

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA-24-01305

Development: Subdivision of existing lots into 2 super lots, 1 residue lot and 2 public roads and the construction of a retail / commercial development including a supermarket, commercial and retail tenancies with basement parking, associated landscaping, signage and public domain works

Site: 156-162 Guntawong Road, Rouse Hill 2155 (Lot 51 in DP30186 and Lot 101 in DP1282613).

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

Date of determination: 05 March 2026

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 [insert details].

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 Part 6 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. 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 Separate approval is required prior to the fit out and use of each of the retail units on the ground floor. The applicant is advised to contact Council's Development Services Unit in this regard.

1.3 Other Approvals

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 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 m from the building perimeter, and
 - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
 - (d) the installation of vehicular footway crossings servicing the development, and
 - (e) the use of any crane that swings over public air space. If a crane is used to construct this development that swings over public air space, separate Council approval under the Roads Act 1993 and Local Government Act 1993 is required.
- 1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.
- 1.3.4 If any Aboriginal objects are found during construction, work is to cease immediately. NSW 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 Heritage. No further works are to be undertaken on the site without the written consent of NSW Heritage.

1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Recognised energy provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

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 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 are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or call 1300 082 746 for assistance.

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.

1.4.3 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.

1.4.4 Telstra (and its authorised contractors) is the only company that is 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 1800 810 443.

1.4.5 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 Identification Survey

- 1.5.1 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.

1.6 Engineering Notes

- 1.6.1 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.

1.7 Payment of Engineering Fees

- 1.7.1 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.

1.8 Other Matters

- 1.8.1 This plan of subdivision is not to be released until Public Road access is provided to roads within the site.

1.9 Road Damage

- 1.9.1 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 by the applicant/developer.

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

- 1.10.1 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.
- 1.10.2 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 for building works can be issued.

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:

Prepared By	Drawing No.	Revision	Dated
Architectural Plans			
Clarke Hopkins Clarke	DA0.1	E	10.11.2025
Clarke Hopkins Clarke	DA1.1	E	10.11.2025
Clarke Hopkins Clarke	DA1.2	E	10.11.2025
Clarke Hopkins Clarke	DA1.4	C	10.11.2025

Clarke Hopkins Clarke	DA2.1	E	10.11.2025
Clarke Hopkins Clarke	DA2.2	E	10.11.2025
Clarke Hopkins Clarke	DA3.1	E	10.11.2025
Clarke Hopkins Clarke	DA3.2	E	10.11.2025
Clarke Hopkins Clarke	DA3.3	E	10.11.2025
Clarke Hopkins Clarke	DA3.4	E	10.11.2025
Clarke Hopkins Clarke	DA3.5	E	10.11.2025
Clarke Hopkins Clarke	DA4.1	E	10.11.2025
Clarke Hopkins Clarke	DA4.2	E	10.11.2025
Clarke Hopkins Clarke	DA5.1	E	10.11.2025
Clarke Hopkins Clarke	DA5.2	E	10.11.2025
Clarke Hopkins Clarke	DA6.1	E	10.11.2025
Clarke Hopkins Clarke	DA7.1	E	10.11.2025
Clarke Hopkins Clarke	DA7.2	E	10.11.2025
Clarke Hopkins Clarke	DA7.3	E	10.11.2025
Clarke Hopkins Clarke	DA7.4	E	10.11.2025
Clarke Hopkins Clarke	DA7.5	E	10.11.2025
Clarke Hopkins Clarke	DA7.6	E	10.11.2025
Clarke Hopkins Clarke	DA8.1	E	10.11.2025
Clarke Hopkins Clarke	DA8.2	E	10.11.2025
Clarke Hopkins Clarke	DA8.3	E	10.11.2025
Clarke Hopkins Clarke	DA8.4	E	10.11.2025
Clarke Hopkins Clarke	DA8.5	E	10.11.2025
Clarke Hopkins Clarke	DA8.7	E	10.11.2025
Clarke Hopkins Clarke	DA8.8	E	10.11.2025
Clarke Hopkins Clarke	DA8.9	E	10.11.2025
Clarke Hopkins Clarke	DA8.10	E	10.11.2025
Clarke Hopkins Clarke	DA8.11	E	10.11.2025
Clarke Hopkins Clarke	DA8.12	E	10.11.2025
Clarke Hopkins Clarke	DA8.13	E	10.11.2025
Clarke Hopkins Clarke	DA8.14	E	10.11.2025
Clarke Hopkins Clarke	DA9.1	E	10.11.2025
Clarke Hopkins Clarke	DA9.2	E	10.11.2025
Henry & Hymas	Civil Engineering Report		11.2024
Dominic Steele Consulting Archaeology	Aboriginal Archaeological Due Diligence Assessment		31.07.2024
Hontas Hatzi & Co	Accessibility Design Assessment Report		12.11.2024
Hontas Hatzi & Co	BCA and Fire Safety Assessment Report		12.11.2024
	Blacktown City Council S3QM Deemed to Comply Certificate - Certificate No. 10320 - Certificate No. 10321		27.08.2025
Planning Ingenuity	Crime Prevention Through Environmental Design Report		14.11.2024
Geotesta	Dam Dewatering Report		22.11.2024
WSP	Ecological Sustainable Development Concept Report		29.07.2024
Blacktown City Council	Flood advice		22.08.2024
Geo Logix	Geotechnical Assessment Report		12.08.2024

TCubed Consulting	NABERS embodies emissions materials		24.10.2023
Reverb Acoustics	Noise Impact Assessment		07.2024
Premise	Site Survey Plans		24.05.2024
Planning Ingenuity	Social Impact Assessment		14.11.2024
Transgrid conditional approval		10.09.2024	
Geotesta	Detailed Site Investigation Report		30.07.2024
Henry & Hymas	240596- WOOLWORTHS_WSUD (Amended MUSIC Model)		02.02.2026
Henry & Hymas	DRAINS Model		02.02.2026
Henry & Hymas	Amended Water Quality Design Statement		04.02.2026
Warren Raymond Saunders	Plan of Subdivision prepared		07.11.2025
Planning Ingenuity	Updated Statement of Environmental Effects Addendum Letter to Statement of Environmental Effects		11.07.2025 14.11.2025
Planning Ingenuity	Clause 4.6 Written Request for Height of Buildings and FSR		14.11.2025
Eco Logical Australia	Biodiversity Certification letter		10.07.2025
Colston Budd Rogers & Kafes Pty Ltd	Traffic report prepared by		11.2025
Colston Budd Rogers & Kafes Pty Ltd	Swept Paths prepared by - 8.8m MRV – Sheet 1 - 19.0m AV – Sheet 2 19.0m AV – Sheet 3		30.10.2025
Woolworths Group	Operational Plan of Management		11.2025
Woolworths Group	Loading Dock Management Plan	Rev B	11.2025
WSP	Operational Waste Management Plan	Rev C	13.11.2025
Ground Ink Landscape Architects	Landscape DA Report	Rev E	24.02.2026
Eco Logical Australia	Biodiversity Management Plan		10.07.2025
Monaco Designs	Arboricultural Impact assessment		28.08.2025

	Draft S88B Instrument (3478-0494-7778, v. 1)		
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2.1.2 In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

2.1.3 A separate development consent must be obtained for use of the commercial tenancies C2.1, C2.2 and C2.3 for purposes other than office premises.

