



Administration Centre
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DEVELOPMENT APPLICATION – NOTICE OF DETERMINATION

Issued under the Environmental Planning and Assessment Act 1979

Sections 4.16, 4.17 & 4.19

Applicant
C Mahmoud
DFP Planning Pty Ltd
PO BOX 230
NORTH RYDE BC NSW 1670

Development Application No.
DA-24-01510

PAN-499412

Property Description: 134, 138 and 140 Reservoir Road, Blacktown

Description

Demolition of structures and construction of 2 x 3 storey buildings containing 46 independent living units, place of public worship and ancillary uses with basement car parking and a single storey building as a community centre in the central part of St Hedwig Village.

Determination: *Approval, subject to conditions*

Determination Date: **15 January 2026**

Consent to Operate From: **15 January 2026**

Consent to Lapse On: **15 January 2031**

(If physical commencement has not occurred)

Right of appeal

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months of the date of this notification.

Division 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination.

Division 8.2 does not apply to complying development, designated development or a determination made by Council under Division 4.2 in respect of Crown applications. For further information please contact Bertha Gunawan.

Kerry Robinson
CHIEF EXECUTIVE OFFICER

A handwritten signature in black ink that appears to read "Kerry Robinson".

Per

15 January 2026

1 ADVISORY NOTES

1.1 Terminology

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 6.4 of the Environmental Planning and Assessment Act 1979.

1.2 Scope of Consent

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

1.3 Other Approvals

1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) A recognised Energy Provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

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

All approved building construction plans attached to the relevant Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to

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ascertain the Sydney Water requirements for the eventual operation of the approved use.

The proposed development site is traversed by a wastewater main.

Where proposed works are in close proximity to a Sydney Water asset, the developer may be required to carry out additional works to facilitate their development and protect the wastewater main. Subject to the scope of development, servicing options may involve adjustment/deviation and or compliance with the Guidelines for building over/adjacent to Sydney Water assets. Refer to your Water Servicing Coordinator for details of requirements.

- 1.4.2 Information regarding the location of underground services may be obtained from the Sydney “Dial Before You Dig” service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.
- 1.4.3 Prior to any demolition works, all services or utilities associated with those works shall be disconnected in consultation with the relevant service provider.
- 1.4.4 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.5 Telstra (and its authorised contractors) is the only company that is permitted to conduct works on Telstra’s network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra’s infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra’s assets in any way, you are required to contact Telstra’s Network Integrity Team on 1800 810 443.

1.5 **Demolition**

- 1.5.1 Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working methods may be obtained from the following organisations and publications

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(including those which may supersede such publications):

- a. NSW WorkCover Authority (Ph: 13 10 50) – “Short Guide to Working with Asbestos”,
- b. NSW Department of Environment and Conservation (Ph: 9995-5000) – “A Guide to Keep Your Family Safe from Lead”, “A Renovators Guide to the Dangers of Lead”,
- c. “Code of Practice for the Safe Removal of Asbestos” – National Occupational Health and Safety Commission:2002 (1988),
- d. Australian Standard 4361.1-1995 – Guide to Lead Paint Management (Industrial Applications),
- e. Australian Standard 4361.2-1998 – Guide to Lead Paint Management (Residential and Commercial Applications), and
- f. Australian Standard 2601-2001 – The Demolition of Structures.

1.6 Identification Survey

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

1.7 Payment of Engineering Fees

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

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

2 GENERAL

2.1 Scope of Consent

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

Drawing No.	Dated
Architectural Plans prepared by Integrated Design Group:	
Location Plan DA – 0002	6/12/2024
Demolition Plan DA -0200	6/12/2024
Overall Site Plan	6/12/2024

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DA-0100	
Site Plan DA0101	6/12/2024
Basement Plan DA-1000	6/12/2024
Ground Floor Plan DA – 1100	6/12/2024
Level 1 Plan DA- 1101	6/12/2024
Level 2 Plan DA-1102	6/12/2024
Roof Plan DA – 1103	6/12/2024
East Elevation Plan DA-2000	6/12/2024
South Elevation Plan DA-2001	6/12/2024
West Elevation Plan DA-2002	6/12/2024
North Elevation Plan DA-2003	6/12/2024
South Elevation Plan - Internal DA-2004	6/12/2024
North Elevation Plan - Internal DA-2005	6/12/2024
Overall Site Elevations DA-2008	6/12/2024
Section Plans (2 sheets) DA – 3000 and DA-3001	6/12/2024
Landscape Plans prepared by Taylor Brammer:	
LA00 – LA09 (10 sheets)	Various dates
LD01	18/11/2024

