

SUPPLEMENTARY COUNCIL ASSESSMENT REPORT

SYDNEY CENTRAL CITY PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSCC- 640 DA 1040/2025/JP
PROPOSAL	Primary School
ADDRESS	Lots 1-3 DP 1260769 123 Old Pitt Town Road and 3-5 Mandalas Street, Gables
APPLICANT	Norwest Christian College Limited
OWNER	Norwest Christian College Limited
DA LODGEMENT DATE	23 December 2024
ADDITIONAL DOCUMENTS SUBMITTED FOR CONSIDERATION	Cover Letter – EPM Projects Amended Arboricultural Impact Assessment prepared by Tree Report Revision V1 dated 11/11/2025 Amended Biodiversity Development Assessment Report prepared by Narla Environmental Pty Ltd Revision 5.0 dated 18/11/2025 Amended Civil and Stormwater Engineering Plans prepared by Woolacotts Consulting Engineers Revision E dated 25/11/2025
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
PREPARED BY	Jacob Kiner – Planning Coordinator

REPORT

On 13 November 2025 the Sydney Centre City Planning Panel (SCCPP) considered a report on the proposed primary school development. The report recommended that determination of the application be deferred to enable the outstanding tree impacts that had arisen as a result of changes to the civil design to be adequately addressed and further details of the design of the access to the development to be submitted which consider the management of stormwater and any impacts which may arise from them.

Specifically, the amendments to the civil design resulted in the southern kerb alignment along Old Pitt Town Road needing to be realigned, which had potential to impact on trees identified on the Biodiversity Values Map opposite the site. The civil design was also missing details relating to the connection of the site to the stormwater network within Old Pitt Town

Road and the transition of the road construction to the existing portions of Old Pitt Town Road to the east and west of the site.

The application at the time of reporting to the Panel on 13 November 2025 had not provided sufficient information to enable an assessment of the impacts of the development and consideration of the requirements of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.

On 13 November 2025, the applicant provided a revised public domain plan detailing the works within Old Pitt Town Road fronting the site.

An amended Arboricultural impact assessment and Biodiversity Development Assessment Report were provided by the applicant on 18 November 2025.

On 20 November 2025, the Panel provided confirmation to Council that finalisation of the Panel determination would be deferred until the supplementary material was submitted and reviewed by Council staff.

Following review of the amended materials by Council's Engineering and Ecology sections, the applicant was requested to provide further details relating to the stormwater design within Old Pitt Town Road fronting the site and include additional details relating to the transition of the proposed road construction to the existing road.

A revised civil and stormwater engineering plan was provided by the applicant on 26 November 2025.

The revised Arboricultural impact assessment and revised Biodiversity Development Assessment Report have demonstrated that the impacts on trees along the southern side of Old Pitt Town Road have been adequately addressed and requires the removal of one additional tree. The additional tree removal does not trigger any biodiversity offsets as detailed in the submitted Biodiversity Development Assessment Report.

The revised civil and stormwater engineering plans have provided sufficient detail regarding the stormwater design within Old Pitt Town Road fronting the site and has demonstrated an appropriate transition to the existing sections of Old Pitt Town Road to the east and west of the site. The impacts of the road design have been adequately addressed by the ecological reporting as noted above.

Accordingly, the revised materials have demonstrated that the impacts of the development have been appropriately addressed and considered in order to satisfy Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979. As the impacts of the development have now been satisfactorily addressed, the application is recommended for approval, subject to conditions of consent.

1. ASSESSMENT OF THE ADDITIONAL INFORMATION

The additional information submitted by the applicant included the following:

- Cover letter;
- Amended Arboricultural Impact Assessment Report;
- Amended Biodiversity Development Assessment Report;
- Amended Civil and Stormwater Engineering Plans

The additional information has been reviewed by Council's Engineering and Ecology staff, and no further objections have been raised, subject to conditions.

2. CONCLUSION

This Development Application has been considered in accordance with the requirements of the EP&A Act and the Regulations. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application the proposal can be supported and is recommended for approval.

The proposed development is generally in accordance with the provisions of the relevant State Environmental Planning Policies, in particular the Transport and Infrastructure SEPP and The Hills LEP, in which the site is suitable for the intended use as an educational establishment as outlined by the requirements of the SEPP and consistency with the objectives of the RU6 Transition zone.

The proposed variations to site coverage, cut and fill and bicycle and motorcycle parking have been addressed, noting that Section 3.36(9) of State Environmental Planning Policy (Transport and Infrastructure) 2021 stipulates that a provision of a development control plan that specifies a requirement, standard or control in relation to an educational establishment development within a prescribed zone is of no effect, regardless of when the development control plan was made.

It is considered that the key issues as outlined in Section 5 of the previous Council Assessment Report considered by the Panel on 13 November 2025 have been resolved by the amended materials provided by the applicant. The impacts of the civil design on the trees located on the southern side of Old Pitt Town Road opposite the subject site have been adequately addressed and the civil design has been amended to demonstrate a legal point of discharge and appropriate transitions to the existing sections of Old Pitt Town Road to the east and west of the site.

3. RECOMMENDATION

That the determination of Development Application 1040/2025/JP for a primary school at 123 Old Pitt Town Road and 3-5 Mandalas Street, Gables be approved pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Attachment 1.

The following attachments are provided:

- Attachment 1: Draft conditions of consent
- Attachment 2: Revised Civil and Stormwater Engineering Plans

ATTACHMENT 1: DRAFT CONDITIONS OF CONSENT

ALL DEVELOPMENT TYPES GENERAL CONDITIONS

1.	Approved Plans and Supporting Documentation				
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
	Approved plans				
	Plan number	Revision number	Plan title	Drawn by	Date of plan
	DA001	I	Staging Plan	PMDL Architecture	04/09/2025
	DA005	B	Site Plan – Demolition	PMDL Architecture	06/12/2024
	DA010	I	Site Plan – Stage 1A	PMDL Architecture	04/09/2025
	DA012	F	Site Plan – Stage 1B	PMDL Architecture	04/09/2025
	DA013	F	Site Plan – Stage 1C	PMDL Architecture	04/09/2025
	DA014	C	Site Plan – Traffic Overlay	PMDL Architecture	04/09/2025
	DA015	C	Site Plan – Combined Stage Carpark Plan	PMDL Architecture	04/09/2025
	DA100	B	Ground Floor Plan – Stage 1A	PMDL Architecture	06/12/2024
	DA102	B	Roof Plan	PMDL Architecture	06/12/2024
	DA201	B	North & South Elevation	PMDL Architecture	06/12/2024
	DA202	B	East & West Elevation	PMDL Architecture	06/12/2024
	DA203	B	Street Elevations	PMDL Architecture	06/12/2024
	DA204	B	Street Elevation – Old Pitt Town Road	PMDL Architecture	06/12/2024
	DA300	B	Sections	PMDL Architecture	06/12/2024
	DA310	B	Site Section – Driveway	PMDL Architecture	24/06/2025

DA400	B	Materials Board	PMDL Architecture	06/12/2024
S1-CF1	B	Cut and Fill Plan	Woolacotts Consulting Engineers	04/09/2025
Sheets 1-35	D	Landscape Design Report and Plans	Ground Ink Pty Ltd	08/09/2025
Approved documents				
Document title	Version number	Prepared by	Date of document	
Aboriginal Due Diligence Assessment	-	Apex Archaeology	December 2024	
Access Assessment Report	1.1	Jensen Hughes Pty Ltd	13/12/2024	
Bushfire Assessment Report	2	Building Code & Bushfire Hazard Solutions Pty Ltd	10/12/2024	
Design Statement	-	PMDL Architecture	16/12/2024	
Fire Engineering Report	-	Walkerbai Fire Engineering	12/12/2024	
On-site Wastewater Management Report	5	Henry & Hymas	10/12/2024	
Preliminary Site Investigation	1	JK Environments	09/12/2024	
Detailed Site Investigation	0	Neo Consulting	16/12/2024	
Flood Impact Assessment Report	B	Woolacotts Consulting Engineers	10/12/2024	
Geotechnical Investigation Report	1	JK Geotechnics	09/12/2024	
Waste Management Plan	1	MRA Consulting Group	09/12/2024	
Arboricultural Impact Assessment	4 V1	Tree Report Pty Ltd	24/06/2025 11/11/2025	
Biodiversity Development Assessment Report	5	Narla Environmental	18/11/2025	
Stormwater Management Report	B	Woolacotts Consulting Engineers	10/12/2024	
Operational Plan of Management	C	EPM Projects	12/09/2025	