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: Rouse Hill

2.4 **Sydney Water**

2.4.1 **Trade Wastewater Requirements**

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

2.4.2 **Backflow Prevention Requirements**

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

2.4.3 Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.html>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

2.4.4 Contingency Plan Recommendations

Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at: <https://www.sydneywater.com.au/your-business/managing-trade->

wastewater/commercial-trade-wastewater.html or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au .

2.5 Transgrid

- 2.5.1 Boundaries for newly subdivided properties should be located outside Transgrid's easement. Please refer to "Transgrid Subdivision and development guidelines."
- 2.5.2 A "Restriction as User" (88B Instrument) must be placed on the titles of any created lots that may become affected by Transgrid's transmission line easement.
- 2.5.3 Transgrid requires that the stormwater pits be moved outside the exclusion zone, 17 metres from the powerline's centreline, unless otherwise approved by Transgrid.
- 2.5.4 All stormwater pits will have to be earthed.

2.5.5 Additional Notes:

- The Fire Brigade truck must always point its ladder in the direction of the building (i.e., further away from the easement). At no point should the truck's height exceed 4.3 metres. Transgrid's concern is that the external ladder will come within the safe approach distance of the transmission line conductors.
- Any further increase in the road levels will have to be approved by Transgrid.
- Non-metallic water/stormwater pipes within the transmission line easement are preferred. If the water pipe is metallic, isolation sections, such as RCP pipe and rubber ring joint, are required at entry and exit to the easement.
- Any machinery operating within the Transgrid's easement shall not exceed 4.3 metres in height and be at least 22 metres away from transmission line structures or supporting guys unless an accredited person operates it in accordance with WorkCover NSW Work Near Overhead Power Lines Code of Practice 2006 (https://www.safework.nsw.gov.au/data/assets/pdf_file/0020/52832/Work-near-overhead-power-lines-code-of-practice.pdf).
- Transgrid's easement area shall not be used for temporary storage of construction spoil, topsoil, gravel, or any other construction material.
- The proposed earthworks must not have a batter steeper than 1:6 (1:8 or less is preferred) where travel is required by Transgrid's maintenance vehicles, unless otherwise approved by Transgrid.
- A dust management plan will ensure that dust and dirt are not deposited on the transmission line conductors, insulators, or towers. Such deposits can cause a flashover or trip of the power lines. Transgrid does not require approval of this plan, but one must be in place.
- Streetlights cannot exceed 4.3 metres in height, must not be climbable, must be outside the earthing and centreline exclusion zones 17 metres from the transmission line centre line, AND must be electrically isolated outside the easement in accordance with AS/NZS 3000:2018 Electrical installations (also known as the Australian/New Zealand wiring rules).
- If fence heights are not stipulated on the plans, approval is based on the assumption that all fences will be at most 2.5 metres. The proponent must provide full details if fences are planned taller than 2.5 metres. Metallic fencing (including temporary fences) must be earthed. For more information, please refer to "Transgrid Fencing Guidelines."

- If temporary or construction fences (including sedimentation fences) are planned within the easement, they must be earthed. For more information, refer to the "Transgrid Fencing Guidelines."
- Below-ground services and manhole pits within the easement must withstand the weight of maintenance vehicles (43-tonne).

2.5.6 Access and maintenance review

2.5.6.1 Additional Notes

- The development is to be designed so that during construction phase Transgrid is not restricted from undertaking normal maintenance & inspection activities and, at completion of works, access to Transmission Lines & structures shall be available at all times for Transgrid plant & personnel.

During construction, adequate precaution shall be taken to protect structures from accidental damage, and the easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction material.

2.6 Engineering Matters

2.6.1 Design and Works Specification

2.6.1.1 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:

- Blacktown City Council's Works Specification - Civil (Current Version)
- Blacktown City Council's Engineering Guide for Development (Current Version)
- Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- Blacktown City Council Growth Centre Precincts Development Control Plan
- Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M
- On Site Stormwater Detention Handbook - Upper Parramatta River Catchment Trust FOURTH Edition.

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.

2.6.1.2 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.

2.6.1.3 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.

2.6.1.4 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 Senior Co-ordinator of Engineering Approvals.

2.6.2 Other Necessary Approvals

2.6.2.1 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)

2.6.3 Subdivision

2.6.3.1 Principal Certifier - Blacktown City Council shall be the Principal Certifier for the proposed subdivision and issue the Subdivision Certificate.

2.7 Other Matters

2.7.1 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

2.7.2 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.

2.8 Stormwater Quality Improvement Works

2.8.1 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 (trunk drainage) are completed.

- 2.8.2 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.
- 2.8.3 Each year the registered proprietor/lessee is to provide to Council's WSUD Compliance Office at WSUD@blacktown.nsw.gov.au a report outlining any maintenance undertaken on the rainwater tank and all non- potable water used annually and the percentage of non-potable reuse for the rainwater tank. Allow for a reuse supplied of 1.17 ML/yr and 85% reuse.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

- 3.1.1 A Construction Certificate or Subdivision Works 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.
- 3.1.2 Should any proposed excavation associated with the development 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), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:
- (a) Preserved and protected from damage, and
 - (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

3.2 Services/Utilities

- 3.2.1 The following documentary evidence shall accompany any Construction Certificate:
- (a) 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.

3.3 Building Code of Australia Compliance

- 3.3.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

3.4 Section 7.11 Contributions under Section 7.17 Directions

- 3.4.1 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 5 February 2026. 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, subject to any Planning Agreement or Works in Kind Agreement.

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.

Contribution Item	Amount
Stormwater Quantity First Ponds Creek Land	\$554,043.00
Stormwater Quantity First Ponds Creek Works	\$454,969.00
Stormwater Quality First Ponds Creek All Development	\$104,545.00
Traffic Management Rouse Hill Land	\$87,012.00
Traffic Management Rouse Hill Works	\$486,049.00
Total	\$1,686,618.00

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

Developable area: 2.1222 hectares

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. 22 – Rouse Hill (Works and Land)

3.4.2 Works in Kind (advisory condition)

It may be possible to reduce the monetary Section 7.11 contribution(s) on this consent by carrying out Section 7.11 works as part of a 'Works-in-Kind' agreement with Council, subject to the following:

- the Section 7.11 works must be listed in a Section 7.11 Contributions Plan.
- Council must have agreed to the Works in Kind (WIK)
- the Section 7.11 works cannot commence before the WIK agreement is executed by all parties
- the WIK agreement is in accordance with Council's WIK Policy
- the reduction of Section 7.11 contributions is not available until works have been satisfactorily completed in accordance with the WIK agreement.

A written application to enter into a WIK agreement must be submitted to Council. Council will consider all applications on merit and advise the applicant in writing if the

agreement is endorsed. Council reserves the right to approve or reject any WIK application.

Council will not reduce the monetary Section 7.11 contribution(s) on this consent unless these conditions are complied with.

The upgrade of Guntawong Road is listed in a Section 7.11 Contributions Plan and an offset will apply to this work subject to entering into any WIK agreement and satisfaction of this condition.

3.5 Special Infrastructure Contribution

- 3.5.1 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, Housing & Infrastructure's website:

<http://www.planning.nsw.gov.au/Policy-and-Legislation/Infrastructure/Infrastructure-Funding>

3.6 Sydney Water

3.6.1 Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

3.6.2 Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.

