

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC – 677
DA Number	DA-25-00536
LGA	Blacktown
Proposed Development	Demolition of an existing car parking area, outdoor courts and playground together with other site features, and the construction of a new indoor recreation/community facility (incorporating multi-purpose sports hall, change rooms and toilets, administration and youth hub) to supplement the existing PCYC facility on site, a new car parking area, landscaping and associated site works.
Street Address	453A Luxford Road Lethbridge Park
Applicant/Owner	Blacktown City Council C/o Baker Ryan Stewart
Date of DA lodgement	8 April 2025
Number of Submissions	1
Recommendation	<p>1. Approve DA-25-00536 for the reasons listed below, and subject to the conditions listed in attachment 8.</p> <p>(a) The proposed development has a positive social impact providing for the needs for community recreational and youth facilities (Section 4.15(b) of the Environmental Planning and Assessment Act 1979)</p> <p>(b) The proposed development minimises impacts on the biodiversity values of the site and will potentially improve the ecology of the site (Section 4.15(b) of the Environmental Planning and Assessment Act 1979)</p> <p>(c) The proposed development has limited adverse impacts on the amenity of adjoining development (Section 4.15(b) of the Environmental Planning and Assessment Act 1979)</p> <p>(d) The proposed development provides improved community recreational facilities in the area and is in the public interest (Section 4.15(b) & 4.15(e) of the Environmental Planning and Assessment Act 1979)</p> <p>2. Council officers notify the applicant and submitters of the Panel's decision.</p>
Regional Development Criteria - Schedule 6 of SEPP (Planning Systems) 2021	Council related development valued over \$5 million (estimated development cost \$22,958,045)
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Biodiversity Conservation Act 2016 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Industry and Employment) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • Blacktown Local Environmental Plan 2015 • Blacktown Development Control Plan 2015 • Blacktown Local Strategic Planning Statement 2020 • Central City District Plan 2018
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Attachment 1 Location map • Attachment 2 Aerial image • Attachment 3 Zoning extract • Attachment 4 Detailed information about proposal and submissions • Attachment 5 Development plans • Attachment 6 Assessment against planning controls post 1 March 2022 • Attachment 7 Summary of residents' concerns and Councils response • Attachment 8 Draft conditions
Clause 4.6 requests	Not applicable
Summary of key submissions	1
Report prepared by	Ian Arnott (Arnott Planning) - Consultant Planner
Report date	20 August 2025

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Not applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

No

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

1.1 DA-25-00536 - PCYC

Assessment report to

Sydney Central City Planning Panel

Panel reference: PPSSCC-677

Development application

DA number	DA-25-00536	Date of lodgement	8 April 2025
Applicant	Blacktown City Council C/o Baker Ryan Stewart		
Owner	Blacktown City Council		
Proposed development	Demolition of an existing car parking area, outdoor courts and playground together with other site features, and the construction of a new indoor recreation/community facility (incorporating multi-purpose sports hall, change rooms and toilets, administration and youth hub) to supplement the existing PCYC facility on site, a new car parking area, landscaping and associated site works.		
Street address	453A Luxford Road Lethbridge Park		
Notification period	1 to 15 May 2025	Number of submissions	1

Assessment

Panel criteria	<ul style="list-style-type: none"> Council related development valued over \$5 million (estimated development cost \$22,958,045)
Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021	
Relevant section 4.15(1)(a) matters	<ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Biodiversity Conservation Act 2016 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 Blacktown Local Environmental Plan 2015 Blacktown Development Control Plan 2015 Blacktown Local Strategic Planning Statement 2020 Central City District Plan 2018
Report prepared by	Ian Arnott (Arnott Planning) - Consultant Planner
Report date	20 August 2025
Recommendation	Approve, subject to conditions listed in attachment 8

Checklist

Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive summary of the Assessment report? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the Assessment report?

Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the Assessment report?

Not applicable

Special Infrastructure Contributions

No

Does the DA require Special Infrastructure Contributions conditions (section 7.24)?

Housing Productivity Contribution (for DA lodged on or after 1 October 2023)

No

Does the DA require Housing Productivity Contribution Condition?

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

Biodiversity

No

Is the land bio-certified land under the Biodiversity Conservation Act 2016?

Attachments

1. Attachment 1 Location map [1.1.1 - 1 page]
2. Attachment 2 Aerial image [1.1.2 - 1 page]
3. Attachment 3 Zoning extract [1.1.3 - 1 page]
4. Attachment 4 Detailed information about proposal and submissions [1.1.4 - 5 pages]
5. Attachment 5 Development plans [1.1.5 - 8 pages]
6. Attachment 6 Assessment against planning controls post 1 March 2022 [1.1.6 - 8 pages]
7. Attachment 7 Summary of residents concerns and Councils response [1.1.7 - 2 pages]
8. Attachment 8 Draft conditions [1.1.8 - 26 pages]

1 Executive summary

1.1 The key issues that need to be considered by the Panel in respect of this application are:

- the potential biodiversity impacts given the proposed works are to be located in areas identified on the NSW Biodiversity Map as having threatened species and proposed removal of 19 trees. Assessment of the site has, however, concluded that subject to the offset of 1 species credit and application of recommended management and mitigation measures, the proposed development is not anticipated to result in unacceptable biodiversity impacts, with potential for ecological improvement.
- Onsite parking assessment of the site has determined that existing parking was significantly underutilised, and given the target age group for the facility being youth generally under driving age, the parking provision is considered satisfactory in this instance.
- concerns raised in a submission in respect to noise, visual and antisocial behaviour impacts on the amenity of surrounding residential property. It is considered that these concerns can be adequately addressed through the conditioning of appropriate noise insulating construction and implementation of an Operational noise management plan, the installation of CCTV surveillance in the carpark and the planting of additional trees to screen the development from neighbouring properties.
- the installation of 3 business identification signs, 2 of which are to be illuminated. Subject to conditions limiting the intensity and times of illumination the signage is considered appropriate site identification and wayfinding for the facility.
- the identified presence of asbestos on site. Investigations have found the asbestos is not widespread and subject to conditions including a Validation Report prior to issue of a Construction Certificate the site is considered suitable for the proposed development.

1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments have not identified any issues of concern that cannot be dealt with by conditions of consent.

1.3 The application is considered to be satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

1.4 This report recommends that the Panel approve the application subject to the recommended conditions listed in attachment 8.

2 Location

2.1 The site is located on the north-western side of Luxford Road between Pitcairn Avenue and Koomooloo Crescent, Lethbridge Park.

2.2 The development is proposed to be located to the south-east of the existing PCYC building, generally in the location of existing parking that is proposed to be relocated to the north of the existing building.

2.3 Single dwelling houses zoned R2 Low Density Residential surround the open space land within which the development is proposed. A drainage channel (SP2 Infrastructure) is located along the north-eastern side of the site.

2.4 Chifley College is located approximately 350 m north-east of the site on the opposite side of Luxford Road with Shalvey local centre opposite. Lethbridge Park local centre is located approximately 520 m south of the site. Open space land to the south-east of the site, on the opposite side of Luxford Road provides a green corridor connection with the site.

2.5 Bus routes along Luxford Road connect the site with Plumpton, Shalvey, St Marys and Mount Druitt and include services to Mount Druitt train station.

2.6 The location of the site is shown at attachment 1.

3 Site description

- 3.1 The site, 453A Luxford Road Lethbridge Park, is made up of 2 allotments legally described as lots 650 and 651 in DP631711.
- 3.2 The combined lots make up an area of approximately 5.4 ha, the majority of which is grassed with scattered trees and vegetation.
- 3.3 The existing PCYC building is located central to the site with car parking to the east accessed via a driveway from Luxford Road and ball courts to the south (solely within Lot 650). A Return-and-Earn recycling facility is located adjacent to the car park.
- 3.4 A drainage channel occupies the northern part of the site adjoining the north-eastern boundary.
- 3.5 A large portion of the south-eastern section of the site, incorporating the area in which the development is proposed is identified on the Biodiversity Values Map (Biodiversity Conservation Act 2016).
- 3.6 An aerial image of the site and surrounding area is at attachment 2.

4 Background

- 4.1 The site is zoned RE1 Public Recreation with the area in which the drainage channel is located (approximately 50m wide) zoned SP2 Infrastructure (Drainage). The zoning plan for the site and surrounds is at attachment 3.
- 4.2 The existing PCYC building was opened in 1983 and extended in the late 1980's with additional outdoor facilities provided in the 1990's. The current zoning reflects the existing uses on site.
- 4.3 The proposed development falls within the definitions of recreation facility (indoor) and community facility both of which are permissible uses within the RE1 Public Recreation zone. Whilst not permissible within the SP2 Infrastructure zone, none of the works are proposed within this area.
- 4.4 A pre-lodgement meeting was held on 26 August 2024 between the applicant's project team and Council assessment officers. A second pre-lodgement meeting to ensure documentation was sufficient for lodgement was held on 9 December 2024.

5 The proposal

- 5.1 The development application has been lodged by Baker Ryan Stewart on behalf of Blacktown City Council and involves a Council-owned facility (proposed to be operated by PCYC) on Council-owned land. For this reason, the application is being independently assessed for determination by the regional panel.
- 5.2 The application proposes demolition of an existing car parking area, outdoor courts and playground together with other site features, and the construction of a new indoor recreation facility to supplement the existing PCYC facility on site, a new car parking area and associated site works.
- 5.3 The proposed facility is designed to accommodate 2 indoor multi-use courts (1,766.2 m²), change room and toilet facilities (111.1 m²), reception and break-out area (117.4 m²), administration office (42.7 m²) and a storage room (46.8 m²). The 11.25 m high building is proposed to be located to the east of the existing building with a landscaped courtyard providing a transitional area between the 2 structures.
- 5.4 A new car parking area is proposed to the north of the existing building accommodating 37 formal spaces (including 2 accessible spaces), 3 drop off spaces, parking for 2 PCYC buses and formal overflow parking of an additional 19 spaces, totalling 56 car spaces.

- 5.5 Signage incorporating the logos of both PCYC and Blacktown City Council is proposed with 1 to be located on the upper façade of the building facing Luxford Road, 1 adjacent to the entry/reception area and a free-standing sign adjacent to the driveway/pathway entry towards the front of the site.
- 5.6 The proposal includes the removal of 19 trees, 2 of which are in poor health/condition, the retention of 114 trees with further landscaping works to be undertaken.
- 5.7 The facility is intended to be operated by PCYC between the hours of 6 am and 10 pm, 7 days a week, to provide a variety of youth and community activities including sporting programs, holiday and after school care, creative arts and leadership training and a weekend church group. It is also intended to be made available as a refuge and response coordination centre in emergency events.
- 5.8 Other details about the proposal are at attachment 4 and a copy of the development plans is at attachment 5.

6 Assessment against planning controls

- 6.1 A full assessment of the development application against relevant planning controls is provided at attachment 6, including:
 - Environmental Planning and Assessment Act 1979
 - State Environmental Planning Policy (Biodiversity and Conservation) 2021
 - State Environmental Planning Policy (Industry and Employment) 2021
 - State Environmental Planning Policy (Planning Systems) 2021
 - State Environmental Planning Policy (Resilience and Hazards) 2021
 - State Environmental Planning Policy (Transport and Infrastructure) 2021
 - State Environmental Planning Policy (Sustainable Buildings) 2022
 - Blacktown Local Environmental Plan 2015
 - Blacktown Development Control Plan 2015
 - Blacktown Local Strategic Planning Statement 2020
 - Central City District Plan 2018.

7 Issues raised by the public

- 7.1 The development application was notified to property owners and occupiers in the locality between 1 and 15 May 2025.
- 7.2 One submission was received.
- 7.3 The issues raised by the resident relate to noise, pollution and antisocial behaviour. A summary of each issue and our response is at attachment 7.
- 7.4 The objections are considered to not warrant refusal of the development application.

8 Key issues

8.1 Biodiversity impacts are minimal

- 8.1.1 The subject property is identified on the NSW Biodiversity Map (Biodiversity Conservation Act, 2016) as having threatened species or communities with potential for serious or irreversible impacts. The site is largely devoid of low and middle-storey plantings consisting mainly of grassed area with scattered trees.
- 8.1.2 A Streamlined biodiversity development assessment report, prepared by Keinfelder Pty Ltd and submitted with the application, identified 3 native plant community types

on the subject land being Cumberland Plain Woodland, Shale Gravel Transition Forest and River-Flat Eucalypt Forest all of which are identified as threatened ecological communities. The River-Flat Eucalypt Forest located on the northern side of the drainage channel is outside the development area. Keinfelder noted that due to the level of disturbance and regular management, the entirety of the subject land is not considered suitable habitat for most locally occurring threatened flora species.

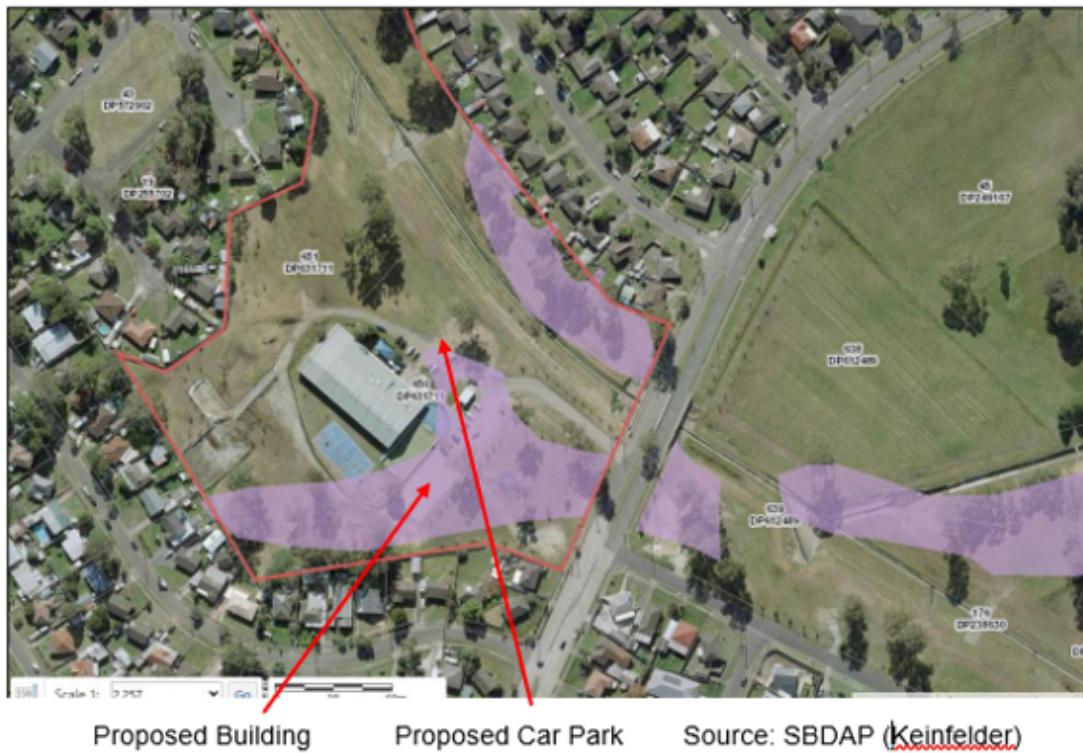


Figure 1: Biodiversity mapped area



Figure 2: Plant community types (Source: SBDAR - Keinfelder)

8.1.3 Keinfelder also undertook surveys to determine the presence of fauna on the site and the likely impact of the development on their habitat. The Large-eared Pied Bat (*Chalinolobus dwyeri*) was detected on site, however, Keinfelder noted that the land does not present suitable breeding habitat for this species.

8.1.4 As a result of the biodiversity assessment, Keinfelder determined that the proposed development does not require offsetting of ecosystem credits; only the offset of 1 species credit required for the Large-eared Pied Bat (*Chalinolobus dwyeri*).

8.1.5 The landscape scheme proposed seeks to re-establish the under-storey indigenous plantings currently missing from the site, providing potential for significant ecological improvement. With the implementation of management and mitigation measures the proposed development is not anticipated to result in unacceptable biodiversity impacts and will potentially provide a significant improvement to the ecology of the site.

8.2 Reduction in parking is appropriate given site use

8.2.1 The site currently has 55 formal car parking space (49 visitors and 6 staff). PCYC bus parking spaces and an additional area are provided as informal overflow parking.

8.2.2 The proposed new indoor facility will replace an existing outdoor footbal court. The Return-and-Earn booth is to be removed from the site.

8.2.3 The proposed car park provides for 37 formal spaces, 3 drop off spaces, formal bus parking and formal overflow parking of an additional 19 spaces, totalling 56 car spaces.

