 Other Necessary Approvals

2.13.2.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

2.13.3 Subdivision

2.13.3.1 Principal Certifying Authority - Blacktown City Council shall be the Principal Certifying Authority for the proposed subdivision and shall issue the Subdivision Certificate.

2.14 Other Matters

2.14.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction or Subdivision Works Certificate being issued for the works.

2.14.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

2.15 Tree Planting and Service Locations

2.15.1 Street tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

2.16 Stormwater Quality Improvement Works

- 2.16.3 The developer is to maintain the temporary detention basin and temporary water quality treatment measures and these measures are not to be removed, nor the positive covenants lifted, until the downstream regional Council detention basin including water quality measures are completed.
- 2.16.4 Each year by the first business day on or after 1 September the registered proprietor/owners corporation is to provide to Council's Asset Design Services Section a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All materials removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.

3 PRIOR TO SUBDIVISION WORKS CERTIFICATE

3.1 Biodiversity

- 3.1.1 A Biodiversity Management Plan (BMP) is to be provided to Council for consideration. The BMP is to be prepared by a person who has qualifications and experience in respect of ecology must include the following:
- a) biodiversity management strategies for pre-construction, construction and post construction activities including environmental control measures for the pre-clearing process.
 - b) a fauna rescue and release procedure. Where tree removal is required then a licensed wildlife carer or ecologist will be required on site as a fauna handler ('Rescuer' under the Code) during tree removal works.
 - c) a release site within 100m of the site is to be nominated by the Project Ecologist prior to clearing.
 - d) removal of trees with habitat hollows and / or nests shall be undertaken in a methodology that minimises impact to fauna, particularly threatened fauna that could breed and or hibernate within hollows /nests on site.
 - e) a procedure for controlling the introduction and spreading of weeds and pathogens, including hygiene protocols and the arrangements for monitoring;
 - f) proposed strategies for re-use of top soil, tree hollows, logs, coarse woody debris and bush rock.
 - All identified tree hollows proposed to be removed, are to be salvaged and placed in on-site retained or nearby bushland areas under the direction of an ecologist to Council's satisfaction.
 - For all tree hollows not able to be salvaged, they are to be replaced with nest boxes or artificial hollows with three nest boxes / artificial hollows for every one hollow removed.
 - g) a procedure for dealing with unexpected threatened species finds. The procedure must include, as a minimum, the following:
 - i. stop work arrangements in the immediate area of the threatened species;

- ii. notification and communication protocol;
 - iii. consultation with the specialists to assess the significance of the find;
and
 - iv. a list of approvals, licences or permits likely required prior to recommencing works.
- h) if trees or areas of vegetation are to be retained as part of the development, the procedures and methods for identifying and protecting the areas of vegetation to be retained showing them as exclusion zones in accordance with Australian Standard (AS) 4970 – 2009 - Protection of trees on development sites.

The commencement of any works under this consent and the issuing of any subdivision works or construction certificate must not occur unless and until the Council has given notice in writing to the proponent that it has approved the BMP.

The development must be carried out at all times in accordance with the approved BMP.

Within 14 days of the works, the ecologist is to provide a report on the tree clearance works, to be provided to Council through the Natural Areas Team.

- 3.1.2 A Construction Environmental Management Plan shall be submitted to Council and shall demonstrate that all works including soil erosion and sediment controls are confined to within the site to the satisfaction of the Principle Certifying Authority.

As part of the CEMP, the applicant must include the following:

- a. Demonstration of how road and building earthworks will not encroach or impact the retained trees within the SP zoned land and riparian zone
- b. Construction Traffic Management Plan
- c. Erosion and Sediment Control Plan
- d. Construction Noise Management Plan
- e. Unexpected threatened species Finds Protocol
- f. Community Consultation and Complaints Handling

- 3.1.3 Prior to any works commencing, a suitably qualified Project arborist is to be engaged and their details provided to Council.

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

- 3.1.4 A suitable qualified Project ecologist is to be engaged to oversee implementation of the approved VMP by Environmental Services and Education Australia dated 06 May 2025 and their details provided to Council.

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

- 3.1.5 The applicant shall retire the class and number of ecosystem credits in Table 1 to offset the impacts of the development.

The requirement to retire credits outlined in Table 1 may be satisfied by payment to the Biodiversity Conservation Trust of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

A link to the Biodiversity Conservation Trust website, for directions on payment can be found at [Pay into the fund to offset development | BCT \(nsw.gov.au\)](https://www.bct.nsw.gov.au/pay-into-the-fund-to-offset-development). You can also contact the BCT on 1300 992 688 or info@bct.nsw.gov.au

Evidence of the retirement of credits or payment to the Biodiversity Conservation Trust in satisfaction of Table 1 requirements shall be provided to Council prior to release of construction certificate.

Table 1: Ecosystem credits required to be retired - like for like

Impacted plant community type (PCT)	Number of ecosystem credits	Containing HBT	IBRA sub-region	Plant community type(s) that can be used to offset the impacts from development
3320	2	Yes	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Cumberland Plain Woodland in the Sydney Basin Bioregion This includes PCT's: 3319, 3320

3.1.6 The applicant shall retire the class and number of species credits in Table 2 to offset the impacts of the development.

The requirement to retire credits outlined in Table 2 may be satisfied by payment to the Biodiversity Conservation Trust of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.

A link to the Biodiversity Conservation Trust website, for directions on payment can be found at [Pay into the fund to offset development | BCT \(nsw.gov.au\)](https://www.bct.nsw.gov.au/pay-into-the-fund-to-offset-development). You can also contact the BCT on 1300 992 688 or info@bct.nsw.gov.au

Evidence of the retirement of credits or payment to the Biodiversity Conservation Trust in satisfaction of Table 2 requirements shall be provided to Council prior to release of construction certificate

Table (X): Species credits required to be retired - like for like

Impacted species credit species	Number of species credits	IBRA sub-region
---------------------------------	---------------------------	-----------------

<i>Lathamus discolor</i> / <i>Swift Parrot</i>	2	Any in NSW
---	---	------------

3.2 Street Tree

3.2.1 Prior to the issue of a Subdivision Works Certificate, a revised Street Tree Plan is to be submitted for review and approval. Full detail plans in relation to the proposed street tree planting and landscaping consistent with Council's adopted Street Tree Guidelines shall be submitted to and approved by Council's Greenspace Services Infrastructure Section. The Street Tree Plan shall observe the species palette identified by Council's Street Tree Guidelines and will include the following:

- cross-sections showing dimensions of tree pits
- species:
 - Advance Street = Callistemon Kings Park Special
 - Road 1 = Waterhousia floribunda
 - Road 2 = Angophora floribunda
 - Road 5 = Flindersia australis
- details of root protection barriers
- minimum container size of 45 litres
- soil specifications
- location of tree pits in relation to services, intersections and future driveways, light poles, stormwater pits sewerage infrastructure and utilities
- Street tree maintenance

3.2.2 A street tree planting and maintenance bond is to be applied to all street trees and paid before a Subdivision Certificate is issued.

3.2.3 The Street Tree Plan must show how the developer can decommission any median feature and road verge landscaping and reinstate landscaping suitable to Blacktown City at handover.

3.2.4 Landscaping to lot boundaries is to be located within private property and not encroach upon the road reserve.

3.2.5 Street tree planting must not interfere with the street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting.

3.3 Stage 3A and Stage 3B

3.3.1 A Subdivision Works Certificate cannot be issued for Stage 3A or Stage 3B until:

- (a) Council has provided written certification that permanent alternative water quality treatment is available for the development and that the treatment areas within the land associated with Stage 3A and Stage 3B are no longer required; and
- (b) the restriction referred to in condition 5.2.2 has been released.

4 DURING SUBDIVISION WORKS

4.1. Biodiversity

- 4.1.1 The development must be carried out at all times in accordance with the Biodiversity Management plan as approved by Council prior to Subdivision Works Certificate.

A copy of the approved plan is to be kept on site at all times and made available to council officers upon request.

- 4.1.2 The development must be carried out at all times in accordance with the Construction Environment Management Plan as approved by Council prior to Subdivision Works Certificate .

A copy of the approved plan is to be kept on site at all times and made available to council officers upon request.

- 4.1.3 The project arborist is to be present to supervise and oversee erection of tree and bushland protection fencing 1.8 m high chain mesh wire, ensuring avoidance of retained tree root zones and thus avoiding native vegetation impacts.

- 4.1.4 Implementation of the VMP shall commence immediately upon any construction work commencing and shall be carried out at all times in accordance with the schedule of works in the approved VMP prepared by Environmental Services and Education Australia dated 06 May 2025.

- 4.1.5 Each particular action in the approved VMP must be carried out by the person who is identified as being responsible for that action in accordance with the performance indicators and timing identified in the approved VMP. In that regard, if the person responsible to carry out an action in the approved VMP is the registered proprietor of a particular Lot, the action is required to be carried out by whoever is the registered proprietor of that Lot.

5 PRIOR TO SUBDIVISION CERTIFICATE

5.1 Site Access

- 5.1.1 All lots shall have access from a dedicated public road. In this regard, all proposed public roads shall be dedicated as public road free of cost to Council.

NOTE: Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on a future public road. Any proposal to locate a proposed substation or other utility installation on a future public road shall be negotiated with and fully endorsed by the relevant Council Directorates.

5.2 Subdivision Configuration

- 5.2.1 The boundaries and configuration of the subdivision shall be consistent with the corresponding zone boundaries of State Environmental Planning Policy (Precincts – Central River City) 2021.

- 5.2.2 Prior to the issue of a Subdivision Certificate for Stage 2A, a Restriction as to User satisfactory to the Council is required over lots that are within Stages 3A and Stage 3B.

The restriction is to indicate that no further development of the lots burdened is to take place until the Council provides written certification that:

- permanent alternative water quality treatment is available for the development;
- that the treatment areas within the land associated with Stage 3A and Stage 3B are no longer required and
- details of decommissioning works have been approved by Council (including any requisite ancillary approvals for those works).

The restriction cannot be released, varied or modified without Council's consent.

5.3 Salinity and Aggressive Soil Management

- 5.3.1 Council will require a post earthworks salinity investigation demonstrating that the salinity management measures provided in the Salinity Management Plan have been implemented and that the site is suitable for residential development. For any lots identified as containing saline or aggressive soils a suitable Section 88B restriction/covenant on title, requiring particular building construction measures to mitigate the effects of aggressive soils and salinity, should be imposed.

5.4 Site Contamination Validation Report

- 5.4.1 A final site contamination Validation Report confirming the suitability of the site for the proposed development is to be endorsed by Council prior to the release of the final plan of subdivision. The Validation Report shall be prepared by a consultant engaged under the terms of Council's Contaminated Lands Policy. All land that is to be dedicated to Council is required to be validated to the stricter residential standard in the National Environmental Protection Assessment of Site Contamination) Measure 1999 as amended 2013 (NEPM).

5.5 Road Damage

- 5.5.1 The cost of repairing any damage caused to Council's assets in the vicinity of the subject site as a result of the development works be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

5.6 Consent Compliance

- 5.6.1 NOT USED

- 5.6.2 The authorised person signing the Linen Plan shall ascertain whether any Compliance Certificate(s) for the development is/are required to be issued in relation to any element component or system incorporated in the development. A copy of each required Compliance Certificate shall be lodged with Council.

- 5.6.3 The applicant is to demonstrate full compliance with the requirements of this approval regarding any onsite detention, payment of a Special Infrastructure Contribution levy, and completion of all site validation requirements.

5.7 Community Management Statement

- 5.7.1 Prior to the release of the Linen Plan for each Community Plan, the applicant is to submit a copy of the Community Management Statement to Council for review. This Statement is to include relevant details of the maintenance and repair of the Community Lot, establishment and regulation of the Community Association and access to the Community Lot to maintain residential dwellings.

NOTE: The final wording of the Management Statement shall be to Council's satisfaction.

5.8 Additional Inspections

- 5.8.1 Any additional Council inspection services provided beyond the scope of any Compliance Certificate or inspection package and required to verify full compliance with the terms of this consent, will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule and shall be paid to Council.