	In the event of any inconsistency between the approved plans and documents, the approved documents prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2.	Compliance with NSW Rural Fire Service Requirements During the development of the site, occupation and ongoing use of the development, compliance with the requirements of the NSW Rural Fire Service attached as Appendix A to this consent and dated 3 February 2025 must be maintained. Condition reason: To ensure compliance with the relevant authority's General Terms of Approval.
3.	Separate Consent for Other Signs Separate development consent is required for the erection of any signage structures other than the sign(s) approved in this consent. Condition reason: To ensure approval is provided for additional signs.
4.	Provision of Parking Spaces Before the issue of an occupation certificate for stage 1A, the development is required to be provided with 28 off-street car parking spaces and shall be labelled which spaces are for visitors and staff prior to occupation of the premises. These car parking spaces shall be available for off street parking at all times. Before the issue of an occupation certificate for stage 1B, the development is required to be provided with 40 off-streetcar parking spaces and shall be labelled which spaces are for visitors and staff prior to occupation of the premises. These car parking spaces shall be available for off street parking at all times. Before the issue of an occupation certificate for stage 1C, the development is required to be provided with 55 off-streetcar parking spaces and shall be labelled which spaces are for visitors and staff prior to occupation of the premises. These car parking spaces shall be available for off street parking at all times. Condition reason: To ensure compliance with parking requirements.
5.	Erosion & Sediment Control Plan Before any works commencing on site, an Erosion and Sediment Control Plan is to be submitted to Council. The plan shall include details of: a) Allotment boundaries b) Location of the adjoining roads c) Contours d) Existing vegetation e) Existing site drainage f) Critical natural areas g) Location of stockpiles h) Erosion control practices

	i) Sediment control practices j) Outline of a maintenance program for the erosion and sediment controls (NOTE: For guidance on the preparation of the Plan refer to 'Guidelines for erosion and sediment control on building sites' produced by the Department of Planning, Housing and Infrastructure.) Condition reason: To protect the amenity of the local area.
6.	Vegetation Management Plan (VMP) – Ongoing Use During occupation and ongoing use, all commitments in the Vegetation Management Plan (to be approved by Council) must be met. Condition reason: To protect native vegetation.
7.	Protection of Existing Trees and Native Vegetation Native vegetation (trees and understorey) not identified on the approved plan for removal is to be kept unless prior consent of Council is obtained. Condition reason: To ensure retained trees and native vegetation are adequately protected.
8.	Tree Removal Approval is granted for the removal of two hundred and two (202) trees as listed in the Arboricultural Impact Assessment prepared by Tree Report dated 24 June 2025 and one (1) tree as listed in the Arboriculture Impact Assessment prepared by Tree Report dated 11 November 2025. Condition reason: To provide details of trees approved for removal.
9.	Secure Properties and Maintain Vegetation Before and while work is occurring on the site, the site and any structures are to be made secure to prevent unauthorised access and the dumping of waste. All vegetation is to be maintained so that it does not become overgrown and unsafe or unhealthy. Condition reason: To protect the amenity of the local area.
10.	Construction Certificate Before building works commence for the approved development, it is necessary to obtain a construction certificate. A construction certificate may be issued by Council or a Registered Certifier. Plans submitted with the construction certificate are to be amended to incorporate the conditions of the development consent. Condition reason: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation, and to ensure compliance with the legislative requirements.
11.	Building Work to be in Accordance with BCA During building work, all building work must be carried out in accordance with the provisions of the Building Code of Australia as referenced by Section 69 of the Environmental Planning and Assessment Regulation 2021. Condition reason: To ensure compliance with the legislative requirements.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

12.	Section 7.12 Contribution Before the issuing of a Construction Certificate, a contribution of \$216,898.00 must be paid to Council. This amount may be adjusted at the time of payment. The contributions levy has been calculated in accordance with the table below: <table border="1" data-bbox="323 454 1386 658"> <thead> <tr> <th>Proposed cost of the development</th><th>Maximum percentage of the levy</th></tr> </thead> <tbody> <tr> <td>Up to \$100,000</td><td>Nil</td></tr> <tr> <td>\$100,001 - \$200,000</td><td>0.5 %</td></tr> <tr> <td>More than \$200,000</td><td>1%</td></tr> </tbody> </table> Prior to payment, it is advised to phone or email Council to confirm the amount. Payments will be accepted via Debit or Credit Card. Cash payments will not be accepted. This condition has been imposed in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and The Hills Section 7.12 Contributions Plan. Condition reason: To contribute towards public infrastructure for the area.	Proposed cost of the development	Maximum percentage of the levy	Up to \$100,000	Nil	\$100,001 - \$200,000	0.5 %	More than \$200,000	1%
Proposed cost of the development	Maximum percentage of the levy								
Up to \$100,000	Nil								
\$100,001 - \$200,000	0.5 %								
More than \$200,000	1%								
13.	Provision of Commercial Waste Service Area(s) Before the issue of a construction certificate, the certifier must be satisfied that construction plans incorporate a bin storage area sized for the total minimum number of bins associated with the development within the lot boundary. The area(s) must: a) Be screened from view from public land and neighbouring residential property; b) Have a flat or ramped bin transfer path leading directly from the bin storage area(s) to the approved bin collection point within the site. Condition reason: To ensure adequate storage space is provided onsite for developments to accommodate a commercial waste service.								
14.	Construction Site Management Plan Before the issue of a construction certificate a construction site management plan must be prepared, and provided to the Principal Certifier. The plan must include the following matters: a) The location and materials for protective fencing and hoardings on the perimeter of the site; b) Provisions for public safety; c) Pedestrian and vehicular site access points and construction activity zones; d) Details of construction traffic management including: i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e) Details of bulk earthworks to be carried out; f) The location of site storage areas and sheds; g) The equipment used to carry out works; h) The location of a garbage container with a tight-fitting lid; i) Dust, noise and vibration control measures; j) The location of temporary toilets;								

	k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent. A copy of the construction site management plan must be kept on-site at all times while work is being carried out.
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

BEFORE WORK COMMENCES

15.	Project Ecologist Before works commence, a Project Ecologist is to be appointed and the following details provided to The Hills Shire Council's Manager – Environment & Health: a) Name: b) Qualification/s: c) Telephone number/s: d) Email: If the Project Ecologist is replaced, The Hills Shire Council's Manager – Environment & Health is to be notified in writing of the reason for the change and the details of the new Project Ecologist within 7 days. Condition reason: To protect vegetation.
16.	Bushland Protection Fencing Before works commence on site, temporary Bushland Protection Fencing must be in place around vegetation proposed for retention. The temporary fence is to be a minimum chain-wire fence or similar and be suitable to restricted unauthorised entry. The temporary fence is to stop the following occurring: a) Stockpiling of materials within significant bushland. b) Placement of fill within significant bushland. c) Parking of vehicles within significant bushland. d) Compaction of soil within significant bushland. e) Cement washout and other chemical or fuel contaminants within significant bushland. f) Damage to threatened plants and their habitat. Condition reason: To protect vegetation.
17.	Project Bush Regenerator Before works commence, a suitably qualified (minimum Certificate III Natural Area Restoration) Bush Regenerator is to be appointed and the following details provided to Council: a) Name: b) Qualification/s: c) Telephone number/s: d) Email: If the Bush Regenerator is replaced, Council is to be notified in writing of the reason for the change and the details of the new Bush Regenerator within 7 days. Condition reason: To protect vegetation
18.	Engagement of a Project Arborist

	Before site works commence, a Project Arborist (minimum AQF Level 5) is to be appointed and the following details provided to The Hills Shire Council's Manager – Environment & Health: a) Name: b) Qualification/s: c) Telephone number/s: d) Email: If the Project Arborist is replaced, Council is to be notified in writing of the reason for the change and the details of the new Project Arborist provided within 7 days. Condition reason: To protect vegetation.
19.	Waste Management Plan – an approved document of this consent Before site work commences, a waste management plan for the development must be provided to the principal certifying authority. Condition reason: To ensure resource recovery is promoted and local amenity protected during construction
20.	Erosion and Sediment Controls in Place Before site work commences, the certifying authority must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time). Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
21.	Consultation with Service Authorities Before building work commences, applicants are advised to consult with Telstra, NBN Co and Australia Post regarding the installation of telephone conduits, broadband connections and letterboxes as required. Applicants are advised to consult with the relevant electricity authority with respect to electricity supply and connection points to the site, or any other electrical infrastructure located in close proximity to the proposed works. Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment. In the interest of health and safety, applicants are to contact dial before you dig Australia www.byda.com.au in order to protect damage to third party 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. Condition reason: To ensure compliance with relevant service provider's requirements.
22.	Builder and Principal Certifier Details Before building work commences, the builders name, address, telephone and email information must be submitted to the Principal Certifier. Where Council is not the Principal Certifier, Council must be notified of the Principal Certifier in writing two days before building works commence in accordance with the Regulations. Condition reason: To ensure compliance with the legislative requirements.

23.	Management of Building Sites
	Before building work commences, suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied is to be provided.
	The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after hours contact name and telephone number.
	Condition reason: To protect workers, the public and the environment.