* Unless modified by any condition of this consent

2.1.2 This approval supersedes the approved development stages 1A, 1B, 1C and 2 under JRPP-16-03319. Any work approved under this JRPP that is not mentioned in this approval is still applicable and to be completed accordingly. The relevant conditions for stage 1 development also remains applicable.

2.2 Services

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

2.3 Suburb Name

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

Suburb: BLACKTOWN

2.4 Signage

2.4.1 Discreet directional signage which provides clear way finding directions for pedestrians and vehicles are permitted to be erected. No illuminated, LED or moving signs are permitted. No business identification signage is approved.

Any other signage requires separate Council approval prior to installation, except where signage is permitted under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

2.5 Other Matters

2.5.1 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development (other than that approved in this application) shall not be sited on future or existing Council land, including road reservations and/or public reserves.

2.6 NSW Rural Fire Service Matters – General Terms of Approval

2.6.1 Please refer to Attachment 1 relating to conditions by the NSW Rural Fire Service as required under section 100B of the *Rural Fires Act 1997*:

2.7 Endeavour Energy Matters

2.7.1 Please refer to Attachment 2 relating to conditions by the Endeavour Energy as required under section 2.48 of SEPP (Transport and Infrastructure) 2021.

2.8 Compliance with BASIX Certificate

2.8.1 All commitments listed in BASIX Certificate 1778695M shall be complied with.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

3.1.1 Any Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

3.2 Aesthetics / Landscaping

3.2.1 The reflectivity index of glass used in the external facade of the development is not to exceed 20 percent.

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- 3.2.2 All proposed new retaining walls shall be made of masonry material. Where these walls are to be visible from a public place or road they are to be finished in a decorative appearance and not left as plain blockwork.
- 3.2.3 Service conduits which are located on the external facade of the building, and which are visible from the public domain, are not permitted to be exposed, and are to be appropriately screened from view so as to blend in and integrate with the overall presentation of the building.

3.3 Trees and Street Tree Planting

- 3.3.1 The supplied AIA, prepared by Tree Survey dated 20 November 2024 was written prior to the supplied RFS letter dated 23 May 2025. The RFS recommendations in line with the Planning for Bush Fire Protection 2019 have not been reviewed, therefore it was outside of the scope of the report for proposed tree removals to meet inner protection area (IPA).

A revised AIA by an AQF Level 5 Consulting Arborist in line with the requirements of AS 4970 - 2025 and the Planning for Bush Fire Protection 2019 shall be submitted

The AIA shall review and assess the recommendations of the RFS Letter dated 23 May 2025. The report should assess the impact of development on trees and vegetation, considering their role in fire risk and management. This will determine which trees can be retained, removed, or need specific protection measures to minimize bushfire hazards.

The assessment is also to inform decisions about asset protection zones (APZs) and other strategies for mitigating bushfire risk.

- 3.3.2 A revised landscape plan is required to meet the guidelines of Planning for Bush Fire Protection 2019. The landscape plan shall review and assess the recommendations of the RFS Letter dated 23 May 2025.
- 3.3.3 The above requirements shall be submitted for a separate approval under a section 4.55 application as further assessment will be required and will generate further conditions to this development consent.

3.4 Access / Parking

- 3.4.1 All car parking spaces (being 65 spaces and internal driveways/roads shall be maintained to a standard suitable for the intended purpose. All car parking spaces are to be available to residents, staff and visitors according to the approved plans.
- 3.4.2 The layout of the car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, parking bay dimensions, headroom, loading areas, etc.) are to be designed in accordance with Australian Standard AS2890.1.

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3.4.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6, including parking space dimensions and clearance.