5.9 Fee Payment

- 5.9.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

5.10 Final Plans

- 5.10.1 The submission of a final plan of subdivision, together with 7 exact copies and the appropriate fee are to be provided to Council. The final plan of subdivision will not be released until all relevant conditions of this determination have been complied with.
- 5.10.2 Where any permanent control marks are placed in accordance with the Survey Practice Regulation 1990 in the preparation of the plan, 2 copies of the locality sketch plans of the marks placed are to be forwarded to Council with the final plan of subdivision.

5.11 Service Authority Approvals

- 5.11.1 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to the release of the Subdivision Certificate for the first Community Plan:

- (a) A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. An assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water's mains. A Section 73 Compliance Certificate must be completed before an occupation certificate will be issued. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (b) A "Notification of Arrangement" Certificate from Endeavour Energy, or any other recognised energy provider, stating that arrangements have been made with the servicing authority for electrical services, including the provision of street lighting, to the development.

- (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.
- (d) If required, the applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

5.12 **Security**

- 5.12.1 An acceptable security (bond) guaranteeing the future completion of the road sealing works shall be lodged with Council. The bond amount is to be calculated at the asphaltic contribution rate current at the time and is to be accompanied by Council's standard Deed of Agreements for Bonds.

5.13 **Asset Management**

- 5.13.1 The manufacturer of the light poles/street name poles/bus shelters is to provide written certification that all structures have been black powder coated to the satisfaction of Council's Development Services Engineers prior to installation.

5.14 **Consent Compliance**

- 5.14.1 NOT USED

5.15 **Additional Inspections**

- 5.15.1 Any additional Council inspection services provided beyond the scope of any Compliance Certificate or inspection package and required to verify full compliance with the terms of this consent, will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule and shall be paid to Council.

5.16 **Fee Payment**

- 5.16.1 Any fee payable to Council as part of any Construction, Compliance or Subdivision Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

5.17 **Engineering Matters**

5.17.1 **Surveys/Certificates/Works As Executed plans**

- 5.17.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed, in a colour softcopy format (.PDF). All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works (including works under the *Roads Act 1993* and the *Local Government Act 1993* covered by this Development Application).
- 5.17.1.2 The Work-as-Executed (WAE) must confirm that the On Site Detention system(s) identification plate has been installed in accordance with Council's WSUD Standard Drawings A(BS)175M Sheet 20.
- 5.17.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System(s) as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.

- 5.17.1.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- 5.17.1.4 A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.
- 5.17.1.5 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system(s) will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 5.17.1.6 Applicant to submit the following in accordance with Council's Works Specification - Civil (Current Version):
- a) Compaction certificates for fill within road reserves.
 - b) Compaction certificates for road sub-grade.
 - c) Compaction certificates for road pavement materials (sub-base and base courses).
 - d) Contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
 - e) Applicant to submit material compliance documentation in accordance with Council's Civil Works Specification 8.1.4
 - Compliance Certificate and Test Results
 - Delivery Dockets
 - Summary of Material deliveries as per template available on Council's website.
- 5.17.1.7 The applicant is to submit the certified approved line marking and traffic signage plan as required by this consent. This will require evidence to demonstrate that approvals have been obtained from the Local Traffic Committee and adoption by Council Ordinary Meeting. A final inspection report is to be included noting that all line marking and traffic signage works are complete.
- 5.17.1.8 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.
- When Council has been nominated or defaulted as the Certifying Authority, a final inspection can be arranged by completing the *Final Inspection Request* form and emailing to engineering@blacktown.nsw.gov.au.
- 5.17.1.9 A survey report prepared and signed by a Registered Surveyor providing confirmation of the depth of all constructed road pavements in the form of finished surveyed levels for each road pavement layer, noting tolerances for any variations in constructed pavement depth.
- 5.17.1.10 Structural certification 'as built' by a qualified Engineer (NER) for all structural items approved by the scope of this consent. This relates to the following components:
- a) Retaining walls over 0.6 m in height
 - b) Rigid pavements
 - c) Non-standard stormwater pits
 - d) Culverts and/or bridges

5.17.1.11A certificate or letter signed by an appropriately qualified professional, indicating that all pre-cast pits/culverts have been specifically designed and manufactured for the project in accordance with the approved civil plans (specific reference required) and the necessary Australian Standards.

5.17.1.12A Certificate shall be submitted by a suitably qualified geotechnical engineer verifying that any fill material imported to site is virgin excavated natural material (VENM) or (ENM).

15.17.1.13 A Chartered Civil Engineer registered with NER, is to certify that:

- a) all the requirements of the approved drainage plan have been undertaken;
- b) the bio-retention system has been installed with sufficient area to provide the minimum total filter media area specified on the approved engineering drawings for the bio-retention basin clear of pits and scour protection.
- c) The bio-retention basin is enclosed with a minimum 1mm HDPE or equivalent liner;
- d) There is no geotextile between the drainage and transition layers of the bio-retention basin;
- e) The final (Stage 3) bio-retention systems having a minimum of 500 mm filter media, a 150 mm transition layer and a minimum 200 mm gravel layer with liners;
- f) The minimum detention storage volume specified on the approved engineering drawings has been provided below the 1.5 Year ARI Overflow Weir and measured above the extended detention depth of the bio-retention area;
- g) A minimum detention storage specified on the approved engineering drawings has been provided below the Emergency Overflow Weir and measured above the extended detention depth of the bio-retention area;
- h) all the signage and warning notices have been installed;

a copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council.

5.17.2 Easements/Restrictions/Positive Covenants

5.17.2.1 Any covenant, easement or restriction created as a result of this consent must be in accordance with the following:

- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
- (b) The standard format for easements and restrictions as accepted by NSW Land Registry Services (LRS).

5.17.2.2 The creation of an Easement to Drain Water, with a minimum width in accordance with Council's Engineering Guide for Development (current issue), over the following nominated lot(s) free of cost to Council. The easement must be created under the *Conveyancing Act 1919* and have the nominated lot(s) burdened and each and every lot upstream benefited.

Nominated Lot(s) Burdened: 147, 148, 152, 153, 154-, Authority Benefited: Blacktown City Council until such time as drainage is connected to the regional system.

Nominated Easement Width: 3m

Nominated Lot(s) Burdened: 113, Benefited: 157 and temporarily Blacktown City Council until such time as Road 4 drainage is connected to the regional system.

Nominated Easement Width: 2.5m

Nominated Lot(s) Burdened: 155, Authority Benefited: Blacktown City Council

Nominated Easement Width: 2.5m

5.17.2.3 The creation of easement(s) related to inter-allotment drainage with a minimum width in accordance with Councils Engineering Guide for Development (current issue).

5.17.2.4 Each of the proposed lots serviced by the existing inter-allotment drainage easements shall have this burden and benefit created pursuant to Section 88B of the Conveyancing Act 1919.

5.17.2.5 A restriction as to User with Council's standard wording must be placed on all filled lots

5.17.2.6 A restriction as to User must be placed over any stormwater quality treatment and detention infrastructure to prevent the erection of structures or permanent landscaping of the area.

5.17.2.7 A temporary Right of Carriageway as an easement in gross (under schedule 4A Part 1) benefitting Blacktown City Council shall be provided over the following nominated lot(s) and an appropriate restriction and positive covenant on the use of the land shall be created, under Section 88B of the *Conveyancing Act 1919*, covering this requirement.

Nominated Lot(s): 155

The ROC shall remain in place until such time as there is a suitable alternate vehicular access for service vehicles to using the proposed public path.

5.17.2.8 All relevant Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

5.17.3 **NOT USED**

5.17.3.1 NOT USED.

5.17.4 **Bonds/Securities/Payments in Lieu of Works**

5.17.4.1 The payment to Blacktown City Council of a monetary contribution in lieu of works for the placement of the final layer of asphaltic concrete (a.c.) on the new road works. The amount will be calculated at Council's approved rate upon request and following issue of a Construction Certificate for the work.

5.17.4.2 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

- (a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
- (b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

5.17.4.3 Concrete path paving must not be placed until about 75% of the lots have been built upon or until approved in writing by Council. The applicant has the option of lodging a security deposit for the works, or paying a monetary payment in lieu of works based upon Council's Goods and Services Pricing Schedule. The Security will be released upon satisfactory completion of the works.

5.17.4.4 Where Council's has granted approval of providing security in lieu of outstanding works. A security, in the form of a bank guarantee or a cash deposit, shall be lodged with Council to cover outstanding works required by this consent. The security amount will be calculated at Council's approved rate upon request

5.17.5 Inspections

5.17.5.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

5.17.6 Inspection of Work

5.17.6.1 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV after completion of road pavement construction works (excluding any deferred AC works) and the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of video footage of the inspections, a SEWRAT (or equivalent) report, and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

5.18 Hazardous Materials and Waste

5.18.1 A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the competent demolition contractor who holds an appropriate Demolition Licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011 (and any relevant Regulation there under). The certificate/statement must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence, Australian Standard 2601- 2001 – The Demolition of Structures and that any asbestos removal has been carried out in accordance with NOHSC-2002 – Code of Practice for Safe Removal of Asbestos. A copy of the clearance certificate/statement shall be lodged with Council.

5.18.2 The receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing dwelling must be submitted to Council.

5.19 Waste Services

- 5.19.1 The applicant must prepare and provide to Council for approval an instrument, substantially on the terms set out below and compliant with the requirements of NSW Land Registry Services, which will create a public positive covenant pursuant to section 88E of the Conveyancing Act 1919 on all lots within the development providing for the management and collection of all forms of garbage, organic waste and recycling from each of those lots.
- 5.19.2 The public positive covenant must require the lot owners to covenant on behalf of themselves and all occupants of the lots to:
- a) store all forms of garbage, organic waste and recycling within the appropriate garbage bins on their respective lots or nominated lots as per the bin placement plan;
 - b) place all garbage, organic waste and recycling bins in the designated communal garbage, organic waste and recycling collection area no earlier than 2pm the day before the scheduled collection time for that area;
 - c) collect and return the empty garbage, organic waste and recycling bins to their respective lots no later than 7pm on the day collection has taken place; and
 - d) Lots 12, 13, 14, 113, 114, 145, 146, 203 & 204 place whitegoods and large household items in the designated communal bulky waste collection area the evening before the date allocated by the Prescribed Authority for the collection of such items. For Lots 113 & 114 this restriction may be removed when the temporary turning head is removed.
- 5.19.3 The public positive covenant must:
- a) contain a plan, compliant with the requirements of Land and Property Information, indicating the designated communal area/s within the development for the collection of garbage, organic waste, recycling and bulky waste from all the lots within the development, with such designated communal collection area/s being in the location shown on the plans annexed to this consent;
 - b) provide for the lot owners (on behalf of themselves and all occupants of the lots) to release the Prescribed Authority from, and not make any claim or demand or commence any proceedings (including without limitation in nuisance) against the Prescribed Authority in relation to any noise, debris, damage to property or other issue arising directly or indirectly from waste collection activities carried on by the Prescribed Authority or any agent acting on its behalf; and
 - c) provide that the positive public covenant cannot be released, varied or modified without the Prescribed Authority's consent.
- 5.19.4 These provisions must be put into effect prior to the release of the subdivision certificate and the applicant must ensure that the public positive covenant is registered with the plan of subdivision for the development.

Terms of Positive Public Covenant:

- 1) The Registered Proprietor from time to time of the Lot Burdened covenants personally and on behalf of all occupants of the Lot Burdened in favour of the Prescribed Authority under section 88E of the Conveyancing Act 1919 to do the following:
 - a) store all forms of garbage, organic waste and recycling within the appropriate garbage bin areas designated on the plan for the Lot Burdened;
 - b) place all garbage, organic waste and recycling bins in the communal garbage, organic waste and recycling collection area, designated on the plan for the Lot Burdened, no earlier than 2pm the day before the scheduled collection time;
 - c) collect and return the empty garbage, organic waste and recycling bins to the Lot Burdened no later than 7pm on the day collection has taken place;
 - d) place whitegoods and large household items in the communal bulky waste collection area, designated on the plan for the Lot Burdened, the evening before the date allocated by the Prescribed Authority for the collection of such items;
 - e) The Owner of the lot burdened acknowledges that the bin storage area will accommodate a communal bin pad for the collection of waste and organics bins weekly, and recycling bins fortnightly, on collection day. The number of bins will exceed the three belonging to the owner of the lot burdened and will include three bins for every lot entitled to place bins in the bin storage area in accordance with Restriction on the Use of Land numbered # #; and
 - f) release the Prescribed Authority from, and not make any claim or demand or commence any proceedings (including without limitation in nuisance) against the Prescribed Authority in relation to any noise, debris, damage to property or other issue arising directly or indirectly from waste collection activities carried on by the Prescribed Authority or any agent acting on its behalf.