8.2.4 The current application proposes additional indoor courts with an area of 1766m². The Blacktown DCP 2015 controls, defines the courts as a gymnasium, requiring the provision of an additional 70 spaces (1 space per 25 m²).

8.2.5 In support of the proposal, the applicant has advised that the predominant use of the new facility will be for sporting and PCYC weekly activities and occasional special events. In addition, the community sometimes uses the facility, along with a weekend church group.

8.2.6 The applicant has also advised that the PCYC offers programs across a broad range of ages, specific to children, youth and young adults. A review of the activities available at the Mount Druitt PCYC shows that many activities are offered to a demographic that do not drive and as such would rely on alternate transport options to access the facility. Many of these users would ride bikes, walk, get dropped off by parents/guardians, hence the provision of car parking has considered this and has been designed accordingly, i.e. the inclusion of drop off bays and bicycle parking.

8.2.7 To determine the parking demand for the facility, surveys were undertaken through the use of aerial photography and occupancy surveys. At no point was the car park at capacity and many vehicles did not stay for long periods, due to visiting the return and earn recycling centre or dropping off youth to the PCYC. In addition, the PCYC operate mini buses for pick and drop off in the local area. The highest numbers recorded in the surveys were on a Sunday morning with 36 spaces and 28 spaces on Thursday afternoon.

8.2.8 The traffic impact assessment confirms:

- Sufficient parking spaces are provided.
- Based on surveys the existing spaces are only occupied just more than 50% of the time.
- Formal drop off bays are provided which will open up spaces that may have been otherwise used for this purpose.
- Formal bus parking (in addition to the car spaces) for the PCYC mini buses has been provided, which is currently not the case.
- There is sufficient space on site for special event parking should it be required over and above the overflow carparking. In addition, an event management plan would be required that would also consider other options for accessing the site including additional public transport, walking and cycling options or the like.

8.2.9 On this basis the parking provision is considered acceptable in this instance.

8.3 Noise, visual and antisocial behaviour impacts on the amenity of surrounding residential property can be ameliorated

8.3.1 An Acoustic report, prepared by Northrop dated 4 March 2025, assessed likely noise associated with both construction and the proposed use of the facility and car park. Northrop noted that in some instances, such as waste collection, noise impacts to sensitive receivers would be reduced and satisfy relevant criteria. With the use of noise insulating construction and implementing an operational noise management plan Northrop concluded that noise from the proposed facility would not cause an adverse impact to sensitive receivers.

8.3.2 The proposed new building is located to the north of single residential dwellings fronting Pitcairn Avenue. Shadow diagrams submitted indicate that between 9 am and

3 pm mid-winter the rear yards of properties 39 and 41 Pitcairn Avenue and 453 Luxford Road will receive some overshadowing as a result of the proposed development. At no time will internal areas of the dwellings be impacted, and all sites will receive in excess of 3 hours off solar access to the majority of their rear yards.

8.3.3 The site is flood affected, and this has meant that the finished floor level of the new building and therefore the height is higher than a non-flood affected property. The new facility at the PCYC Mount Druitt has been designed to meet the sporting needs of the main users of the facility and to ensure it meets the appropriate standards, it is required to be 11.2m in height and care has been taken by the architects to ensure that the building is well designed, using appropriate materials and setback as far as possible from the boundaries with adjoining owners to reduce the impacts on nearby properties.

8.3.4 In support of the application, the applicant has noted that appropriate measures have been used in terms of location of the building and design to reduce the impacts on nearby properties. These include the following:

- Setback of the building by 8.8m to the closest residential boundary. This setback is to a corner of the building, from which the setback progressively increases.
- The distance to the closest dwelling is even further, at just over 24m, as the dwellings are generally located toward the front portion of each adjoining property.
- A number of existing trees along the boundary of the site have been retained and additional landscaping is proposed.
- Windows have been limited within the southern facade to ensure noise is minimised to adjoining properties.
- Shadow diagrams provided confirm that, although rear yards are impacted, this impact has been minimised and each yard and dwelling still receives adequate sunlight and solar access in accordance with Council's policies and best practice.

8.3.5 To minimise the visual impact, it is recommended additional tree planting be conditioned between the southern corner of the building and the rear boundaries of 453 Luxford Road and 41 Pitcairn Avenue.

8.3.6 The application was supported by a Crime prevention through environmental design assessment, which made certain recommendations to ensure appropriate security and surveillance within the site and to deter antisocial behaviour. This included recommendations in respect to lighting, landscaping, secured access to restricted areas and management protocols. The assessment recommended consideration of use of CCTV, which is already indicated for the internal areas of the building. It is recommended that conditions be imposed that CCTV also be used for the car park area outside of operating hours to deter unsocial behaviour.

8.4 Signage provides appropriate identification and wayfinding

8.4.1 The application proposes the erection of 3 business identification signs, 2 being adjacent to the building and 1 in proximity to the vehicular and pedestrian entry to the site. All signage will incorporate logos of both Blacktown City Council and PCYC. The proposed signs are as follows:

- A backlit aluminium and polyurethane venue identification sign (7 m long and 1.9 m high), to be located above awning level on the eastern façade in the north-eastern corner of the building.
- A non-illuminated aluminium and polyurethane venue identification sign (3.2 m high by 2.45 m wide) located at ground level on the northern façade adjacent to the entry to the reception area.

- An illuminated free-standing aluminium venue marker sign (3 m high by 800 mm wide) located adjacent to the entry path and visible from Luxford Road.

8.4.2 Subject to appropriate conditions ensuring illuminated signs do not cause unacceptable light intrusion to neighbouring residential properties, the signage satisfies the requirements of SEPP (Industry and Employment) 2021 and provides appropriate site identification and wayfinding for the facility.

8.5 Identified contamination is not considered widespread

8.5.1 A Detailed Site Investigation was undertaken by Keinfelder Pty Ltd, which identified asbestos as the only contaminant of potential concern in a localised portion of the site (south-western corner). Further investigation was recommended and undertaken, which determined asbestos was identified to be localised to 2 locations, and not considered widespread.

8.5.2 Keinfelder recommended preparing an Asbestos management plan to be incorporated into the Construction environmental management plan to address and mitigate any future unexpected occurrences. An Asbestos management plan was subsequently prepared.

8.5.3 It is evident that from the investigation undertaken contaminants of concern are limited to asbestos which is not widespread on the site. The panel can be satisfied that subject to compliance with recommended conditions, including providing a Validation Report prior to issue of a Construction Certificate, the site is suitable for the proposed development.

9 External referrals

9.1 The development application was referred to the following external authorities for comment:

Authority	Comments
Endeavour Energy	Acceptable subject to conditions.
NSW Police	No objection.
Transport for NSW	Rejected. Whilst Transport for NSW did not clarify the rejection comment or provide reasons it is assumed that it is because no formal comment is required to be obtained from Transport for NSW.

10 Internal referrals

10.1 The development application was referred to the following internal sections of Council for comment:

Section	Comments
Building	Acceptable subject to conditions.
Engineering	Acceptable subject to conditions.
Drainage	Acceptable subject to conditions.
Environmental Health	Acceptable subject to conditions.
Biodiversity	Acceptable subject to conditions.
Open Space	Acceptable subject to conditions.

Section	Comments
Property	No objection.
Traffic	No objection.
Waste	Acceptable subject to conditions.
7.11 Contributions	No contributions applicable.
Senior Architect	No objection, noting their involvement through project development.
Social Planning	Acceptable subject to conditions.

11 Conclusion

11.1 The proposed development has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

12 Disclosure of political donations and gifts

12.1 Under Section 10.4 of the Environmental Planning and Assessment Act 1979, a disclosure statement must be lodged in certain circumstances in relation to any planning application, i.e. a development application, an application to modify a consent and an application to make an environmental planning instrument or development control plan.

12.2 A disclosure statement of a reportable political donation or gift must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.

12.3 A disclosure statement may be made available for viewing upon a written request to Council in line with Section 12 of the Local Government Act 1993.

12.4 Disclosures:

- Political donations Has a Disclosure statement been received in relation to this application? No
If yes, provide Disclosure statement register reference
- Gifts Have staff received a 'gift', that needs to be disclosed, from anyone involved with this application? No

13 Recommendation

1 Approve DA-25-00536 for the reasons listed below, and subject to the conditions listed in attachment 8.

- a The proposed development has a positive social impact providing for the needs for community recreational and youth facilities (Section 4.15(b) of the Environmental Planning and Assessment Act 1979)

- b The proposed development minimises impacts on the biodiversity values of the site and will potentially improve the ecology of the site (Section 4.15(b) of the Environmental Planning and Assessment Act 1979)
- c The proposed development has limited adverse impacts on the amenity of adjoining development (Section 4.15(b) of the Environmental Planning and Assessment Act 1979)
- d The proposed development provides improved community recreational facilities in the area and is in the public interest (Section 4.15(b) & 4.15(e) of the Environmental Planning and Assessment Act 1979)

2 Council officers notify the applicant and submitters of the Panel's decision.

14 Declaration and endorsement

We, the undersigned, declare, to the best of our knowledge that we have no interest, pecuniary or otherwise, in this development application or persons associated with it; and we have provided an impartial assessment.



Ian Arnott
Consultant Planner



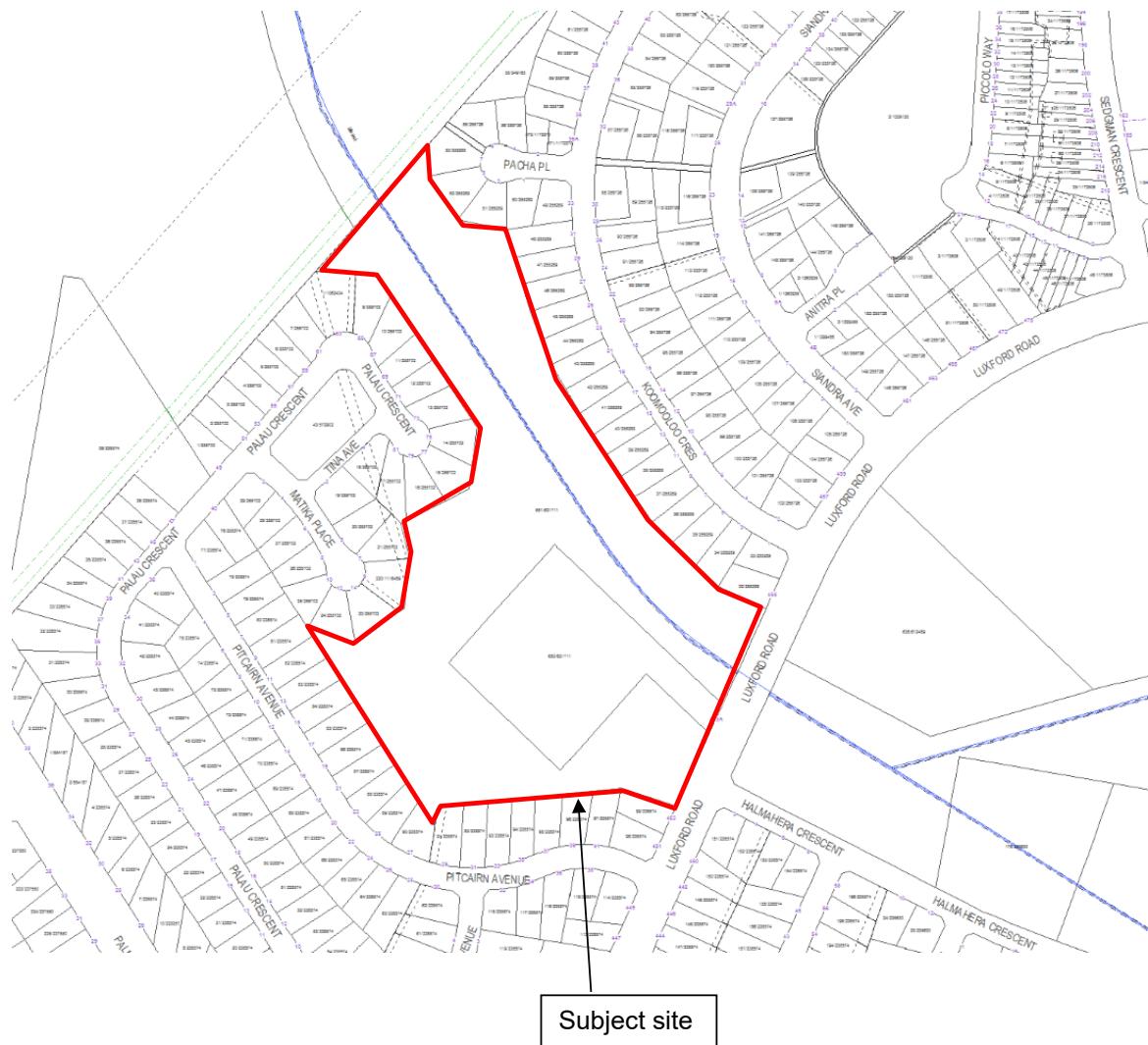
Alan Middlemiss
Acting Manager Development Assessment



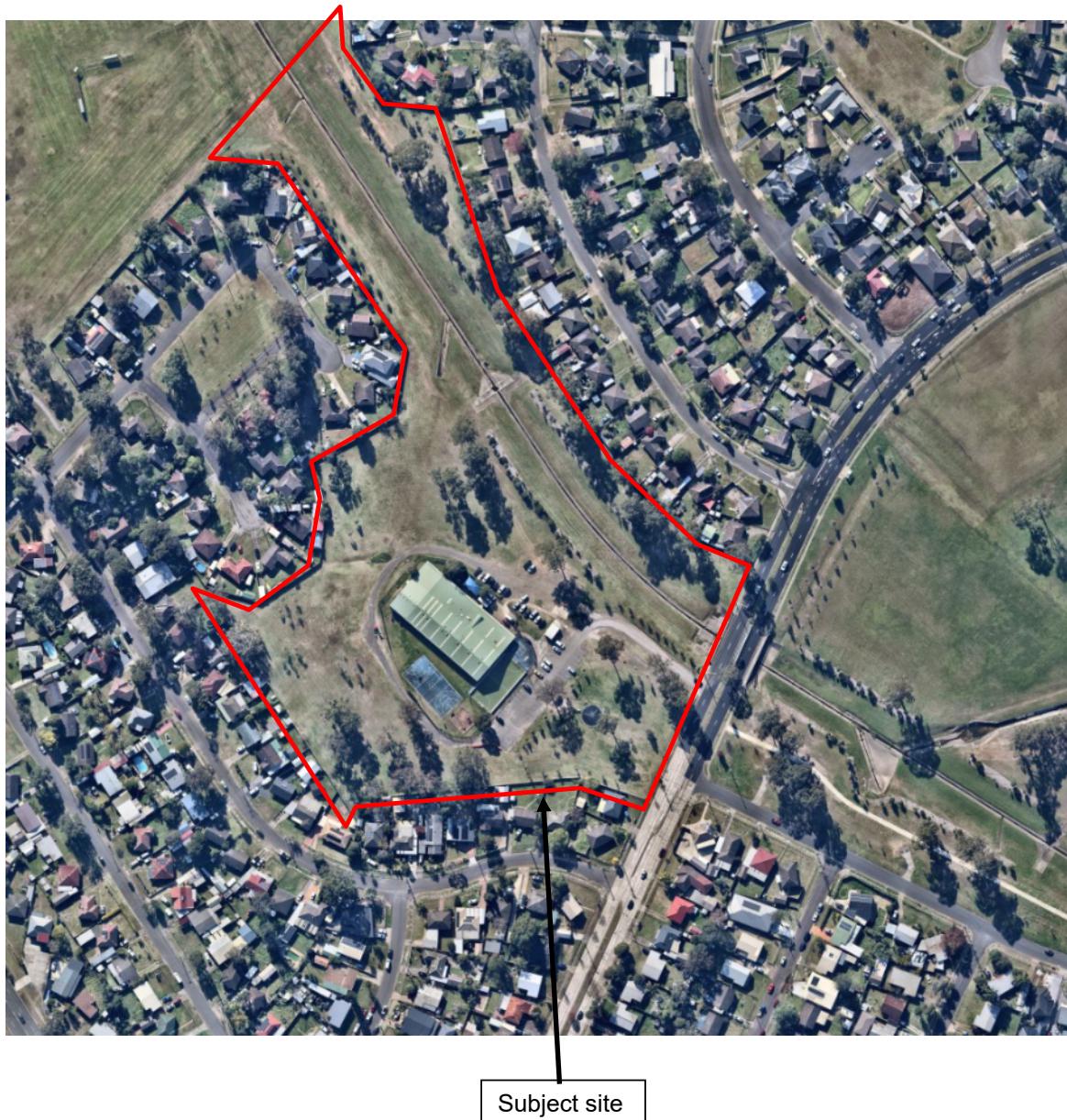
Peter Conroy
Director City Planning and Development