DURING WORKS

24.	Tree Protection During Work
	While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: a) the construction site management plan under this consent, b) the relevant requirements of AS 4970 Protection of trees on development sites, and c) any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.
	Condition reason: To protect trees during the carrying out of site work.
25.	Tree Removal & Fauna Protection
	Prior to vegetation removal, a preclearance survey is to be conducted within 14 days of the beginning of vegetation removal by an experienced ecologist where habitat items are marked with tape or spray paint. The location and nature of the habitat items are to be recorded and details provided to Council within a preclearance letter with photographs included.
	During any tree removal, an experienced wildlife handler is to be present to re-locate any displaced fauna that may be disturbed during this activity.
	Trees must be lopped in such a way that the risk of injury or mortality to fauna is minimised, such as top-down lopping, with lopped sections gently lowered to the ground, or by lowering whole trees to the ground with the "grab" attachment of a machine.
	Any injured fauna is to be placed into the hands of a wildlife carer (please note only appropriately vaccinated personnel are to handle bats).
	Tree hollows must be salvaged from removed trees and placed within the retained areas of bushland areas outside of the Asset Protection Zone (APZ). This is to be done by a qualified and experienced arborist, under the direction of the Project Ecologist;
	Details of the clearance supervision including dates of vegetation removal, number and species of fauna encountered, location where native fauna was released, vets/wildlife

	carers where injured fauna were taken, number, species of exotic fauna euthanised and photographs of the vegetation removal process.
	Condition reason: To protect Fauna
26.	Site Management – Protection of Vegetation
	During all site work, no stockpiling and no activities are to be undertaken within 20 metres of retained vegetation or the Vegetation Management Plan area.
	Condition reason: To protect vegetation
27.	Protection of Tree Canopy and Ground Protection within Tree Protection Zone
	During site works, damage to tree canopies (foliage and branches) are to be avoided when operating excavation machineries, cranes, drilling rigs and similar equipment near tree (s). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy and construction activities, the advice of a Project Arborist must be sought. In the event of any tree (s) becoming damaged for any reason during the construction period, a Project Arborist shall be engaged to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the Project Arborist. The removal of a small portion of the crown (foliage and branches) is generally tolerable provided that the extent of pruning required is within 10% of the total foliage volume of the tree and the removal of branches does not create large wounds or disfigure the natural form and habit of the tree. All pruning cuts must be undertaken in accordance with the Australian Standard (AS 2373-2007) Pruning of Amenity Trees. If any construction access or works is required within the TPZ of any tree (s) identified for retention ground protection measures shall be required. Ground protection shall include temporary access for machinery, vehicular and foot traffic within the TPZ of tree (s) on the site and/or on adjoining site (s). The measures may include a permeable membrane such as geo-textile fabric beneath a layer of mulch or crushed rock below rumble bards as per Clause 4.5.3 Ground protection AS4970-2025 Protection of trees on development sites. Ground protection shall be installed before any site works and maintained in good condition for the duration of the construction period. On completion of the works, ground protection shall be removed without damage or disturbance to the underlying soil profile.
	Condition reason: To protect tree canopy.
28.	Waste Management
	While site work is being carried out: a) all waste management must be undertaken in accordance with the waste management plan, and b) upon disposal of waste, records of the disposal must be compiled and provided to the principal certifying authority, detailing the following: i. The contact details of the person(s) who removed the waste; ii. The waste carrier vehicle registration; iii. The date and time of waste collection;

	iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; v. The address of the disposal location(s) where the waste was taken; vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. c) If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council. Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
29.	Soil Management While site work is being carried out, the certifying authority must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements: a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the certifying authority b) All fill material imported to the site must be: i. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>, or ii. a material identified as being subject to a resource recovery exemption by the NSW EPA, or iii. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA. Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
30.	Dust Control During site works, dust suppression techniques must be used to minimise nuisance to surrounding properties. In the absence of any alternative measures, the following measures must be taken to control the emission of dust: a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the demolition and construction work; b) All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and c) All stockpiles of materials that are likely to generate dust must be kept damp or covered. Condition reason: To prevent the movement of dust outside the boundaries of the development.
31.	Hours of Work Site work must only be carried out between the following times – For all works from 7:00am to 5:00pm on Monday to Saturday. No work to be carried out on Sunday or Public Holidays.

	Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	Condition reason: To protect the amenity of the surrounding area.
32.	Surveys by a Registered Surveyor
	While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier: a) All footings / foundations in relation to the site boundaries and any registered and proposed easements; and b) At other stages of construction – any marks that are required by the principal certifier.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
33.	Waste Management
	While site work is being carried out: a) all waste management must be undertaken in accordance with the waste management plan, and b) upon disposal of waste, records of the disposal must be compiled and provided to the Principal Certifier detailing the following: i. The contact details of the person(s) who removed the waste; ii. The waste carrier vehicle registration; iii. The date and time of waste collection; iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; v. The address of the disposal location(s) where the waste was taken; vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. c) If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.
	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
34.	Noise and Vibration Requirements
	While site work is being carried out, noise generated from the site must not exceed an L_{Aeq} (15 min) of 5dB(A) above background noise, when measured at the boundary of the site.
	Condition reason: To protect the amenity of the neighbourhood during construction.

ON COMPLETION OF WORKS

35.	Removal of waste upon completion
	After completion of all site work:

	all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and written evidence of the waste removal must be provided to the satisfaction of the principal certifying authority.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

BEFORE ISSUE OF OCCUPATION CERTIFICATE

36.	Section 73 Certificate must be Submitted to the Principal Certifier Prior to Issue of Occupation Certificate
	Before the issue of an occupation certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your land > water Servicing Coordinator or telephone 13 20 92. The Section 73 Certificate must be submitted to the Principal Certifier before occupation of the development/release of the plan of subdivision.
	Condition reason: To ensure the development will be satisfactorily serviced by Sydney Water and that the requirements of Sydney Water have been complied with.

DEMOLITION WORK GENERAL CONDITIONS

37.	Notice of Commencement for Demolition
	At least one week before demolition work commences, written notice must be provided to Council and the occupiers of neighbouring premises of the work commencing. The notice must include: a) Name; b) Address; c) Contact telephone number; d) Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor; e) The contact telephone number of Council; and The contact telephone number of SafeWork NSW (4921 2900).
	Condition reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.

BEFORE WORK COMMENCES

38.	Notification of Asbestos Removal Before commencement of any demolition works involving asbestos containing materials, all adjoining neighbours, Council and SafeWork NSW must be given a minimum five days written notification of the works. Condition reason: To ensure compliance with legislation and ensure public and work safety.
39.	Asbestos Removal Signage Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos. Condition reason: To alert the public to any danger arising from the removal of asbestos.
40.	Hazardous material survey before demolition Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences. Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information: a) the location of all hazardous material throughout the site b) a description of the hazardous material c) the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust d) an estimation of the quantity of each hazardous material by volume, number, surface area or weight e) a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials f) identification of the disposal sites to which the hazardous materials will be taken Condition reason: To require a plan for safely managing hazardous materials
41.	Demolition Management Plan Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person. The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, The Hills Development Control Plan 2012 and must include the following matters: a) The proposed demolition methods b) The materials for and location of protective fencing and any hoardings to the perimeter of the site c) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones

	d) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles e) Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) (including in accordance with AS 4970-2009 Protection of trees on development sites and The Hills Development Control Plan 2012. f) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways g) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent h) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines i) Details of any bulk earthworks to be carried out j) Details of re-use and disposal of demolition waste material in accordance with The Hills Development Control Plan 2012. k) Location of any reusable demolition waste materials to be stored on-site (pending future use) l) Location and type of temporary toilets onsite m) A garbage container with a tight-fitting lid. Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.
42.	Site Preparation Before demolition work commences the following requirements, as specified in the approved demolition management plan, must be in place until the demolition work and demolition waste removal are complete: a) Protective fencing and any hoardings to the perimeter on the site; b) Access to and from the site; c) Construction traffic management measures; d) Protective measures for on-site tree preservation and trees in adjoining public domain; e) Onsite temporary toilets; f) A garbage container with a tight-fitting lid. Condition reason: To protect workers, the public and the environment.
43.	Disconnection of Services Before Demolition Work Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements. Condition reason: To protect life, infrastructure and services.

DURING DEMOLITION WORKS

44.	Demolition Works and Asbestos Management
	During demolition works, the demolition of any structure is to be done in accordance

	with the Work Health and Safety Act 2011. Vehicles transporting demolition materials must have covered loads. The demolition and removal of any asbestos materials must: - Be undertaken by a licensed asbestos removalist - Be transported to licensed waste facilities - Be done in accordance with SafeWork NSW, Environmental Protection Authority and Office of Environment and Heritage requirements - Not be reused onsite Condition reason: To ensure all demolition works and removal and management of asbestos is completed in accordance with the Work Health and Safety Act 2011.
45.	Handling of Asbestos During Demolition While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements: - Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material; - Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and - Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA online reporting tool WasteLocate. Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally.
46.	Site Maintenance While demolition work is being carried out, the following requirements, as specified in the approved demolition management plan, must be maintained until the demolition work and demolition waste removal are complete: - Protective fencing and any hoardings to the perimeter on the site; - Access to and from the site; - Construction traffic management measures; - Protective measures for on-site tree preservation and trees in adjoining public domain; - Onsite temporary toilets; - A garbage container with a tight-fitting lid. Condition reason: To protect workers, the public and the environment.