This positive public covenant cannot be released, varied or modified without the prior written consent of the Prescribed Authority.

- 2) The terms of the public positive covenant are to be approved by Council prior to the issue of any subdivision certificate or registration of the plan of subdivision. The applicant/developer should ensure that all lots burdened by the public positive covenant are clearly identified on the plan of subdivision. All costs incurred by Council to review and approve the terms of the public positive covenant shall be met in full by the applicant/developer.

5.20 Zero Lot Lines

5.20.1 The Applicant must prepare and provide to Council for approval instruments compliant with the requirements of NSW Land Registry Services which will create easements pursuant to section 88B of the Conveyancing Act 1919, on all lots within the development that are adjoined by zero lot lines providing for the servicing, construction and maintenance of the adjoining dwelling.

5.20.2 The easements must:

- a) be 900mm;
- b) Not permit overhanging eaves, gutters or services (including rain water tanks, hot water units, air-conditioning units or the like) of the dwelling on the benefited lots;

- c) Ensure that any services or projections permitted under Clause 4.4(6) within the easement to the burdened lot dwelling should not impede the ability for maintenance to be undertaken to the benefitted lot;
- d) include a note identifying the potential for a building to have a zero lot line; and
- e) be worded so as to remove Council from any dispute resolution process between adjoining allotments.

14.19.3 Prior to the issue of a subdivision certificate, the applicant must procure registration and provide evidence of the registration of the easements to Council.

5.21 Environmental Health

5.21.1 All areas contaminated are to be remediated. Upon completion of remediation an appropriately qualified environmental consultant must prepare a validation report. The validation report must be carried out in accordance with:

- NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites
- NSW Environment Protection Authority's Sampling Design Guidelines – Part 1 (Application) Part 2 (Interpretation)
- NSW Environmental Protection Authority's Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition
- National Environment Protection Council (NEPC) National Environment Protection (Assessment of Site Contamination Measure) as amended
- NSW Environment Protection Authority's Waste Classification Guidelines, Part 1: Classifying Waste

5.21.2 Any fill material that is imported onto the site must be analysed and classified by an appropriately qualified and experienced environmental consultant in accordance with relevant NSW EPA guidelines, including the "Waste Classification Guidelines" 2014. Only material classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) is permitted to be imported onsite.

5.22 Section 7.11 Contributions under Section 7.17 Directions

5.22.1 Before the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works), whichever occurs first, contributions under Section 7.11 of the *Environmental Planning & Assessment Act 1979* must be paid.

These payments contribute to the provision of the local infrastructure specified in the contribution/s plan specified below.

The amounts below are as at 11 April 2025. They WILL BE INDEXED from this date to the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works) either by Council or any accredited certifier, whichever occurs first.

PLEASE NOTE: Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED and payments made by credit card attract a % surcharge as detailed in Council's Goods and Services Pricing Schedule.

No Section 7.11 contributions payable for Stage 1: 3 residue lots**Section 7.11 contributions payable for Stage 2A:**

Contribution Item	Amount
Stormwater Quantity Eastern Creek	\$1,366,242.00
Stormwater Quality Eastern Creek	\$49,663.00
Traffic Management	\$391,971.00
Open Space	\$1,473,312.00
Community Facilities	\$19,901.00
E2 Conservation Zone	\$63,474.00
Total	\$3,364,563.00

Additional population: 162.4 persons

Developable area: 1.9445 hectares

Section 7.11 contributions payable for Stage 2B:

Contribution Item	Amount
Stormwater Quantity Eastern Creek	\$1,074,304.00
Stormwater Quality Eastern Creek	\$39,058.00
Traffic Management	\$308,215.00
Open Space	\$1,631,166.00
Community Facilities	\$22,033.00
E2 Conservation Zone	\$70,275.00
Total	\$3,145,051.00

Additional population: 179.8 persons

Developable area: 1.5290 hectares

Section 7.11 contributions payable for Stage 3A:

Contribution Item	Amount
Open Space	\$26,309.00
Community Facilities	\$355.00
E2 Conservation Zone	\$1,133.00
Total	\$27,797.00

Additional population: 2.9 persons

Section 7.11 contributions payable for Stage 3B:

Contribution Item	Amount
Stormwater Quantity Eastern Creek	\$95,064.00
Stormwater Quality Eastern Creek	\$3,453.00
Traffic Management	\$27,274.00
Open Space	\$184,164.00
Community Facilities	\$2,488.00
E2 Conservation Zone	\$7,934.00
Total	\$320,377.00

Additional population: 20.3 persons

Developable area: 0.1353 hectares

The Section 7.11 contribution(s) have been based on the total developable areas nominated above. Should the final plan of survey indicate any change in the total developable area, the Section 7.11 contribution(s) will be adjusted accordingly.

The contribution(s) will be indexed according to index specified in the contributions plan.

Copies of the following relevant contributions plan(s) may be inspected/purchased from Council's Information Centre, or viewed/downloaded at www.blacktown.nsw.gov.au:

Section 7.11 Contributions Plan No. 20 Riverstone and Alex Avenue Precincts

5.23 Street Tree Planting

- 5.23.1 Street tree planting must be undertaken in line with the approved Street Tree Plan issued Prior to Subdivision Certificate.
- 5.23.2 Any tree planting (and maintenance) along the frontage of the development site to improve the amenity of the streetscape must be approved before a Subdivision Certificate is issued.
- 5.23.3 NOT USED
- 5.23.4 Additional trees may be requested following an assessment of the development's configuration.
- 5.23.5 Prior to the issue of the Subdivision Certificate, all required street tree planting and payments of bonds and fees are to be completed to the satisfaction of Council's Greenspace Services Infrastructure Officer.
- 5.23.6 The applicant will be required to pay a tree planting and maintenance bond per tree as indicated in Council's current goods and services pricing schedule to ensure the health and vigour of the trees. The bond will be returned 12 months after the issuing of Practical Completion if the trees are in good health, condition and maturing satisfactorily.
- 5.23.7 The applicant will also be required to pay two inspection fees and a landscaping assessment fee as indicated in the current goods and services pricing schedule. If additional inspections are required due to defects found at Practical completion (end of construction) or Final Completion (handover) Council will charge the applicant additional inspection fees at the current rate in the Goods and Services Pricing Schedule.
- 5.23.8 Trees must be of a minimum container size of 45 litres with root barriers.
- 5.23.9 The applicant must obtain clearances from relevant service authorities.
- 5.23.10 The applicant is responsible for notifying Council's Greenspace Services Infrastructure Officer when the trees have been installed to request a practical completion inspection and again at the end of the street tree maintenance period for an inspection. The maintenance period for the street trees by the applicant is no less than 12 months from the issuing of Practical Completion.
- 5.23.11 Council's Greenspace Services Infrastructure Officer will inspect all street trees during the establishment period (i.e. between the practical date of completion and formal handover). Elements deemed to be not adequately performing are to be removed, substituted, or repaired by the developer within 60 days of written notification.

5.24 Biodiversity

- 5.24.1 The Vegetation Management Plan by Environmental Services and Education Australia dated 06 May 2025 is to be implemented with reports detailing implementation provided to Council prior to issue of Subdivision Certificate.
- 5.24.2 The Landscape plan by Creative Planning Solutions is to be implemented with evidence of implementation provided to Council prior to issue of Subdivision Certificate.

5.25 Traffic

- 5.25.1 Prior to the issue of the Subdivision Certificate for Stage 2B, the portion of Road 4 which adjoins Lot 24 to the east shall be temporarily closed by a non-trafficable barrier to prevent vehicle access, requiring vehicles to turn into Road 5. The barrier may not be removed until Road 4 is connected to its future extension to the south.

5.26 Drainage Matters

- 5.26.1 A Chartered Civil Engineer registered with NER, is to certify that:
- a) the 1.5 year and 100 year orifice sizes match the approved construction certificate plans for the OSD basin;
 - b) all the other requirements of the approved drainage plan have been undertaken
- 5.26.2 Each respective GPT manufacturer is to certify that the GPT's is installed in accordance with their standard operational guidelines and production drawings
- 5.26.3 Prior to the issue of the Subdivision certificate, the applicant shall submit to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au documentation that identifies the correct locations, types, models, and model numbers of assets that form the WSUD systems installed on the property. The documentation is to include the final version of the Stormwater management report and certified and signed stormwater Works-as-executed plans.
- 5.26.4 Prior to the issue of the Subdivision certificate, the Applicant shall provide a maintenance schedule for the each WSUD systems installed. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au for approval.
- 5.26.5 Written evidence is to be provided that the registered owner/ owners corporation has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Ocean Guard Litter Baskets within the public road domain and Filter Cartridges. Prior to the expiry of such each contract, a further contract complying with this clause shall be entered into. Forward a copy of each signed and endorsed contract(s) and maintenance contractor(s) details to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au. These maintenance contracts cannot be cancelled, but can be replaced with an alternative contract of the same standard or with a differing entity (e.g. owners' corporation) without the written consent of Council's Manager Asset Design.

6 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

6.1 DA Plan Consistency

- 6.1.1 A Subdivision Works or Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.
- 6.1.2 A Construction Certificate for building works for each stage of Torrens Title lots shall not be issued until the proposed roads and drainage infrastructure fronting the stage has been constructed and dedicated to council as a public road.

6.2 Blacktown Growth Centres DCP 2010

- 6.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in the Blacktown City Council Growth Centre Precincts Development Control Plan.

6.3 Lot Registration

land to which this approval relates is to be identifiable with a Lot and Deposited Plan number and registered with the NSW Land Registry Services.

6.4 Services/Utilities

- 6.4.1 The following documentary evidence shall accompany any Construction Certificate:
- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.
 - (b) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.
 - (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

6.5 Salinity

- 6.5.1 The recommendations and assessment detailed in the Salinity Assessment prepared by Development Risk Management dated 11 December 2023 are to be identified on the Construction Certificate plans and implemented during design and construction of the development. Note: Final validation will be required prior to the release of an Occupation Certificate.

6.6 Construction Traffic Management Plan

- 6.6.1 A Construction Traffic Management Plan detailing construction vehicle routes, parking, number of trucks, hours of access, access arrangements, road safety and traffic control is to be submitted to Council prior to the issue of any Construction Certificate.

6.7 Construction Environmental Management Plan

- 6.7.1 A Construction Environmental Management Plan is to be submitted to Council prior to the issue of any Construction Certificate as required by clause 3.3 Construction Environmental Management of the Growth Centres Precincts DCP September 2018.

6.8 Construction of Private Laneways

- 6.8.1 The laneways shall be designed as a rigid pavement of concrete construction only and in accordance with Council's Engineering Guide for Development (Current Issue).

6.9 Retaining Walls

- 6.9.1 Prior to the issue of the relevant Construction Certificate, details are to be provided demonstrating that all retaining walls are masonry walls (i.e. no timber walls).