Attachment 1

Location map

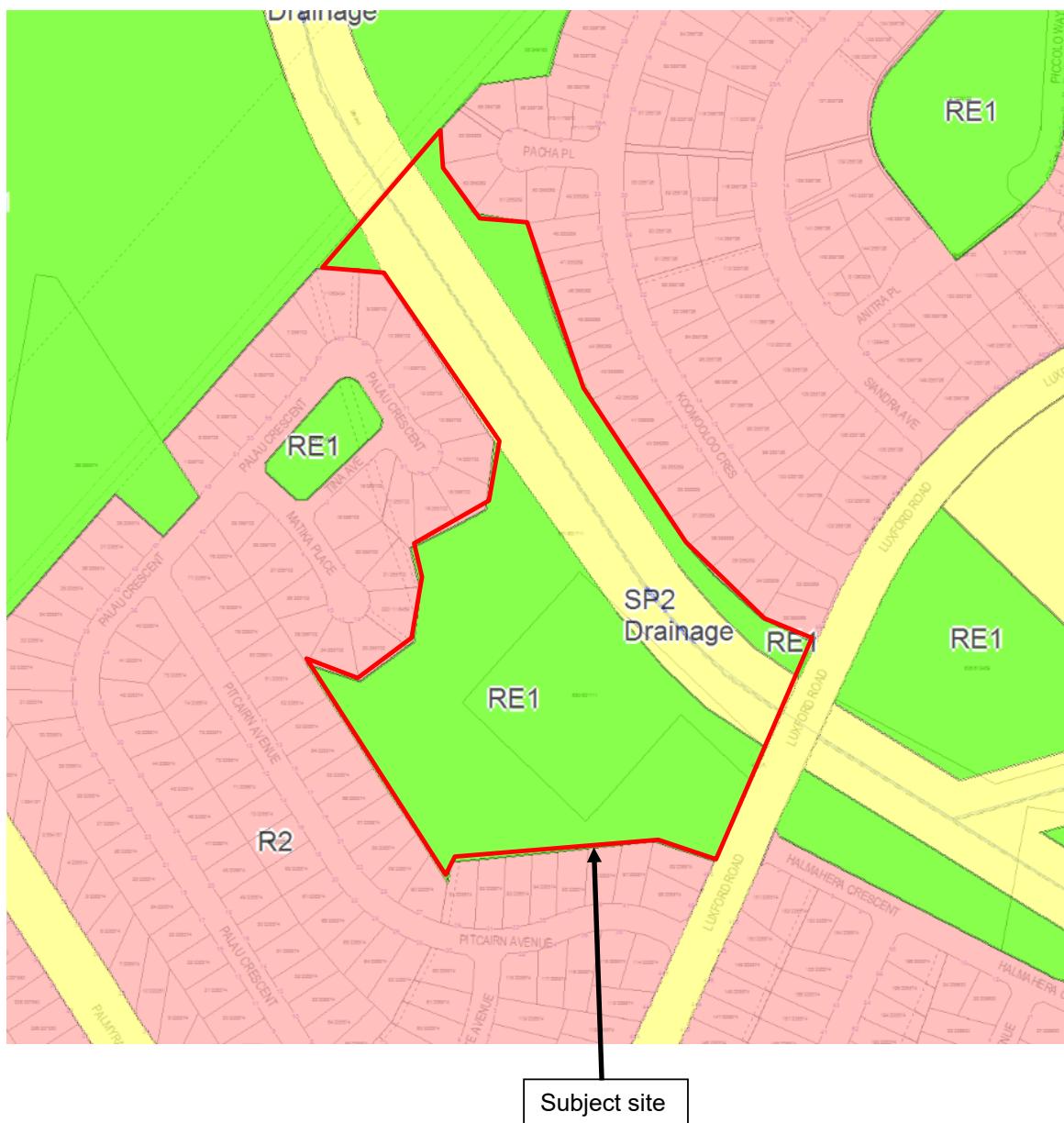


Attachment 2
Aerial image (as at 6 June 2025)



Attachment 3

Zoning extract



Attachment 4

Detailed information about proposal and DA submission material

1 Overview

- 1.1 The development application has been lodged by Baker Ryan Stewart on behalf of Blacktown City Council and involves a Council-owned facility on Council-owned land. For this reason, the application is being independently assessed for determination by the Sydney Central City Planning Panel.
- 1.2 The application proposes demolition of an existing car parking area, outdoor courts and playground together with other site features, and the construction of a new indoor recreation facility to supplement the existing PCYC facility on site, a new car parking area, landscaping and associated site works.
- 1.3 The proposed facility is designed to accommodate 2 indoor multi-use courts (1,766.2 m²), change room and toilet facilities (111.1 m²), reception and break-out area (117.4 m²), administration office (42.7 m²) and a storage room (46.8 m²).
- 1.4 The building is proposed to be constructed of metal, polycarbonate panels and brick with metal deck roofing, and having a proposed height of 11.25m. It is proposed to be located to the east of the existing building with the 2 buildings separated by a landscaped courtyard.
- 1.5 The existing driveway from Luxford Road is proposed to be retained, accessing the proposed new car park to the north of the existing building. The car park has been designed to accommodate 37 vehicles, including 2 accessible spaces, accessed from a circular driveway with central landscaping and access paths. Three drop-off spaces are proposed kerbside adjacent to the path accessing the forecourt and reception entry. An overflow car park for a further 37 vehicles is proposed off the northern side of the driveway. Two separate PCYC bus spaces are proposed at the western end of the car park with a garbage enclosure adjacent.
- 1.6 A pedestrian crossing is proposed to access the reception area with fencing and gate between the car park and the courtyard. Screened perforated ramp access is proposed between the courtyard and the entry to the existing facility.
- 1.7 A rainwater tank and other plant and equipment are proposed to the south of the new structure within a fenced enclosure.
- 1.8 The application proposes signage incorporating the PCYC and Blacktown City Council logos, as follows:
 - A backlit aluminium and polyurethane venue identification sign (7 m long and 1.9 m high) to be located above awning level on the eastern façade in the north-eastern corner of the building.
 - A non-illuminated aluminium and polyurethane venue identification sign (3.2 m high by 2.45 m wide) located at ground level on the northern façade adjacent to the entry to the reception area.
 - An illuminated free-standing aluminium venue marker sign (3 m high by 800mm wide) located adjacent to the entry path and visible from Luxford Road.

- 1.9 The application proposes the removal of 19 trees (17 due to the project location and 2 due to poor health or condition) and the retention of 114 trees with further landscaping works to be undertaken.
- 1.10 The facility is intended to be operated by PCYC between the hours of 6 am and 10 pm, 7 days a week to provide a variety of youth and community activities including sporting programs, holiday and after school care, creative arts and leadership training. It is also intended to be made available as a refuge and response coordination centre in emergency events.

2 Traffic and parking

- 2.1 The application is supported by a Traffic impact assessment (dated 7 March 2025) and a Preliminary Construction Traffic Management Plan (date 4 March 2025) both prepared by TTW Engineers.
- 2.2 The Traffic impact assessment states that traffic surveys indicate the current facility generates up to 70 vehicle movements during peak hours and estimates that the new facility will add a further 16 peak-hour vehicle movements. It concludes that the additional traffic movements will not significantly impact the external road network.
- 2.3 A car parking area for 49 vehicles currently exists on the eastern side of the existing building generally in the location of the proposed recreation building. A further 6 spaces are provided adjacent to the existing entry for staff and police vehicle parking. A dirt area further north is available for overflow parking.
- 2.4 Blacktown City Council Development Control Plan 2015 requires parking for gymnasiums to be provided at a rate of 1 space per 25 m² of gross floor area which, when applied to the area of the multi-use courts only (1,766.2 m²) requires an additional 70 parking spaces.
- 2.5 A parking survey utilising both Nearmaps and on-site studies were undertaken by TTW Engineers, and determined a maximum parking demand for the existing PCYC use of 28 spaces. It noted an average parking space occupancy of 16 spaces with the highest recording of 36 spaces occurring on a Sunday (attributed to church use). The TTW Engineers report estimated demand for an additional 8 parking spaces as a result of the new facility giving a total projected parking demand of 36 spaces (28+8).
- 2.6 The application proposes provision of formalised parking, accessed from a circular driveway, generally in the location of the existing dirt overflow area. The proposed car park has been designed to accommodate 37 vehicles, 2 of which are accessible, 3 drop-off spaces and 2 PCYC bus spaces.
- 2.7 The parking assessment by TTW Engineers estimated 55 vehicles would park on-site during special events and indicates that an overflow parking area, to be located to the north of the proposed car park, would provide sufficient capacity to accommodate the additional vehicles.
- 2.8 The Traffic impact assessment concludes that the chosen site has the ability to provide all required parking on site and no on-street parking demand is anticipated.
- 2.9 The Preliminary construction traffic management plan prepared by TTW Engineers incorporated recommendations for construction management. In the plan it is noted that it is preliminary in nature and recommends a final plan be produced post approval.
- 2.10 TTW Engineers expect that heavy construction vehicles would generally arrive outside of AM and PM peaks and that loading and unloading activities will occur within the site, at the nominated vehicle zones. On this basis, the plan concludes that there will be no impacts on the peak period traffic associated with the heavy construction vehicle movements, and that

increased traffic associated with construction activities will have only minimal impacts on the existing road network.

2.11 The plan notes the presence of overhead wires and biodiversity areas within the site, specifying further investigation would be required in determining truck size and on-site parking and turning locations.

3 Landscaping

- 3.1 An Arboricultural impact assessment and Tree protection management plan were prepared by Canopy Consulting (dated 22 August 2024) and submitted with the application.
- 3.2 Canopy Consulting assessed 133 trees on site noting that 17 trees would require removal if the project proceeded. It recommended 2 further trees be removed due to poor health/ condition.
- 3.3 Canopy Consulting recommend the retention and protection of the remaining 114 trees of which standard protection measures could be applied to 101 trees. It notes that specific design adjustments and tree-sensitive construction methods would be required to be implemented for the retention of the remaining 13 trees and provides recommendations for the required measures.
- 3.4 A detailed landscape plan prepared by Nguluway Design Inc (Drawing No.s LA-0001 - LA-0003, LA-1000 - LA-1001, LA-1100 - LA-1101, LA-3100 - LA-3101, LA-4100 - LA- 4101, LA-5100 - LA-5102 all dated 11/03/2025) was submitted with the application.

4 Contamination

- 4.1 A Detailed site investigation was prepared by Kleinfelder Australia Pty Ltd dated 10 May 2024 was submitted with the application. The investigation found asbestos, which was found in a localised portion of the site (south-western corner), was the only contaminant of potential concern. Kleinfelder recommended further asbestos investigation, quantitation and delineation to determine the extent of asbestos present in fill material across the site.
- 4.2 Kleinfelder also identified per- and polyfluorinated substances (PFAS) in soils, however, these were below the adopted human health criteria.
- 4.3 Based on the findings of the Detailed site investigation, Keinfelder made various recommendations including conducting a supplementary asbestos investigation, preparing a site Asbestos management plan and a Remediation action plan if required based on the findings of the supplementary asbestos investigation.
- 4.4 Keinfelder subsequently submitted an addendum Detailed site investigation dated 9 September 2024. As a result of the further investigation asbestos was identified to be localised to 2 locations, and not considered widespread. Keinfelder recommend incorporating an Asbestos management plan into the Construction environmental management plan to address and mitigate any future unexpected occurrences of asbestos containing materials within site soils.
- 4.5 An Asbestos management plan was prepared by Keinfelder dated 9 September 2024 and submitted in support of the application.
- 4.6 Also submitted with the application was a Salinity assessment report prepared by Keinfelder and dated 26 November 2024. Keinfelder recommend that a Salinity management plan and Sediment and erosion control plan be prepared and that structures with embedded steel foundation be designed for durability (i.e. corrosion protection).

5 Waste management

- 5.1 A Waste management plan prepared by Talis Consultants and dated 25 February 2025 was submitted with the application. Talis Consulting identified that most waste associated with demolition and construction could be reused or recycled, with any contaminated material to be appropriately disposed.
- 5.2 Based on the NSW EPA Better Practice Guide for Resource Recovery in Residential Developments (2019) and the Blacktown City Council's Guideline for Waste Management in New Developments, Talis Consultants estimated that use of the facility would generate a need for 6 x 660L refuse bins and 5 x 66L recycling bins to be collected by a private contractor on a fortnightly basis outside of standard operating hours.
- 5.3 TTW Engineers in its submitted Traffic impact assessment (dated 7 March 2025) determined that sufficient manoeuvring area was available to enable waste collection vehicles to enter and leave the site in a forward direction and provide ease of transfer of bins between the storage area and collection vehicle.

6 Biodiversity

- 6.1 The subject property is identified on the NSW Biodiversity Map (Biodiversity Conservation Act, 2016) as having threatened species or communities with potential for serious or irreversible impacts.
- 6.2 The application was accompanied by a Streamlined biodiversity development assessment report prepared by Keinfelder Pty Ltd and dated 14 March 2025. Keinfelder identified 3 native plant community types on the subject land being Cumberland Plain Woodland, Shale Gravel Transition Forest and River-Flat Eucalypt Forest.
- 6.3 Keinfelder detected the Large-eared Pied Bat (*Chalinolobus dwyeri*) on site, however, noted that the land does not present suitable breeding habitat for this species.
- 6.4 Keinfelder, in its assessment concludes that the principles of avoid and minimise impacts has been applied in the development, with most direct impacts occurring on managed / exotic grassland (0.44 ha) and existing built lands (0.65 ha). This compares to the areas of impact on Cumberland Plain Woodland (0.03 ha) and Castlereagh Ironbark Forest (0.02 ha), both of which Keinfelder identified as being in low condition.
- 6.5 Keinfelder note in its report, that 2 hollow-bearing trees (*Melaleuca stypheloides*, *Eucalyptus crebra*) are proposed for removal, with 18 of the 20 hollow-bearing trees to be retained.
- 6.6 Keinfelder concludes that following the application of management and mitigation measures recommended, the proposed development is not anticipated to result in unacceptable biodiversity impacts, with potential for ecological improvement at the site following the application of restorative measures committed to by the proponent. It states that the proposed development does not require offsetting of ecosystem credits, with offset of 1 species credit required for the Large-eared Pied Bat (*Chalinolobus dwyeri*).

7 Flood impact

- 7.1 A Flood impact assessment was undertaken by Northrop, dated 11 March 2025 and submitted with the application.
- 7.2 Northrop noted, from modelling undertaken, that typically less than (+/-) 20 mm change in flood levels is expected to occur on the site and adjacent properties during the 20%, 10%, 5%, 1% and 1 in 200 AEP developed case flood events; only a few isolated and minor

increases greater than 20 mm were observed across the site. From the modelling, Northrop also concluded that there is no change in PMF flood hazard conditions in the affected lots and, therefore, no increase in the risk to life is expected to be created by the increased flood levels. On this basis Northrop stated that the proposed development is not expected to create a significant adverse impact on the subject site or in adjacent properties.