REMEDIATION WORK DURING WORKS

47.	Contamination Assessment & Site Remediation While demolition work, detailed site investigation work and remediation work is occurring, the recommendations of the Preliminary Site Investigation prepared by JK Environments Pty Ltd, referenced as E36928Brpt-Rev1, dated 9 December 2024 are to be implemented. In particular: A Sampling, Analysis and Quality Plan (SAQP) should be prepared for the DSI. Further preliminary waste classification assessment should occur concurrently with this investigation, along with a preliminary salinity assessment;
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	• A hazardous building materials survey should be undertaken prior to demolition of the buildings. Following demolition of the buildings (and preferably prior to removal of any hardstand), an asbestos clearance certificate should be obtained; and • A Detailed Site Investigation should be undertaken post demolition and before any construction to characterise the site contamination conditions, or whether remediation is required. A Remedial Action Plan shall be prepared. There shall not be any onsite disposal of contaminated soil, waste or soil for which the contaminated status is unknown. Contaminated waste must be disposed of at a licensed waste facility unless explicitly stated otherwise. Onsite burial of waste is prohibited, irrespective of the report's contents. Condition reason: To protect health safety and environment
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ON COMPLETION OF WORKS

48.	Validation report On completion of works, a validation report shall be submitted to Council's Manager – Environment and Health and the Certifying Authority (if not Council). The validation report must include the following: a) The degree of contamination originally present; b) The type of remediation that has been completed; and c) A statement which clearly confirms that the land is suitable for the proposed use Condition reason: To ensure controls are in place for contamination management
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BUILDING WORK GENERAL CONDITIONS

49.	External Finishes During occupation and ongoing use of the development, the external finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent. Condition reason: To ensure quality built form of development.
50.	Road Opening Permit Should the subdivision/ development necessitate the installation or upgrading of utility services or any other works on Council land beyond the immediate road frontage of the development site and these works are not covered by a Construction Certificate issued by Council under this consent then a separate road opening permit must be applied for and the works inspected by Council's Maintenance Services team. The contractor is responsible for instructing sub-contractors or service authority providers of this requirement. Contact Council's Construction Engineer if it is unclear whether a separate road opening permit is required.

	Condition reason: To protect the roads.
51.	Section 138 Works A S138 Roads Act application, including the payment of application and inspection fees, is required to be lodged with, and approved by The Hills Shire Council (being the Roads Authority under the Roads Act), for provision for the following works • Half-width reconstruction of Old Pitt Town Road. • Footpath construction along Old Pitt Town Road. • Extension of stormwater infrastructure and installation of a new kerb inlet pit on Mandalas Street Engineering plans are to be prepared in accordance with the development consent, Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments, Austroad Guidelines and best engineering practice. Before the issue of a construction certificate, the consent holder must provide a copy of the approved S138 Roads Act to the certifier. Note: Where The Hills Shire Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate. Condition reason: To ensure that council will assess and approve public roads or any other land under the care and control of Council.
52.	Vehicular Access and Parking Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction that the formation, surfacing and drainage of all driveways, parking modules, circulation roadways, sight distance and ramps/circular ramps have been design and construction complying are in accordance with: - AS/ NZS 2890.1 - AS/ NZS 2890.6 - AS 2890.2 - DCP Part C Section 1 – Parking - Council's Driveway Specifications Where conflict exists, the Australian Standard must be used. The following must be provided: - All driveways and car parking areas must be prominently and permanently line marked, signposted, and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled. - All driveways and car parking areas must be separated from landscaped areas by a low-level concrete kerb or wall.

	h) All driveways and car parking areas must be concrete or bitumen. The design must consider the largest design service vehicle expected to enter the site. In rural areas, all driveways and car parking areas must provide for a formed all weather finish. i) All driveways and car parking areas must be graded, collected, and drained by pits and pipes to a suitable point of legal discharge. These requirements shall be reflected on the Construction Certificate plans and supporting documentation before the issue of a construction certificate.
	Condition reason: To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP.
53.	Protection of Public Infrastructure During works, Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site. Condition reason: To document any damaged to public infrastructure during construction and subsequently any damage is to be made good prior to Occupation Certificate.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

54.	Utilities and Services Before the issue of a construction certificate, written evidence of the following service provider requirements must be provided to the Principal Certifier: - a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; - a response from Sydney Water as to whether the development would affect any Sydney Water infrastructure, and whether further requirements need to be met; - other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.
55.	Vegetation Management Plan Bond Agreement Before the issue of a construction certificate, a security bond is to be lodged with Council. The value of the bond will be 125% of the cost estimate to implement the first 5 years of the works required under the Vegetation Management Plan (to be approved by Council). Release of the bond will be staged subject to certification that performance criteria has been met as staged below: - After the completion of works required by Year 1 (50%); - After the completion of works required by Year 3 (25%); and - After the completion of works required by Year 5 (25%).

	Condition reason: To ensure works are carried out in accordance with the approved Vegetation Management Plan.
56.	Biodiversity Management Plan Before the issue of a construction certificate, a Biodiversity Management Plan must be prepared and submitted to The Hills Shire Council’s Manager – Environment and Health for approval. The plan is to be prepared in accordance with the proposed mitigation measures detailed in the approved Biodiversity Development Assessment Report (BDAR) prepared by Narla dated 18 November 2025 and must include information on: - Delineation of clearing areas including reference to the Vegetation Management Plan (to be approved by Council) area; - Erosion, sedimentation and pollution control; - Vegetation and habitat clearing procedures (including a two-stage process for habitat items); - Fauna handling, capture and transporting techniques; - Potential fauna release locations; - Pre-clearance inspection protocols (including marking habitat items and producing a preclearance letter to Council following the preclearance inspection); - Clearance supervision of the removal of vegetation and items marked as habitat items within the preclearance inspection (including producing a clearance supervision letter to Council following the clearance supervision); - Injured fauna protocols (including details of nearby veterinarian clinics and wildlife rescue groups); - Human euthanasia of exotic fauna in regard to the Prevention of Cruelty to Animal Act 1979; and - An unexpected finds procedure. The Plan must be prepared by a suitably qualified ecologist. Condition reason: To protect native fauna
57.	Vegetation Management Plan Before the issue of a construction certificate, a Vegetation Management Plan (VMP) must be prepared in accordance with Council’s Vegetation Management Plan Guideline (available on Council’s website www.thehills.nsw.gov.au). Additionally, the VMP is to align with the mitigation measure regarding the VMP within the approved Biodiversity Development Assessment Report (BDAR) prepared by Narla dated 18 November 2025. The Plan must be prepared by a suitably qualified bush regenerator or restoration ecologist with a minimum Certificate IV in Conservation Land Management. The Plan is to be provided to The Hills Shire Council’s Manager – Environment and Health for approval. Condition reason: To ensure the native vegetation is correctly restored and maintained.
58.	Engineering Works and Design

	The design and construction of the engineering works listed below must be provided for in accordance with Council’s Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments. Engineering works can be classified as either “subdivision works” or “building works”. Works within an existing or proposed public road or works within an existing or proposed public reserve can only be approved, inspected and certified by Council. Depending on the development type and nature and location of the work the required certificate or approval type will differ. The application form covering these certificates or approvals is available on Council’s website and the application fees payable are included in Council’s Schedule of Fees and Charges. The concept Civil engineering plan prepared by Woolacotts Consulting Engineers Revision C Dated 25/11/2025 and Public Domain Works plan Revision B Dated 25/11/2025 is for development application purposes only and is not to be used for construction. The design and construction of the engineering works listed below must reflect the concept engineering plan and the conditions of consent. Before the issue of a construction certificate or a subdivision work certificate, whichever precedes first/earlier, a suitably qualified civil engineer must review the Engineering design associated with this development and provide written certification on the approved plans to satisfy the certifier that: a) Partial Width Road Reconstruction The partial width reconstruction of the existing roads listed below is required, including any necessary service adjustments and ancillary work required to make the construction effective: <table border="1" data-bbox="339 1191 1386 1576"> <tr> <td data-bbox="339 1191 668 1301">Road Name:</td><td data-bbox="668 1191 1386 1301">Formation: (Footpath/ Carriageway/ Footpath) (m)</td></tr> <tr> <td data-bbox="339 1301 668 1576">Old Pitt Town Road</td><td data-bbox="668 1301 1386 1576">Road Type: DCP Collector Road 3.5/15/3.3(Slip Lane)/3.5m (25.3m) (varies) Pavement Design: Collector (Design Guidelines Section 3.12)</td></tr> </table> The design must incorporate a standard kerb return radius of 7.5m based on a 4m splay corner unless otherwise directed by Council. Where partial-width reconstruction exists opposite the site, the completed road must comply with the overall requirements outlined in the table above. As partial-width reconstruction already exists, the new works are required to tie in with the existing levels and complete the remaining width of the road in accordance with the above requirements. Existing line marking may be realigned as necessary to achieve the required overall carriageway width	Road Name:	Formation: (Footpath/ Carriageway/ Footpath) (m)	Old Pitt Town Road	Road Type: DCP Collector Road 3.5/15/3.3(Slip Lane)/3.5m (25.3m) (varies) Pavement Design: Collector (Design Guidelines Section 3.12)
Road Name:	Formation: (Footpath/ Carriageway/ Footpath) (m)				
Old Pitt Town Road	Road Type: DCP Collector Road 3.5/15/3.3(Slip Lane)/3.5m (25.3m) (varies) Pavement Design: Collector (Design Guidelines Section 3.12)				