6.10 Other Matters

- 6.10.1 The Construction Certificate plans are to show that each residential lot is serviced by a suitably located driveway which is able to achieve satisfactory street access meeting the relevant clearance requirements from tangent points, services, infrastructure and street trees. The location of street trees must not interfere with future driveways.
- 6.10.2 The Construction Certificate plans are to show any existing/proposed substations, kiosks, sewer manholes and/or vents affecting any lot including corner lots, in accordance with the Growth Centres Precincts DCP 2010.
- 6.10.3 The Construction Certificate plans are to show that the construction and layout of the footpath system provides for continuous disabled and pram access movement in terms of crossing points, including to nearby public transport services.
- 6.10.4 All mail boxes are to accord with the requirements of Australia Post with regard to location, access and size. The letterbox system is to be vandal resistant and secure. Appropriate sight lines are to be provided for vehicles using the mail box waiting bay for safety purposes.
- 6.10.5 The architectural plans of the proposed development are to be amended prior to the issuing of the construction certificate to include the changes noted in the following sketches annexed to the joint statement of town planning and architecture experts in proceedings 2024/214476 dated 2 May 2025:

- (a) Amended Master Plan, Drawing M01, Rev 'Discussion,' 01 May 2025
- (b) Amended Master Plan Showing Rainwater Tanks, Drawing M01, Rev 'R-00', 01 May 2025

- (c) Colour Methodology Typical Unit, Drawing No. 00, Rev 'R-00,' 01 May 2025
- (d) Unit Plan- 3B_W, Drawing No. A01, Rev 'R-06,' 01 May 2025
- (e) Unit Plan- 3BX_W, Drawing No. A02, Rev 'R-06,' 01 May 2025
- (f) Unit Plan- 4B1_W, Drawing No. A10, Rev 'R-06,' 01 May 2025
- (g) Unit Plan- 4B1X_W, Drawing No. A11, Rev 'R-06,' 01 May 2025

6.11 Waste Matters

- 6.11.1 The applicant must ensure the approved bin collection points for all bins for the whole site are shown on the stamp approved plans with each bin indicated.
- 6.11.2 The applicant must ensure no plantings or landscaping is located where the bin collection points are as this will hinder safe and efficient collection of bins and bulky waste from the development.

7 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

7.1 Section 7.11 Contributions under Section 7.17 Directions

- 7.1.1 Before the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works), whichever occurs first, contributions under Section 7.11 of the *Environmental Planning & Assessment Act 1979* must be paid.

These payments contribute to the provision of the local infrastructure specified in the contribution/s plan specified below.

The amounts below are as at 11 April 2025. They WILL BE INDEXED from this date to the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works) either by Council or any accredited certifier, whichever occurs first.

PLEASE NOTE: Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED and payments made by credit card attract a % surcharge as detailed in Council's Goods and Services Pricing Schedule.

No Section 7.11 contributions payable for Stage 1: 3 residue lots

Section 7.11 contributions payable for Stage 2A:

Contribution Item	Amount
Stormwater Quantity Eastern Creek	\$1,366,242.00
Stormwater Quality Eastern Creek	\$49,663.00
Traffic Management	\$391,971.00
Open Space	\$1,473,312.00
Community Facilities	\$19,901.00
E2 Conservation Zone	\$63,474.00
Total	\$3,364,563.00

Additional population: 162.4 persons
 Developable area: 1.9445 hectares

Section 7.11 contributions payable for Stage 2B:

Contribution Item	Amount
-------------------	--------

Stormwater Quantity Eastern Creek	\$1,074,304.00
Stormwater Quality Eastern Creek	\$39,058.00
Traffic Management	\$308,215.00
Open Space	\$1,631,166.00
Community Facilities	\$22,033.00
E2 Conservation Zone	\$70,275.00
Total	\$3,145,051.00

Additional population: 179.8 persons

Developable area: 1.5290 hectares

Section 7.11 contributions payable for Stage 3A:

Contribution Item	Amount
Open Space	\$26,309.00
Community Facilities	\$355.00
E2 Conservation Zone	\$1,133.00
Total	\$27,797.00

Additional population: 2.9 persons

Section 7.11 contributions payable for Stage 3B:

Contribution Item	Amount
Stormwater Quantity Eastern Creek	\$95,064.00
Stormwater Quality Eastern Creek	\$3,453.00
Traffic Management	\$27,274.00
Open Space	\$184,164.00
Community Facilities	\$2,488.00
E2 Conservation Zone	\$7,934.00
Total	\$320,377.00

Additional population: 20.3 persons

Developable area: 0.1353 hectares

The Section 7.11 contribution(s) have been based on the total developable areas nominated above. Should the final plan of survey indicate any change in the total developable area, the Section 7.11 contribution(s) will be adjusted accordingly.

The contribution(s) will be indexed according to index specified in the contributions plan.

Copies of the following relevant contributions plan(s) may be inspected/purchased from Council's Information Centre, or viewed/downloaded at www.blacktown.nsw.gov.au:

Section 7.11 Contributions Plan No. 20 Riverstone and Alex Avenue Precincts

- 7.1.2 Any Compliance Certificate issued for the payment of Section 7.11 Contributions shall be accompanied by a letter from Council acknowledging that the correct Section 7.11 Contributions have been paid for that particular development or stage of development.

7.2 Special Infrastructure Contribution – Western Sydney Growth Areas

- 7.2.1 The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and

Assessment Act 1979 under Section 7.23 of that Act that is in force on the date of the consent, and must obtain a certificate to that effect from the Department of Planning and Environment before a Construction Certificate is issued in relation to any part of the development to which this consent relates.

More information

Information about the special infrastructure contribution can be found on the Department of Planning and Environment's website: <http://www.planning.nsw.gov.au/Policy-and-Legislation/Infrastructure/Infrastructure-Funding>

7.3 Aesthetics/Landscaping

- 7.3.1 The reflectivity index of glass used in the external facade of the buildings is not to exceed 20 percent and must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas.
- 7.3.2 Any bathroom, w.c. or laundry window in the external walls of the buildings shall be fitted with translucent glazing.
- 7.3.3 The development approved by Council is to be constructed in accordance with the schedule of materials, finishes and colours approved by Council on the approved dwelling plans in condition 2.1.1 of this consent. Any variation to these will need the prior formal approval of Council.
- 7.3.4 External service fixtures and conduits are to be designed so that they form part of the overall appearance of the building, or are to be screened from view.
- 7.3.5 All internal and external retaining walls are to be constructed of masonry.

7.4 Fencing

- 7.4.1 All fencing details and materials are to be as per the approved plans. All fencing is to be provided at full cost to the developer and is to be constructed on top of any masonry retaining walls. The selected fencing material / design must also minimise/eliminate the potential for graffiti attacks.

7.5 Landscaping

- 7.5.1 A detailed landscape plan for the landscaping associated with each dwelling type is to be submitted to Council prior to issue of the building construction. The landscape plan and details should outline species types, pot sizes and growth heights at maturity.
- 7.5.2 All common areas and landscaping shall be of a high quality and detailed on the landscaping design plans as part of the Construction Certificate.
- 7.5.3 For the 1m-wide landscaping area within the 4m accessway, the applicant is to install canopy trees at 6m centres and screen planting shrubs at 1.5m centres on a garden mulch bed, root barriers. The applicant must submit landscape plans and planting details for Council's Recreation Parks and Design Section approval.

7.6 Tree Management

- 7.6.1 Prior to issue of a Construction Certificate, a Project Arborist is to be appointed for the duration of the works on site. The Project Arborist must hold a minimum qualification of Australian Qualification Framework (AQF) Level 5 in arboriculture and have Public Liability Insurance (minimum \$20 million) for the duration of the project. The name and contact details of the Project Arborist are to be notified to Council prior to the commencement of any works on site, including demolition.

The applicant is to provide our Greenspace Services Section with Tree Protection Plan (TPP) to detail how the retained trees will be protected during development works.

The protection of the trees is to meet AS:4970-2009 "Protection of Trees on development Sites".

7.7 Access/Parking

- 7.7.1 The internal driveway and parking areas are to be designed in accordance with AS/NZS2890.1.2004.
- 7.7.2 On-site resident and visitor car parking spaces are to be designed having minimum internal clear dimensions in accordance with AS/NZS2890.1.2004.
- 7.7.3 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 7.7.4 Adequate pedestrian access is required to be provided to the adjoining road network.
- 7.7.5 The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with AS/NZS2890.1 – 2004 and AS 2890.2 – 2018 for heavy vehicles (where applicable).

7.8 Waste Matters

- 7.8.1 The applicant must ensure that private roads are rated suitable for 24 tonne trucks. Confirmation must be submitted to Council's waste section and approved prior to the release of the Construction Certificate.
- 7.8.2 The applicant must ensure the approved bin collection points for all bins for the whole site are shown on the stamp approved plans to Council's satisfaction with each bin indicated. Bin collection points shown inside the cul de sac head on Road #2 will need to be relocated to outside this area on the straighter stretches of road into and out of the cul de sac. Trucks cannot safely navigate cul de sac heads with parked cars and bins needing collection. The information must be submitted to Council's waste section and approved prior to the release of the Construction Certificate.
- 7.8.3 Access for collection vehicles must be designed in accordance with the dimensions indicated on the approved architectural plans and CAD files (as per Australian Standards), showing adequate truck entry and exit and in all manoeuvring areas to Council's satisfaction. The information must be submitted to Council's waste section and approved prior to the release of the Construction Certificate.
- 7.8.4 The applicant must ensure that the communal bin pads (if on private property), are line marked and sign posted to Council's satisfaction for their use as a bin collection

- point. “No stopping” signage along the entire private road is also required to aid collection of waste, recycling and organics bins, and discarded bulky waste items. The information must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.
- 7.8.5 The applicant must ensure no plantings or landscaping is located where the bin collection points are as this will hinder safe and efficient collection of bins and bulky waste from the development. The information must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.
- 7.8.6 The applicant must provide to Council’s satisfaction, amended plans demonstrating a larger splay allowing truck access into and out of the site in areas with half width road construction. The truck is tracking over the centreline when leaving the private road and entering Road #4 in the bottom right hand corner of the site. The information must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.
- 7.8.7 The applicant must provide to Council’s satisfaction, amended plans demonstrating that 1sqm per bin has been provided at each bin collection point. The information must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.
- 7.8.8 The applicant must provide to Council’s satisfaction, amended plans demonstrating the daily bin storage area for each dwelling (excluding the garage), allowing 3 x 240L bins per dwelling. The information must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.
- 7.8.9 Temporary truck turning heads must be provided in the form of a cul de sac to Council’s satisfaction where the surrounding road network is not yet completed. Hammerheads are not accepted. Design must be in accordance with the Council’s engineering guide for the development and cater for 10.5m long, heavy rigid vehicles with 24m turning circles. Evidence must be provided in the form of swept paths and AutoCAD files in DWG format and 1:1 scale for the trucks entire travel path. The information must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.
- 7.8.12 The applicant must provide to Council satisfaction, proof of Traffic Management Committee approval for ‘no stopping’ signage along the private roads, in the cul de sac heads and for the marked parking bays to the width equivalent of one car space set back from each edge of the private road entry/exit to enable safe movement of trucks into and out of the site. This must be in place before collections can occur onsite. Confirmation of approval must be submitted to Council’s waste section and approved prior to the release of the Construction Certificate.

8 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

8.1 Building Code of Australia Compliance

- 8.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :

- (a) Complying with the deemed to satisfy provisions, or
- (b) Formulating an alternative solution which :
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

8.2 Site Works and Drainage

- 8.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
- 8.2.2 Stormwater drainage from the site shall be in accordance with Australian Standard 3500.3. designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:
- (a) provide for drainage discharge to an existing Council drainage system, and
 - (b) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.
- 8.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.

8.3 BASIX Certificate Compliance

- 8.3.1 The plans and specifications must indicate compliance with the commitments listed in the BASIX Certificate Numbers: As noted in Condition 2.6.1 as revised to accord with the final approved plans.

9 PRIOR TO CONSTRUCTION CERTIFICATE/SUBDIVISION WORKS CERTIFICATE (ENGINEERING)

9.1 General

- 9.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate or Subdivision Works Certificate can be issued.
- 9.1.2 The engineering drawings referred to below are not for construction. The Construction Certificate/Subdivision Works Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application. NOTE: Where there is inconsistency between the plan drawings and Sketches, the Sketches shall prevail to the extent of the inconsistency.