8 Noise

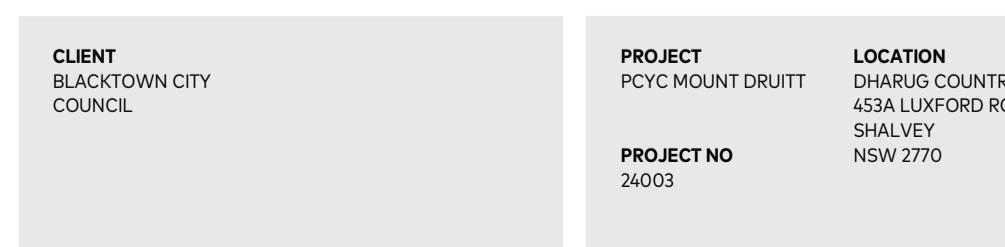
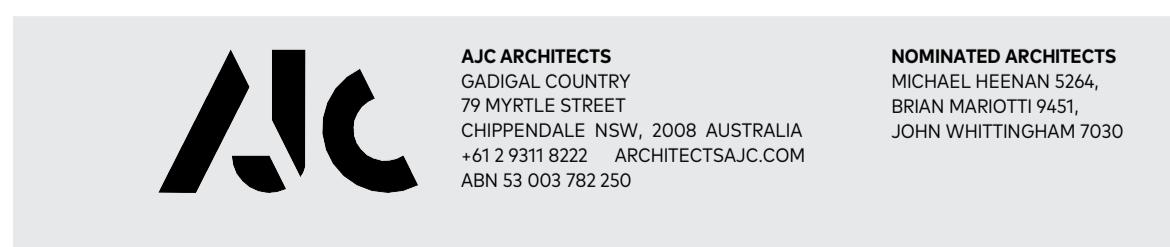
- 8.1 An Acoustic Report was prepared by Northrop dated 4 March 2025 and submitted with the application. The report assessed both noise intrusion from external sources as well as noise emanating from use of the facility. Noise associated with construction was also assessed.
- 8.2 Northrop undertook noise monitoring at sensitive receivers to determine background noise levels. Modelling was used to predict noise impacts resulting from car parking activity and movement, waste collection, sports hall use including special events, mechanical plant and construction. There are no specific criteria for assessing noise from recreational activities.
- 8.3 External noise impacts on the proposed facility, primarily associated with traffic on Luxford Road were also assessed.
- 8.4 Northrop concluded that the proposal could achieve an acceptable internal noise environment and could ensure noise from the use of the facility would not cause an adverse impact to surrounding sensitive receivers subject to appropriate building construction and the implementation of an Operational noise management plan.

9 Accessibility

- 9.1 The application incorporates 2 accessible car parking spaces in a location closest to the reception/entry area. Two accessible toilet and shower facilities are provided adjacent to the ambulant change and toilet facilities.
- 9.2 The application was supported by a Building code of Australia and disability discrimination Act 1992 assessment report prepared by BM+G and dated 5 March 2025. Whilst the report only outlined the measures under the Building code of Australia and disability discrimination Act 1992 necessary to comply with at Construction Certificate stage, it did not identify any issues in complying with disability discrimination Act 1992 requirements. It was noted that in respect to Building code of Australia compliance a performance solution will be required in respect to the wall cladding system proposed to be used.

10 Safety and security

- 10.1 The application was supported by a Crime prevention through environmental design assessment, undertaken by Barker Ryan Stewart (BRS) dated March 2025.
- 10.2 BRS utilised available data, which indicates that the level of crime in Lethbridge Park varies between the lowest and medium levels, and is generally lower than the overall crime rating for the Blacktown LGA. The data indicates that crimes of robbery and malicious damage to property were in the medium level for Lethbridge Park.
- 10.3 BRS concluded that the proposal is in accordance with the Crime prevention through environmental design principles and confirms that the development can be managed to minimise the potential risk of crime and a re-design of the proposal is not required.
- 10.4 The Crime prevention through environmental design assessment contained recommendations and advice in respect to landscaping, lighting, surveillance, and access.



REV	DATE	DESCRIPTION	DN	AP
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D	17/02/25	50% DA Set	MD MJ	
SHEET STATUS				
NOT FOR CONSTRUCTION				

SHEET TITLE	SCALE	SHEET NUMBER	REVISION
3D VIEW 1	@ A1	DA0002	E



AJC ARCHITECTS
GADIGAL COUNTRY
79 MYRTLE STREET
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NOMINATED ARCHITECTS
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BRIAN MAROTTI 9451,
JOHN WHITTINGHAM 7030

CLIENT
BLACKTOWN CITY
COUNCIL

PROJECT
PCYC MOUNT DRUIT
24003

LOCATION
DHARUG COUNTRY
453A LUXFORD ROAD
SHALVEY
NSW 2770

REV DATE DESCRIPTION
F 28/02/25 DA Set
E 17/02/25 50% DA Set
SHEET STATUS
NOT FOR CONSTRUCTION

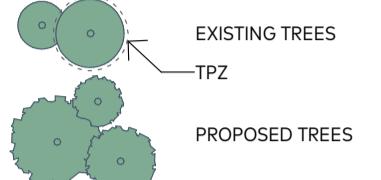
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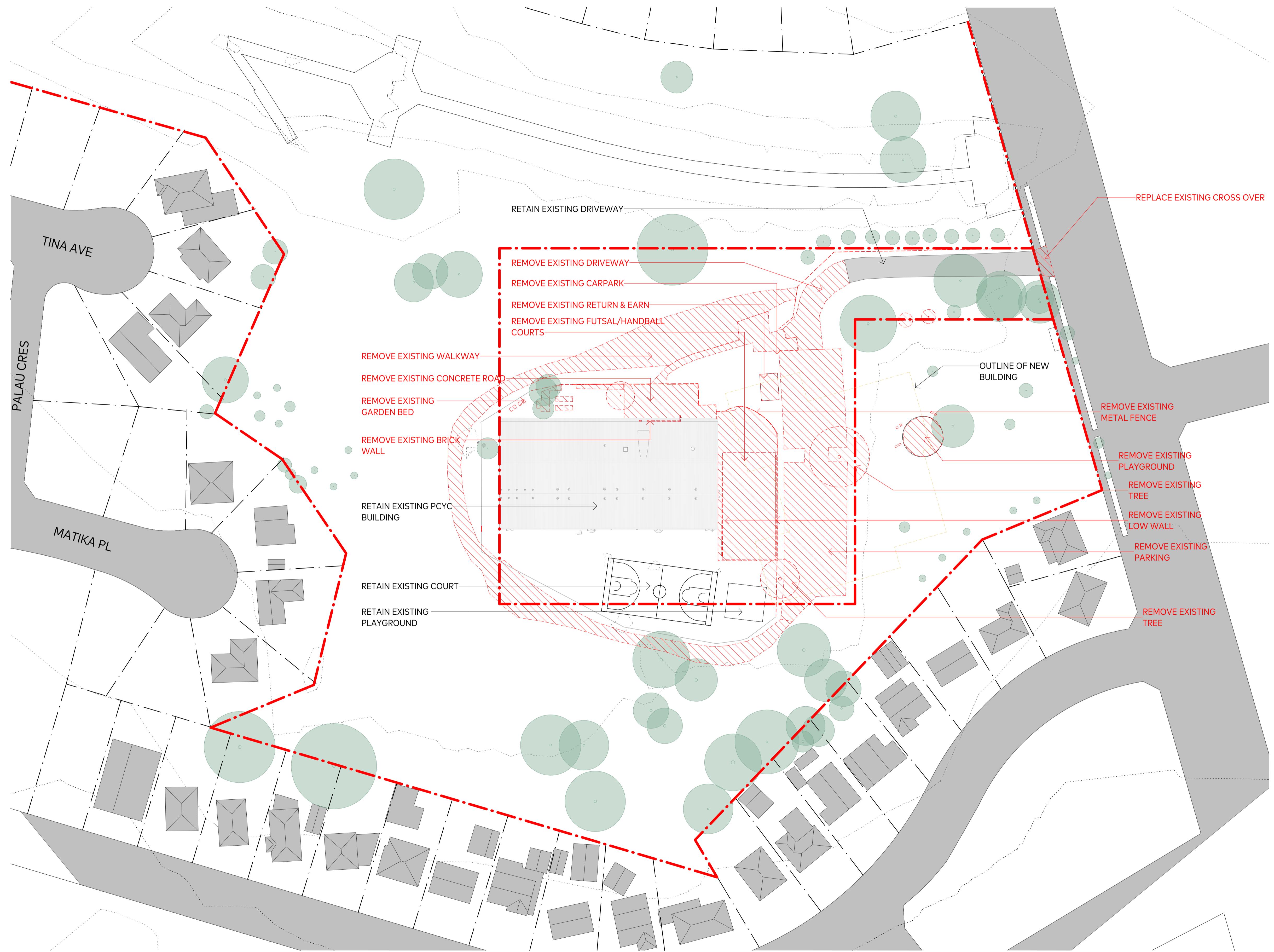
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PROPOSED SITE PLAN

SCALE
1:500
@ A1
DA1001
F



LANDSCAPE





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BLACKTOWN CITY
COUNCIL

PROJECT
PCYC MOUNT DRUIT
PROJECT NO
24003

LOCATION
DHARUG COUNTRY
453A LUXFORD ROAD
SHALVEY
NSW 2770

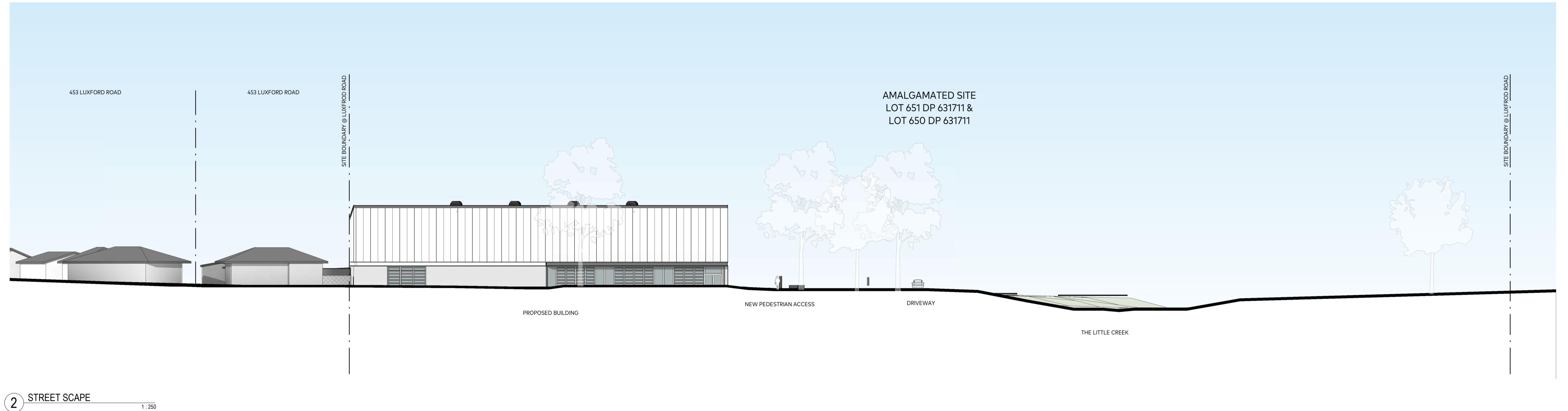
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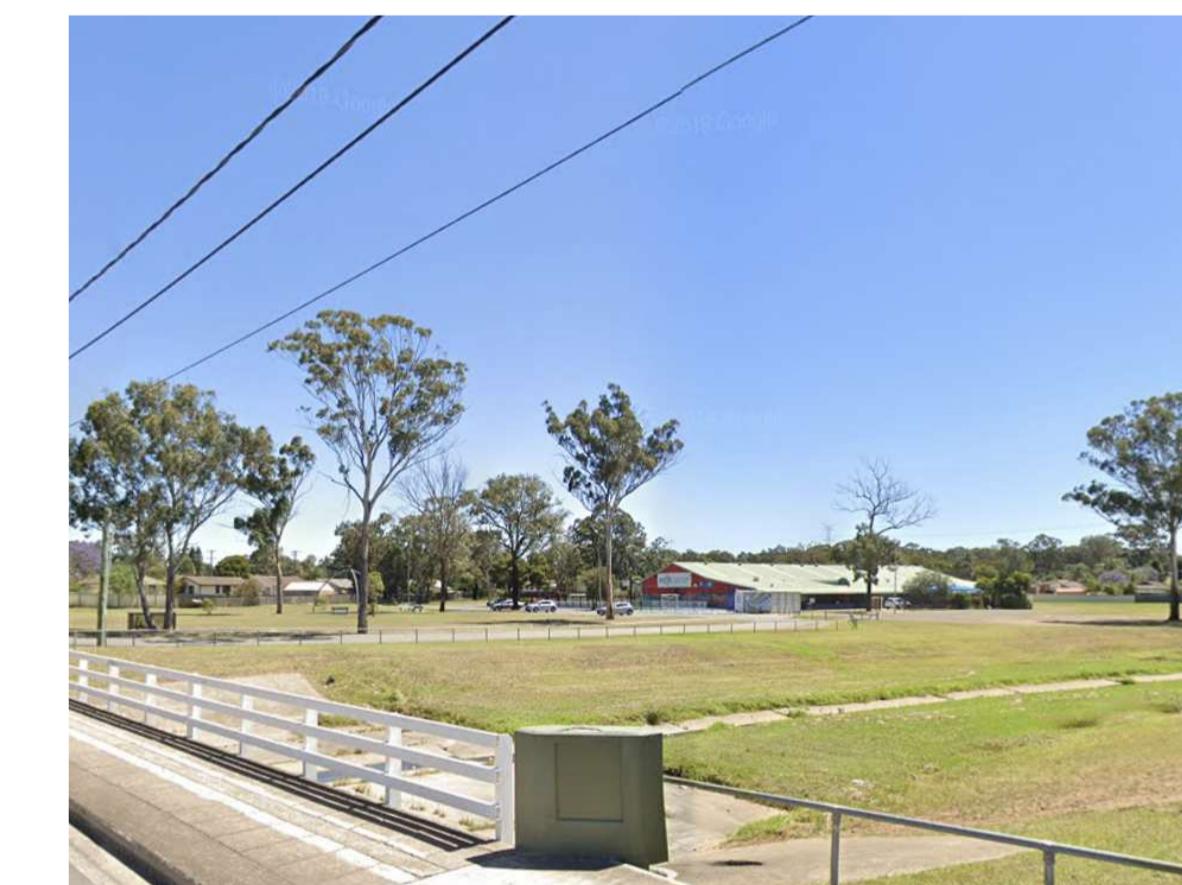
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PLAN