3.7 Street Tree Planting

3.7.1 Prior to the issue of a Construction Certificate relating to the approved development, 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 Trees shall be planted in tree pits as specified in Council's CBD Tree Pit Standard Plan A(BS)145M. The Street Tree Plan shall observe the species palette identified by Council's Street Tree Guidelines for Street Trees in the CBD and will include the following:

- cross-sections showing dimensions of tree pits
- species to be *Syncarpia glomulifera* in Tallawong Road
- species to be *Lophostemon confertus* in Guntawong Road
- species to be *Waterhousea floribunda* in Western Access Road
- details of root protection barriers
- minimum container size of 100 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

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

3.7.3 Other than along Guntawong Road, landscaping to lot boundaries is to be located within private property and not encroach upon the road reserve.

3.7.4 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.

This information must be received before a construction certificate for building works can be issued.

3.7.5 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.

3.7.6 The applicant is to provide our Greenspace Services Section with Tree Protection Plan (TPP) detail how the existing trees will be protected during development works within B4 and R3 zones.

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

Two inspection fees as per Council's Goods and Services Pricing Schedule will be applicable for the authorised officer to inspect the tree protection measures implemented before construction commencing and following a request for the return of the tree preservation bond as noted above.

An AQF Level 5 Consulting Arborist needs to be engaged to supervise work within the TPZ, provide advice regarding tree protection and monitor compliance. The Consulting 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.

3.8 **Parking**

- 3.8.1 The carpark shall incorporate additional line marking to facilitate the safe passage of pedestrians to and from the shops. Details to be shown on the Construction Certificate plans.

3.9 **Construction Environmental Management Plan**

- 3.9.1 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 BCC Growth Centre Precincts DCP 2010.
- 11.2 Construction Environmental Management Plan is to include at minimum: noise and vibration control, proposed schedule of works and hours of works, sediment and erosion control, dust control, salinity management plan, proposed means of controlling any activity that could potentially cause a pollution incident as defined by POEO.

4. **PRIOR TO CONSTRUCTION CERTIFICATE /SUBDIVISION WORKS CERTIFICATE (ENGINEERING)**

4.1 **General**

- 4.1.1 No Construction Certificate for building works is to be issued other than for **bulk earthworks and associated shoring within the site and construction of the Level B2 slab including inground works**, until the following has been completed to the satisfaction of Council's Manager Building and Engineering Assessment:

- a) All works requiring a *Section 138 of the Roads Act 1993* approval on Guntawong Road and the existing section of Tallawong Road south:

- b) Road 2 has been constructed to the extent described below:

- (i) road and drainage works;
- (ii) kerb and gutter has been installed;
- (iii) footway areas have been graded to the final property boundary level;
- (iv) the first layer of asphalt has been placed;
- (v) temporary onsite stormwater detention basin has been constructed for Road 2;
- (vi) Water sensitive Urban Design (WSUD) for Road 2 located on privately owned land is completed to **Stage 2** of Council's standard WSUD drawings.

- c) Works as Executed plans and associated certification required under Council's civil engineering specification for the works in paragraphs (a) and (b) of this

condition have been submitted and reviewed by Council confirming the completed works are as per the approved design.

For the avoidance of doubt, all other remaining road works including any extent of Road 2 that has not been constructed in accordance with this condition 4.1.1 are to be completed (as well as the works above in paragraphs (a), (b) and (c)) prior to the issue of any Subdivision Certificate under this consent.

- 4.1.2 All relevant conditions within the 'Subdivision Works Certificate' section of this consent shall be satisfied before any Subdivision Works Certificate can be issued.
- 4.1.3 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

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

Civil Engineering Plans			
Henry & Hymas	240596_DA_C000	6	12.11.2025
Henry & Hymas	240596_DA_C010	2	08.09.2025
Henry & Hymas	240596_DA_C100	6	27.11.2025
Henry & Hymas	240596_DA_C101	7	27.11.2025
Henry & Hymas	240596_DA_C102	6	27.11.2025
Henry & Hymas	240596_DA_C103	6	27.11.2025
Henry & Hymas	240596_DA_C104	9	27.11.2025
Henry & Hymas	240596_DA_C105	8	27.11.2025
Henry & Hymas	240596_DA_C200	6	12.11.2025
Henry & Hymas	240596_DA_C201	6	12.11.2025
Henry & Hymas	240596_DA_C202	6	27.11.2025
Henry & Hymas	240596_DA_C203	2	08.09.2025
Henry & Hymas	240596_DA_C211	2	08.09.2025
Henry & Hymas	240596_DA_C250	6	27.11.2025
Henry & Hymas	240596_DA_C251	7	27.11.2025
Henry & Hymas	240596_DA_C252	10	03.02.2026
Henry & Hymas	240596_DA_C253	4	12.11.2025
Henry & Hymas	240596_DA_EX020	4	08.09.2025
Henry & Hymas	240596_DA_EX050	8	27.11.2025

Henry & Hymas	240596_DA_EX051	3	27.11.2025
Henry & Hymas	240596_DA_EX057	4	27.11.2025
Henry & Hymas	240596_DA_EX100	5	27.11.2025
Henry & Hymas	240596_DA_EX101	3	27.11.2025
Henry & Hymas	240596_DA_EX105	5	27.11.2025
Henry & Hymas	240596_DA_EX106	4	27.11.2025
Henry & Hymas	240596_DA_EX110	3	27.11.2025
Henry & Hymas	240596_DA_EX111	3	27.11.2025
Henry & Hymas	240596_DA_EX112	3	27.11.2025
Henry & Hymas	240596_DA_EX113	3	27.11.2025
Henry & Hymas	240596_DA_EX114	3	27.11.2025
Henry & Hymas	240596_DA_EX150	2	27.11.2025
Henry & Hymas	240596_DA_EX151	2	27.11.2025
Henry & Hymas	240596_DA_EX200	8	27.11.2025
Henry & Hymas	240596_DA_EX201	7	27.11.2025
Henry & Hymas	240596_DA_EX202	6	05.02.2026
Henry & Hymas	240596_DA_EX205	7	27.11.2025
Henry & Hymas	240596_DA_EX210	3	27.11.2025
Henry & Hymas	240596_DA_EX211	3	27.11.2025
Henry & Hymas	240596_DA_EX212	3	27.11.2025
Henry & Hymas	240596_DA_EX213	3	27.11.2025
Henry & Hymas	240596_DA_EX220	3	27.11.2025
Henry & Hymas	240596_DA_EX221	3	27.11.2025
Henry & Hymas	240596_DA_EX222	3	27.11.2025
Henry & Hymas	240596_DA_EX300	6	27.11.2025
Henry & Hymas	240596_DA_EX301	6	27.11.2025
Henry & Hymas	240596_DA_EX302	6	27.11.2025
Henry & Hymas	240596_DA_EX303	5	27.11.2025
Henry & Hymas	240596_DA_EX304	3	27.11.2025
Henry & Hymas	240596_DA_EX305	2	27.11.2025
Henry & Hymas	240596_DA_EX310	3	27.11.2025