Construction Certificate/Subdivision Works Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:

Prepared By	Drawing No.	Revision	Dated
Mepstead & Associates	6137-DA-100-01_F	F	09/05/25
Mepstead & Associates	6137-DA-101-01_F	F	09/05/25
Mepstead & Associates	6137-DA-102-01_F	F	09/05/25

Mepstead & Associates	6137-DA-102-02_F	F	09/05/25
Mepstead & Associates	6137-DA-102-03_F	F	09/05/25
Mepstead & Associates	6137-DA-102-04_F	F	09/05/25
Mepstead & Associates	6137-DA-103-01_F	F	09/05/25
Mepstead & Associates	6137-DA-103-02_F	F	09/05/25
Mepstead & Associates	6137-DA-103-03_F	F	09/05/25
Mepstead & Associates	6137-DA-103-04_F	F	09/05/25
Mepstead & Associates	6137-DA-103-05_F	F	09/05/25
Mepstead & Associates	6137-DA-103-06_F	F	09/05/25
Mepstead & Associates	6137-DA-104-01_F	F	09/05/25
Mepstead & Associates	6137-DA-104-02_F	F	09/05/25
Mepstead & Associates	6137-DA-104-03_F	F	09/05/25
Mepstead & Associates	6137-DA-104-04_F	N/A	N/A
Mepstead & Associates	6137-DA-105-01_F	F	09/05/25
Mepstead & Associates	6137-DA-105-02_F	F	09/05/25
Mepstead & Associates	6137-DA-105-03_F	F	09/05/25
Mepstead & Associates	6137-DA-105-04_F	F	09/05/25
Mepstead & Associates	6137-DA-106-01_F	F	09/05/25
Mepstead & Associates	6137-DA-106-02_F	F	09/05/25
Mepstead & Associates	6137-DA-106-03_F	F	09/05/25
Mepstead & Associates	6137-DA-106-04_F	F	09/05/25
Mepstead & Associates	6137-DA-106-05_F	F	09/05/25
Mepstead & Associates	6137-DA-106-06_F	F	09/05/25
Mepstead & Associates	6137-DA-107-01_F	F	09/05/25
Mepstead & Associates	6137-DA-107-02_F	F	09/05/25
Mepstead & Associates	6137-DA-107-03_F	F	09/05/25
Mepstead & Associates	6137-DA-107-04_F	F	09/05/25
Mepstead & Associates	6137-DA-107-05_F	F	09/05/25
Mepstead & Associates	6137-DA-107-06_F	F	09/05/25
Mepstead & Associates	6137-DA-107-07_F	F	09/05/25
Mepstead & Associates	6137-DA-107-08_F	F	09/05/25
Mepstead & Associates	6137-DA-107-09_F	F	09/05/25
Mepstead & Associates	6137-DA-107-10_F	F	09/05/25
Mepstead & Associates	6137-DA-108-01_F	F	09/05/25
Mepstead & Associates	6137-DA-108-02_F	F	09/05/25
Mepstead & Associates	6137-DA-109-01_F	F	09/05/25
Mepstead & Associates	6137-DA-110-01_F	F	09/05/25
Mepstead & Associates	6137-DA-111-01_F	F	09/05/25
Mepstead & Associates	6137-DA-112-01_F	F	09/05/25
Mepstead & Associates	6137-DA-113-01_F	F	09/05/25
Mepstead & Associates	6137-DA-113-02_F	F	09/05/25
Mepstead & Associates	6137-DA-114-01_F	F	09/05/25
Mepstead & Associates	6137-DA-114-02_F	F	09/05/25
Mepstead & Associates	6137-DA-115-01_F	F	09/05/25
Mepstead & Associates	6137-DA-116-01_F	F	09/05/25
Mepstead & Associates	6137-DA-116-02_F	F	09/05/25
Mepstead & Associates	6137-DA-117-01_F	F	09/05/25
Mepstead & Associates	6137-DA-118-01_F	F	09/05/25
Mepstead & Associates	6137-DA-119-01_F	F	09/05/25
Mepstead & Associates	6137-DA-120-01_F	F	09/05/25
Mepstead & Associates	6137-DA-120-02_F	F	09/05/25

The following items are required to be addressed on the Subdivision Works

Certificate plans:

- i. Provide a KIP in the vicinity of the common boundary of Lot 111/112 on Road 4 and connecting to Pit 1-1 on 6137-DA-102-04_F

- ii. The line between Pit 1-2 and 1-1 shall be capped upon the extension of permanent Road 4 drainage to the regional basin.
 - iii. Details of the retaining wall at the rear of lots 147-203 shall be shown on the design plans and shall be located wholly within the respective lots.
 - iv. The plans are to demonstrate that flows from Pit M1 in the south west corner of the site are converted to natural flows that will not cause erosion on the adjoining property by way of a level spreader or similar device.
 - v. The applicant is to demonstrate the provision of a temporary turning head at the end of Road 1 suitable for a 10.5m HRV waste vehicle. Details are to be provided for the temporary turning head demonstrating the details of the interim works to ensure appropriate drainage is achieved together with necessary safety for road users. This shall be generally as per Mepstead 6137-DA-119-01_F and include the following
 - a. "No Stopping" signage to be provided around the turning head;
 - b. Line marking of the nominal kerb line on the permanent road pavement;
 - c. Heavy duty AC pavement behind the southern kerb line suitable for HRV.;
 - d. The ultimate configuration including reconstruction of drainage pits and kerb and gutter, footways access path driveway etc.
 - vi. The bioretention area for the North OSD basin shall be relocated to be a minimum of 2.0m from the northern retaining wall and 1.5m from the eastern retaining wall to satisfy solar access requirements.
 - vii. The North OSD basin shall be redesigned to exclude the volume below the Extended Detention Depth from On-Site Detention Calculations.
- 9.1.3 Access grates to the below ground detention tank (excluding the discharge control pits) must be a minimum 900 mm by 900 mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 1.5 m for clear heights less than 0.7 m, 2 m for clear heights less than 1.0 m, 3 m for clear heights less than 1.5 m, 4 m for clear heights less than 2.0 m and 6 m for clear heights greater than 2.0 m. Discharge control pits deeper than 1.2 m with screens require 2 x 600 by 1200 grates

9.2 Subdivision Works/Construction Certificate Requirements

- 9.2.1 Under the *Environmental Planning and Assessment Act 1979* a Subdivision Works/Construction Certificate is required. These works include but are not limited to the following:
- Road and drainage construction
 - Earthworks
 - Inter-allotment drainage (created within the subject lot)
 - Path Paving (within a subdivision)

The above requirements are further outlined in this section of the consent.

9.3 Local Government Act Requirements

- 9.3.1 Under *Section 68 of the Local Government Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
- Any works within a Council Reserve
 - Any works on adjoining land (outside the subject site boundaries)
 - Inter-allotment drainage on adjoining land

The above requirements are further outlined in this section of the consent.

9.4 Roads Act Requirements

9.4.1 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:

- Any works within Council's road reserve
- Half width road construction
- Kerb inlet pit connections or construction
- Vehicular crossings
- Path Paving

The above requirements are further outlined in this section of the consent.

9.5 Other Engineering Requirements

- 9.5.1 If the estimated cost is \$250,000 or greater proof of long service levy payment is required.
- 9.5.2 Any ancillary works undertaken shall be at no cost to Council.
- 9.5.3 Submit written permission from the affected property owner for any works proposed on adjoining land.
- 9.5.6 All street name poles, light poles and bus shelters shall be black powder coated in accordance with Blacktown City Council's Engineering Guide for Development. Ensure this is noted on the construction plans.
- 9.5.7 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

9.6 Roads

- 9.6.1 Submit a pavement report prepared and designed by a professional civil engineer with soil tests carried out by a registered NATA soils laboratory. The pavement design shall withstand the traffic loadings listed in this consent.

Note: The design CBR is to be confirmed on site prior to placement of any pavement. If actual CBR is less than design CBR, revised pavement design will be required.

- 9.6.2 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a person who holds a current Safework NSW Work Zone Traffic Management Plan accreditation and photo card.

9.6.3 – 9.6.4 NOT USED

- 9.6.5 Proposed new roads shall be designed and constructed as follows:

Name	Width(m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Road 1	18 & var	200	3.5-11.0-3.5	5x10 ⁵
Road 2	16	160	3.5-9.0-3.5	5x10 ⁵
Road 4	18	120	3.5-5.5 (half)	5x10 ⁵

- 9.6.6 Community title roads, accessways or right of way driveways shall be designed and constructed as follows:

Name	Lots Benefited	Width (m)	Length (m)	Formation (m)	Min Concrete Strength MPA
Road 3	2-63	11.0	192	2.0-7.0-2.0	28
Road 5	2-63	11.0	195	2.0-7.0-2.0	28
Basin Accessway	NA	4.0	140	1.0-3.0	28
Basin ROW	Council	Var as per Sketch 2.4K		Min 3.0 and var to suit swept path as per Sketch 2.4K(10-13)	28

The pavement shall be designed as a rigid pavement. A suitably qualified engineer (NER registered) must certify that the pavement has been structurally designed in accordance with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design with a Design Traffic loading determined in accordance with Austroads particularly Section 7.7 and that all Jointing and reinforcement requirements are consistent with RMS NSW practice (i.e. RMS NSW Publication - Plain concrete pavement MD.R83.CP, Jointed concrete pavement MD.R83.CJ and Continuously reinforced concrete pavement MD.R83.CC).

Note: the minimum equivalent N(ESA) traffic loading for design shall be 5×10^4

- 9.6.7 Staging of road construction may be permitted where suitable traffic circulation or temporary turning areas in dead end roads are evident in accordance with Council's Engineering Guide for Development.

9.7 Drainage

- 9.7.1 Drainage from the site must be connected into Council's existing and/or proposed drainage system.
- 9.7.2 Provide inter-allotment drainage lines for lots that do not drain directly to a public road. The design shall include pipeline long-sections and identify location and levels of services.
- 9.7.3 Provide a roof water outlet to kerb for each proposed lot that drains to the street.
- 9.7.4 Provide dedicated overland flows path through any lots affected by any temporary or permanent trapped low points with the public or private road network. Overland flow paths must be capable of conveying the 1% AEP flows with adequate freeboard.
- 9.7.5 Prior to the issue of a Subdivision Works Certificate, a minimum 3.0m wide easement for overland flow from the boundary adjacent Pit M1 to the watercourse shall be created and registered. The creation is pursuant to Section 88B of the *Conveyancing Act, 1919* and registration with Land Registry Services (LRS). The easement shall burden Lot A, DP 389673 and benefit Lot 100, DP 1233054.

9.8 Signage and Line Marking

- 9.8.1 A formal submission must be made to the Local Traffic Committee (LTC) through Council's Traffic Engineering department for all signage and line marking details proposed as part of these works.

A determination will be required prior to the implementation of all signage and line marking works.

9.9 Erosion and Sediment Control

- 9.9.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

9.10 Earthworks

- 9.10.1 Proposed lots must be filled so that the ground levels behind the building are a minimum of 500mm above the designed 100-year average recurrence interval flood level.
- 9.10.2 Batters are not to exceed a grade of 1V:5H and are to be stabilised with topsoil, turf and vegetation.
- 9.10.3 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.
- 9.10.4 Retaining walls shall be a maximum single height of 1.2 m (600 mm cut + 600 mm fill). Where a retaining wall is proposed that is more than 1.2 m in height, a terraced solution shall be provided. Terraces should not exceed 900 mm in height (each). Note that the lower terrace is to be inside the lower lot, and the upper terrace on the boundary. Terraces should have a minimum separation distance equal to the height of the terrace. Retaining walls shall be of masonry construction.
- 9.10.5 Show on plan adjacent to road cross sections approximate quantities of road materials required for construction. (i.e. Densely Graded Subbase and Densely Graded Base)
- ## 9.11 On-Site Detention
- 9.11.1 On-site detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)175M On-site detention requirements - Sheet 20, or an S3QM Certificate or through pre and post development hydraulic modelling.
- 9.11.2 The on-site detention system shall be generally designed to achieve the following:

- i. All systems shall use at least 2 orifice plates to control flows:
 - The 1.5 year ARI orifice shall be designed to convey a maximum of 40/L/s/ha
 - The 100 year ARI orifice shall be designed to convey a maximum of 190 L/s/ha
- ii. Storage shall be provided as follows:
 - Volume up to 1.5 year ARI TWL = 300 m³/ha
 - Volume up to 100 year ARI TWL = 455 m³/ha
- iii. Orifice flow rates will be adjusted for bypass with a maximum site bypass of 15% as per the following table:

Total OSD BYPASS (%)	ENVIRONMENTAL DISCHARGE (1.5 YEAR ARI ORIFICE) (L/s/ha)	ENVIRONMENTAL STORAGE (BELOW 1.5 YEAR ARI WEIR) (m ³ /ha)	FLOOD DISCHARGE (100 Year ARI ORIFICE (L/s/ha)	FLOOD STORAGE (BELOW EMERGENCY WEIR) (m ³ /ha)
0	40.0	300	190	455

2.5	38.5	300	176	455
5	37.0	300	162	455
7.5	35.5	300	148	455
10	34.0	300	134	455
12.5	32.5	300	120	455
15	31.0	300	106	455

9.11.3 A registered engineer (NER) must certify that:

- The structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
- The on-site stormwater detention system will perform to meet the on-site stormwater detention requirements and function hydraulically in general accordance with Council's Engineering Guide for Development, DCP [Part J - Water Sensitive Urban Design and Integrated Water Cycle Management](#), S3QM Deemed to comply tool and Councils Standard Drawing A(BS)175M.