	Any requirements relating to partial width road reconstruction from the relevant section of Council's DCP must also be complied with. All works must be carried out in accordance with the submitted traffic safety statement. Where the existing road reserve width exceeds that required to be provided, the additional width is to be evenly distributed on either side of the road carriageway to provide for a wider footpath verge. Except where a modified kerb treatment is required (such as for roadside bio-retention swales) roll kerb is to be used for all roads other than sub-arterial roads or roads fronting a park or creek corridor. Except where a one-way cross fall is required (such as for roadside bio-retention swales) all roads are to have a two-way cross fall with a crown in the middle of the carriageway. With respect to Old Pitt Town Road the approved concept subdivision works plan generally reflects the required longitudinal grading associated with the planned upgrade of this road as per the 80% detailed concept design for Old Pitt Tow Road prepared by Opus for Council. b) Signage and Line Marking Requirements/ Plan A signage and line marking plan must be submitted with the detailed design. This plan needs to address street name signs and posts, regulatory signs and posts (such as no parking or give way signs), directional signs and posts (such as chevron signs), speed limit signs and posts and line marking, where required. Thermoplastic line marking must be used for any permanent works. Any temporary line marking must be removed with a grinder once it is no longer required, it cannot be painted over. Details for all signage and line-marking must be submitted to Council's Construction Engineer for checking prior to works commencing. For existing public roads, signs and line marking may require separate/ specific approval from the Local Traffic Committee. Street name signs and posts must be provided in accordance with the above documents and Council's Standard Drawing 37. With respect to street name signs specifically, all private roads must include a second sign underneath which reads "private road". c) Footpath Verge Formation The grading, trimming, topsoiling and turfing of the footpath verge fronting the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site. Any necessary adjustment or relocation of services is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level. d) Re-location of Stormwater pipe and pits All existing stormwater infrastructure on the southern side of Old Pitt Town Road, including kerb-inlet pits and associated pipework, must be relocated to sit wholly beneath the proposed kerb and gutter. The existing stormwater line is to be removed and
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	reinstated in accordance with Council's Standard Drawings and Design Guidelines. All works must ensure full functionality of the drainage system and maintain connectivity to the downstream network. e) Concrete Footpath A 1.5m wide concrete footpath, including access ramps at all intersections, must be provided on side of Old Pitt town Road in accordance with the DCP and the above documents. Temporary footpath must be constructed to the extent as shown in the Public Domain Works plan prepared by the Woolacotts Revision B Dated 25/11/2025. f) Gutter Crossings The existing driveway crossing servicing Lot 6 DP 253552 (125 Old Pitt Town Road) must be shown on the civil plans and designed to provide a smooth and compliant transition for vehicles entering and exiting Old Pitt Town Road. Safe ingress and egress must be maintained at all times, both during construction works and upon completion. g) Disused Layback/ Driveway Removal All disused laybacks and driveways must be removed and replaced with full kerb and gutter together with the restoration and turfing of the adjoining footpath verge area h) Service Conduits Service conduits to each of the proposed new lots, laid in strict accordance with the relevant service authority's requirements, are required. Services must be shown on the engineering drawings. i) Earthworks/ Site Regrading Earthworks and retaining walls are limited to those locations and heights shown on the concept engineering plan prepared by Woolacotts Consulting Engineers Revision C Dated 25/11/2025. Where earthworks are not shown on the approved plan the topsoil within the site must not be disturbed. Retaining walls between lots must be located as shown on the plans. Condition reason: To ensure that the engineering design associated with this development have been designed and completed in accordance with Australian standards, Council's relevant DCP and Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments
59.	Security Bond – External Works The consent holder must provide a security bond is required to be submitted to Council to guarantee the construction, completion and performance of all works external to the site. The bonded amount must be based on 150% of the tendered value of providing all such works. The minimum bond amount is \$10,000.00. The bond amount must be confirmed with Council prior to payment. The bond is refundable upon written application to Council and is subject to all work being completed to Council's satisfaction.

	This requirement shall be reflected on the Construction Certificate plans and supporting documentation. The bond must be lodged with Council before the issue of a construction certificate.
	Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction
60.	Security Bond – Road Pavement and Public Asset Protection The applicant must provide a security bond of \$120,000.00 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the rate of \$142.00 per square metre based on the road frontage of the subject site (107m) multiplied by the width of the road (8m). A single bond payment with the amount specified above shall be lodged with Council, partial bond payments will not be accepted. The square metre rate is based on The Hills Shire Council Fees & Charges 2024-2025 which is applicable at the time this consent was issued. Upon lodgement of the bond the amount will be updated to reflect the current schedule of fees and charges that are available on The Hills Shire Council Website. The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these costs. This requirement shall be reflected on the Construction Certificate plans and supporting documentation. The bond must be lodged with Council before the issue of a construction certificate. Condition reason: To ensure any damage to public infrastructure is rectified
61.	Works on Adjoining Land Before the issue of a construction certificate, the consent holder must obtain and submit a written owner consent from all affected adjoining property owners, where the engineering works included in the scope of this approval extend into the adjoining lands. These requirements shall be reflected on the Construction Certificate plans and supporting documentation. Condition reason: To ensure the adjoining owners are aware of the works on their land and to obtain any access/consent.
62.	Onsite Stormwater Detention –Stormwater Management Before the issue of a construction certificate, a suitably qualified civil engineer must prepare Onsite Stormwater Detention/Stormwater plan and provide written certification to satisfy the certifier that: Onsite Stormwater Detention (OSD) has been designed in accordance with the Upper Parramatta River Catchment Trust OSD Handbook, with amended parameters to ensure

the pre-development and post development discharge rates are the same for all storms up to and including the 1 in 100-year design storm event.

The stormwater concept plan prepared by Woolacotts Consulting Engineers Detailed below are for development application purposes only and is not to be used for construction.

Plan Title	Revision	Date	Drawing Number
Stormwater Management Plan	E	25/11/2025	S1-SW2
Stormwater Management Plan	E	25/11/2025	S1-SW3
Stormwater Management Plan	E	25/11/2025	S1-SW4
Stormwater Management Plan	D	25/11/2025	S1-SW5
Stormwater Management Plan	E	25/11/2025	S1-SW6
Stormwater Details	D	25/11/2025	S1-SW7
Stormwater Details	D	25/11/2025	S1-SW8

The detailed design must reflect the approved concept plan and the following necessary changes:

- a) Provide safety fencing around the proposed above-ground OSD in accordance with the UPRCT OSD Design Handbook.
- b) Provide mass concrete benching below the orifice of the discharge control pit.

Water sensitive urban design elements, consisting of Bio- Retention, are to be located generally in accordance with the plans and information submitted with the application.

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

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

	The design and construction of the OSD system must be approved by either Council or an accredited certifier. A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council. The following must be included with the documentation approved as part of any Construction Certificate: • Design/ construction plans prepared by an accredited OSD designer. • A completed OSD Drainage Design Summary Sheet. • Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes. • A completed OSD Detailed Design Checklist. • A maintenance schedule.
	Condition reason: To ensure runoff from the development do not impact local stormwater systems and waterways
63.	Erosion and Sediment Control Plan Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the principal certifier. a) Council’s relevant development control plan, b) the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time), and c) the ‘Do it Right On-Site, Soil and Water Management for the Construction Industry’ (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
64.	Access and Loading for Waste Collection Before the issue of a construction certificate, construction plans satisfied by the Certifier must demonstrate waste vehicle access and loading facilities designed and provided on site in accordance with AS2890.2 for the standard 12.5m long Heavy Rigid Vehicle (minimum 4.5m clear vertical clearance). The following requirements must also be satisfied: a) All manoeuvring areas for waste collection vehicles must have a minimum clear vertical clearance of 4.5m. Any nearby areas where the clear headroom is less than 4.5m must have flexible striker bars and warning signs as per AS 2890.1. b) All manoeuvring and loading areas for waste collection vehicles must be clearly and permanently line marked, signposted, and maintained. c) Pedestrian paths around the designated waste collection areas must be clearly and permanently line marked, signposted, and maintained. d) The requirement for reversing on site must be limited to a single reverse manoeuvre into/out of the designated waste service bay (typical three-point turn). e) The designated waste service bay must allow additional space servicing of bins. f) The loading area must have a sufficient level of lighting and have appropriate signage. such as “waste collection loading zone”, “keep clear at all times” and “no parking at any time”.