Henry & Hymas	240596_DA_EX311	3	27.11.2025
Henry & Hymas	240596_DA_EX312	3	27.11.2025
Henry & Hymas	240596_DA_EX313	3	27.11.2025
Henry & Hymas	240596_DA_EX320	3	27.11.2025
Henry & Hymas	240596_DA_EX321	3	27.11.2025
Henry & Hymas	240596_DA_EX322	3	27.11.2025
Henry & Hymas	240596_DA_EX330	3	27.11.2025
Henry & Hymas	240596_DA_EX331	3	27.11.2025
Henry & Hymas	240596_DA_EX350	2	27.11.2025
Henry & Hymas	240596_DA_EX351	2	27.11.2025
Henry & Hymas	240596_DA_EX400	2	12.11.2025
Henry & Hymas	240596_DA_EX401	2	12.11.2025
Henry & Hymas	240596_DA_EX402	2	12.11.2025
Henry & Hymas	240596_DA_EX403	2	12.11.2025
Henry & Hymas	240596_DA_EX404	2	12.11.2025
Henry & Hymas	240596_DA_EX405	2	12.11.2025
Henry & Hymas	240596_DA_EX420	2	12.11.2025
Henry & Hymas	240596_DA_EX700	3	08.09.2025
Henry & Hymas	240596_DA_EX701	6	08.09.2025
Henry & Hymas	240596_DA_EX702	7	27.11.2025
Henry & Hymas	240596_DA_EX750	2	08.09.2025
Henry & Hymas	240596_DA_EX751	2	08.09.2025
Henry & Hymas	240596_DA_EX760	2	27.11.2025
Henry & Hymas	240596_DA_EX761	1	18.09.2025
Henry & Hymas	240596_DA_SE01	5	27.11.2025
Henry & Hymas	240596_DA_SE02	3	08.09.2025
Henry & Hymas	240596_DA_SE03	3	08.09.2025
Henry & Hymas	240596_DA_SE04	3	08.09.2025

The following items are required to be addressed on the Construction Certificate plans:

- i. Private road (fire trail) to be sealed to prevent erosion and sediment runoff

- ii. Drawing C101 and associated plans to be amended to reflect the required 20.7m Road reserve for Guntawong Road frontage of the site.
- iii. Drawing C250 to be amended to be consistent with the drains model catchment
- iv. The stormwater pits in the turning heads on drawings EX200 and EX300 are to be oriented to the future road kerb alignment and located outside the manoeuvring area
- v. Drawing EX100 to be amended at the intersection with Guntawong Road and Tallawong Road to ensure sight distances for turning movements to the north and swept paths at the north-eastern kerb return and clearances for a 19.0m semi-trailer are compliant with Austroads Part 4A.
- vi. The internal roundabout design is to be amended to ensure the swept path of a 19.0m semi-trailer does not encroach on the south-eastern kerb or footway areas.
- vii. On drawing EX302 show the property boundary on the long-section and provide associated level details.
- viii. The plan of subdivision is to be amended as necessary to reflect all required design changes.
- ix. The drainage longitudinal sections are to be updated to reflect finished design surface levels over Tallawong Road and Road 2.
- x. The level of the on-site detention tank, stormfilter chamber and rainwater tank are to be lowered by 800mm, including all weirs and outlet controls to enable treatment of part of the fire track and to facilitate pre-treatment of roof runoff through OceanGuard litter baskets.
- xi. The rainwater tank volume is to be increased to a minimum volume of 80KL
- xii. Two (2) OceanGuard litter basket is to be installed on surface inlet pits draining the eastern portion of the fire track to the stormfilter chamber.
- xiii. One (1) OceanGuard litter basket is to be installed on the surface inlet pit draining the western portion of the fire track that drains to the temporary bioretention basin.
- xiv. Five (5) OceanGuard litter baskets are to be installed in the roof drainage line in a pre-treatment pit prior to discharge into the rainwater tank.
- xv. The 38 x 690 ZPG filter cartridges are to be substituted with 48 x 690 PSORB filter cartridges and the stormfilter chamber volume increased accordingly in accordance with manufacturers recommendations.
- xvi. The post development stormwater catchment plan (Drawing C251) shall be updated to reflect those areas of 140 and 150 Guntawong Road that will ultimately drain via Road 1 to Tallawong Road.
- xvii. A concrete dish drain or kerb shall be provided on the northern side of the fire track in lieu of a grassed swale as noted on Basement 2 – Detail Plan (Drawing C104).
- xviii. Details shall be provided demonstrating how the landscaped areas within Lot 1 (as depicted on Drawing C252) will drain to the stormfilter chamber.
- xix. A minimum 4m wide maintenance access track, including manoeuvring area, shall be provided from either Road 2 or Tallawong Road to enable maintenance of the eastern GPT.
- xx. Provide details of the method of stabilising the 1 in 3 batters for the temporary on-site detention basin.
- xxi. Provide locations and details of man proof fencing to the perimeter of the temporary on-site detention basin.
- xxii. Ensure sections and details on Drawing C201 reflect the orifice sizes, orifice invert levels and weir elevations specified in the Statement of Commitments.

4.2 Subdivision Works/Construction Certificate Requirements

4.2.1 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
- On-site stormwater detention
- Water quality treatment
- 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.

4.3 Local Government Act Requirements

4.3.1 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.

4.4 Roads Act Requirements

4.4.1 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.

4.5 Other Engineering Requirements

4.5.1 If the estimated cost is \$250,000 or greater proof of long service levy payment is required.

4.5.2 Any ancillary works undertaken shall be at no cost to Council.

4.5.3 Submit written permission from the affected property owner for any works proposed on adjoining land.

4.5.4 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.

4.5.5 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

- 4.5.6 Provide a Bio-retention Construction Estimate for the removal and disposal of the temporary protection measures for the bio-retention areas, replacement with filter media, the cost of undertaking hydraulic conductivity testing on the filter media in the basin, planting of appropriate species and horticulturalist certification.
- 4.5.7 Written confirmation from Council's Manager Asset Design must be obtained prior to issue of Construction Certificate to decommission and fill any part of the temporary detention/water quality basins. The written consent must confirm that the temporary on-site detention basins are no longer required and that a direct stormwater connection to the regional basin is available.

4.6 Roads

- 4.6.1 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.

- 4.6.2 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.
- 4.6.3 Any approved design drawings must show a 5 m x 5 m splay for residential allotments at each street intersection.
- 4.6.4 Splays are to be adjusted to meet site specific intersection designs in accordance with Council's Engineering Guide for Development.
- 4.6.5 Proposed new roads shall be designed and constructed as follows:

Name	Width (m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Tallawong Rd (extension)	20.12	190 approx	4.8-11-4.8	2x10 ⁶
Road 2	18	190 approx	3.5-11-3.5	2x10 ⁶

- 4.6.6 Existing roads shall be designed and re-constructed as follows:

Name	Width (m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Guntawong Road (frontage)	20.7	Full frontage	4.5-12.2- 4	2x10 ⁶
Guntawong Rd (east)	20.1	110 approx	4.55-11-4.55	1x10 ⁶
Tallawong Road (south)		100 approx	4.55-11-4.55	1x10 ⁶

Note: Guntawong Rd (east) and Tallawong Road (south) carriageways will be carried out in the road reserve, but not footpaths. Table drains to be provided on southern side of Guntawong Rd.

4.7 **Drainage**

- 4.7.1 Drainage from the site must be connected into the approved drainage system.

4.8 **Signage and Line Marking**

- 4.8.1 A formal submission must be made to the Local Transport Forum 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.

4.9 **Special inter-allotment drainage requirements under the Local Government Act**

- 4.9.1 The following items must be satisfied under the *Local Government Act 1993* prior to issuing of any Subdivision Works / Construction Certificate:

- a) Evidence of the creation and registration of a 3.0 m wide easement for stormwater drainage over Lot 49, DP30186 (166 Guntawong Road).
- b) Construction of the inter-allotment drainage line required to drain the development, and a satisfactory final inspection by Council.
- c) A Registered Surveyor must provide evidence that all pipes and associated structures lie wholly within any easement, and provide a Works-As-Executed plan

NOTE: All engineering Works-As-Executed plans must be prepared on a copy of the original approved engineering plans.