9.11.4 The following documents shall be submitted to accompany the on-site detention design:

- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- S3QM Certificate OSD detailed design submission and calculation summary sheet, or pre post development DRAINS Model.
- A maintenance schedule that is signed and dated by the designer.

9.12 Stormwater Quality Control

9.12.1 Stormwater quality treatment system shall be designed in accordance with Council's Engineering Guide for Development and DCP [Part J - Water Sensitive Urban Design and Integrated Water Cycle Management](#).

9.12.2 Bio-retention basin(s) to be designed in accordance with Council's Water Sensitive Urban Design standard drawings and Council's Engineering Guide for Development and DCP [Part J - Water Sensitive Urban Design and Integrated Water Cycle Management](#).

9.12.3 Further subdivision or development over the temporary basin will require Council approval. Decommissioning works shall be undertaken in accordance with the Council's Engineering Guide for Development (Current Version) and Temporary Basin Removal Procedure. Council will be the Principal Certifier (PC) for these works which will include inspections by Council's Development Inspectors.

9.13 Vehicular Crossings

9.13.1 Plans to demonstrate the construction of a residential vehicular crossing to Council's standard A(BS)102S.

9.13.2 Plans to demonstrate the construction a commercial and industrial vehicular crossing to Council's standard A(BS)103S at the proposed access to the service lane for the basin.

9.14 Footpaths

9.14.1 Path paving s to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2018 and as follows:

Street Name	Side	Paving Width	Length
Road 1	Western	1.5m	Full length
Road 2	Both Sides	1.5m	Full length
Road 4	Western	1.5m	Full length

- 9.14.2 The construction of path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2010.

Proposed locations and widths are to be approved by Blacktown City Council's Senior Co-ordinator Engineering Approvals. Cycleways/ shared pathways are to include line marking and signposting in accordance with the requirements of Austroads "Guide to Road Design" Part 6A and the Roads and Maritime Services NSW Bicycle Guidelines November 2003.

- 9.14.3 Construct shared user paths (including signage and linemarking) in accordance with Part 6A (Paths for Walking and Cycling) 2017 of Austroads "Guide to Road Design" and the RMS NSW Bicycle Guidelines – July 2005, as follows:

Street Name	Side	Cycle-way Width	Length
Road 1	Eastern	2.5m	Full length

9.15 Compatibility with Regional Stormwater Infrastructure

- 9.15.1 The proposed development is adjacent to proposed infrastructure works S7.11 CP20 items E8.1 to E8.4 and E8.6.

Prior to the issue of a Subdivision Works Certificate, the written concurrence of Council's Manager Asset Design shall be obtained that the proposed works are consistent with Council's S7.11 works.

10 PRIOR TO DEVELOPMENT WORKS

10.1 Compliance Certificate Fee

- 10.1.1 All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.

10.2 Safety/Health/Amenity

- 10.2.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 10.2.2 A sign is to be erected and maintained in a prominent position on the site in accordance with the Environmental Planning and Assessment Regulations 2021 indicating:

- (a) the name, address and telephone number of the Principal Certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

10.2.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

10.2.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

10.2.5 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.

10.2.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

10.2.7 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.

10.3 Notification to Council

10.3.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

- 10.3.2 At least five (5) full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$10,000,000.

10.4 **Tree Protection**

- 10.4.1 Any tree not approved for removal or more than 3m from the building perimeter is to be effectively protected against damage, as required by AS:4970-2009 Protection of Trees on Development Sites and the approved Tree Management Plan.

10.5 **Tree Management**

- 10.5.1 No trees, located within the subject allotment and/or within the Council Road Reserve (verge/nature strip) or any adjoining allotment, may be removed or pruned unless specific approval is given in this consent.
- 10.5.2 All trees not approved for removal, or pruning by the Conditions of this Development Consent, are required to be retained and protected. Tree Protection Measures, compliant with the provisions of AS4970: Protection of trees on development sites, 2009 must be installed prior to the commencement of any works on site, including demolition.
- 10.5.3 A Compliance Certificate is to be provided by the Project Arborist to the Principal Certifying Authority once the required Tree Protection Measures have been installed.
- 10.5.4 There must be no excavation, mechanical or by hand, or alteration to existing soil levels within the Tree Protection Zone of any tree required to be retained and protected.

10.6 **Tree removal**

- 10.6.1 Trees, identified for removal in Section 7 of the Arboricultural Impact Assessment prepared by prepared by CPS, Revision D dated 5 May 2025 (AIA), are approved for removal.
- 10.6.2 Trees, not specifically identified in the AIA referenced above may NOT be removed under this development consent.
- 10.6.3 Trees approved for removal must be removed by a qualified Practicing Arborist, with a minimum qualification of Australian Qualification Framework (AQF) Level 3 in Arboriculture and have Public Liability Insurance (minimum \$20 million).
- 10.6.4 All tree work must be carried out in accordance with the Safe Work Australia Guide to Managing Risks of Tree Trimming and Removal Work, and Work Cover NSW Code of Practice – Amenity Tree Industry 1998.

10.7 **Hollow bearing trees-protection of wildlife**

- 10.7.1 Prior to the removal of any tree located on site the applicant shall:
- Have all trees inspected, by a suitably qualified ecologist, for the presence of hollows or potential hollows.
- Prior to any works being undertaken on tree/s approved for removal or pruning, a person, holding a wildlife handling licence, must be present on site. If, during tree works, an animal or bird is located, the accredited handler is to direct removal/relocation of the animal as appropriate. Accredited handlers can be contacted through Wires (<<https://www.wires.org.au/>>) or Birdlife Australia (<<https://birdlife.org.au/>>).

10.8 **Tree Preservation and protection requirements**

10.8.1 Trees, recommended for retention in Section 7 of the Arboricultural Impact Assessment prepared by prepared by CPS, Revision D dated 5 May 2025 (AIA) must be retained and protected.

10.8.2 Tree Protection, as specified in the Tree Protection Plan approved Prior to Construction Certificate is to be installed on site.

10.9 Tree Protection

10.9.1 Unless specific approval is given in this consent, no trees, located within the subject allotment and/or within the Council Road Reserve (verge/nature strip) or any adjoining allotments, may be removed or pruned during demolition works.

10.9.2 Any tree not indicated to have consent for removal shall be effectively protected against damage as specified in the Tree Protection Plan approved Prior to Construction Certificate.

10.9.3 Tree Protection measures must be installed before Demolition work begins.

10.10 Tree Protection

10.10.1 The measures required to effectively protect trees on the land shall be maintained throughout the demolition works.

10.11 Home Building Act

10.11.1 The construction of *residential building work* within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

(a) in the case of work for which a principal contractor is required to be appointed:

- (i) the name and licence number of the principal contractor, and
- (ii) the NSW Home Building Compensation Fund "Statement of Cover" under Part 6 of that Act,

(b) in the case of work to be done by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under Part 3 of the Act, the number of the owner-builder permit.

10.12 Sydney Water Authorisation

10.12.1 Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

10.13 Adjoining Owners

19.13.1 Written permission from the respective owner(s) must be obtained to:

- (a) discharge stormwater onto adjoining owner's land.
- (b) carry out works on adjoining land.
- (c) drain the site across land owned by others.

A copy of such written permission shall be lodged with Council.

10.14 Construction Details

10.14.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (e) Wall frame bracing
- (f) Roof trusses
- (g) Structural steelwork
- (h) Retaining walls

11 DURING CONSTRUCTION (GENERAL)

11.1 European Heritage

11.1.1 If, during the course of construction works, the applicant or person acting on this consent become aware of any previously unidentified heritage object(s), all works likely to affect the object(s) shall cease immediately and NSW Environment and Heritage shall be notified immediately in accordance with section 146 of *the Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Heritage Council is issued.

11.2 Aboriginal Heritage

11.2.1 If, during the course of construction works, the applicant or person acting on this consent become aware of any previously unidentified Aboriginal object(s), all works likely to affect the object(s) shall cease immediately and NSW Environment and Heritage to be informed. Relevant works shall not recommence until written authorisation from NSW Office of Environment and Heritage is received by the Applicant. In addition, a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

11.3 Environmental Health Matters

11.3.1 To ensure that fill material is suitable for the proposed use, only material classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) is permitted to be imported onsite.

- 11.3.2 A site specific 'Unexpected Finds Protocol' is to be prepared, implemented and made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.
- 11.3.3 The recommendations in Combined Stage 1 and Stage 2 Detailed Site Investigation, prepared by Development Risk Management dated 7 November 2023 shall be implemented.
- 11.3.4 The recommendations in Remedial Action Plan, prepared by Development Risk Management dated 6 December 2023 shall be implemented.

11.4 **Acoustic Impacts**

- 11.4.1 To minimise the noise impact of the development on the surrounding environment, the collection and delivery of goods and materials (including garbage and recycling waste) from and to the premises shall not take place between the hours of 10pm and 7am.

12 **DURING CONSTRUCTION (BUILDING)**

12.1 **Safety/Health/Amenity**

- 12.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
 - (b) connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.
- 12.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with the Environmental Planning and Assessment Regulations 2021 indicating:
- (a) the name, address and telephone number of the Principal Certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- 12.1.3 Should the development work:
- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

- 12.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.
- 12.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 12.1.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.
- 12.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent it being dangerous to life or property.
- 12.1.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.
- 12.1.9 Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.
- 12.2 Building Code of Australia Compliance**
- 12.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 12.3 Surveys**
- 12.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.
- 12.3.2 A registered surveyor's report indicating that the required minimum Australian Height Datum floor level has been achieved, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.
- 12.3.3 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.
- 12.4 Nuisance Control**
- 12.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

12.4.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

12.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

12.5 **Stormwater Drainage**

12.5.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering any building or being diverted onto any adjoining land (as applicable) by:

- (a) the floor level being a minimum 225mm above the adjoining finished ground level, and/o
- (b) being drained to an effective drainage system.

12.6 **Waste Control**

12.6.1 The removal of hazardous waste including Asbestos from the site and its transportation to its final destination is to be undertaken in accordance with the NSW Environment Protection Authority's tracking and reporting system, the Integrated Waste Tracking Solution. For more information, please refer to the following link: <https://www.epa.nsw.gov.au/your-environment/waste/integrated-waste-tracking-solution> Evidence of tracking must be submitted to Council's waste section and approved prior to the release of the Construction Certificate.

12.6.2 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during development works.

12.6.3 The applicant must provide evidence of tipping dockets for all demolition and construction waste generated onsite.

12.6.4 The applicant must ensure all litter is managed onsite by ensuring waste receptacles are covered when not in use.

12.7 **Tree Protection**

12.7.1 The measures required to effectively protect trees on the land shall be maintained throughout the development works as required by AS:4970-2009 Protection of Trees on Development Sites and the approved Tree Management Plan.

12.7.2 All sub-surface services (e.g. gas, water, electricity, stormwater, sewerage etc) are to be located outside of the Tree Protection Zone of any tree required to be retained and protected by this consent, including those located on adjoining properties.

12.7.3 Under no circumstances are sub-surface services to be installed within the Structural Root Zone of a tree required to be retained and protected by this consent, including those located on adjoining properties.

12.7.4 Power poles, stormwater grate drains, service lines etc. are to be located to avoid any need to install services within a Tree Protection Zone or to excavate through a Tree Protection Zone. All such features are to be located so that they do not negatively impact on any tree required to be retained by this consent or which is located on an adjoining site. Only where there is no other viable option available are services to be installed within the Tree Protection Zone.