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

3.5 Construction Traffic Management Plan

3.5.1 A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of relevant Construction Certificate.

3.6 Waste Collection

3.6.1 The relevant Construction Certificate documentation is to include confirmation that the roads, driveways and loading areas are designed for construction in accordance with the dimensions indicated on the approved Architectural Plans, CAD files and vertical cross-section plans submitted with this Development Application (demonstrating compliance with Australian Standards for headroom allowances) and showing adequate truck entry and exit and in all manoeuvring areas.

3.6.2 The relevant Construction Certificate documentation is to include confirmation that the roads, driveways and loading areas which will be utilised by any waste collection vehicle are rated for the waste trucks.

3.7 Services/Utilities

3.7.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the removal of any power poles and any provision of street lighting, to the development.
- (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

3.8 Ecosystem credit retirement

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

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

These conditions are imposed for the following reasons:

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

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

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

Impacted plant community type (PCT)	Number of ecosystem credits	Containing HBT	IBRA sub-region	Plant community type(s) that can be used to offset the impacts from development
3320 Cumberland Shale Plains Woodland	1	No	Cumberland Or Any IBRA subregion that is within 100 km of the outer edge of the impacted site	3319; 3320

3.9 Species credit retirement

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

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

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

Evidence of the retirement of credits or payment to the Biodiversity Conservation Trust in satisfaction of Table 2 requirements shall be provided to Council prior to release of the relevant Construction Certificate.

Table 2: Species credits required to be retired - like for like

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

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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<i>Lathamus discolor</i> / Swift Parrot	1	Any in NSW
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3.10 Submission and approval of a Vegetation Management Plan

3.10.1 A Vegetation Management plan (VMP), comprising of a site plan and an accompanying report in a legible format prepared by a person who has qualifications and experience in respect of ecology is to be submitted by the proponent for Council's Biodiversity Officer's consideration. The VMP is to relate to the land within Harpers Bush/ Conservation 2 land zoning on Lot 11 DP970394 in the area where stormwater infrastructure and a headwall will be built.

The VMP must contain full details of the actions proposed to be taken in relation to the proposed stabilisation and rehabilitation of the disturbed area, planting, weeding and monitoring on that land inclusive of revegetation together with performance indicators, timing and identification of the person who is responsible for each particular action. The VMP shall be prepared in accordance with *Blacktown City Council Vegetation Management Plan Guideline 2019*. The commencement of any works under this consent and the issuing of the relevant Construction Certificate must not occur unless and until the Council has given notice in writing to the proponent that it has approved the VMP.

4 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

4.1 DA Plan Consistency

4.1.1 Any relevant Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

4.1.2 Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:

- (a) Preserved and protected from damage, and
- (b) Underpinned and supported.

Such details shall accompany the relevant Construction Certificate.

4.2 Building Code of Australia Compliance

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

5 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

5.1 The recommendations outlined in DA Acoustic Report, prepared by Pulse White Noise

These conditions are imposed for the following reasons:

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Acoustic Pty Ltd dated 16 December 2024, are to be implemented

- 5.2 Based on the recommendations of the DA Acoustic Assessment, prepared by Pulse White Noise Acoustic Pty Ltd, dated 16 December 2024, undertake a Construction Noise and Vibration Management Plan prior to the issue of the relevant Construction Certificate.
- 5.3 Plans and specifications for the food premises are to be submitted prior to construction to ensure compliance with the requirements of the;
 - Food Act 2003 and its Regulation
 - Australian Standard 4674-2004 Design, construction and fit-out of food premises.
 - Australian Standard 1668.2-2002 The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control.
- 5.4 Plans and specifications for the hair salon must demonstrate compliance with the requirements of the;
 - Public Health Act 2010 and its Regulation.
 - Local Government (General) Regulation 2021
- 5.5 All areas contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;
 - NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites (2020)
 - NSW Environment Protection Authority's Contaminated Sites Sampling Design Guidelines (1995).
 - NSW Environmental Protection Authority's Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition (2017)
 - National Environment Protection Council (NEPC) 1999 National Environment Protection (Assessment of Site Contamination Measure) as amended 2013
 - NSW Environment Protection Authority's Waste Classification Guidelines, Part 1: Classifying Waste (2014)

A NSW Environment Protection Authority accredited Site Auditor shall review the validation report and submit to Council a Site Audit Statement. The Site Audit Statement shall verify that the investigation, remediation and validation was carried out in accordance with the aforementioned guidelines and that the site is suitable for the proposed use.