	Condition reason: To ensure safe and adequate loading facilities are provided for the waste vehicle to enter the site and service all waste collections.
65.	Acoustic Requirements Before the issue of a construction certificate, detailed plans and specifications are to be submitted to the certifier that demonstrate that the recommendations of the Acoustic Assessment Report prepared by ADP Consulting Engineering Pty Ltd, referenced as SYD3092 R02, dated 12 December 2024 have been implemented. In particular: a) Window glazing minimum 6.38mm laminated glass b) External walls at least achieving Rw 43. c) External roofing at least achieving Rw 39. g) Boundary fence at least 1.8 metres high that satisfies the requirements of an acoustic barrier.
	Condition reason: To protect the acoustic amenity of the local area and of the development.
66.	Acoustic – Mechanical plant Before the issue of a Construction Certificate, a suitably qualified acoustic consultant is to provide advice on the final mechanical plant selection/s to ensure that it meets the noise target at any residential boundary as per the acoustic assessment prepared by ADP Consulting Engineering Pty Ltd and dated 12 December 2024. Evidence of this is to be provided to Council's Manager – Environment and Health for review and if satisfactory, written support will be provided prior to any Construction Certificate being issued.
	Condition reason: To protect the amenity of the local area

BEFORE WORK COMMENCES

67.	Mulching within Tree Protection Zone Before any work begins on the site, all areas within the Tree Protection Zone are to be mulched with composted leaf mulch to a depth of 100mm.
	Condition reason: To protect trees during the carrying out of site work.
68.	Tree Protection Signage Before any work begins on the site, a Tree Protection Zone sign must be attached to the tree protection fencing stating "Tree Protection Zone No Access" (The lettering size on the sign shall comply with AS1319). Access to this area can only be authorised by the project arborist or site manager.
	Condition reason: To protect trees during the carrying out of site work.
69.	Tree Protection Fencing Before any work begins on the site, tree protection fencing must be in place around trees or groups of trees nominated for retention. In order of precedence the location of fencing shall be: a) As per Tree Protection Plan as per Arborist report for project; or b) Tree Protection Zone (TPZ) as calculated under AS4970 (2025) Protection of trees on development sites; or c) A minimum of 3m radius from trunk.

	Stockpiling of materials, placement of fill, parking of vehicles, compaction of soil, or washing of cement, other chemicals or fuel contaminants shall not occur within the designated root protection zone. Condition reason: To protect trees during the carrying out of site work.
70.	Protection of Existing Trees Before any work begins on the site, the identified tree/s that are to be preserved must be safeguarded throughout the entire duration of the project. The protection measures should strictly adhere to AS4970-2025: Protection of Trees on Development Sites. The measures must include: a) A chain-wire fence, standing at least 1.8 metres high, erected a minimum of three (3) metres away from the base of each tree. The fence must be in place before any activities occur on the site. b) Stockpiling of materials, placement of fill, parking of vehicles and compaction of soil shall not occur within the designated root protection zone. c) Within the root protection zone, all areas should be evenly covered with composted leaf mulch with a minimum depth of 100mm. d) A sign indicating the protection of the trees must be prominently displayed. e) No installation of services within the root protection zone should be undertaken without obtaining prior consent from Council. Condition reason: To protect trees during the carrying out of site work.
71.	Local Provenance Planting Stock Before site work commence, all collectable floristic material shall be harvested for use in rehabilitation works on site. The bush regeneration contractor shall collect all available seed from native species present on site prior to clearing of the site. In the event that insufficient material is collected, the bush regenerator shall order all local provenance plants that are required to be planted as part of the Council approved Vegetation Management Plan. Invoices detailing the procurement shall be submitted Council. Condition reason: To ensure there is sufficient local genetic plant material available for vegetation restoration works.
72.	Tree Removal on Public Land Before any works commence on site, the following details must be provided to The Hills Shire Council's Manager – Environment & Health: a) Time and date of when the tree works will occur; b) Details of the contractor who will be undertaking tree works (Minimum AQF level 3 Arborist); c) Current copy of the contractor's Public Liability Insurance (Minimum \$10,000,000). Note: Tree removal on public land shall be fully costed by the applicant. The owner/applicant is to keep a photographic record pre and post tree removal works of the tree and surrounding Council infrastructure (e.g. concrete footpath, kerb & gutter) and provide these to Council upon request. The grass verge must be reinstated with any holes filled to existing natural ground level. Condition reason: To ensure that tree removal is appropriately managed.
73.	Traffic Control Plan

	Before the works commence on site a person with the relevant accreditation must complete and approve/sign a Traffic Control Plan relevant to the site. A copy of the plan must be submitted to Council (Manager- Subdivision and Development Certification) before being implemented. A plan that includes full (detour) or partial (temporary traffic signals) width road closure requires separate specific approval from Council. Sufficient time should be allowed for this to occur. Condition reason: To ensure safe movement of vehicles around/past the site.
74.	Public Infrastructure Inventory Report Before works commencing on site the Principal Contractor must get a public infrastructure inventory report prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include: a) Planned construction access and delivery routes; and b) Dated photographic evidence of the condition of all public assets. Condition reason: To document the condition of public infrastructure prior to works commencing.
75.	Discontinuation of Domestic Waste Services Before the commencement of works, an arrangement for the discontinuation of all current domestic waste services on the site must be organised with Council's Customer Service Centre. This service must be cancelled before demolition works commence or where the site ceases to be occupied during works, whichever comes first. No bins provided as part of the domestic waste service are to remain on site for use by construction workers, unless previous written approval is obtained from Council. Condition reason: To ensure that any domestic waste service that is active onsite is cancelled and returned to Council prior to works commencing. Bins must be returned to prevent the misuse and presence of contamination.
76.	Stabilised Access Point Before building work commences, a stabilised all weather access point is to be provided and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book). Condition reason: To ensure construction sites are managed properly.
77.	Toilet Facilities Before building work commences, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is

	being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided: a) must be a standard flushing toilet, and b) must be connected: i. to a public sewer, or ii. if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or iii. if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council.
	Condition reason: To ensure there are amenities provided to workers on site.
78.	Erection of Signage – Supervision of Work Before works commencing on site the Certifier is to ensure a sign is erected in a prominent position displaying the following information: • The name, address and telephone number of the Principal Certifying Authority; • The name and telephone number (including after hours) of the person responsible for carrying out the works; • That unauthorised entry to the work site is prohibited. This signage must be maintained while the work is being carried out and must be removed upon completion. Condition reason: To address requirements Environmental Planning and Assessment Regulations 2021.
79.	Dilapidation report Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the Principal Certifier. Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifier that all reasonable steps were taken to obtain access to the adjoining properties. No less than 7 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time. Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report

DURING BUILDING WORKS

80.	Clearing for asset protection zones (APZ)
	While site work is being carried out, clearing or modifying vegetation to establish the APZ must be confined within the marked APZ boundary in accordance with the supporting documentation approved under this consent, to the satisfaction of Council.
	Condition reason: To ensure vegetation clearance or modification during construction is confined within the APZ
81.	Project Arborist
	During site works, the Project Arborist must be on site to supervise any works within 20 meters of the Tree Protection Zone (TPZ). Supervision of the works shall be certified by the Project Arborist and a copy of such certification shall be submitted to the Principle Certifying Authority within 14 days of completion of the works.
	Condition reason: To protect trees during carrying out of site work.
82.	Retention of Trees
	While works are being carried out, only trees specifically identified for removal on the approved plans may be removed. Any remedial work is to be carried out in accordance with the Arborist reports prepared by Tree Report dated 24 June 2025 and 11 November 2025.
	Condition reason: To ensure retained trees are adequately protected during works.
83.	Protection of Existing Vegetation
	During building work/subdivision work, any excavated material not used in the construction of the subject works is to be removed from the site and under no circumstances is to be deposited in bushland areas.
	Condition reason: To protect vegetation.
84.	Trenching within Tree Protection Zone
	Whilst site works are being carried out, any trenching for installation of drainage, sewerage, irrigation or any other services shall not occur within the Tree Protection Zone of trees identified for retention without prior notification to the Certifier or Council (where a certifier is not required) or under supervision of a project arborist. If supervision by a project arborist is selected, certification of supervision must be provided to (the Certifier or Council (where a certifier is not required) within 14 days of completion of trenching works.
	Condition reason: To protect trees during the carrying out of site work.
85.	Implementation of Biodiversity Management Plan
	While work is being carried out, the commitments and measures set out in the Biodiversity Management Plan (to be approved by Council) must be implemented at all times. Works must not encroach into areas of retained native vegetation and habitat.
	A copy of the approved plan is kept on site at all times and made available to council officers upon request.

	Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction
86.	Vegetation Management Plan – Implementation While work is being carried out, the commitments and measures set out in the Vegetation Management Plan (to be approved by Council) must be implemented at all times. Works associated with the development must not encroach into areas of retained native vegetation and habitat. A copy of the approved plan is kept on site at all times and made available to council officers upon request. Condition reason: To protect native vegetation.
87.	Construction Noise During building work, the emission of noise from the construction of the development shall comply with the <i>Interim Construction Noise Guideline published by the Department of Environment and Climate Change (July 2009)</i>. Condition reason: To protect residential amenity
88.	Construction and Fit-out of food premises During building work, the design, construction and fit-out of the kitchen must comply with the <i>Australian Standard 4674-2004 – Design, construction and fit-out of food premises</i> and the Food Standards Code (Australia). Note: Copies of <i>Australian Standard 4674-2004</i> may be obtained from www.saiglobal.com by visiting the website: www.saiglobal.com and copies of the Food Safety Standards Code (Australia) may be obtained from Food Standards Australia New Zealand by visiting the following website www.foodstandards.gov.au. Condition reason: To ensure the food premises complies with relevant food safety legislation and standards
89.	Approval to install an On-site Sewage Management System During site works, an application under Section 68 of the Local Government Act 1993 is to be made to install or alter a system of sewage management. The application shall comply with: a) Local Government (General) Regulation 2021; and b) Appendix 2 – Installation of a Sewage Management Facility of The Hills Shire Council’s Local Approvals Policy. c) Onsite Wastewater Management report prepared by Henry & Hymas Consulting Engineers Pty Ltd, referenced as Project Number: 241458 and dated 10 December 2024. Condition reason: To protect the environment and public health and ensure waste management is appropriately designed and installed.
90.	Soil and Water Management Plan During construction, a Soil and Water Management Plan is to be prepared and implemented. The plan shall be in accordance with "<i>Managing Urban Stormwater - Soils and Construction</i>" (<i>Blue Book</i>) produced by the NSW Department of Housing. The plan is to be kept on site at all times and made available upon request.