- 12.7.5 Where services are required to be installed within the Tree Protection Zone, the Project Arborist is to be consulted prior to the works being undertaken and appropriate, tree sensitive installation methods are to be used. Open excavation must only be used on the authorisation of the Project Arborist and must be completed by hand, use of mechanical digging tools is not permitted.
- 12.7.6 The Project Arborist is required to supervise and direct all work associated with the installation of sub-surface services within the Tree Protection Zone of any tree required to be retained and protected by this consent, including those located on adjoining properties.
- 12.7.7 At the completion of the works, the Project Arborist must provide a Compliance Certificate to the Principal Certifying Authority which details the method used for the installation of the sub-surface services, identifies all tree roots severed by diameter and depth, and all tree protection measures implemented.
- 12.7.8 During building work, including demolition and landscape construction, the Project Arborist is to complete site inspections and/or supervision of work, as indicated in the Tree Protection Plan approved Prior to Construction Certificate.

The Project Arborist must be appointed before demolition of any existing structures or earthworks. They are to register with the Developer before any works commence so that the builder can be inducted as to essential times when the Arborist will be required on-site. Hold points, inspections and certification are to be carried out by the Arborist.

- 12.7.9 During building work, including demolition and landscape construction, the Project Arborist is to carry out regular site monitoring, to ensure Tree Protection Measures are being maintained compliant with the requirements of this consent. Record of these site visits is to be sent to the Principal Certifying Authority.
- 12.7.10 Where a non-compliance with the conditions of this consent is identified, the Project Arborist is to notify the Principal Certifying Authority within three (3) working days from the date of the site visit. The notification must include the following details:
- Description of the non-compliance,
 - Remedial actions required,
 - Time frame for remedial actions to be completed in.
- 12.7.11 The Principal Certifying Authority must ensure that the recommendations of the Project Arborist are implemented within the stated timeframes.

12.8 Construction Inspections

- 12.8.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):
- (a) After excavation for, and prior to placement of, any footings; and
 - (b) Prior to pouring any in-situ reinforced concrete building element; and
 - (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and

(d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and

(e) Prior to covering any stormwater drainage connections; and

(f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection “(f)” must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited person other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

13 DURING CONSTRUCTION (ENGINEERING)

13.1 Notification of Works

13.1.1 A written notification of works must be submitted to Council’s Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.

13.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council’s Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

13.2 Insurances

13.2.1 Current copies of relevant insurance Certificates of Currency are to be submitted to Council’s Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000 Indemnity and Workers Compensation.

13.3 Service Authority Approvals

13.3.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

13.4 Boundary Levels

13.4.1 Any construction at the property boundary, including but not limited to fences, retaining walls and driveways shall not be carried out until boundary alignment levels have been fixed.

13.5 Tree Protection and Preservation

13.5.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.

13.5.2 Prior to commencement of engineering works that may disturb existing vegetation/trees, the site shall be inspected to identify and appropriately mark out any trees to be retained as well as determine areas that are to be left undisturbed. Proposed roads must be set-out onsite prior to this inspection. Note: Inspection must be carried out by Council's representative or an appropriately accredited private certifier. The applicant's representative must be present during this inspection.

13.5.3 There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.

13.5.4 Council must be notified a minimum of 24 hours prior to the removal of any branches from existing trees which are to be retained. Subject to Council's direction, this work must be generally undertaken by a qualified Arborist.

13.6 Soil Erosion and Sediment Control Measures

13.6.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.

13.6.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.

13.6.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

13.7 Filling of Land and Compaction Requirements

13.7.1 Suitable land fill replacement is required when unsuitable soils are removed. All fill including existing fill shall be compacted in accordance with Council's Works Specification - Civil (current version). A compaction certificate shall be obtained from an appropriately qualified practising registered engineer (NER) verifying that the correct compaction requirements have been met. This compaction certificate is to be submitted to Council.

13.7.2 Special attention is drawn to the below listed requirements of Council's Works Specification - Civil (Current Version).

- a) Compaction certificates for fill within road reserves.
- b) Compaction certificates for road sub-grade.
- c) Compaction certificates for road pavement materials (sub-base and base courses).
- d) Contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
- e) Applicant to submit material compliance documentation in accordance with Councils Civil Works Specification 8.1.4
 - Compliance Certificate and Test Results

- Delivery Dockets
- Summary of Material deliveries as per template available on Council's website

Note: Council's Works Specification (Civil) requires road pavement and pipe bedding materials be sourced from N.A.T.A. certified stockpiles.

The above documentation shall be submitted prior to Subdivision and/or Occupation certificate as required by this consent.

- 13.7.3 Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.
- 13.7.4 Only clean fill shall be deposited/imported on site in accordance with Council's Works Specification - Civil (Current Version). Note: dry builder's waste i.e. bricks plaster and timber industrial waste or putrescible materials are not to be deposited on site. Validation of the imported fill material will be required by a suitably qualified registered engineer.
- 13.7.5 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind-blown dust.
- 13.7.6 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.
- 13.7.7 Trucks transporting cut and fill must have their loads covered and provisions of "shaker pads" and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.
- 13.7.8 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.

13.8 Filling in Contaminated Land

- 13.8.1 During the course of placement of filling the applicant shall undertake further testing for potential soil contamination. Validation of the imported fill material will be required.
- 13.8.2 All testing and validation of the fill material shall be undertaken by a suitably qualified environmental consultant in accordance with Council's Policy and Procedures for the determination of Rezoning Development and Building Applications involving Contaminated Land. A Remediation and Validation Report documenting the testing undertaken shall be submitted to Council for approval.
- 13.8.3 Should any remediation works be required documentary evidence prepared by a suitably qualified environmental consultant validating the site is to be submitted to Council for approval.

13.9 Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.

- 13.9.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The

inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Where Council is appointed as the Principal Certifying Authority for the development, compliance certificates issued by accredited certifiers in lieu of council inspections will only be accepted by prior agreement or by Council request. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

13.10 Inspection of Engineering Works - Roads Act 1993 or Local Government Act 1993

- 13.10.1 All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* or *Local Government Act 1993* must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum 24 hours' notice. Councils Development Overseers may be contacted on 02 9839 6586 between 6 am – 7 am, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

13.12 Public Safety

- 13.12.1 The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

13.13 Site Security

- 13.13.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

13.14 Traffic Control

- 13.14.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current Safework NSW Work Zone Traffic Management Plan accreditation and photo card for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2009.
- 13.14.2 Traffic control devices/facilities (i.e. barricades, signs, lights, etc.) required by the certified Traffic Control Plan must be setup, installed, monitored and maintained and by a person who holds a current Safework NSW accreditation and photo card to implement Traffic Control Plans.
- 13.14.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Safework NSW) Traffic Controller accreditation and photo card and carry it with them.
- 13.14.4 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified Safework NSW accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion

between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2009.

- 13.14.5 Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a person who holds a current Safework NSW accreditation to prepare a Work Zone Traffic Management Plan. This Plan must satisfy all the requirements of AS 1742.3 – 2009 and the current version of the TfNSW *Traffic Control at Work Sites* manual and shall be submitted to Council prior to implementation.

13.15 Powder Coated Furniture

- 13.15.1 Where the conditions of this consent permit the installation of powder coated furniture (i.e. street lighting poles, bus shelters, rubbish bins, seats or any other items of street furniture), a certificate from the manufacturers shall be provided to Council confirming that the nominated powder coated items have been prepared and coated in accordance with Australian Standard AS/NZ 4506-2005 (service condition category 3). This certificate must be no more than 3 months old and shall be provided to Council prior to the installation of the relevant items of the street furniture. Any items of street furniture not so certified shall be removed and replaced at no cost to Council with items appropriately certified.

13.16 Road Line Marking and Traffic Signage

- 13.16.1 Prior to the implementation of any road line marking and traffic signage required by this development the applicant shall acquire an approved construction certificate for the line marking and traffic signage plan arrangement.

In this regard, the applicant shall provide evidence to the certifying authority in order to demonstrate that the proposed line marking and traffic signage plan has approval from the local traffic committee and has been adopted by Ordinary Council Meeting.

Note: all recommendations by the local traffic committee and Ordinary Council Meeting shall be reflected within the construction certificate for line marking and traffic signage.

13.17 Other Matters

- 13.17.1 Provide certification prior to placement, that the bio-retention filter media ex-bin has:
- i. A minimum hydraulic conductivity as defined by ASTM F1815-13 of 250 mm/hr (actual, not predicted);
 - ii. A maximum hydraulic conductivity as defined by ASTM F1815-13 of 700 mm/hr (actual, not predicted);
 - iii. An Orthophosphate content < 20 mg/kg;
 - iv. A Total Nitrogen content < 900 mg/kg;
 - v. Is not hydrophobic.
- 13.17.2 Provide certification prior to placement in the bio-retention basin, that the transition layer material ex-bin:
- i. Is a clean, washed well-graded coarse sand or coarse sand blend containing little or no fines (< 2%);
 - ii. Satisfies the bridging criteria $D_{15} \text{ (transition layer)} \leq 4 \times D_{85} \text{ (filter media)}$ where: D_{15} is the 15th percentile particle size in the transition layer material (i.e., 15% of the sand is smaller than D_{15} mm), and D_{85} is the 85th percentile particle size in the filter media;
 - iii. Satisfies the hydraulic conductivity criteria $D_{15} \text{ (drainage layer)} \geq D_{15} \text{ (transition layer)} \times 2$.

- 13.17.3 Provide certification prior to placement in the bio-retention basin, that the drainage layer material ex-bin:
- i. Is a clean washed 5 mm gravel, such as washed screenings;
 - ii. Satisfies the bridging criteria $D_{15}(\text{drainage layer}) \leq 4 \times D_{85}(\text{transition layer})$ where: $D_{15}(\text{drainage layer})$ is the 15th percentile particle size in the drainage layer material (i.e., 15% of the gravel is small than $D_{15} \text{ mm}$), and $D_{85}(\text{transition layer})$ is the 85th percentile particle size in the transition layer material;
 - iii. Satisfies the hydraulic conductivity criteria $D_{15}(\text{drainage layer}) \geq D_{15}(\text{transition layer}) \times 2$.
- 13.17.4 No fertiliser or additional nutrient material or mulch is to be provided to the bio-retention basin filter area during planting of the tube stock, or at any time.
- 13.17.5 Where more than 90% of the dwellings within the development are constructed the bio-retention basins are to be fully constructed to final design levels.
- 13.17.6 Any proposed Gross Pollutant Traps are to be of a type that is listed as an approved proprietary treatment device in the current edition of Council WSUD Developer Handbook.

14 DURING CONSTRUCTION (PLANNING)

14.1 Uncovering Archaeological Evidence

- 14.1.1 The applicant must inform Council if archaeological material or evidence of the potential for archaeological material is discovered during construction. In the event of a discovery occurring, the applicant must ensure that all work ceases and the nominated archaeologist must attend the site to assess the nature of the discovery and inform the Council of the evidence.

14.2 Aboriginal Archaeology

- 14.2.1 If any Aboriginal objects are found during construction, work is to cease immediately. NSW Environment and Heritage is to be notified and the site, and objects, are to be assessed by a suitably qualified Aboriginal Heritage Consultant in accordance with the requirements of NSW Environment and Heritage. No further works are to be undertaken on the site without the written consent of NSW Environment and Heritage.

14.3 Site Contamination

- 14.3.1 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during the demolition, excavation and construction works, all works are to cease immediately. In this situation, a Remediation Action Plan (RAP) is to be submitted to Council for further consideration and all potentially contaminated material is to be tested, removed or undergo remediation. Once Council is satisfied with the adequacy of the RAP it will authorise the recommencement of work. In this regard, the environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.

14.4 Salinity and Aggressive Soil Management

- 14.4.1 The environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works. In this regard, Council will require a post earthworks salinity investigation demonstrating that the salinity management measures provided in the Salinity Management Plan have been implemented and

that the site is suitable for residential development. Any lots identified as containing saline or aggressive soils shall provide suitable Section 88B restrictions / covenants on title for building construction measures to mitigate the effects of aggressive soils and salinity.