6 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

6.1 General

- 6.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate or Subdivision Works Certificate can be issued.

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6.1.2 The engineering drawings referred to below are not for construction. The relevant Construction Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application

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

Prepared By	Project No.	Drawing No.	Dated	Revision	Trim Number
Henry & Hymes Consulting Engineers	134 – 140 Reservoir Road, Blacktown	15C87_D4_C000 15C87_D4_C100 15C87_D4_C101 15C87_D4_C110 15C87_D4_C120 15C87_D4_C200 15C87_D4_C202 15C87_D4_C250 15C87_D4_SE01 15C87_D4_SE02 15C87_D4_BE01	11.09.2025	02 04 05 04 02 02 04 02 01 02	D25/545394

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

- i. Provide surface inlet pits to capture the flows from the area in between the 2 buildings.
- ii. The minimum storage and pump requirements for the basement garage are to satisfy AS/NZS 3500.3:2021 Plumbing and Drainage Part 3.

6.2 Roads Act Requirements

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

- Any works within Council's road reserve

6.3 Other Engineering Requirements

6.3.1 If the estimated cost is \$25,000 or greater proof of long service levy payment is required.

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

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

6.4 Drainage

6.4.1 Drainage from the site must be discharged in accordance with the approved plans and the relevant engineering conditions.

6.5 Erosion and Sediment Control

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

6.6 Earthworks

6.6.1 Finished levels of any internal works at the road boundary of the property must be 4% above the top of kerb.

7 PRIOR TO DEVELOPMENT WORKS

7.1 Safety/Health/Amenity

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

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

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

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

This condition does not apply to:

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

7.1.3 Should the development work:

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

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

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

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

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

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

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

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

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7.1.8 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:

- (a) shall be preserved and protected from damage, and
- (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the relevant Construction Certificate, and
- (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

7.2 Notification to Council

7.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under the Environmental Planning and Assessment Regulation 2021, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

7.3 Sydney Water Authorisation

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

OR

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

8 PRIOR TO DEMOLITION WORKS

8.1 Tree Protection

8.1.1 Any tree not indicated on the approved Development Application plans as being removed shall be effectively protected against damage.

8.2 Other Matters

8.2.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:

- date/s, hours and duration of the works.
- contact name and phone number of the applicant

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- contact name and phone number of the licensed demolisher
- WorkCover NSW contact number 131050, and email address contact@workcover.nsw.gov.au

8.3 Environmental Health

- 8.3.1 Prepare and submit a Construction Environmental Management Plan (to include at minimum: noise and vibration control, proposed schedule of works and hours of works, sediment and erosion control, dust control, salinity management plan, proposed means of controlling any activity that could potentially cause a pollution incident as defined by POEO)
- 8.3.2 A Hazardous Materials Survey (HMS) should be prepared for the site prior to demolition of any onsite structures, with any control measures outlined in the report to be implemented during demolition of structures.
- 8.3.3 A site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.

9 DURING DEMOLITION WORKS

9.1 Nuisance Control

- 9.1.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 9.1.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7.00am and 6.00pm, Monday to Friday, and 8.00am to 1.00pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.
- 9.1.3 The waste material sorting, storing and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of the demolition works.

9.2 Environmental Health

- 9.2.1 A site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.
- 9.2.2 Any asbestos material is to be handled and treated in accordance with the SafeWork NSW document "Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos" dated March 2008.

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- 9.2.3 Following removal, a clearance inspection and issuing of a clearance certificate for the area should be completed by an independent licensed asbestos assessor or competent person.
- 9.2.4 The demolition of any structures and excavation activity on site be undertaken in accordance with relevant Australian Standards, SafeWork NSW codes of practice and any other applicable requirements.
- 9.2.5 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 9.2.6 Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with "Waste Classification Guidelines Part 1: Classifying Waste" NSW EPA (2014)
- 9.2.7 The Preliminary Construction Management Plan, prepared by Midson Group Pty Ltd, dated December 2024 shall be implemented.

10 DURING DEMOLITION AND CONSTRUCTION (GENERAL)

10.1 European Heritage

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

10.2 Aboriginal Heritage

- 10.2.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and Heritage NSW informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from Heritage NSW is received by the Applicant. In addition, a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

10.3 Construction Traffic Management Plan

- 10.3.1 All works/activities are to be in accordance with the submitted Construction Traffic Management Plan.