SCALE
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@ A1

SHEET NUMBER
DA1002
E



SITE PHOTOS



AJC
AJC ARCHITECTS
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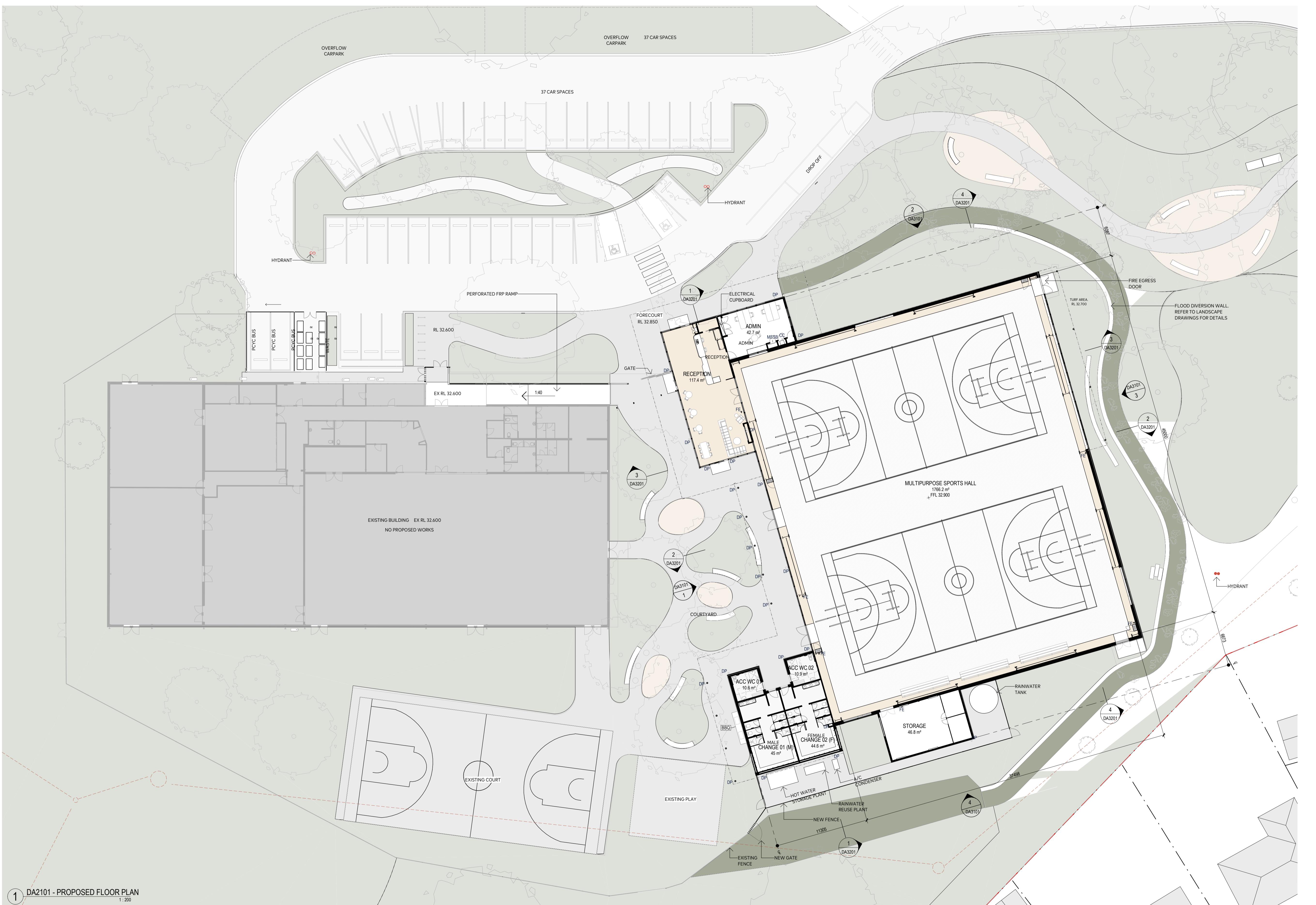
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PCYC MOUNT DRAITT
LOCATION
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SHALVEY
NSW 2770
PROJECT NO
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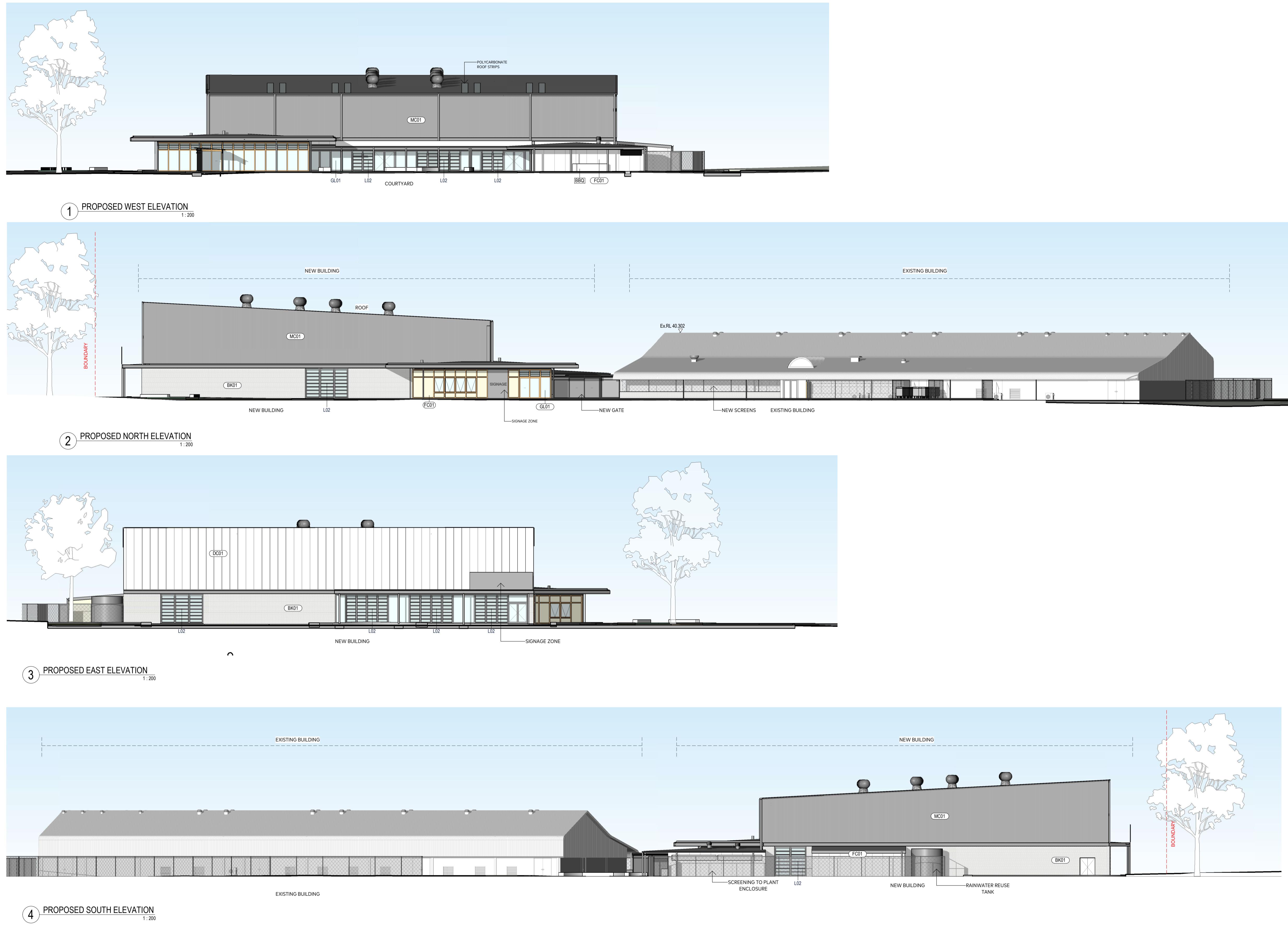
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SHEET NUMBER
DA1004
REVISION
E







AJC
AJC ARCHITECTS
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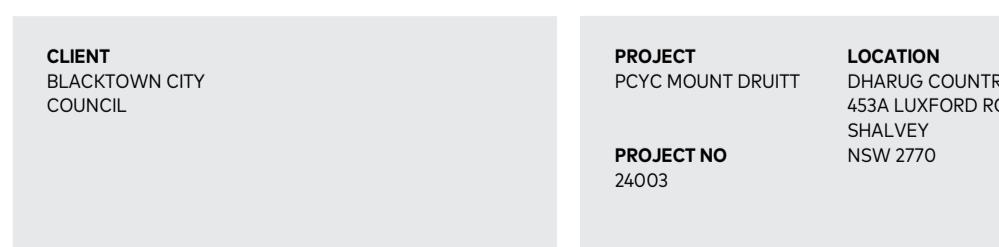
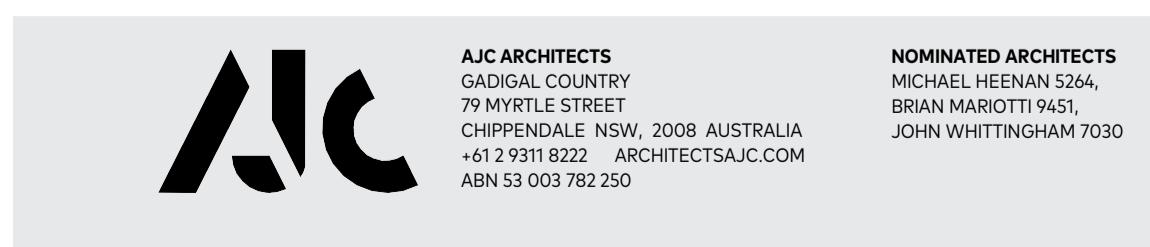
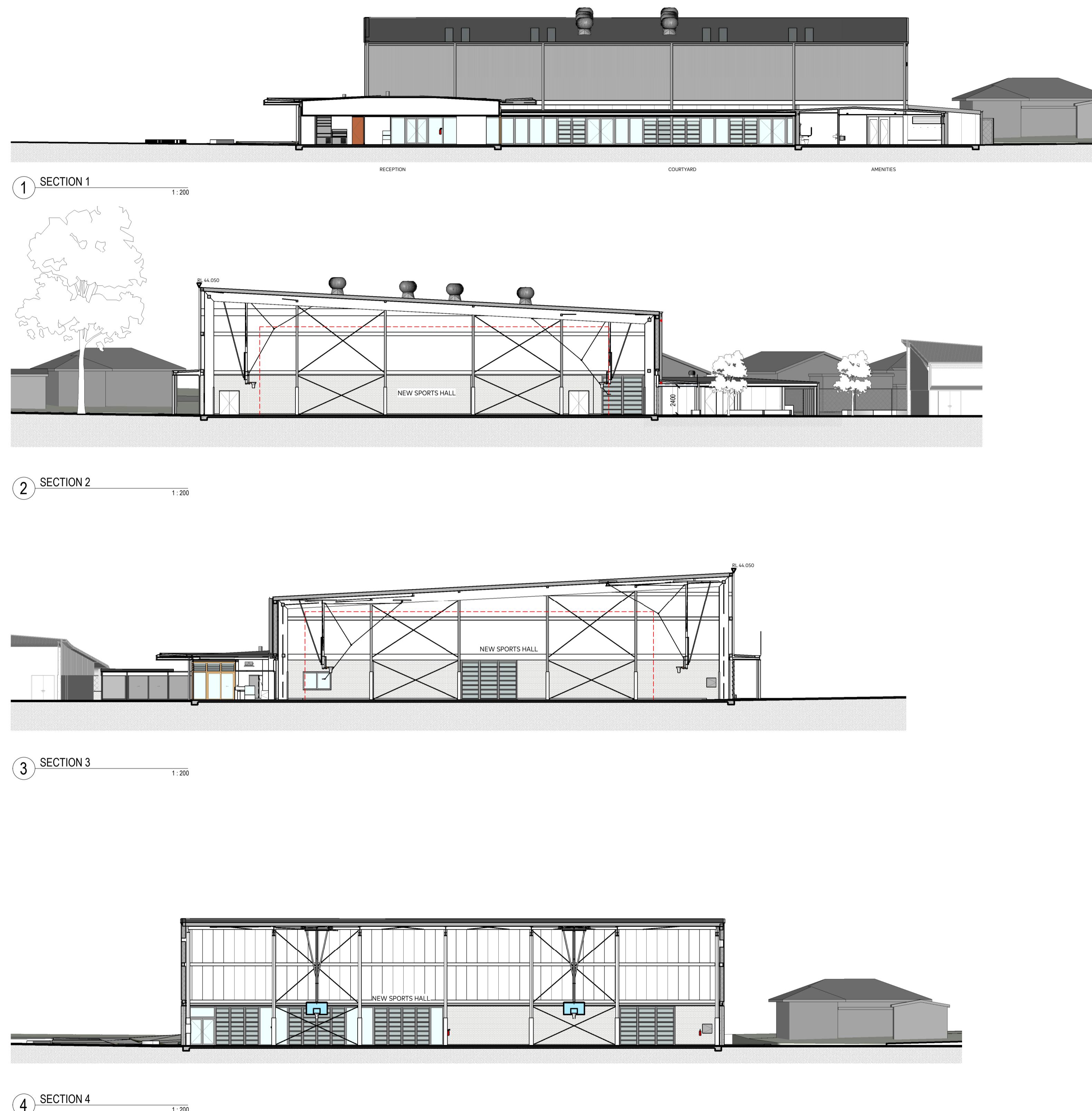
CLIENT
BLACKTOWN CITY
COUNCIL

PROJECT
PCYC MOUNT DRUITT
24003
NOMINATED ARCHITECTS
MICHAEL HEENAN 5264,
BRIAN MAROTTI 9451,
JOHN WHITTINGHAM 7030
LOCATION
DHARUG COUNTRY
453A LUXFORD ROAD
SHALVEY
NSW 2770

REV DATE DESCRIPTION DN AP
G 28/02/25 DA Set MD MJ
F 17/02/25 50% DA Set MD MJ
SHEET STATUS
NOT FOR CONSTRUCTION

SHEET TITLE
PROPOSED
ELEVATIONS
SCALE
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@ A1

SHEET NUMBER
DA3101
REVISION
G



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SHEET STATUS				
NOT FOR CONSTRUCTION				

SHEET TITLE	SCALE	SHEET NUMBER	REVISION
PROPOSED SECTIONS	1:200 @ A1	DA3201	G

Attachment 6

Assessment against planning controls: section 4.15, summary assessment and variations to standards

1 Environmental Planning and Assessment Act 1979

1.1 Section 4.15 'Heads of Consideration'

Heads of Consideration	Comment	Complies
a. The provisions of: i. Any environmental planning instrument	<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p> <p>The development is subject to the following provisions of the SEPP:</p> <ul style="list-style-type: none">• Chapter 2 - Vegetation in Non-Rural Areas <p>The site is identified on the NSW Biodiversity Values Map (Biodiversity Conservation Act, 2016). An assessment of the development, detailed elsewhere in this report concludes that, subject to conditions, the proposed development is not anticipated to result in unacceptable biodiversity impacts, with potential for ecological improvement at the site following the application of restorative measures.</p> <ul style="list-style-type: none">• Chapter 6 - Water Catchments <p>The site is located within the Hawkesbury regulated catchment. Subject to recommended conditions the development satisfactorily addresses the requirements of Chapter 6.</p>	Yes
	<p>State Environmental Planning Policy (Industry and Employment) 2021</p> <p>The application incorporates 3 business identification signs which, subject to conditions addressing illumination, are considered satisfactory having regard to the provisions of Chapter 3 of SEPP (Industry and Employment).</p>	Yes
	<p>State Environmental Planning Policy (Planning Systems) 2021</p> <p>As the application is for a Council related development with an estimated development cost of over \$5 million.it is reported to the Sydney Central Planning Panel for determination.</p>	Yes
	<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>Chapter 4 of SEPP (Resilience and Hazards) requires the consent authority to consider the suitability of the land for the proposed development having regard to potential contamination. Subject to conditions including the provision of a Validation Report prior to occupation, the site was found to be suitable.</p>	Yes
	<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p> <p>An assessment of the development against Chapter 2, Division 5 - Electricity Transmission and Distribution and</p>	Yes

Heads of Consideration	Comment	Complies
	Division 17 - Roads and Traffic has been undertaken having regard to the frontage of the site to a classified road and the proximity to overhead electricity transmission lines and found to be acceptable.	
	<p>State Environmental Planning Policy (Sustainable Buildings) 2022</p> <p>In accordance with the provisions of the SEPP a NABERS Embodied Emissions Material Form has been provided.</p>	Yes
	<p>Blacktown Local Environmental Plan 2015</p> <p>The proposed community and recreation facility is a permissible use with consent in the RE1 Public Recreation zone.</p>	Yes
ii. Any proposed instrument that is or has been the subject of public consultation under this Act	<p>Draft State Environmental Planning Policy (Remediation of Land)</p> <p>The draft Remediation of Land State Environmental Planning Policy was exhibited from January to April 2018 with the intent that it repeal and replace State Environmental Planning Policy 55 - Remediation of Land (SEPP 55) in relation to the management and approval pathways for contaminated land. SEPP 55 has since been repealed and its provisions were consolidated into the State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4. However, Chapter 4 of this new policy does not include the changes that were exhibited in 2018 and those provisions are still under review.</p> <p>The draft Remediation of Land State Environmental Planning Policy will:</p> <ul style="list-style-type: none"> • provide a state-wide planning framework for the remediation of land • maintain the objectives and reinforce those aspects of the existing framework that have worked well • clearly list the remediation works that require development consent • categorise remediation work based on the scale, risk and complexity of the work • require environmental management plans relating to post remediation, maintenance and management of on-site remediation measures to be provided to Council. 	Yes. This proposal is not inconsistent with the provisions of this draft State Environmental Planning Policy subject to conditions that will be imposed, refer to section 5.
iii. Any development control plan	<p>Blacktown Development Control Plan 2015</p> <p>The proposal has been assessed against the relevant provisions of Blacktown DCP 2015. The proposal is considered compliant with the objectives and qualitative controls of the DCP. There are no specific numerical controls applicable to the development other than parking provision which, although not compliant, is considered acceptable as discussed in the main report.</p>	Yes, subject to car parking.
iv. a) any planning agreement that has been entered into under section 7.4, or any draft planning	No related planning agreement.	N/A

Heads of Consideration	Comment	Complies
agreement that a developer has offered to enter into under section 7.4,		
v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	<p>Clause 66A of the EP&A Regulations specifies that a consent authority must consider an adopted Conflict of Interest Policy in determining a Council-related development application.</p> <p>In accordance with the Council adopted Conflict of Interest Policy the application has been independently assessed for determination by the Sydney Central City Planning Panel.</p>	Yes
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	<p>The proposed development will have a positive social impact improving the existing community and recreational facility provided on site. Whilst some loss of vegetation is required the project is likely to result in an overall improvement to the environment through further native landscaping.</p>	Yes
c. The suitability of the site for the development	<p>The development is proposed on land identified for public recreation and upon which existing PCYC facilities exist. Although it is identified on the NSW Biodiversity Map (Biodiversity Conservation Act, 2016) as having threatened species the principles of avoid and minimise impacts have been applied in the development. Subject to adherence to conditions the site is appropriate for the proposed development.</p>	Yes
d. Any submissions made in accordance with this Act, or the regulations	<p>The application was notified between 1 and 15 May 2025. One submission was received in response to notification which has been addressed in Attachment 7.</p>	Yes
e. The public interest	<p>The proposed development of additional community and recreation facilities to serve the growing needs of the area, particularly youth in a manner that minimises detrimental impacts on the natural and built environment is in the public interest.</p>	Yes