14.5 Other Matters

14.5.1 Throughout the duration of the works, the applicant is to demonstrate compliance with the following approval parameters:

- (a) The applicant is to ensure that validation for the entire subject site can be prepared by a suitably qualified environmental consultant in accordance with Council's Contamination Land Policy.
- (b) The applicant is to ensure that the site has been satisfactorily secured so as to prevent any unauthorised dumping of illegal fill/waste building materials (i.e. non-V.E.N.M soils) from entering onto the development site.
- (c) Appropriate dust suppression measures are to be incorporated into the site works process, so as to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.
- (d) Any fill material imported to the site shall be certified at the source by a suitably qualified consultant as VENM fill material, non-slightly saline and non-aggressive to concrete or steel. If the importation of fill is undertaken under a specific EPA exemption, relevant details of the EPA exemption shall be forwarded to Council prior to the importation of fill to the site.

Should Council receive any complaints regarding non-compliance with any of the above matters or other such operational type matters, then Council will have no alternative but to fully investigate the complaint and pursue an appropriate course of action.

14.5.2 Construction waste management is to be in accordance with the approved Waste Management Plan.

14.6 Retaining Walls

14.6.1 Retaining walls where approved are to be of masonry construction if taller than 600mm. Masonry, concrete or timber may be used where the height of a retaining wall is below 600mm. All retaining walls are to be completed in accordance with the approved plans to the satisfaction of Council. The height of the retaining walls are not to exceed 1.2 metres in height measured from the design finished surface level.

14.6.2 All retaining walls that face a public road and any retaining walls that face the internal private laneways / access ways are to be of a decorative finish (such as split-faced block work, or rendered and painted or other suitable finish), but not left plain.

DURING CONSTRUCTION (Waste)

14.6.3. The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during development works.

14.6.4. The applicant must provide evidence of tipping dockets for all demolition and construction waste generated onsite

- 14.6.5. The applicant must ensure all litter is managed onsite by ensuring waste receptacles are covered when not in use.

15 PRIOR TO OCCUPATION CERTIFICATE

15.1 Road Damage

- 15.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the subject site as a result of the development works be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

15.2 Compliance with Conditions

- 15.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

- 15.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 6.9 and 6.10 of the Environmental Planning & Assessment Act 1979.

- 15.2.3 NOT USED

- 15.2.1 A final written clearance shall be obtained from Sydney Water Corporation, Integral Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

15.3 Temporary Facilities Removal

- 15.3.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

- 15.3.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

- 15.3.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.

- 15.3.4 Any temporary builder's sign or other site information sign shall be removed from the land.

- 15.3.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

15.4 Fee Payment

- 15.4.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

15.5 Landscaping/Car Parking

- 15.5.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 15.5.2 All common areas and private driveways and pathways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of the occupants and other people resorting to the land at night.
- 15.5.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 15.5.4 All required internal driveways shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 15.5.5 Where there are turning bay areas within the development, they are to be signposted as 'Turning Bays' and 'No Parking'.
- 15.5.6 Any future substation or other utility installation required to service the approved development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves and also not on drainage zoned land.
- 15.5.7 All privacy screening measures / devices detailed on the approved plans are to be installed.

15.6 Graffiti Management Plan

- 15.6.1 A "Graffiti Management Plan" is to be submitted for the separate approval of Council. The Plan is to address the following issues:
- (a) Methods to minimise the potential for graffiti;
 - (b) Management/notification procedures for the "early" removal of graffiti;
 - (c) Annual review of any "management agreement" for the removal of graffiti to ensure the property is maintained at its optimum level; and
 - (d) Maintenance of suitable landscaping to minimise the potential for graffiti attacks.

15.7 Total Maintenance Plan

- 15.7.1 A "total" maintenance plan is to be prepared for the site in respect of the community title lots. The plan is to ensure the following:
- (a) The long term up-keep and cleanliness of the development, to ensure all buildings, public areas, through site links, soft and hard landscaping, security systems, mail boxes, lighting, bulky waste storage and loading area, feature entry signage, parking signage and services are regularly inspected and maintained at optimum levels at all times.
 - (b) That security, cleanliness and general repairs are managed appropriately, and that areas are not left unattended for long periods thereby substantially

increasing the opportunity for graffiti or anti-social behaviour. Any unwanted "junk mail" is to be collected on a regular basis and disposed of as necessary.

- (c) The development is managed by a Site / Strata / Building Manager.

A copy of the Plan is to be submitted to Council for separate approval prior to the release of any Occupation Certificate.

15.8 Waste Services

- 15.8.1 Should Council provide a waste service to this site, the elected strata manager must sign our 'Onsite Waste Collection Agreement Form' on behalf of all lot owners (and stamped using the common seal), before collections can occur onsite. The information must be submitted to Council's waste section and approved prior to the release of the Occupation Certificate.

- 15.8.2 A Community Management Statement be submitted to Council's waste section and approved prior to the release of the Occupation Certificate. It must:

- o clearly outline that no bins are to be located or placed in the approved collection points outside the scheduled collection time for that area. Bins must be placed out for collection no earlier than 2pm the day before the scheduled collection time for that area. The bins must be withdrawn from the kerbside to its corresponding lot no later than 7pm on the day of collection.
- o clearly state that unwanted bulky waste such as lounges, mattresses and fridges must only be placed out for collection the night before the scheduled collection date provided by Council if we are servicing the site. Collection of these items must be in accordance with our Resource (waste) Management Services Charter. Please call Council to book in a collection date.
- o clearly state that cars must not park in the carriageways of private property where trucks are travelling to service bins. Failure to adhere to this, could result in missed collections.
- o clearly outline a responsibility of residents to manage their bins and bulky waste onsite in accordance with the approved waste management plan.
- o clearly outline the responsibility for maintenance of the waste collection points and ensure they are clear and unobstructed prior to collection times.
- o clearly outline the method of communication to new tenants and residents regarding the waste management services and collection system for the complex.
- o state that no bulky waste items must be presented to a perimeter street frontage unless it belongs to an individual lot that has suitable truck access for a heavy rigid vehicle.
- o include the updated (and approved) waste management plan as lodged with the development application dated February 2024.

- o clearly outline the travel path to take bins from the storage area to the designated collection points.
 - o provide a clear bin placement plan that indicates bin collection points for each dwelling in the development.
- 15.8.3 The applicant must provide to Council satisfaction, proof of installation of 'No Parking' signage along both sides of the of the private roads #3 and 5, and 'No Stopping' signage in the cul de sac head at the end of Road #2 and Road 1, before collections can occur onsite. This must be submitted to Council's waste section and approved prior to the release of the Occupation Certificate.
- 15.8.4 The applicant must provide to Council satisfaction, proof of installation of marked parking bays to the width equivalent of one car space set back from each edge of the private road entry/exit, to enable safe movement of trucks into and out of the site. This must be in place before collections can occur onsite. This must be submitted to Council's waste section and approved prior to the release of the Occupation Certificate.
- 15.8.5 The applicant must provide to Council satisfaction, evidence of line marked communal bin pads (if on private property), in blocks of red for waste bins, yellow for recycling bins and green for food and garden organics with unit numbers listed for each lot. An allowance of 1m per bin must be provided. This must be submitted to Council's waste section and approved prior to the release of the Occupation Certificate.
- 15.8.6 The applicant must provide to Council's satisfaction, an amended waste management plan that correctly reflects information regarding waste collection in our area. Waste collection frequencies are incorrect. Food and garden organics bins, and waste bins are collected weekly. Recycling bins are collected fortnightly. Every fortnight, 3 bins will be presented per dwelling. Multiple pages are incorrect in this instance (Sections 4.5 and 4.6.3 are some examples). All corrections must be submitted to Council's waste section and approved prior to the release of the Occupation Certificate.
- 15.8.7 The applicant must provide to Council's satisfaction, an amended waste management plan at Section 4.6.4 (page 21), to correct that concrete bin pads are only required for the private road bin collection points. Public road collection points do not need concrete bin pads. Information must be submitted to Council's waste section and approved prior to the release of the Occupation Certificate.
- 15.9 **Other Matters**
 - 15.9.1 All commitments listed in the BASIX Certificate numbers as noted in Condition no. 2.6.1 shall be complied with.
 - 15.9.2 All dwellings, fencing, driveways, retaining walls, clotheslines, hot water systems, mailboxes and landscaping are to be completed in accordance with the approved plans.

- 15.9.3 Mailboxes are to be provided on site in accordance with the requirements of Australia Post.
- 15.10.1 An Occupation Certificate for building works for each stage shall not be issued until the proposed roads and drainage infrastructure fronting the stage has been constructed and dedicated to council as a public road.

16 OPERATIONAL (ENVIRONMENTAL HEALTH)

- 16.1 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 16.2 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 16.3 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
- 16.4 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW Environmental Protection Authorities - Noise Policy for Industry and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.

17 OPERATIONAL (PLANNING)

17.1 Use of Premises

- 17.1.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 17.1.2 The development shall not be used or converted for use for any purpose other than that:
- (a) Granted consent by Council's Notice of Determination, or
 - (b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

17.2 Access/Parking

- 17.2.1 All required off-street car parking spaces and internal roads, and the private laneways and any bollards shall be maintained to a standard suitable for the intended purpose.

17.3 Splay Corner and Sight Lines

- 17.3.1 Splay corners are to comply with the sight distance requirements of AS/NZS 2890.1-2004 and shall be maintained (including the landscaping in these areas) to a standard suitable for the intended purpose.
- 17.3.2 Provision for adequate sight distance needs to be made for both Pedestrian and Vehicular movement at all intersections (in accordance with Section 3.2.4 AS/NZS 2890.1.2004 and Figure 3.3. AS/NZS 2890.1.2004) to ensure safety of pedestrians on the footpath system and motor vehicles along the roadways. This is important given the narrow road cross-sections and possible landscaping along each roadway in accordance with the landscaping requirements in the Growth Centres Precinct DCP September 2018.
- 17.4 Lighting and Security**
- 17.4.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 17.4.2 If artificial lighting is proposed, full details are to be submitted indicating the manner in which adjoining properties are to be protected. The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security within the development is not compromised from dark or uncontrolled public areas.
- 17.4.3 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 17.5 Graffiti Removal**
- 17.5.1 Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection. The approved Graffiti Management Plan is to be adhered to at all times.
- 17.6 Total Maintenance Plan**
- 17.6.1 The approved Total Maintenance Plan must be adhered to at all times.
- 17.7 Landscaping**
- 17.7.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner, including drainage basins. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 17.7.2 Regular maintenance and upkeep of the site must therefore be undertaken to the site to ensure that sightlines are kept free from obstructions.
- 17.7.3 The management of vegetation, gardens, communal areas, fences, lighting and other similar areas is to be incorporated within the future community management statement once the development is occupied.
- 17.8 Storage**
- 17.8.1 No goods, materials, or trade waste shall be stored, displayed for sale or manufactured at any time outside the buildings on either side of the internal driveway/road, car parking areas, landscaping or footpaths, other than the approved garbage areas.

17.9 Waste

- 17.9.1 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 17.9.2 The Owners Corporation/Community Management Association will be responsible for ensuring that clear access is provided to waste collection trucks entering the property. Cars must not be parked in the carriageway on private property where trucks are travelling to service bins. Failure to adhere to this, may result in missed collections.
- 17.9.3 Waste, recycling, organics, and bulky waste collection vehicles entering and exiting the property, must do so in a forward direction.
- 17.9.4 Ongoing management of waste for the site must be in accordance with the waste requirements outlined in the approved waste management plan as submitted with the development application. This includes but is not limited to:
- provision and maintenance of suitable signage in all areas with waste facilities such as bin collection points or any other relevant area accessible to residents.
- 17.9.5 The Community Management Statement, (whichever is relevant to this site), must be provided to each tenant and/or owner occupier upon commencement of the site, and for every subsequent lease renewal and/or change in ownership of every lot in perpetuity.

NOT USED

17.10 Clear and Safe Vehicular Access

- 17.10.1 The Owners Corporation / Community Management Association will be responsible for ensuring that clear access is provided to Council collection trucks entering the community road.

17.11 Maintenance Contract Renewal

- 7.11.1 Unless otherwise agreed to in writing by Council's Manager Asset Design, the maintenance contract required by condition 5.26.5 shall remain in place and be renewed in five (5) year increments and a copy of the contract(s) shall be submitted to Council. The release mechanism of the maintenance contract will be the completion of the alternative permanent stormwater management works.