10.4 Implementation of the Vegetation Management plan

- 10.4.1 The person having the benefit of this consent shall engage a person qualified in bush

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regeneration and/or ecology to complete works identified in the approved Vegetation Management plan.

11 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

- 11.1 A site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.
- 11.2 Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with "Waste Classification Guidelines Part 1: Classifying Waste" NSW EPA (2014)
- 11.3 The recommendations outlined in DA Acoustic Report, prepared by Pulse White Noise Acoustic Pty Ltd dated 16 December 2024, are to be implemented
- 11.4 On completion of the installation of any new ventilation system, a Compliance Certificate is to be submitted to Council certifying that the system has been installed and commissioned in accordance with the approved details.
- 11.5 Any asbestos material is to be handled and treated in accordance with the SafeWork NSW document "Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos" dated March 2008.
- 11.6 The hair salon must be constructed in accordance with the requirements of;
 - Public Health Act 2010
 - Local Government (General) Regulation 2021
- 11.7 The finish on all surfaces within the salon must be constructed of a durable, smooth, impervious material capable of being easily cleaned.
- 11.8 A designated hand wash basin is to be provided within the activity area. The hand washbasin shall be provided with a supply of hot and cold water through an approved mixing device with a single spout.
- 11.9 A separate sink must be provided for the purpose of washing equipment. The sink must be of an adequate size to allow full submersion of the largest piece of equipment.
- 11.10 The walls immediately behind the hand washbasin and sink are to be tiled to a height of 450 mm and for a distance of 150 mm on either side of the basin and sink.

12 DURING CONSTRUCTION (ENGINEERING)

12.1 Notification of Works

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 12.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.
- 12.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

12.2 Insurances

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

12.3 Service Authority Approvals

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

12.4 Soil Erosion and Sediment Control Measures

- 12.4.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 12.4.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- 12.4.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

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12.5 Public Safety

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

12.6 Site Security

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

13 PRIOR TO OCCUPATION CERTIFICATE

13.1 Road Damage

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

13.2 Compliance with Conditions

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

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

13.3 Fire Safety Certificate

13.3.1 A final fire safety certificate complying with Clause 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

13.4 Services / Utilities

13.4.1 A Trade Waste Agreement shall be obtained from Sydney Water Corporation.

13.4.2 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be

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obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.

- 13.4.3 A "Notification of Arrangement" Certificate from a recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the development.
- 13.4.4 A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

13.5 Environmental Health

- 13.5.1 The use must not commence until an Occupation Certificate for the development has been issued.
- 13.5.2 Prior to the issue of a final Occupation Certificate, documentation shall be submitted to Council certifying that the ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control.
- 13.5.3 Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent.
- 13.5.4 A health inspection is to be conducted by Council's Environmental Health Officer to ensure that the fit out complies with the requirements of the Food Act 2003 and Australian Standard 4674-2004 Design, construction and fit-out of food premises.

13.6 Other Matters

- 13.6.1 The landscaped areas for each stage are to be provided in accordance with the approved landscaping design plan prior to the issue of the Occupation Certificate for the relevant stage.
- 13.6.2 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

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- 13.6.3 Appropriate way finding signage is to be erected which directs staff, visitors and delivery vehicles to the appropriate locations.
- 13.6.4 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 13.6.5 All common open space areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night.
- 13.6.6 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 13.6.7 All required internal roads and car parking spaces for the use of staff, residents, visitors, deliveries and loading/unloading shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 13.6.8 All privacy screening measures and boundary fencing detailed on the approved plans are to be installed and completed prior to the issue of the final Occupation Certificate.
- 13.6.9 Any above ground rainwater tank and other services/utilities that is visible from the street or a public place is to be screened from view by a physical screen and landscape screening.

13.7 Waste Collection

- 13.7.1 The operator of the facility is responsible for:

- i. The maintenance of the garbage collection system (including any bin movement aides) and bin cleaning.
- ii. Ensuring that the waste collection points are clear and unobstructed prior to collection times.
- iii. The appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan.
- iv. The method of communication to new residents regarding the waste management services and collection system for the development.
- v. All medical waste management and disposal/collection.