	The plan is to include a plan of management for the treatment and discharge of water accumulated in open excavations. Water containing suspended solids greater than 50 mg/L shall not be discharged to the stormwater system. Condition reason: To protect the environment
91.	Acoustic Requirements During the building works the recommendations of the Acoustic Assessment and Report prepared by ADP Consulting Engineering Pty Ltd, referenced as SYD3092, dated 12 December 2024 and submitted as part of the development application are to be implemented as part of this approval. Condition reason: To protect the amenity of the local area.
92.	Location of Works During building works, any of the approved works / dwelling house (inclusive of any services, equipment and/or utilities), footings, walls, roof barges and guttering are to be constructed and contained wholly within the property boundaries. A survey report from a registered land surveyor may be required for confirmation of its location. Condition reason: To ensure no encroachment occurs onto the adjoining property.
93.	Procedure for Critical Stage Inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
94.	Subsoil Drainage During building works, the retaining walls are to be provided with an appropriate system of subsoil drainage which is to drain via gravity to a suitable system of disposal. The system of subsoil drainage is not to cause nuisance or impact on the amenity of the adjoining allotments. Condition reason: To minimise stormwater impacts on adjoining properties.
95.	Implementation of the Site Management Plans While site work is being carried out: a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and b) a copy of these plans must be kept on site at all times and made available to council officers upon request. Condition reason: To ensure site management measures are implemented during the carrying out of site work.
96.	Contaminated Waste During works, in accordance with the waste management plan, the generation, storage, transport, treatment or disposal of hazardous, industrial or Group A liquid waste must be in accordance with the requirements of the Protection of the Environment

	Operations Act 1997 and the NSW Department of Environment and Climate Change and Water (DECCW) waste tracking requirements.
	Condition reason: To ensure contaminated waste is safely stored, transported, and lawfully disposed of while protecting the surrounding environment and local amenity.

ON COMPLETION OF WORKS

97.	Repair of Infrastructure
	After completion of all site work: a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or b) if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent.
	Condition reason: To ensure any damage to public infrastructure is rectified.

BEFORE ISSUE OF OCCUPATION CERTIFICATE

98.	Consolidation of Allotments
	Before the release of an Occupation Certificate any allotment(s) proposed to be consolidated into a single allotment must be consolidated. The consolidation must also show the section of the site to be dedicated as public road. A copy of the registered plan must be submitted to Council.
	Condition reason: To ensure any required consolidation is completed prior to occupation of the development.
99.	Performance/ Maintenance Security Bond
	Before the release of an Occupation certification the applicant must submit a performance/ maintenance bond of 5% of the total cost of the works is required to be submitted to Council. The bond will be held for a minimum defect liability period of six months from the certified date of completion of the subdivision works. The minimum bond amount is \$10,000.00. The bond is refundable upon written application to Council and is subject to a final inspection.
	Condition reason: To ensure performance of public assets in accordance with Section 4.17(6) of Environmental Planning and Assessment Act 1979
100.	Water Sensitive Urban Design Certification
	Before the issue of an Occupation Certificate the WSUD elements conditioned earlier in this consent must be constructed and operational. The following documentation must be submitted in order to obtain an Occupation Certificate:

	a) WAE drawings and any required engineering certifications; b) Records of inspections; c) An approved operations and maintenance plan; and d) A certificate of structural adequacy from a suitably qualified structural engineer verifying that any structural element of the WSUD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime. Where Council is not the PCA a copy of the above documentation must be submitted to Council.. Condition reason: To ensure structure(s) associated with the treatment of stormwater to ensure the quality of water discharge from site is suitable to enter the downstream watercourse
101.	OSD System Certification Before the release of an Occupation Certificate the Onsite Stormwater Detention (OSD) system must be completed to the satisfaction of the Principal Certifying Authority (PCA). The following documentation is required to be submitted upon completion of the OSD system and prior to a final inspection: a) Works as executed plans prepared on a copy of the approved plans; b) A certificate of hydraulic compliance (Form B.11) from a suitably qualified engineer or surveyor verifying that the constructed OSD system will function hydraulically; c) A certificate of structural adequacy from a suitably qualified structural engineer verifying that the structures associated with the constructed OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime. Where Council is not the PCA a copy of the above documentation must be submitted to Council. Condition reason: To ensure completion of the OSD system in accordance with the approved plans and that the system has been constructed and is operations.
102.	Public Road/ Road Widening Dedication Before the release of an Occupation Certificate the proposed public road/road widening has been dedicated in accordance with the undertaking submitted relating to dedication of Old Pit Town Road . Condition reason: To ensure any land required under this consent to be dedicated is dedicated prior to occupation of the structure
103.	Public Infrastructure Inventory Report - Post Construction Before the release of an Occupation Certificate an updated public infrastructure inventory report must be prepared and submitted to Council.

	The updated report must identify any damage to public assets and the means of rectification for the approval of Council. Condition reason: To ensure protection and where required suitable remediation of public assets
104.	Creation of Restrictions / Positive Covenants Before the issue of an Occupation Certificate the following restrictions/ positive covenants must be registered on the title of the subject site via a request document, Section 88B instrument associated with a plan or the like. Council's standard recitals must be used. a) Restriction/ Positive Covenant – Onsite Stormwater Detention The subject site must be burdened with a restriction and a positive covenant using the "onsite stormwater detention systems" terms included in the standard recitals. b) Restriction/ Positive Covenant – Water Sensitive Urban Design The subject site must be burdened with a positive covenant that refers to the WSUD elements referred to earlier in this consent using the "water sensitive urban design elements" terms included in the standard recitals. Condition reason: To ensure appropriate restrictions, positive covenants and easements are created and legally binding to address, where relevant, conditions of consent.
105.	Notice of food business Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW Food Act 2003 and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements. Condition reason: To enable council to ensure compliance with the consent when the business is operating
106.	Installation/Amendment of System of Sewage Management Before the issue of an Occupation Certificate, the on-site sewage management system shall be installed or amended in accordance with an approval issued following an application made under section 68 of the Local Government Act 1993 and a final inspection carried out by Council's Environmental Health Officer. Condition reason: To protect public health and amenity.
107.	Acoustic - Compliance Report Before the issue of an Occupation Certificate, the acoustic consultant shall inspect and certify that the required noise attenuation components as recommended the acoustic report prepared by ADP Consulting Engineering referenced as SYD3092 and dated 12 December 2024 have been installed. Written certification (including photographs of all attenuation measures) is to be provided to the Principal Certifier for their review and a copy of the report provided to Council's Manager – Environment and Health. Condition reason: To protect the amenity of the local area
108.	Clearance Certificate

	Before the issue of an occupation certificate, a clearance certificate must be issued following the completion of any asbestos removal works in accordance with clause 474 of the Work Health and Safety Regulation 2017 and submitted to the certifying authority for acceptance as satisfactory before the issue of any occupation certificate. Condition reason: To protect health, safety, and the environment
109.	Preservation of Survey Marks Before the issue of an occupation certificate, documentation must be submitted by a registered surveyor to the Principal Certifier, which demonstrates that: a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or b) any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure. Condition reason: To protect the state's survey infrastructure.
110.	Retaining Walls Before a "whole" occupation certificate is issued, all retaining walls shown on the approved plans shall be completed. Condition reason: To ensure the amenity of adjacent properties are protected.
111.	Fencing – Mandalas Street Before the issue of an occupation certificate, a 1.8m high palisade fence must be installed along the extent of the Mandalas Street frontage of the site. The fence may include one gate to provide access for emergency and service vehicles only. Condition reason: To ensure access from Mandalas Street is limited to emergency and service vehicles only.
112.	Post-Construction Dilapidation Report Before the issue of an occupation certificate a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the Principal Certifier detailing whether: a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and b) where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and a copy of the post-construction dilapidation report must be provided to Council (where Council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s). Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.
113.	Biodiversity Compliance - Evidence of Local Provenance Before the issue of an occupation certificate, a report from the project ecologist must be provided to the principal certifier providing the details demonstrating compliance with the Local Provenance Planting Stock condition/s of this consent. This invoices detailing the procurement of local provenance species used in any landscaping/bush regeneration works are to be provided as evidence.