4.10 **Erosion and Sediment Control**

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

4.11 **Earthworks**

- 4.11.1 Batters are not to exceed a grade of 1V:5H where possible and 1V:4H where 1V:5H cannot be achieved due to site topography and constraints, and are to be stabilised with topsoil, turf and vegetation.
- 4.11.2 Finished levels of all internal works at the road boundary of the property must be as per Council's guidelines or a minimum of 2% % above the top of kerb.
- 4.11.3 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.

- 4.11.4 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).

4.12 On-Site Detention

- 4.12.1 On-site detention systems 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.

- 4.12.2 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.

- 4.12.3 The following documents shall be submitted to accompany the on-site detention designs in accordance with the design:

- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- On-site detention detailed design submission and calculation summary sheet.
- S3QM Deemed to Comply On-site detention summary details.

- 4.12.4 Provide on-site detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.

- 4.12.5 An experienced Drainage Engineer with NER and supported by a DRAINS or similar electronic hydraulic model is to certify that the internal drainage system is capable of carrying the 1% AEP flows to the detention tank through either piped or surface flows.

- 4.12.6 Provide a basement design that ensures a minimum 0.5% slope to all surface inlet pits.

- 4.12.7 Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the underground OSD and rainwater tanks in accordance with Council's Engineering Guide for Development 2005.

- 4.12.8 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. Access grates within the outdoor play area shall be lockable and fitted with heel proof covers.

- 4.12.9 Provide details for a permanent coloured interpretive signage minimum A2 size to be installed to highlight the water conservation and on-site detention process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures the rainwater tank and on-site detention and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located in an area accessible by the public. The wording and detail are to be generally in accordance with Section 13 of Council's WSUD developer handbook and be approved by Council.
- 4.12.10 Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
 - i. 4 star dual-flush toilets
 - ii. 3 star showerheads
 - iii. 5 star taps (for all taps other than bath outlets and garden taps)
 - iv. 3 star urinals; and
 - v. 3 star water efficient washing machines and dishwashers are to be specified.
- 4.12.11 For the rainwater tank, an experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply for non-potable water uses on the site including all toilet/urinal flushing and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
 - a. a first flush or pre-treatment system (typically 0.2 litres / m² of roof area going to the tank),
 - b. a pump with isolation valves,
 - c. control panel and a warning light to indicate pump failure;
 - d. a solenoid controlled mains water bypass;
 - e. flow meters on the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage and % reuse;
 - f. ensuring all the rainwater reuse pipes and taps are coloured purple;
 - g. an inline filter and preferably an automatic backwash inline filter;
 - h. fitting rainwater warning signs to all external taps using rainwater. Provide a minimum of two in the front yard and three in the rear yard. Each tap accessible by children to be a type with no handle or lockable. (modified if needed)
 - i. An irrigation system designed to automatically achieve a minimum average usage rate of 64 kL/yr at 0.4kL/yr/m² including increasing the frequency of watering by a minimum 50% above average for the hotter months and reducing for the cooler months).
 - j. All reuse taps accessible by children are to be lockable or have removeable handles.
- 4.12.12 Further subdivision or development over any 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.

4.13 **Stormwater Quality Control**

4.13.1 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.

4.13.2 The temporary bio-retention basin is 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.

4.14 Vehicular Crossings

4.14.1 Plans to demonstrate the construction a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

4.14.2 Where the payment of a contribution in lieu of construction of a vehicular crossing(s) has been accepted by Council, a temporary crossing(s) must be constructed to serve the development. The temporary crossing(s) shall consist of 100 mm of road base finished with a 25 mm asphaltic concrete or equivalent emulsion seal.

4.15 Footpaths

4.15.1 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
Tallawong Road extension	western	Full width	Full length
Tallawong Road extension	eastern	1.5	Full length
Guntawong Road	northern	Full width	Full frontage
Road 2	eastern	Full width	Full length
Road 2	western	1.5	Full length

4.15.2 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
Tallawong Road extension	western	2.5	Full length

4.16 Traffic matters

4.16.1 Loading Dock Driveway

4.16.1.1 Prior to the issue of a construction certificate, the applicant shall prepare longitudinal sections and vertical clearance testing for the loading dock and loading dock access demonstrating that the design will not result in scraping by 19m long articulated vehicles when entering or exiting the loading dock from the public road. The

longitudinal section shall extend at least 20m into the public road and clearly show, with labels, the gutter invert, driveway layback and levels within the road verge.

5 PRIOR TO DEVELOPMENT WORKS (BUILDING)

- 5.1 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.
- 5.2 Should any excavation associated with the development 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 work commences, be given notice of such intention and particulars of the excavation or supporting work.

6 PRIOR TO DEVELOPMENT WORKS (GREEN SPACE)

6.1 Tree Management

- 6.1.1 No trees, located within any adjoining lots, may be removed or pruned unless specific approval is given in this consent.
- 6.1.2 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 AS4970-2009 Protection of trees on development sites, must be installed prior to the commencement of any works on site, including demolition.
- 6.1.3 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.
- 6.1.4 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.

7 DURING CONSTRUCTION (GREEN SPACE)

7.1 Tree Protection

- 7.1.1 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 and the road reserve (nature strip).
- 7.1.2 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.
- 7.1.3 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.

- 7.1.4 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.
- 7.1.5 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.

8 DURING CONSTRUCTION (ENGINEERING)

8.1 Notification of Works

- 8.1.1 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.
- 8.1.2 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.

8.2 Insurances

- 8.2.1 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.

8.3 Service Authority Approvals

- 8.3.1 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.

8.4 Boundary Levels

- 8.4.1 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.

8.5 Tree Protection and Preservation

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

- 8.5.2 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.

- 8.5.3 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.

- 8.5.4 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.

8.6 Soil Erosion and Sediment Control Measures

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

- 8.6.2 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.

- 8.6.3 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.

8.7 Filling of Land and Compaction Requirements

- 8.7.1 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.

- 8.7.2 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 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

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.

- 8.7.3 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.
- 8.7.4 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.
- 8.7.5 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.
- 8.7.6 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.
- 8.7.7 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.
- 8.7.8 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.
- 8.8 **Filling in Contaminated Land**
 - 8.8.1 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.

8.8.2 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.

8.8.3 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.

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

8.9.1 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.

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

8.10.1 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).

8.11 Public Safety

8.11.1 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.

8.12 Site Security

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

8.13 Traffic Control

- 8.13.1 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.
- 8.13.2 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.
- 8.13.3 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.
- 8.13.4 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.
- 8.13.5 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.

8.14 **Powder Coated Furniture**

- 8.14.1 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.

8.15 **Road Line Marking and Traffic Signage**

- 8.15.1 Prior to the implementation of any road line marking and traffic signage required by this development 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 Transport Forum and has been adopted by Ordinary Council Meeting.