- 13.7.2 As the development will be serviced by private waste and recycling contractors, residents are unable to access Council's household clean up service, or garbage and recycling service. These must be provided by the Owner / Operator of the development. This must be communicated in writing to all residents.

13.8 Fire Sprinklers

- 13.8.1 As required by clause 91 'Fire sprinklers in residential care facilities,' under SEPP (Housing) 2021, a fire sprinkler system is to be installed in accordance with the

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relevant BCA requirements.

13.9 Fee Payment

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

13.10 Restriction as to User

13.10.1 As required by clause 88 'Restrictions on occupation of seniors housing' under the SEPP (Housing) 2021, a restriction as to user shall be registered against the title of the property(s) in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to in subclause (1) as follows:

- (a) seniors or people who have a disability,
- (b) people who live within the same household with seniors or people who have a disability,
- (c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

13.11 Standards concerning accessibility and useability for self-contained dwellings

13.11.1 As required by Schedule 4 - Standards concerning accessibility and useability for hostels and independent living units under the SEPP (Housing) 2021, documentation is required to be submitted to the satisfaction of the PCA that the approved new Independent Living Units are required to demonstrate that they satisfy all requirements of this clause.

13.12 Privacy Screening

13.12.1 The privacy screening measures as detailed on the approved plans are to be erected. These measures are to ensure that the visual privacy of residential properties in the immediate vicinity are appropriately protected.

13.13 Temporary Facilities Removal

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

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

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

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

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

13.14 Engineering Matters

13.14.1 Surveys/Certificates/Works As Executed plans

13.14.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A colour soft copy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering WAE plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.

13.15 Fee Payment

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

13.16 Engineering Matters

13.16.1 Easements/Restrictions/Positive Covenants

13.16.1.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created because of this consent must be in accordance with the following:

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

13.16.1.2 A chartered professional engineer (CPEng) who has membership to Engineers Australia is to certify:

- i. That the requirements of the approved drainage plans have been undertaken.

13.16.2 Inspections

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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13.16.2.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

13.16.3 Biodiversity Matters

- 13.16.1 Implementation and arrangements for ongoing implementation of the Vegetation Management Plan (VMP).
- 13.16.2 A report to show proof of implementation of works in accordance with the approved VMP for the C2 zoned area to be impacted by stormwater works. Each particular action in the approved VMP must be carried out by the person who is identified as being responsible for that action in accordance with the performance indicators and timing identified in the approved VMP. Annual reports or monitoring statements verifying compliance with the VMP must be provided to Council through the Natural Areas Team.
- 13.16.3 Provisions for monitoring and maintenance for the life of the VMP must be in place, with particular reference to trigger thresholds and follow up actions when site inspections find weeds and pest species under the Biosecurity Act 2015. Annual reports or monitoring statements verifying compliance with the VMP must be provided to Council through the Natural Areas Team.

14 OPERATIONAL

14.1 Environmental Health

- 14.1.1 The recommendations outlined in DA Acoustic Report, prepared by Pulse White Noise Acoustic Pty Ltd dated 16 December 2024, are to be implemented
- 14.1.2 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW Environmental Protection Authorities - Noise Policy for Industry and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.
- 14.1.3 A post commissioning report must be produced by an acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) within 3 – 6 months of the proposed development operating to validate the Acoustic reports findings. The report is to be submitted to Council to review.

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- 14.1.4 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 14.1.5 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 14.1.6 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
- 14.1.7 The proprietor and/or operator is to ensure that the hair salon is maintained, and all activities are carried out, so as to comply with the requirements of;
 - Public Health Act 2010 and its Regulation.
 - Local Government (General) Regulation 2021
- 14.1.8 The food premises shall be maintained in accordance with the requirements of;
 - Food Act 2003 and its Regulation.
 - Australian Standard 4674-2004 Design, construction and fit-out of food premises.
- 14.1.9 The proprietor is to ensure that all food handling complies with the requirements of the Food Act 2003 and its Regulation.
- 14.1.10 The café/food premises is to be registered with Council as a food business.
- 14.1.11 Upon commencement of trading, the hair salon proprietor must notify Council of the Skin Penetration Activity.