2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Summary comment	Complies
<p>The development has been assessed in respect to clearing of vegetation in non-urban areas (Chapter 2 of the SEPP). It is noted that the site is identified on the NSW Biodiversity Values Map (Biodiversity Conservation Act, 2016) as having threatened species or communities with potential for serious or irreversible impacts. The proposed development would require the removal of 17 trees with a further 2 trees recommended for removal due to poor health/condition.</p>	Yes

Summary comment	Complies
<p>Three plant community types are located at the subject land, all commensurate with a threatened ecological community listed under the NSW Biosecurity Conservation Act. One of the plant community types (Cumberland Red Gum Riverflat Forest) is located outside of the footprint of the proposed works with no likely impacts to the forest structure. The proposed development will require the removal of 2 mature, hollow-bearing trees (<i>Eucalyptus crebra</i> and <i>Melaleuca stypheloides</i>) located immediately adjacent to the existing carpark.</p> <p>The proposal seeks to restore the land to a condition that presents an improved ecological structure and function. It does not require offsetting of ecosystem credits, but does require 1 species credit offset for the Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>) which, although detected on the site, the land does not present suitable breeding habitat for this species.</p> <p>Council's Senior Biodiversity Officer raised no objection subject to conditions noting that the proposal adequately demonstrates the principle of avoid and minimise maximising building on already cleared land.</p> <p>The site is located within the Hawkesbury-Nepean regulated catchment. The Water Catchment requirements specified in Chapter 6 of the SEPP are addressed through the application of the controls contained in Blacktown Local Environmental Plan 2015 and Blacktown Development Control Plan 2015. Subject to recommended conditions the development satisfactorily addresses these controls.</p>	

3 State Environmental Planning Policy (Industry and Employment) 2021

Summary comment	Complies
<p>Chapter 3 of the SEPP relates to advertising and signage and requires the consent authority to be satisfied that proposed signage satisfies the objectives of the chapter and the criteria specified in Schedule 5 of the SEPP.</p> <p>The application proposes 3 business identification signs incorporating the PCYC and Blacktown City Council logos, as follows:</p> <ul style="list-style-type: none"> • A backlit aluminium and polyurethane venue identification sign (7 m long and 1.9 m high) to be located above awning level on the eastern façade in the north-eastern corner of the building. • A non-illuminated aluminium and polyurethane venue identification sign (3.2 m high by 2.45 m wide) located at ground level on the northern façade adjacent to the entry to the reception area. • An illuminated free-standing aluminium venue marker sign (3 m high by 800 mm wide) located adjacent to the entry path and visible from Luxford Road. <p>Subject to conditions regulating illumination the signage is consistent with the objectives and assessment criteria by:</p> <ul style="list-style-type: none"> • being compatible with the desired amenity and character of the area • providing effective communication by easily identifying the facility from Luxford Road • being of appropriate quality and design compatible with the building height and form • not impacting safety of road users or pedestrians • not requiring vegetation removal and being generally below tree canopy height. 	Yes

4 State Environmental Planning Policy (Planning Systems) 2021

Summary comment	Complies
<p>The Sydney Central City Planning Panel is the consent authority for Council related development with an estimated development cost of over \$5 million.</p> <p>As this development application has an estimated development cost of \$25.2 million, Council is responsible for the assessment of the development application (undertaken by an independent consultant) with determination of the application to be made by the Panel.</p>	Yes

5 State Environmental Planning Policy (Resilience and Hazards) 2021

Summary comment	Complies
<p>Chapter 4 - Remediation of Land aims to provide a state-wide planning approach to the remediation of contaminated land.</p> <p>Clause 4.6 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, before granting development consent.</p> <p>The application is supported by a Detailed site investigation prepared by Kleinfelder Australia Pty Ltd dated 10 May 2024, as well as a subsequent addendum and Asbestos management plan both dated 9 September 2024. The investigation found asbestos was the only contaminant of potential concern which was found in a localised portion of the site (south-western corner). Whilst per- and polyfluorinated substances (PFAS) were identified in soils these were below the adopted human health criteria.</p> <p>Council's Environmental Health Officer reviewed the documentation submitted and subject to conditions raised no objection to the proposal. Recommended conditions include preparing a detailed Construction environmental management plan, undertaking a Hazardous materials survey, preparing a site specific 'Unexpected finds protocol', classification of excavated soils, remediation of the site and lodgement of a Validation report.</p> <p>On this basis, the site is considered suitable for the proposed use in accordance with the requirements of clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.</p>	Yes

6 State Environmental Planning Policy (Transport and Infrastructure) 2021

Summary comment	Complies
<p>In accordance with the provisions of clause 2.48 of State Environmental Planning Policy (Transport and Infrastructure) 2021 the application was referred to Endeavour Energy for comment due to proximity to overhead power lines. The application also proposes a new electricity substation to augment existing supply. Endeavour Energy raised no objection to the proposed development subject to comments and advice.</p> <p>Luxford Road is identified as a Classified Road and as such clause 2.119 of the SEPP applies, being provisions relating to development fronting a classified road. The clause requires a consent authority to be satisfied that:</p> <ul style="list-style-type: none">a) where practicable and safe, vehicular access is provided by a road other than the classified road,b) the safety, efficiency and ongoing operation of the road will not be affected by:<ul style="list-style-type: none">- the design of the vehicular access- the emission of smoke or dust- the nature, volume or frequency of vehicles using the road	Yes

Summary comment	Complies
<p>c) the development is not of a type that is sensitive to traffic noise or vehicle emissions or has otherwise included appropriate measures to ameliorate the impacts.</p> <p>Luxford Road is the only means of vehicular access to the site and as such no alternate vehicular access can be provided. The existing driveway access provides left-in/ left-out movement only due to a central median strip which is not proposed to be changed.</p> <p>A Traffic Impact Assessment (dated 7 March 2025) prepared by TTW Engineers estimated an additional 16 peak hour vehicle movements, which the access arrangements can easily accommodate and will not significantly impact the road network. The development would not result in the emission of smoke or dust nor is it of a nature sensitive to traffic noise or emissions.</p> <p>Whilst not specifically required, the application, having frontage to a classified road was referred to Transport for NSW however, it responded with no comment.</p>	

7 State Environmental Planning Policy (Sustainable Buildings) 2022

Summary comment	Complies
<p>The proposed development proposes the erection of a non-residential building with an estimated cost of more than \$5 million and therefore requires assessment against the provisions of this State Environmental Planning Policy.</p> <p>A NABERS Embodied Emissions Material Form was submitted with the application detailing materials used to construct the development in line with the provisions of this State Environmental Planning Policy.</p>	Yes

8 Central City District Plan 2018

Summary comment	Complies
<p>While the Act does not require consideration of District Plans in the assessment of development applications, the development application is consistent with the following overarching planning priorities of the Central City District Plan:</p> <p>Infrastructure and Collaboration</p> <ul style="list-style-type: none"> • C1 - Planning for a city supported by infrastructure <p>Liveability</p> <ul style="list-style-type: none"> • C3 - Providing services and social infrastructure to meet people's changing needs • C4 - Fostering healthy, creative, culturally rich and socially connected communities • C6 - Creating and renewing great places 	Yes

9 Blacktown Local Strategic Planning Statement

Summary comment	Complies
<p>The Blacktown Local Strategic Planning Statement outlines a planning vision for the City over the next 20 years to 2041. It contains 18 Local Planning Priorities based on themes of Infrastructure and collaboration, Liveability, Productivity, Sustainability and Implementation.</p> <p>The development application is consistent with the following priorities:</p> <ul style="list-style-type: none"> • LPP 1: Planning for a City supported by infrastructure 	Yes

Summary comment	Complies
<ul style="list-style-type: none"> • LPP 3: Providing services and social infrastructure to meet people's changing needs • LPP 4: Respecting heritage and fostering healthy, creative, culturally rich and socially connected communities • LPP 6: Creating and renewing great places and centres 	

10 Blacktown Local Environmental Plan 2015

Summary comment	Complies
<p>Blacktown Local Environmental Plan 2015 (LEP 2015) applies to the site with regard to the proposed expansion of the existing PCYC community and recreation facility with the construction of a new building containing multi-purpose sports courts, administration and youth facilities.</p> <p>The site is zoned RE1 Public Recreation and SP2 Infrastructure (Drainage) with the proposed development contained entirely within the RE1 zoned land. Both community facilities and indoor recreation facilities are permissible with consent in the RE1 Public Recreation zone. There are no height or floor space ratio controls applicable to development of the site.</p> <p>The site is located within a flood planning area and as such the provisions of clause 5.21 of LEP 2015 apply in which the consent authority is required to be satisfied that the development:</p> <ul style="list-style-type: none"> • is compatible with flood function and behaviour on the land • will not adversely affect flood behaviour which results in potential increase in flood affectation to other development or properties • will not adversely affect the safe occupation and efficient evacuation of people in the event of a flood • incorporates appropriate measures to manage risk • will not adversely affect the environment. <p>The application was supported by a Flood impact assessment undertaken by Northrop, dated 11 March 2025, which concluded that the proposed development is not expected to create a significant adverse impact on the subject site or in adjacent properties and stated that no increase in the risk to life is expected. Council's Engineers reviewed documentation submitted and raised no objection subject to certain conditions including requiring a minimum floor level of RL32.9 m and the provision of a flood management plan.</p> <p>Clause 7.3 of LEP 2015 applies to riparian land and watercourses and requires the consent authority to be satisfied that the development is designed, sited and will be managed to avoid significant adverse environmental impact or alternatively any such impact is minimised or mitigated. The proposed development is within 40 m of a mapped watercourse. The Streamlined biodiversity development assessment report prepared by Keinfelder Pty Ltd and dated 14 March 2025 considered the impact on the riparian zone and concluded that the proposed development is not anticipated to result in adverse water quality impacts that would impact aquatic or riparian flora and/or fauna.</p> <p>Council's Biodiversity Officer reviewed the plans and documentation and raised no objection subject to conditions including a Biodiversity management plan that addresses the provisions of the Water Management Act for the riparian corridor be prepared and submitted prior to a Construction Certificate being issued.</p> <p>The consent authority can be satisfied that subject to recommended conditions the proposed development would have minimal impact on the riparian zone.</p>	Yes

11 Blacktown Development Control Plan 2015

Summary comment

The proposed development is compliant with the provisions of Blacktown Development Control Plan 2015 (DCP 2015) with specific reference to:

Part A - General Guidelines

cl.4.5 Environmental Protection (Tree Preservation)

cl.5.5 Roads (Land adjoining arterial and sub-arterial roads)

cl.6.3, 6.4, 6.5 & 6.6 Car Parking (Number required, Design, Materials, Signs)

cl.7.1, 7.2 & 7.3 Services (Water, Sewerage, Electricity)

cl.8.4 & 8.5 Special Considerations (Crime prevention through environmental design, Retaining walls and ground reshaping)

cl.9.4 Development on Flood Prone Land (Control of development on flood prone land)

Part G - Water Management and Minimisation

Part I - Contaminated Land Guidelines

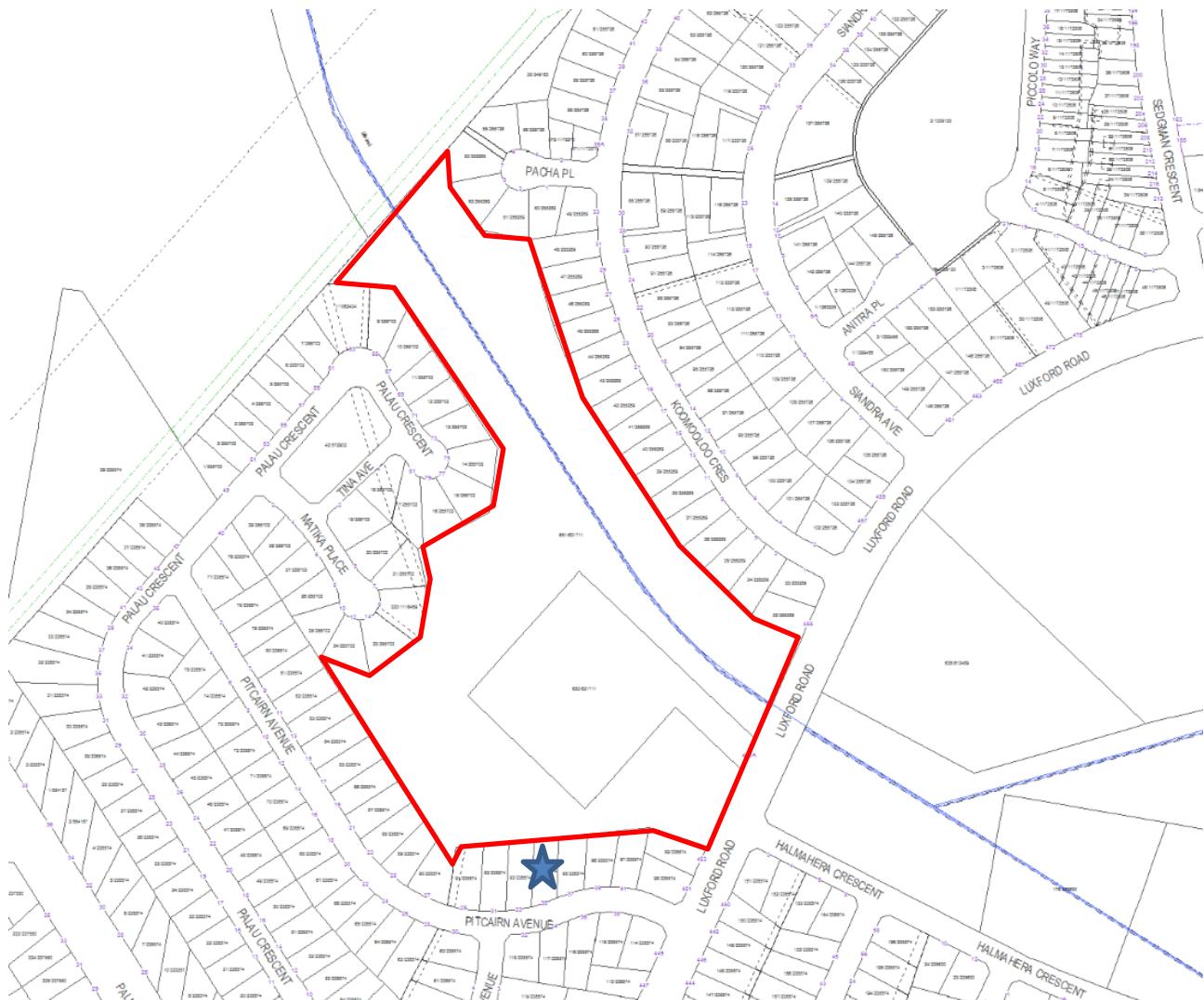
Part J - Water Sensitive Urban Design and Integrated Water Cycle Management

Whilst the application of cl.6.3 requires significantly more parking than is proposed to be provided the lesser parking provision is considered acceptable based on surveys of existing parking area usage and estimated peak demand (discussed further in main report).

Attachment 7

Summary of residents' concerns and Council response

1 Location of submitters



2 Consideration of issues raised

Issue	Planning comment/response
Noise emanating from the building as currently experienced, particularly at night. Request sound proofing.	An Acoustic Report prepared by Northrop recommends minimum noise attenuation measures to the building fabric which would be included in conditions of consent. The submission raised concern with events occurring up until midnight however the hours of operation specified are until 10:00pm. The Northrop Report recommends that any evening events conclude by 9:00pm to ensure all patrons have vacated the premises by 10:00pm. It also recommends that amplified music be limited to between 9:00am and 9:00pm. These are included as recommended conditions.
Increase noise and pollution from new car park and	The Northrop Report assessed noise associated with car park use including doors slamming and people congregating. It is noted that the

Issue	Planning comment/response
increased parking in Pitcairn Avenue.	location of the car park is further from the correspondent's property than the existing car park and would be screened by the existing and proposed buildings. The Northrop Report prepared by Norhtrop concluded that with appropriate operational management measures in place noise associated with car park use meets acceptable standards.
Removal of Return-and-Earn and the associated mess from its use.	It is unclear if the correspondent wishes the Return-and-Earn to remain or be removed however the latter is assumed noting concerns raised with mess associated with its use. The Return-and-Earn facility is proposed to be removed which will alleviate the concern raised and will also reduce noise associated with the use of such a facility.
Will car park be closed at night to avoid undesirable and noisy behaviour.	Plans submitted with the application do not indicate restricted access to the car park after hours. The car parking layout with driveway around a circular landscaped area is less likely to attract undesirable driving (such as burn-outs) than the existing car park. The Operations Management Plan (OMP) prepared by Blacktown City Council and dated March 2024 identifies PCYC NSW as being solely responsible for the security of the carpark after hours. Whilst the OMP identifies CCTV use internally it does not state that this will be provided for the car park. The Crime Prevention Through Environmental Design (CEPTD) assessment prepared by Barker Ryan Stewart and dated March 2025 recommends consideration be given to the use of CCTV and sensor lighting for the car park area. It is recommended these be imposed as conditions of consent should the application be approved.
Future mechanism for residents to raise concerns,	The OMP states that PCYC has a detailed complaints and discipline policy which outlines the steps taken to receive, investigate and provide corrective action on complaints received within its facilities.