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

8.16 Drainage Matters

- 8.16.1 Provide certification prior to placement, that the bio-retention filter media ex-bin has:
- A minimum hydraulic conductivity as defined by ASTM F1815-11 of 250 mm/hr (actual, not predicted);
 - A maximum hydraulic conductivity as defined by ASTM F1815-11 of 700 mm/hr (actual, not predicted);
 - An orthophosphate content < 20 mg/kg;
 - A total Nitrogen content < 900 mg/kg;
 - Is not hydrophobic.
- 8.16.2 Provide certification prior to placement in the bio-retention basin, that the transition layer material ex-bin:
- Is a clean, washed well-graded coarse sand or coarse sand blend containing little or no fines (< 2%);
 - 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;
 - Satisfies the hydraulic conductivity criteria $D_{15} \text{ (drainage layer)} \geq D_{15} \text{ (transition layer)} \times 2$.
- 8.16.3 Provide certification prior to placement in the bio-retention basin, that the drainage layer material ex-bin:
- Is a clean washed 5 mm gravel, such as washed screenings;
 - Satisfies the bridging criteria $D_{15} \text{ (drainage layer)} \leq 4 \times D_{85} \text{ (transition layer)}$ where: D_{15} (drainage layer) is the 15th percentile particle size in the drainage layer material (i.e., 15% of the gravel is small than D_{15} mm), and D_{85} (transition layer) is the 85th percentile particle size in the transition layer material;
 - Satisfies the hydraulic conductivity criteria $D_{15} \text{ (drainage layer)} \geq D_{15} \text{ (transition layer)} \times 2$.
- 8.16.4 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.
- 8.16.5 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.
- 8.16.6 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.

9 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

- 9.1 The recommendations provided in Noise Impact Assessment, prepared by Reverb Acoustics Pty Ltd, report no. 24-2937-R1, dated July 2024 shall be implemented.

- 9.2 The recommendations provided in Dam Dewatering Report, prepared by Geotesta Pty Ltd, report no: NE1937.2 V2, 22 November 2024 shall be implemented.
- 9.3 All waste generated on the site during the construction must be classified in accordance with the NSW EPA's Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Waste and disposed of at a facility that may lawfully accept the waste.
- 9.4 An unexpected finds policy (UFP) should be prepared and implemented for the proposed site redevelopment works.
- 9.5 Any new information during construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to Blacktown City Council.
- 9.6 Any fill material imported onto the site must be classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) and must be analysed and validated by an appropriately qualified and experienced environmental consultant in accordance with relevant NSW EPA guidelines, including the 'Waste Classification Guidelines' 2014 and the NSW EPA Contaminated Land Guidelines: Sampling design (2022)

10 DAM WORKS (ENVIRONMENTAL HEALTH)

- 10.6 A Dam decommission plan shall be prepared and submitted to Council for approval.
- 10.7 Any dam on site shall be de-watered in stages. All native fauna located within and surrounding the dam shall be collected by an appropriately qualified and licensed ecologist. Any captured native fauna shall be relocated to a suitable location managed by the applicant or as nominated by Council. Details shall be submitted to Council, including photographs, surveys and diary entries of species found and details of relocation.

11 PRIOR TO CONSTRUCTION WORKS (ENVIRONMENTAL HEALTH)

- 11.1 An updated Detailed Site Investigation for the site undertaken by a suitably qualified environmental consultant who holds or is eligible to hold certification under the CEnvp(SC) or CPSS CSAM Scheme.

12 PRIOR TO OCCUPATION CERTIFICATE

12.1 Compliance with Conditions

- 12.1.1 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.
- 12.1.2 Prior to commencement of the occupation or use of the whole or any part of a new building, or commencement of a change of building use for the whole or any part of an existing building, it is necessary to obtain an Occupation Certificate from the Principal Certifier in accordance with the provisions of Section 6.9 of the *Environmental Planning and Assessment Act 1979*.

12.2 Landscaping/Car Parking

12.2.1 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.

12.2.2 All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

12.2.3 All required internal driveways and car parking spaces shall be sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

12.3 Parking

12.3.1 A minimum of 359 car parking spaces are required to be provided on site, inclusive of 4 EV charging spaces, minimum 6 'direct to boot' spaces and 13 accessible parking spaces and are to be designed having minimum internal clear dimensions (other than 13 accessible parking spaces – see condition 12.3.3) in accordance with Australian Standard 2890.1 – 2004. The minimum 359 car parking spaces may only be reduced in achieving compliance with condition 12.16.8 for provision of an emergency services parking bay.

12.3.2 All internal driveways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

12.3.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 - 2009 and AS1428.1 - 2009.

12.3.4 The layout of the proposed car parking and loading 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, constructed and maintained in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2018 for heavy vehicles.

12.3.5 Clear entry and exit signage shall be provided at the each of the vehicle access driveways to minimise any potential confusion for motorists entering and leaving the site.

12.3.6 All required internal driveways and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

12.4 Street Tree Planting

12.4.1 Any tree planting (and maintenance) along the frontage of the development site to improve the amenity of the streetscape must be confirmed to be in accordance with the approved Construction Certificate plans before an Occupation Certificate is issued.

12.4.2 Prior to the issue of the final Occupation Certificate, all required street tree planting and payments of bonds and fees are to be completed to the satisfaction of Councils Greenspace Services Infrastructure Officer.

12.4.3 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.

12.4.4 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.

12.4.5 Trees must be of a minimum container size of 100 litres with root barriers.

12.4.6 The applicant must obtain clearances from relevant service authorities.

12.4.7 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.

12.4.8 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.

12.5 Service Authorities

12.5.1 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to the release of any Occupation 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 call 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 energy provider, 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) (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.

12.5.2 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.

- 12.5.3 A final written clearance shall be obtained from Sydney Water Corporation, Energy provider 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.

12.6 Road Damage

- 12.6.1 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.

12.7 Temporary Facilities Removal

- 12.7.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 12.7.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 12.7.3 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.
- 12.7.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 12.7.5 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.

12.8 Fee Payment

- 12.8.1 Any fee payable to Council as part of a Construction, Subdivision Works, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.
- 12.8.2 The applicant is to submit the certified 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 Transport Forum 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.
- 12.8.3 This development requires separate approvals under the Roads Act 1993 and / or Local Government Act 1993. Prior to the issue of an Occupation Certificate, the applicant must obtain written confirmation from Council that these works have been completed to its satisfaction.

12.9 Easements/Restrictions/Positive Covenants

12.9.1 Any covenant(s) easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release, vary or modify the easement(s) or restriction(s). The form of 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 covenants, easements and restrictions as accepted by the Land Registry Services (LRS).

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

12.10.1 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.

12.10.2 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.

12.10.3 Concrete path paving must not be placed until about building works have been substantially completed 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 Pricing Schedule. The security will be released upon satisfactory completion of the works.

12.10.4 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.

12.11 **Inspections**

12.11.1 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.