14.2 Access / Parking

- 14.2.1 All required 65 off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.
- 14.2.2 All loading, unloading operations and parking shall take place at all times wholly within the confines of the land.
- 14.2.3 All vehicles must enter and exit the site in a forward direction.
- 14.2.4 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

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14.3 Specific Uses

14.3.1 The development shall not be used or converted for use for any purpose other than that:

- (a) Granted consent by Council's Notice of Determination, or
- (b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

14.3.2 Any change of use of the development, other than a 'seniors housing' development will require separate development consent to be obtained from Council and will be required to provide the minimum number of car parking spaces as required by Blacktown Development Control Plan 2015 for that new land use.

14.3.3 The approved 'Seniors Housing' development shall comply with the requirements of the following definitions contained within Blacktown Local Environmental Plan 2015:

'Seniors Housing' which means "a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for:
- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place, but does not include a hospital."

'Place of public worship' which means "a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training."

14.3.4 The approved offices, consulting rooms, café, hair salon, gymnasium, wellness centre, workshop, meeting rooms shall be used solely in conjunction with the use of the buildings as a Seniors Housing development and Place of Public Worship. The separate use or occupation of these approved office spaces is not permitted by this consent.

14.3.5 This consent does not authorise the sale or display of goods for retail to the general public.

14.4 Waste Collection

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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- 14.4.1 It is the responsibility of the operator / building manager / caretaker to transfer bins to the nominated collection points/areas for private waste collection. The bins must be immediately returned to their storage areas upon the completion of the waste collection process.
- 14.4.2 As the development will be serviced by private waste and recycling contractors, residents are unable to access Council's household clean up service, or garbage and recycling service. These must be provided by the Owner / Operator of the development. This must be communicated in writing to all residents.

14.5 Chapel

- 14.5.1 Any events/gatherings/mass to be hosted within the 'place of public worship' are required to be held between the hours of 8am to 9pm, 7 days a week, including public holidays, subject to compliance with the below conditions.
- 14.5.2 All staff and visitors/persons attending the chapel are to park within the nominated at-grade car parking spaces.
- 14.5.3 The use of the land is not to interfere with the amenity of the residential area. In particular, the following is to be appropriately managed to minimise amenity impacts:
 - i. Noise generated as a result of movement of staff and vehicles when a shift changeover occurs. Shift changeovers are to be scheduled for suitable times.
 - ii. The use of the outdoor and communal open space areas.
 - iii. Any persons smoking within and around the site.
- 14.5.4 The chapel is permitted to be attended by persons associated with St Hedwig Village and the general public.

14.6 Café

- 14.6.1 Trading hours of the café shall be between 7am – 7pm, 7 days a week.
- 14.6.2 All staff and visitors/persons attending the cafe are to park within the nominated at-grade car parking spaces.
- 14.6.3 The use of the land is not to interfere with the amenity of the residential area. In particular, the following is to be appropriately managed to minimise amenity impacts:
 - i. Noise generated as a result of movement of staff and vehicles when a shift changeover occurs. Shift changeovers are to be scheduled for suitable times.
 - ii. The use of the outdoor and communal open space areas.
 - iii. Any persons smoking within and around the site.
- 14.6.4 The cafe is permitted to be attended by persons associated with St Hedwig Village and the general public.

14.7 General

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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- 14.7.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 14.7.2 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 14.7.3 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 14.7.4 No signage, goods, materials, or the like, are to be stored at any time outside of the buildings on the internal vehicular driveways, car parking area, landscaping or footpaths.
- 14.7.5 All loading and unloading operations shall take place at all times wholly within the confines of the land. All unloading activities are to be conducted in a manner that does not impact on the amenity of adjoining property owners/occupants.
- 14.7.6 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 14.7.7 Removal of any graffiti visible from any public road or place is the responsibility of the property owner/s. Once identified, all graffiti must be removed within 48 hours.
- 14.7.8 All meetings and events, including the amplification of any speech or music must cease at 9pm.
- 14.7.9 The privacy screening measures are to be maintained for the life of the development.
- 14.7.10 Separate development consent is required from Council should the operation of this Seniors housing development and place of public worship operate outside of the scope of this development consent as this is considered to be an intensification of use.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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