Attachment 8

Conditions of consent (draft)

Proposed development	Expansion of the Mount Druitt PCYC located in Lethbridge Park to include retention of the existing building, construction of a new indoor sports hall, administration area, reception, youth hub area, amenities, storage, associated landscaping and relocation of car parking area on site.
Property description	Lot 651 DP 631711 & Lot 650 DP 631711, 453A Luxford Road, Lethbridge Park

1 Advisory Notes

1.1 Terminology

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the *Environmental Planning and Assessment Act 1979*.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Part 6 of the *Environmental Planning and Assessment Act 1979*.

1.2 Scope of Consent

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

1.3 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) Recognised energy provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

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

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to:

www.sydneywater.com.au, then follow the “Developing Your Land” link or 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 ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 1.4.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.4.3 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.4 Telstra (and its authorised contractors) is the only company that is permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on: 1800 810 443.
- 1.4.5 The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

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:

Plan Title/ No.	Prepared by:	Dated:
Architecturals	AJC Architects	
DA0001 (Rev. E)		28 February 2025
DA0002 (Rev. E)		28 February 2025
DA1001 (Rev. F)		28 February 2025
DA1002 (Rev. E)		28 February 2025
DA1003 (Rev. E)		28 February 2025
DA1004 (Rev. E)		28 February 2025
DA1501 (Rev. F)		27 June 2025

DA1502 (Rev. F)		27 June 2025
DA2101 (Rev. J)		28 February 2025
2102 (Rev. J)		28 February 2025
DA3101 (Rev. G)		28 February 2025
DA3201 (Rev. G)		28 February 2025
Civil Engineering	Northrop Sydney	
C01.01 (Rev. 02)		05.03.25
C01.11 (Rev. 02)		05.03.25
C01.21 (Rev. 02)		05.03.25
C02.01 (Rev. 03)		07.03.25
C02.11 (Rev. 02)		05.03.25
C03.01 (Rev. 02)		05.03.25
C03.21 (Rev.02)		05.03.25
C04.01 (Rev.02)		05.03.25
C04.02 (Rev. 02)		05.03.25
C04.15 (Rev.02)		05.03.25
C05.21 (Rev.02)		05.03.25
C05.22 (Rev. 02)		05.03.25
C05.23 (Rev. 02)		05.03.25
C05.24 (Rev.02)		05.03.25
C05.41 (Rev.02)		25.02.25
C09.01 (Rev. 02)		05.03.25
Signage	Citizen Group Pty Ltd	
BLK11_PC_MP_01 (Rev. 3)		24.03.25
BLK11_E1_001 (Rev. 4)		24.03.25
BLK11_E1_002 (Rev. 4)		24.03.25
BLK11_E1_003 (Rev. 4)		24.03.25
BLK11_E2_001 (Rev. 4)		24.03.25
Landscape	Nguluway Design Inc	
LA-001 (Rev. D)		11.03.2025
LA-002 (Rev. D)		11.03.2025
LA-003 (Rev. C)		11.03.2025

LA-1000 (Rev. D)		11.03.2025
LA-1100 (Rev. D)		11.03.2025
LA-1101 (Rev. D)		11.03.2025
LA-3100 (Rev.D)		11.03.2025
LA-3101 (Rev. D)		11.03.2025
LA-4100 (Rev. C)		11.03.2025
LA-4101 (Rev. C)		11.03.2025
LA-5100 (Rev.C)		11.03.2025
LA-5101 (Rev.C)		11.03.2025
LA-5102 (Rev. B)		11.03.2025

*Unless modified by this consent.

DRAWING/DOCUMENT REFERENCE	DATE
Arboricultural Impact Assessment & Tree Protection Management Plan Version 3 prepared by Canopy Consulting.	18 March 2025
NABORS Embodied Emissions Materials Form (D25/178628)	
Acoustic Report by Northrop	4 March 2025
BCA and DDA Assessment Report by BMplusG	5 March 2025
Preliminary Ecological Assessment by Kleinfelder Aust Pty Ltd	30 July 2024
Statement of Environmental Effects by Baker Ryan Stewart	April 2025
Operations Management Plan by Blacktown City Council	March 2024
Preliminary Construction Traffic Management Plan by TTW	4 March 2025
Streamlined Biodiversity Development Assessment Report by Kleinfelder Aust Pty Ltd	14 March 2025
Construction Environmental Management Plan by Baker Ryan Stewart	5 March 2025
Salinity Assessment Report by Kleinfelder Aust Pty Ltd	26 November 2024
Flood Impact Assessment by Northrop	11 March 2025
Crime Prevention through Environmental Design Assessment by Baker Ryan Stewart	March 2025
Waste Management Plan by Talis Consultants	25 February 2025
ESD DA Report by Steensen Varming	19 February 2025
Traffic Impact Assessment by TTW	7 March 2025
Site Based Stormwater Management Plan by Northrop	7 March 2025
Detailed Site Investigation by Kleinfelder Aust Pty Ltd	10 May 2024

DRAWING/DOCUMENT REFERENCE	DATE
Asbestos Management Plan by Kleinfelder Aust Pty Ltd	23 September 2024
Addendum Detailed Site Investigation by Kleinfelder Aust Pty Ltd	23 September 2024

*Unless modified by a condition of this consent.

2.1.2 This consent authorises the use of the completed approved building for the following purposes, subject to full compliance with all other conditions of this consent:

Expansion of the Mount Druitt PCYC located in Lethbridge Park to include retention of the existing building, construction of a new indoor sports hall, administration area, reception, youth hub area, amenities, storage, associated landscaping and relocation of car parking area on site.

2.2 **Approve Signage**

2.2.1 The signage approved with this application relates to the signage on the approved plans referenced in Condition 2.1.1.

2.2.2 Any other signage requires separate Council approval prior to installation.

2.3 **Services**

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

2.4 **Other Matters**

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

2.5 **Engineering Matters**

2.5.1 **Design and Works Specification**

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

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

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

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

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

2.5.1.2 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc.)
A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

2.5.2 **Other Necessary Approvals**

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

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

2.7 **Other Matters**

2.7.1 Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.

2.7.2 Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.

2.7.3 Electricity infrastructure is to be designed for safety and environmental compliance consistent with the safe design lifestyle principles.

2.7.4 Any building or structure must comply with the minimum safe distances / clearances for the applicable voltages/s of the overhead power lines. No works or loads must occur within the zone of influence of underground cables.

2.7.5 Low voltage service conductors and customer connection points must comply with the current "Service and Installation Rules of NSW".

2.7.6 Landscaping should avoid future interference with electricity infrastructure.

3 **PRIOR TO DEMOLITION WORKS**

3.1 **Environmental Health Matters**

3.1.1 Prepare and submit a Construction Environmental Management Plan (to include at minimum: asbestos management plan, unexpected finds protocol, 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)

3.1.2 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.

- 3.1.3 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.
- 3.1.4 The recommendations of Detailed Site Investigation, prepared by Kleinfelder Australia Pty Ltd, dated 10 May 2024 are to be implemented.
- 3.1.5 The recommendations of Addendum Detailed Site Investigation, prepared by Kleinfelder Australia Pty Ltd, dated 9 September 2024 are to be implemented.
- 3.1.6 The recommendations of Asbestos Management Plan, prepared by Kleinfelder Australia Pty Ltd, dated 9 September 2024 are to be implemented.
- 3.1.7 The recommendations of *Acoustic Report, prepared by Northrop Consulting Engineers Pty Ltd* dated 4 March 2025 are to be implemented.

3.2 Tree Protection

- 3.2.1 Unless specific approval is given in this consent, no trees, located within the subject allotment and/or within the Council reserve or any adjoining allotment, may be removed or pruned during demolition works.

Any tree not indicated to have consent for removal shall be effectively protected against damage as specified in the AIA.

Tree Protection measures must be installed before Demolition work begins.

4 DURING DEMOLITION WORKS

4.1 Environmental Health Matters

- 4.1.1 The recommendations of Detailed Site Investigation, prepared by Kleinfelder Australia Pty Ltd, dated 10 May 2024, as updated by the Addendum report, are to be implemented.
- 4.1.2 The recommendations of Addendum Detailed Site Investigation, prepared by Kleinfelder Australia Pty Ltd, dated 9 September 2024 are to be implemented.
- 4.1.3 The recommendations of Asbestos Management Plan, prepared by Kleinfelder Australia Pty Ltd, dated 9 September 2024 are to be implemented.
- 4.1.4 The recommendations of *Acoustic Report, prepared by Northrop Consulting Engineers Pty Ltd* dated 4 March 2025 are to be implemented.
- 4.1.5 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.
- 4.1.6 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.

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.

- 4.1.7 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.

4.1.8 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.

4.1.9 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)

4.2 **Tree Protection**

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

4.3 **Waste Matters**

4.3.1 The removal of hazardous waste including Asbestos from the site and its transportation to its final destination is to be undertaken in accordance with the NSW Environment Protection Authority's tracking and reporting system, the *Integrated Waste Tracking Solution*. For more information, please refer to the following link:

<https://www.epa.nsw.gov.au/your-environment/waste/integrated-waste-tracking-solution>

Evidence of tracking must be submitted to Council's Authorised Officer upon request.

5 **PRIOR TO CONSTRUCTION CERTIFICATE (Planning)**

5.1 **Necessary Plan Amendments**

5.1.1 The following plan amendments shall be included on or addressed by any Construction Certificate relating to the approved development:

- a) Landscape plans are to be amended to provide tree planting between the south-western corner of the building and the rear boundaries of 453 Luxford Road and 41 Pitcairn Avenue to screen and soften the visual impact of the building.
- b) Location and details of proposed mechanical plant including:
 - Utilising quieter equipment
 - Locating away from sensitive receivers
 - Incorporating acoustic louvres or attenuators
 - Incorporating duct lining
 - Providing the design of appropriate acoustic barriers/ enclosures
- c) The minimum Weighted Sound Reduction Index (R_w) for all windows shall be at least R_w 25.
- d) The minimum Weighted Sound Reduction Index (R_w) for all external walls shall be at least 15dB or higher compared to the acoustic performance of the glazing specified in (c) above.
- e) The minimum Weighted Sound Reduction Index (R_w) for the roof construction shall be at least 10dB higher compared to the highest acoustic performance (the highest glazing R_w rating) specified in (c) above.

6 **PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

6.1 **DA Plan Consistency**

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

6.2 **Footpath/Road Condition Assessment Fee**

6.2.1 A footpath/road condition assessment fee is to be paid prior to the issue of any Construction Certificate. The applicable fee will be charged in accordance with Council's [Goods and Services Pricing Schedule](#).

Council will undertake an initial inspection of civil assets outside the development site. The applicant will be held liable for any damage arising from construction activities. Council will undertake reinstatement works and recover the costs from the applicant, which will be charged in accordance with Council's current Goods and Services Pricing Schedule in effect at the time of the work.

6.3 **Aesthetics/Landscaping**

6.3.1 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.

6.3.2 The development approved by this consent is to be constructed in accordance with the materials, finishes and colours indicated on the external material and finishes schedule approved with the stamped plans. Building materials and finishes are to be finished with an anti-graffiti coating. Details of these building materials and finishes, including colour samples from brochures or the like, are to be included as part of the Construction Certificate plans.

6.4 **Access/Parking**

6.4.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1:2004 (Parking facilities – Off-street car parking).

6.4.2 A minimum of 37 car parking spaces (including at least 2 accessible car parking spaces), 3 drop-off/ pick-up spaces and 2 bus parking spaces are required to be provided on site together with the provision for overflow parking as indicated on approved plans.

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

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

6.4.5 The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.

6.5 **Building Code of Australia Compliance**

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

6.6 **Biodiversity Matters**

6.6.1 The applicant shall retire the class and number of species 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 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 1 requirements shall be provided to Council prior to release of construction certificate

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

Impacted species credit Species	Number of species credits	IBRA sub-region
Large -eared Pied Bat (<i>Chalinolobus dwyeri</i>)	1	Anywhere in NSW

- 6.6.2 A Biodiversity Management plan (BMP), comprising a detailed site plan and report prepared by an ecologist is to be submitted for Council's consideration. It is to contain biodiversity management strategies for pre-construction, construction and post-construction activities as outlined under mitigation measures in the BDAR by Kleinfelder dated 18 March 2025.
- 6.6.3 The commencement of any works under this consent and the issuing of any construction certificate must not occur unless and until the Council has given notice in writing to the proponent that it has approved the BMP.
- 6.6.5 The Project arborist is to implement measures listed under the Canopy Consulting 'Tree Protection Plan' within the arborist report dated 22 August 2024
- 6.6.6 Compensatory habitat (3 different sized nest boxes) are to be installed at least one month prior to tree removal in accordance with the BDAR by Kleinfelder dated 18 March 2025. Install at minimum 3 m height above ground, shaded side of tree between 11am – 3pm, southern facing, one nest box per tree using the Habisure system to protect host trees from damage.

6.7 **Appointment of Project Arborist**

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

6.8 **Waste Matters**

- 6.8.1 Access for waste collection vehicles must be designed in accordance with the dimensions indicated on the approved architectural plans, CAD files and vertical clearances (as per Australian Standards), showing adequate truck entry and exit and in all manoeuvring areas to Council's satisfaction. Documentation confirming waste truck access at the site must be submitted to the satisfaction of the Certifying Authority prior to the release of the Construction Certificate.

7 **PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)**

- 7.1 The recommendations of Detailed Site Investigation, prepared by Kleinfelder Australia Pty Ltd, dated 10 May 2024 and Addendum dated 9 September 2024 are to be implemented.
- 7.2 The recommendations of *Acoustic Report*, prepared by Northrop Consulting Engineers Pty Ltd dated 4 March 2025 are to be implemented.

7.3 The recommendations of Asbestos Management Plan, prepared by Kleinfelder Australia Pty Ltd, dated 9 September 2024 are to be implemented.

7.4 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;

- o NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (2020)
- o NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995).
- o NSW Environmental Protection Authority's Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition (2017)
- o National Environment Protection Council (NEPC) 1999 *National Environment Protection (Assessment of Site Contamination Measure)* as amended 2013
- o NSW Environment Protection Authority's *Waste Classification Guidelines, Part 1: Classifying Waste* (2014)

8 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

8.1 General

8.1.1 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.

8.1.2 The habitable floor level of proposed building is to be at least RL 32.90 metres.

8.1.3 The engineering drawings referred to below are not for construction. The 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.	Revision	Dated
Northrop	241124	C01.01 to C09.01	Rev 02	05/03/2025

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

- i. The locations of the Ocean Protect Litter Baskets must be indicated in the drawing and ensure the litter baskets must be designed in accordance Ocean protects specification
- ii. The level of the flood protection wall must be showed to ensure the top of the wall is at least 300 mm above the 1% AEP flood level as described in Northrop's flood impact assessment, Project Number: SY211124, Revision A and dated 11/3/2025
- iii. The detail of the outlet A/11 must be provided including the dimension and design level.
- iv. The details of the existing dam must be provided to ensure the new swale can discharge into the dam freely.
- v. A scour and erosion protection from the outlet A/11 must be provided

8.2 Construction Certificate Requirements

8.2.1 Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate is required. These works include but are not limited to the following:

- Road and drainage construction

- On-site stormwater detention
- Water quality treatment
- Earthworks
- Inter-allotment drainage (created within the subject lot)

8.3 Roads Act Requirements

8.3.1 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
- Kerb inlet pit connections or construction
- Vehicular crossings

8.4 Other Engineering Requirements

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

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

8.5 Drainage

8.5.1 Drainage from the site must be connected into Council's existing drainage system. Details demonstrating compliance must be submitted to the Certifying Authority prior to the release of the Construction Certificate.