12.12 **Drainage Matters**

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

- 12.12.1.1 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. A colour soft copy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering WAE plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.
- 12.12.1.2 The Work-as-Executed (WAE) must confirm that the On Site Detention system identification plate has been installed in accordance with Council's WSUD Standard Drawings A(BS)175M Sheet 20.
- 12.12.1.3 A Registered Surveyor is to provide a works-as-executed plan of the on-site detention basin and certify that the available storage volumes are at or exceed the design volumes in both the 50% and 1% AEP events.
- 12.12.1.4 to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.
- 12.12.1.5 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.
- 12.12.1.6 A Chartered Civil Engineer registered with NER, is to certify that:
 - i. all the requirements of the approved drainage plan have been undertaken;
 - ii. a minimum detention storage of 258.1m³ has been provided below the 50% AEP weir and a total of 391.5m³ has been provided below the 1% AEP emergency overflow weir
 - iii. For the detention basin the 50% AEP orifice discharge does not exceed maximum of 2.42 l/s at the 50% AEP weir level and the 1% AEP orifice discharge does not exceed maximum of 131.5 l/s at the emergency overflow weir level.
 - iv. All the signage and warning notices have been installed;
 - v. Rainwater tank is a minimum of 80 kL below the overflow and collects roof water from the whole of the roof area;
 - vi. The orifice sizes match the approved construction certificate plans;
- 12.12.1.7 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
 - i. star dual-flush toilets;
 - ii. star showerheads;
 - iii. star taps (for all taps other than bath outlets and garden taps);
 - iv. star urinals; and
 - v. star Water efficient washing machines and dishwashers have been used.
- 12.12.1.8 A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
 - i. all the non-potable water uses are being supplied by rainwater;
 - ii. all the requirements of the detailed Non-Potable Water Supply Plan have been installed to the required locations.

- iii. the flow meters have been installed on the solenoid-controlled mains water bypass line and the pump outflow line;
- iv. The initial flow meter readings are detailed in the certificate;
- v. the pumps, alarms and all other systems are working correctly;
- vi. All the external taps connected to rainwater have been provided;
- vii. All external reuse taps have warning signs and those taps accessible by children are lockable or have removable handles;
- viii. All the toilets are connected to the rainwater tank.
- ix. For the rainwater tank the water from at least one external tap front and rear and two toilets have been tested to show no chlorine residual.
- x. A signed, works-as-executed Non-Potable Water Supply is to be provided to Council's WSUD Compliance Officer WSUD@blacktown.nsw.gov.au

12.12.2 Easements/Restrictions/Positive Covenants

12.12.2.1 Provide a Restriction to User and Positive Covenant over the On-Site Detention System in accordance with the requirements of Council's Engineering Guide for Development 2005. The Restriction to User and Positive Covenant must be registered with NSW Land Registry Services.

12.12.2.2 Any covenant(s) easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release, vary or modify the easement(s) or restriction(s). The form of 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 covenants, easements and restrictions as accepted by the Land Registry Services (LRS).

12.12.3 Provide maintenance requirements for each of the On-site Detention Tank generally in accordance with the WSUD Inspection and Maintenance Guidelines available on Council's website. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, company, signature and date on it.

12.12.4 Provide written evidence that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract(s) with a reputable and experienced cleaning contractor for the maintenance of the On-site Detention and Rainwater Tanks. Forward a copy of the signed and endorsed contract(s) and maintenance contractor(s) details to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au. This maintenance contract cannot be cancelled, but can be replaced with an alternative contract of the same standard.

12.13 Consent Compliance

12.13.1 An Occupation Certificate shall not be issued until all conditions of this consent have been satisfied and the Subdivision Certificate issued under this consent.

12.14 Environmental Health

- 12.14.1 Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent.

12.15 Sydney Water

12.15.1 Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

12.16 NSW Police requirements

- 12.16.1 To enhance visibility and support emergency response, it is essential that the street number and signage are clearly visible from the street, both during the day and at night. Proper illumination or reflective materials should be used to ensure visibility in low-light conditions.
- 12.16.2 Directional signage should be installed at the main entry point clearly identifying the names and locations of individual tenancies. This assists not only emergency services but also visitors and delivery personnel in navigating the premises effectively.
- 12.16.3 Security warning signs should be displayed around the perimeter of the retail property. These signs are a deterrent to potential offenders by highlighting the presence of security measures. Recommended signage includes:

- Warning: This property is under CCTV electronic surveillance.
- Warning: No cash kept on premises. (for individual retail spaces that do not store cash overnight).

Additionally, police recommend 'Park Smarter' crime prevention signage throughout all car parking areas, including both on-grade and basement levels. These signs are effective in reducing offences such as: 'Steal from Motor Vehicle' and Motor Vehicle Theft'.

- 12.16.4 The NSW Police strongly recommend the installation of a comprehensive CCTV surveillance system throughout all areas of the development, with particular emphasis on high-risk and high-traffic zones. Multiple CCTV cameras should be strategically installed across all car parking areas, including on-grade and basement levels, to deter and detect offences such as stealing from motor vehicles and vehicle theft.

- 12.16.5 CCTV cameras should be installed around the entire perimeter of the building site, mounted approximately 2 metres above the fence line, and supported by adequate night-time lighting. This set up is essential for preventing and investigating offences such as 'Stealing' and 'Malicious Damage'.
- 12.16.6 CCTV cameras are also to cover building perimeters, stairwells and lift areas, foyers and entry/exit points, driveways and loading bays, bicycle racks, waste rooms and mailbox facilities and all shared or common areas.
- 12.16.7 CCTV footage must be retained for a minimum of 30 days. This retention period provides Riverstone Police with a sufficient timeframe to conduct investigations following the report of a crime.
- 12.16.8 To enhance safety, accessibility, and emergency response, within the car parking facility, the following measures are required:
- (i) Emergency Services Parking: A clearly marked emergency services parking bay shall be allocated within the car park. Signage must be installed to indicate its location, ensuring quick and unobstructed access for emergency responders during critical incidents.
 - (ii) Bollard Installation: Solid bollards shall be installed directly outside the lift entry points in the basement car park. This will prevent vehicle encroachment into pedestrian zones and protect infrastructure from accidental damage.
 - (iii) Wheel Stops: Each parking space that is adjacent to a wall or pedestrian walkway shall be fitted with a rubber wheel stop to improve safety for both pedestrians and motorists by preventing vehicles from hitting a barrier or landscaping, overhanging into walkways or adjacent spaces.
 - (iv) Traffic Signage: Two STOP signs shall be installed on either side of the car park exit to improve vehicle control and pedestrian safety at the exit point.
 - (v) Police Access: For emergency response purposes, Riverstone Police require an access code to enter the retail complex. This code shall be securely provided to the local command and updated as necessary to maintain access integrity.
- 12.16.9 All lighting sources must be compatible with the operational requirements of any CCTV surveillance system to be installed to ensure optimal image capture and security monitoring.
- 12.16.10 Lighting fixtures. To mitigate crime risk, police recommend the use of vandal-resistant lighting covers. These fixtures shall be installed at the highest practical elevation to deter tempering while still delivering adequate illumination for both pedestrian safety and surveillance effectiveness.

- 12.16.11 NSW Police recommend that all external doors and door frames be of solid construction and fully compliant with the Building Code of Australia, particularly in relation to Fire Safety Regulations.

Each external door shall be fitted with single-cylinder lock set, which must also meet the requirements of the Building Code. A single-cylinder lock set is defined as a lock that is key operated from the exterior and features a turn snib or handle on the interior, allowing for safe and immediate egress in the event of an emergency.

- 12.16.12 To mitigate crime risk, it is essential that fire exit doors are compliant with fire safety regulations and also secured against unauthorised external access, without compromising emergency egress requirements.

13 PRIOR TO SUBDIVISION CERTIFICATE (ENGINEERING)

13.1 Site Access

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

- 13.1.1.1 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.

13.2 Road Damage

- 13.2.1 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.

13.3 Security

- 13.3.1 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.

13.4 Asset Management

- 13.4.1 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.

13.5 Consent Compliance

- 13.5.1 A Subdivision Certificate shall not be issued until all conditions of this consent relating to the subdivision works have been satisfied.

13.6 Additional Inspections

- 13.6.1 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.