	Condition reason: Protection of local biodiversity
114.	Biodiversity Compliance - Tree Removal and Fauna Protection Before the issue of an occupation certificate, a report from the project ecologist must be provided to the principal certifier providing the details of the Tree Removal and Fauna Protection condition of this DA. This includes: - A preclearance report within 14 days of vegetation removal; and - A clearance report following the habitat removal. The reports must contain photographic evidence and must be aligned with the requirements of the Tree Removal and Fauna Protection condition of this DA.
	Condition reason: Protection of local biodiversity

OCCUPATION AND ONGOING USE

115.	Number of Students and Staff The maximum number of staff and students upon completion of all stages is limited to 420 students and 40 staff. Each stage is limited to the maximum number upon completion as follows: <table border="1" style="width: 100%;"> <tr> <td>Stage 1A</td><td>180 Students and 16 staff</td></tr> <tr> <td>Stage 1B</td><td>300 students and 28 staff</td></tr> <tr> <td>Stage 1C</td><td>420 students and 40 staff</td></tr> </table> Condition reason: To ensure the approved numbers of students and staff is maintained.	Stage 1A	180 Students and 16 staff	Stage 1B	300 students and 28 staff	Stage 1C	420 students and 40 staff
Stage 1A	180 Students and 16 staff						
Stage 1B	300 students and 28 staff						
Stage 1C	420 students and 40 staff						
116.	Ongoing Use – Access from Mandalas Street No vehicular or pedestrian access is to be provided from and to Mandalas Street, with the exception of access for emergency vehicles and any service vehicle required to service the onsite wastewater management system. The access gate required for the emergency and service vehicles is to be locked at all times that it is not in use and must not be used to provide pedestrian access. Condition reason: To ensure the development does not impact on the local traffic network.						
117.	Ongoing Biodiversity Management Plan During ongoing use, all commitments in the Biodiversity Management Plan (to be approved by Council) must be met. Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during and following the occupation of the site.						
118.	Waste and Recycling Collection Contract During the occupation and use, a private waste contract is to be in place with a licensed contractor for the removal and lawful disposal of all waste generated on site. Written evidence of a valid and current collection and disposal contract must be held on site at all times and produced in a legible form to an authorised officer of Council who asks to see it. Condition reason: To ensure a private waste contractor is engaged with by commercial premises to lawfully remove all waste generated onsite.						
119.	Waste and Recycling Management						

	During the occupation and use, all garbage and recyclable materials must be separated into dedicated waste collection containers and stored in a designated waste storage area(s), which must include provision for the storage of all waste generated on the premises between collections. Arrangements must be in place in all areas of the development for the separation of recyclable materials from garbage. All waste storage areas must be screened from view from any adjoining residential property or public places. Waste storage areas(s) must be kept clean and tidy, bins must be washed regularly, and contaminants must be removed from bins prior to any collection. Condition reason: To ensure responsibility is placed upon the site's occupier or resident to management all waste generated on the site without it affected local amenity of neighbouring properties.
120.	Commercial Waste and Recycling Collection During the occupation and use of the site, the site owner is to ensure that: a) All waste and recycling generated on the site is removed at regular intervals; b) Bins must not be placed on public property without the prior written approval of Council; c) Waste collection must not cause a nuisance or interfere with the amenity of the surrounding area; and d) Waste collection vehicles servicing the development are not permitted to reverse in or out of the site. Condition reason: To protect amenity of locality.
121.	Noise to Surrounding Area During occupation and ongoing use, the installation of a public address system and location of speakers shall be in consultation with an acoustic consultant with reference to the acoustic report prepared by ADP Consulting Engineering dated 12 December 2024. Condition reason: To protect residential amenity
122.	Offensive Noise During occupation and ongoing use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provisions of the <i>Protection of the Environment Operation Act 1997</i>. Condition reason: To protect the amenity of the local area
123.	Managing noise During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent. Condition reason: To protect the amenity of the local area
124.	Acoustic – Maintenance During occupation and ongoing use, the operation of the premises all approved acoustic attenuation measures installed as part of the development are to be maintained at all times, in a manner that is consistent with the accepted acoustic reports, the consent and so that the noise attenuation effectiveness is maintained for the life of the development. This includes but is not limited to: a) Acoustic barriers are to remain solid and gap free. Condition reason: To protect the amenity of the local area
125.	Final Acoustic Report Within three months from the issue of an Occupation Certificate or when the first stage of the school is at 90% capacity (whatever one comes first), an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the NSW EPA's - Industrial Noise Policy and submitted to Council's Manager - Environment and Health for consideration.

	This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that the activities does not give rise to “offensive noise” as defined under the <i>Protection of the Environment Operation Act 1997</i> and that the project specific criteria conditioned in this consent can be met. Condition reason: To protect the amenity of the local area
126.	Lighting During the occupation and ongoing use, any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS/NZS 4282:2023 Control of Obtrusive Effects of Outdoor Lighting. Condition reason: To protect the amenity of the area.
127.	Compliance with Operation Plan of Management During the occupation and ongoing use of the development, the Operational Plan of Management prepared by EPM Projects Revision A Dated 12 September 2025 and all other conditions of consent must be complied with. Condition reason: To ensure operations of the development comply with the Operational Plan of Management.

APPENDIX A



The Hills Shire Council
PO Box 7064
BAULKHAM HILLS BC NSW 2153

Your reference: CNR-77248 1040/2025/JP
Our reference: DA20241224005420-Original-1

ATTENTION: Jacob Kiner

Date: Monday 3 February 2025

Dear Sir/Madam,

Integrated Development Application
s100B – SFPP – School
123 Old Pitt Town Road Gables 2765, 1//DP1260769, 3//DP1260769, 2//DP1260769

I refer to your correspondence dated 24/12/2024 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

Intent of measures is to provide suitable dwelling design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants

1. From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- leaves and vegetation debris should be removed regularly.

2. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

Construction Standards

The intent of SFPP measures is to provide suitable dwelling design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants

3. New construction must comply with Sections 3 and 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019*.

4. Fences and gates must comply with Section 7.6 of *Planning for Bush Fire Protection 2019*. New fences and gates are to be made of either hardwood or non-combustible material. Where a fence or gate is constructed within 6m of a structure or in areas of BAL-29 or greater, they must be made of non-combustible material only.

Access – Property Access

The intent of measure is to provide safe operational access for emergency services personnel in suppressing a bush fire while residents are accessing or egressing an area.

5. Access roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of *Planning for Bush Fire Protection 2019*:

- SFPP access roads are two-wheel drive, all-weather roads;
- access is provided to all structures;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- access roads must provide suitable turning areas in accordance with Appendix 3;



RFS



- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of road surfaces and any bridges/ causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating; and
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression.

6. Proposed roads must comply with general requirements of Table 6.8b of *Planning for Bush Fire Protection 2019* and the following:

- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- there are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

7. The provision of water, electricity and gas must comply with Table 6.8c of *Planning for Bush Fire Protection 2019* and Table 4 of the November 2022 addendum to *Planning for Bush Fire Protection 2019*.

Emergency and Evacuation Planning Assessment

The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

8. Bush Fire Emergency Management and Evacuation Plan is to be in accordance with Table 6.8d of *Planning for Bush Fire Protection 2019* and be consistent with the following:

- The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;
- include planning for the early relocation of occupants.
- an Emergency Planning Committee is established to consult with residents (and their families in the case of aged care accommodation and schools) in developing and implementing an Emergency Procedures Manual; and
- detailed plans of all emergency assembly areas, including on-site and off-site arrangements as stated in AS 3745 'Planning for emergencies in facilities', are clearly displayed, and an annually emergency evacuation is conducted.

A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

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RFS



General Advice – Consent Authority to Note

- Based on the performance solution undertaken in the submitted bush fire report prepared by Building Code & Bushfire Hazard Solutions (dated: 9 December 2024, Ref: 241139), it is considered that the performance criteria of Table 3 of the Addendum to *Planning for Bush Fire Protection* is met where existing public access and proposed internal roads are identified to provide satisfactory access for evacuation and emergency response.
- The NSW RFS recognises the approach adopted in the *National Construction Code 2022* (NCC 2022) for determining and certifying evidence of suitability for materials, construction and designs.
- Prescriptive compliance with Specification 43 (sections S43C3, S43C4, S43C5, S43C6, S43C7, S43C8, S43C9, S43C12 and S43C13) is specified. Performance-based solutions proposed in lieu of compliance with the prescriptive provisions of Specification 43 (sections S43C3, S43C4, S43C5, S43C6, S43C7, S43C8, S43C9, S43C12 and S43C13 of NCC 2022) need to be assessed in accordance with the NCC 2022 by the Certifying Authority.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment

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BUSH FIRE SAFETY AUTHORITY

SFPP – School

123 Old Pitt Town Road Gables 2765, 1//DP1260769, 3//DP1260769, 2//DP1260769

RFS Reference: DA20241224005420-Original-1

Your Reference: CNR-77248 1040/2025/JP

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Nika Fomin

**Manager Planning & Environment Services
Built & Natural Environment**

Monday 3 February 2025



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