13.7 Fee Payment

- 13.7.1 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.

13.8 Engineering Matters

13.8.1 Surveys/Certificates/Works As Executed plans

- 13.8.1.1 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).
- 13.8.1.2 The Work-as-Executed (WAE) must confirm that the On Site Detention system identification plate has been installed in accordance with Council's WSUD Standard Drawings A(BS)175M Sheet 20.
- 13.8.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.
- 13.8.1.4 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.
- 13.8.1.5 A Chartered Civil Engineer registered with NER, is to certify that:
- i. all the requirements of the approved drainage plan have been undertaken;
 - ii. a minimum detention storage of 362.88m³ has been provided below the 50% AEP weir and a total of 550.37m³ has been provided below the 1% AEP emergency overflow weir
 - iii. For the detention basin the 50% AEP orifice discharge does not exceed maximum of 48.38 l/s at the 50% AEP weir level and the 1% AEP orifice discharge does not exceed maximum of 229.82 l/s at the emergency overflow weir level.
 - iv. All the signage and warning notices have been installed;
 - v. The orifice sizes match the approved construction certificate plans;
- 13.8.1.6 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.

- 13.8.1.7 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 13.8.1.8 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 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.
- 13.8.1.9 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 Transport Forum 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.
- 13.8.1.10 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.
- 13.8.1.11 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.
- 13.8.1.12 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
- 13.8.1.13 A 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.

- 13.8.1.14 A 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).

13.8.2 **Easements/Restrictions/Positive Covenants**

- 13.8.2.1 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.

- 13.8.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services (LRS) over the overland flow-path. Documentary evidence of this LRS lodgement shall be submitted to Council.

- 13.8.2.3 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.

13.8.3 **Dedications**

- 13.8.3.1 Dedication at no cost to Council of 5 m x 5 m splay corners on allotments at each street intersection.

- 13.8.3.2 Dedication at no cost to Council of 8 m x 8 m splay corners on B2 zoned allotments at each street intersection.

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

- 13.8.4.1 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.

- 13.8.4.2 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.

13.8.4.3 Concrete path paving must not be placed until about building works have been substantially completed 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 Pricing Schedule. The security will be released upon satisfactory completion of the works.

13.8.4.4 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

13.8.5 **Inspections**

13.8.5.1 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.

13.8.6 **Inspection of Work**

13.8.6.1 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.

14 **OPERATIONAL**

14.1 **Access/Parking**

14.1.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.

14.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.

14.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 - 2021 and 2890.6 - 2009.

14.1.4 All vehicles are to enter and exit the site in a forwards direction.

14.1.5 A total of 359 car parking spaces, including 4 EV charging stations/ parking, minimum of 6 Direct-To-Boot spaces and 13 accessible parking spaces are to be provided and maintained on site, except as otherwise changed in compliance with condition 12.16.8.

14.1.6 No barriers are to mediate access to and from customer car parking areas during

operating hours without further Council approval.

14.2 General

14.2.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

14.2.2 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.

14.3 Hours of Operation

Centre	6 am to midnight, 7 days a week
Woolworths Supermarket	6 am to midnight, 7 days a week
BWS	8 am to 10 pm Monday to Saturday, and 10am to 10pm on Sunday
Commercial and retail tenancies	6 am to 10 pm Monday to Saturday, and 8 am to 9 pm on Sunday
Food and Drink Premises	6 am to 10 pm Monday to Sunday
Loading dock	6 am to 10 pm, 7 days a week

Any alteration to these hours will require the separate approval of Council.

Should Council receive justified complaints that the centre is operating outside these hours, or is causing noise and disturbance to the neighbouring residents, then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.

14.4 The premises shall adhere to Council's Abandoned Shopping Trolley Policy (Policy Number: P0004971)

14.5 Use of Premises

14.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

14.5.2 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.

14.6 Signage

14.6.1 The hours of illumination of the signage shall not be outside of the operational hours of respective premises. Any alteration to these hours will require separate approval.

14.6.2 The approved signage is to be installed in strict compliance with the approved plans and details. No part of the signage is to overhang the property boundary.

14.6.3 Signage is to comply with the design criteria specified prescribed by State Environmental Planning Policy (Industry and Employment) 2021.

14.6.4 The proposed signage is not to have/use

- Flashing lights;
- Electronically changeable messages;
- Animated display, moving parts or simulated movement;
- complex displays that hold a driver's attention beyond a 'glance appreciation';
- Displays resembling traffic signs or signals; or
- A method of illumination that distracts or dazzles.

14.6.5 The signage is to be kept well maintained and free of graffiti and damage throughout its lifespan. In the event of wear/tear, graffiti or damage this is to be rectified immediately.

14.7 Environmental Health

14.7.1 If any food or public health related commercial activities are proposed in the future, then a referral to Environmental Health for the use and fit out of the premises is required to provide conditions.

14.7.2 All gases, odours, fumes, steam, moisture and particulate matter generated by the use of these premises shall be collected and discharged in accordance with the requirements of the Protection of the Environment Operations Act 1997.

14.7.3 The recommendations provided in Noise Impact Assessment, prepared by Reverb Acoustics Pty Ltd, report no. 24-2937-R1, dated July 2024 shall be implemented.

14.7.4 A post commissioning report must be produced by an 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) within 3 – 6 months of the proposed development operating to validate the Environmental Noise Impact Assessment s findings. The report is to be submitted to Council to review.

14.7.5 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 Environment Protection Authority's Noise Policy for Industry (2017) 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.

14.7.6 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.

14.7.7 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.

14.7.8 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.

- All waste and recycling bins must be stored wholly within the approved waste storage area. The bins must only be put out for collection in the evening prior to pick-up and returned to the storage area as soon as possible after pick-up.
- The Operational Plan of Management, dated November 2025 shall be implemented.

14.8 Access, parking & loading

14.8.1 The operator of the supermarket is responsible for storing and managing shopping trolleys at all times to ensure trolleys are contained within the site at all times.

14.8.2 On-site parking is to be made available to staff at all times.

14.8.3 'Direct to boot' carparking spaces shall be sign posted and limited to 15 minutes parking only in order to ensure maximum usage by all customers.

14.9 Landscaping

14.9.1 All landscaping areas provided in accordance with the approved landscape plans shall be maintained at all times in a suitable manner.

14.9.2 Regular maintenance and up-keep of the site must be undertaken to ensure that sightlines are kept free from obstructions and that the site is free from litter.

14.10 Lighting and Security

14.10.1 Spillage of light and CCTV shall be controlled so as not to cause nuisance or privacy issues to the amenity of adjoining residential lots.

14.10.2 Lighting of all signage shall be installed with the capability of adjusting illumination levels. The lighting must not flash or contain moving parts.

14.10.3 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

14.10.4 The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security of the building and persons within are not compromised by dark or uncontrolled public areas. Also, such lighting is not to impact on residential dwellings around this development site.

14.11 Other matters

14.11.1 Centre management must be engaged for the life of the development to ensure:

- (i) Management of bins on-site
- (ii) Cleaning of bins and waste rooms
- (iii) Arranging clear access to the waste and delivery loading areas

- (iv) Picking up of waste generated by the development within the development site and adjacent streets and public areas.
- (v) Management of shopping trolleys in accordance with Council's Abandoned Shopping Trolley Policy P000497.1

14.11.2 Any paid parking scheme over this approved shopping centre customer/staff carparking area will require the separate consent of Council.