8.5.2 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.

8.5.3 Provide an open style fence wherever it crosses the overland flow path. This is to ensure flows are not restricted. The underside of the fence shall have a minimum clear opening of 50 millimetres.

8.5.4 Overland flow paths, as described in Northrop's flood impact assessment, Project Number: SY211124, Revision A and dated 11/3/2025 and in the flood management plan, must not be restricted by any permanent structure for the life of the development.

8.5.5 Carports and underfloor areas must provide the same flood conveyance as proposed in the flood management plan and associated flood modelling.

8.5.6 Horizontal louvres or vertical bar pool type fencing shall be provided along any new front or internal fences/gates. The fencing details can be found in the WSUD Developer Handbook 2020.

8.5.7 Submit a certificate from a registered engineer (CPEng Structural Engineer) certifying the building has been designed to withstand the forces of floodwaters and the impact of any flotsam likely to be carried by such floodwaters. The engineer shall consider scour, impact of debris, hydrodynamic pressure, hydrostatic and buoyancy forces.

8.5.8 Provide a flood management plan, prepared by a chartered hydraulic engineer registered on NER detailing the following:

- signage, notices, procedures and gauges as required
- evacuation plan with detailed evacuation route in all flood events

8.6 Erosion and Sediment Control

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

8.7 Earthworks

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

8.8 Stormwater Quality Control

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

8.9 Vehicular Crossings

8.9.1 Plans to demonstrate that any vehicular crossing construction/reconstruction shall be a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

9 PRIOR TO DEVELOPMENT WORKS

9.1 Safety/Health/Amenity

9.1.1 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.

9.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 70 (2) of the Environmental Planning and Assessment Regulations 2021 indicating:

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

This condition does not apply to:

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

9.2 Notification to Council

9.2.1 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 Environmental Planning and Assessment (Development Certificate and Fire Safety) Regulation 2021, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

9.3 Sydney Water Authorisation

9.3.1 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.

9.4 Tree Management

9.4.1 No trees, located within the subject allotment and/or within the Council reserve or any adjoining allotment, may be removed or pruned unless specific approval is given in this consent.

9.4.2 All trees, not approved for removal, or pruning by the Conditions of this Development Consent, are required to be retained and protected. Tree Protection Measures, compliant with the provisions of AS4970: Protection of trees on development sites, 2009 must be installed prior to the commencement of any works on site, including demolition.

9.4.3 A Compliance Certificate is to be provided by the Project Arborist to the Principal Certifying Authority once the required Tree Protection Measures have been installed.

9.4.4 There must be no excavation, mechanical or by hand, or alteration to existing soil levels within the Tree Protection Zone of any tree required to be retained and protected.

9.5 Tree removal

9.5.1 Trees, identified for removal in Section 6.2 of the Arboricultural Impact Assessment & Tree Protection Management Plan Version 3 prepared by Canopy Consulting dated 18 March 2025 (AIA), are approved for removal.

9.5.2 Trees, not specifically identified in the AIA referenced above may NOT be removed under this development consent.

9.5.3 Trees approved for removal must be removed by a qualified Practicing Arborist, with a minimum qualification of Australian Qualification Framework (AQF) Level 3 in Arboriculture and have Public Liability Insurance (minimum \$20 million).

9.5.4 All tree work must be carried out in accordance with the Safe Work Australia Guide to Managing Risks of Tree Trimming and Removal Work and Work Cover NSW Code of Practice – Amenity Tree Industry 1998.

9.6 Hollow bearing trees-protection of wildlife

9.6.1 Prior to the removal of any tree located on site the applicant shall:

- Have all trees inspected, by a Practicing Arborist with a minimum qualification of Australian Qualification Framework (AQF) Level 3 in Arboriculture, for the presence of hollows or potential hollows.
- Prior to any works being undertaken on tree/s approved for removal or pruning, a person, holding a wildlife handling licence, must be present on site. If, during tree

works, an animal or bird is located, the accredited handler is to direct removal/relocation of the animal as appropriate. Accredited handlers can be contacted through Wires (<<https://www.wires.org.au/>>) or Birdlife Australia (<<https://birdlife.org.au/>>).

9.7 **Tree Preservation and protection requirements**

- 9.7.1 Trees, recommended for retention in Section 6.2 of the AIA must be retained and protected.
- 9.7.2 Tree Protection, as specified in Sections 6 and 7 of the AIA is to be installed on site.
- 9.7.3 Prior to development works, including demolition, the Project Arborist is to provide Certification, to the Principle Certifying Authority, that all Tree Protection Measures have been installed in accordance with the requirements of this consent.
- 9.7.4 A Council representative must also attend to confirm the tree protection measures are correctly installed in line with the Tree Protection Plan.

10 **DURING CONSTRUCTION**

10.1 **Safety/Health/Amenity**

- 10.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 10.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 70 (2) of the Environmental Planning and Assessment Regulations 2021 indicating:
 - (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

10.2 **Building Code of Australia Compliance**

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

10.3 **Nuisance Control**

- 10.3.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 10.3.2 The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

10.4 **Waste Control**

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

10.5 **Construction Inspections**

10.5.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) After excavation for, and prior to placement of, any footings; and
- (b) Prior to pouring any in-situ reinforced concrete building element; and
- (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2, 3 or 4 building); and
- (e) Prior to covering any stormwater drainage connections; and
- (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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

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

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

10.6 **Biodiversity Matters**

10.6.1 The development must be carried out at all times in accordance with the approved Biodiversity Management Plan.

10.6.2 If fauna is detected within the construction area, works are to stop immediately. The animal is to be allowed to safely relocate. Alternatively, a local wildlife rescue service or other suitably qualified/experienced person is to be contacted to facilitate safe removal of the animal from the worksite.

10.6.3 Vegetation removal, hollow section removal and salvage is to occur under project Ecologist supervision. Within 14 days of the works, the ecologist is to provide a report on the tree clearance works, hollow section removal and salvage; to be provided to Council through the Natural Areas Team.

10.7 **Tree Protection**

10.7.1 During building work, including demolition and landscape construction, the Project Arborist is to complete site inspections and/or supervision of work, as indicated in Section 6.7 of the AIA.

During building work, including demolition and landscape construction, the Project Arborist is to carry out regular site monitoring, to ensure Tree Protection Measures are being maintained compliant with the requirements of this consent. Record of these site visits is to be sent to the Principal Certifying Authority.

Where a non-compliance with the conditions of this consent is identified, the Project Arborist is to notify the Principal Certifying Authority within three (3) working days from the date of the site visit. The notification must include the following details:

- Description of the non-compliance,
- Remedial actions required,
- Time frame for remedial actions to be completed in.

The Principal Certifying Authority must ensure that the recommendations of the Project Arborist are implemented within the stated timeframes.

10.8 Landscape Embellishment Works

10.8.1 Council's Greenspace Services Section requires progress reports to be submitted monthly, including an updated program of works.

10.8.2 Council's Greenspace Services Section require the attendance of fortnightly site meetings/inspections or as requested during the Landscape embellishment works. The applicant or its representative is to contact Council's Greenspace Services Infrastructure Section for the site meetings.

10.9 Waste Matters

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

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

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

11 DURING CONSTRUCTION (ENGINEERING)

11.1 Notification of Works

11.1.1 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.

11.2 Insurances

11.2.1 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.

11.3 Soil Erosion and Sediment Control Measures

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

11.3.2 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.

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

11.4.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

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

11.5 **Inspection of Engineering Works - Roads Act 1993 or Local Government Act 1993**

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

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

11.6 **Public Safety**

11.6.1 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.

11.7 **Traffic Control**

11.7.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current TfNSW Work Zone Traffic Management Plan accreditation for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2009.

11.7.2 Traffic control devices/facilities (i.e. barricades, signs, lights, etc.) required by the certified Traffic Control Plan must be setup, installed, monitored and maintained by a person who holds a current Roads and Maritime Services (RMS) accreditation and photo card to implement Traffic Control Plans.

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

11.8 **Tree Protection**

- 11.8.1 All sub-surface services (e.g. gas, water, electricity, stormwater, sewerage etc) are to be located outside of the Tree Protection Zone of any tree required to be retained and protected by this consent, including those located on adjoining properties.
- 11.8.2 Under no circumstances are sub-surface services to be installed within the Structural Root Zone of a tree required to be retained and protected by this consent, including those located on adjoining properties.
- 11.8.3 Power poles, stormwater grate drains, service lines etc. are to be located to avoid any need to install services within a Tree Protection Zone or to excavate through a Tree Protection Zone. All such features are to be located so that they do not negatively impact on any tree required to be retained by this consent or which is located on an adjoining site. Only where there is no other viable option available are services to be installed within the Tree Protection Zone.
- 11.8.4 Where services are required to be installed within the Tree Protection Zone, the Project Arborist is to be consulted prior to the works being undertaken and appropriate, tree sensitive installation methods are to be used. Open excavation must only be used on the authorisation of the Project Arborist and must be completed by hand, use of mechanical digging tools is not permitted.
- 11.8.5 The Project Arborist is required to supervise and direct all work associated with the installation of sub-surface services within the Tree Protection Zone of any tree required to be retained and protected by this consent, including those located on adjoining properties.
- 11.8.6 At the completion of the works, the Project Arborist must provide a Compliance Certificate to the Principal Certifying Authority which details the method used for the installation of the sub-surface services, identifies all tree roots severed by diameter and depth, and all tree protection measures implemented.

12 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

- 12.1 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.
- 12.2 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)
- 12.3 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.

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.

- 12.3.1 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.
- 12.3.2 The recommendations of *Acoustic Report, prepared by Northrop Consulting Engineers Pty Ltd* dated 4 March 2025 are to be implemented.

13 PRIORITY 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 an 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 Temporary Facilities Removal

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

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

13.4 Fire Safety Certificate

13.4.1 A final fire safety certificate complying with Environmental Planning and Assessment (Development Certificate and Fire Safety) Regulations 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).

13.5 Service Authorities

13.5.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

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

13.6 Emergency evacuation plan prior to OC

13.6.1 An emergency evacuation plan must be provided to Council prior to the issue of the Occupation Certificate.

13.7 Access/Parking

13.7.1 A minimum of 37 car parking spaces (including at least 2 accessible car parking spaces), 3 drop-off/ pick-up spaces and 2 bus spaces are required to be provided on site together with the provision for overflow parking as indicated on approved plans.

13.7.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

13.7.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

13.7.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

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

13.8 Environmental Health matters

13.8.1 Trading must not commence until an Occupation Certificate for the development has been issued.

13.8.2 Prior to the issue of an 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.

13.8.3 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.

13.9 Biodiversity Matters

13.9.1 At the completion of landscape works, the consulting landscape architect who prepared the approved documentation or other suitably qualified landscape architect shall submit to the Certifying Authority a Landscape Compliance Report. This report shall certify shrub and tree species, pot size, and planting densities and landscape area set-out comply with approved documentation and practical completion of the landscaping works has occurred. This report shall certify any required street trees are planted specifically as per the nominated locations on the approved documentation and these conditions. The Certifying Authority shall not issue the Final Occupation Certificate without receipt of the Landscape Compliance Report.

13.10 Landscape Embellishment Works

13.10.1 Prior to practical completion for the Landscaped areas.

- All Softfall and organic must be certified by the supplier
- All drainage, irrigation and electrical must be certified
- All required imported soil specifications tested and certified

13.10.2 Prior to practical completion inspection, the following detail documentation needs to be provided by the applicant to Council's Greenspace Services Section

- Works as executed plans to be provided to Council along with the description and quantity of each asset, structure, fixtures constructed or installed
- Maintenance manuals and technical specifications for all works associated with plantings, amenities, lighting, car park, drainage, playground, parks and playing fields
- Operational Manual and technical specifications for all works associated with amenities, lighting, car park, drainage, playground, parks and playing fields
- All certification and compliance certificates
- Total cost estimate for the landscape areas
- Transfer of all warranties into Council's name

13.10.3 Landscape Maintenance Period

13.10.4 The Landscape Maintenance period by the applicant extends for a minimum of 12 months from the practical completion date.

All assets must be maintained to the minimum of the approved maintenance and operational plan and schedule.

The maintenance period may be extended in the following situations to allow for the completion of

- a) necessary maintenance and or
- b) all outstanding works

Asset acceptance and hand over at the completion of the landscape maintenance period is subject to a final inspection undertaken by Councils Greenspace Services Section and completion of all items identified in the approved landscape plans.

13.11 Tree preservation

13.11.1 Prior to the issue of an Occupation Certificate, the Project Arborist is to provide certification as described in Section 9.2 of the AIA, to the Principal Certifying Authority, that the Tree Protection Measures, as required by the conditions of this consent, have been implemented and maintained during the project.

The trees retained for the development must be in good health and condition to receive the Occupation Certificate. The applicant must follow the recommendations in the Tree Protection Plan.

13.12 Graffiti Management Plan

13.12.1 A “Graffiti Management Plan” is to be submitted for the separate approval of Council. The Plan is to address the following issues:

- (a) Methods to minimise the potential for graffiti;
- (b) Management/notification procedures for the “early” removal of graffiti;
- (c) Annual review of any “management agreement” for the removal of graffiti to ensure the property is maintained at its optimum level; and
- (d) Maintenance of suitable landscaping to minimise the potential for graffiti attacks.

13.13 Other Matters

13.13.1 Retaining wall(s) and/or other effective methods to retain excavated or filled ground (other than those sites works which may be Exempt Development under an Environmental Planning Instrument), together with any associated groundwater drainage system, shall be constructed and/or provided in accordance with the plans attached to the Construction Certificate.

13.14 Crime Prevention Through Environmental Design

13.14.1 The recommendations in the Crime Prevention Through Environmental Design (CPTED) report prepared by Barker Ryan Stewart, dated 17 March 2025 must be implemented.

13.14.2 CCTV Coverage of the car park and building entry is to be in place and is to operate 24 hours a day, 365 days of the year.

13.15 Engineering Matters

13.15.1 Surveys/Certificates/Works As Executed plans

13.15.1.1 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.

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

- i. All the requirements of the Flood Management Plan have been implemented including the installation of all signage and notices
- ii. The finished habitable floor level for the proposed building is at or above the minimum required of RL 32.90m AHD
- iii. The structure has been built in comply with the BCA and other relevant standards including any flood impact.
- iv. The top of the overland flow protection wall has been built at least 300mm above the 1% AEP flood level as described in Northrop's flood impact assessment, Project Number: SY211124, Revision A and dated 11/3/2025

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

13.15.1.4 This development requires separate approvals under the *Roads Act 1993* and / or *Local Government Act 1993*. Prior to the issue of an Occupation Certificate, the applicant must obtain written confirmation from Council that these works have been completed to its satisfaction.

13.15.2 Easements/Restrictions/Positive Covenants

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

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

13.15.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services for the flood protection wall in accordance with Northrop's flood impact assessment, Project Number: SY211124, Revision A and dated 11/3/2025

13.15.2.3 Restrictions and/ or positive covenant must be endorsed by Council and lodged with NSW Land Registry Services over the overland flow-path.

13.15.3 Inspections

13.15.3.1 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.

14 **OPERATIONAL**

14.1 **General**

14.1.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.

14.1.2 No goods or materials shall be stored or displayed for sale at any time outside the shop.

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

14.1.4 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.

14.1.5 Arrangements shall be made for an effective commercial refuse removal service.

14.1.6 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.

14.2 **Use of Premises**

14.2.1 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 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

14.3 **Other Matters**

14.3.1 The hours of operation of the development shall not be outside of the following nominated times.

Approved Hours of Operation:

Monday to Sunday	6:00am to 10:00pm
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Events after 6:00pm catering for people in excess of 100 are limited to once per calendar month.

Events catering for people in excess of 100 are to conclude by 9:00pm with all patrons off the premises by 10:00pm.

14.3.2 A maximum of 300 visitors and 7 staff are to be within the entire PCYC facility, including car park and surrounding land within the site at any one time.

14.3.3 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

14.3.4 No nuisance or interference with the amenity of the area shall be created by reason of any

process or operation on the land causing the emission of noise, dust, smoke or any polluted discharge whatsoever. Note: The Protection of the Environment Operations Act 1997 requires Council to investigate complaints where only one person complains.

14.3.5 The Plan of Management dated March 2025 prepared by Blacktown City Council submitted as part of the development application is to be followed at all times.

14.3.6 The use of amplified music and PA equipment is limited to between 9:00am and 9:00pm.

14.4 Access/Parking

14.4.1 A minimum of 37 car parking spaces (including 2 accessible car parking spaces), 3 drop-off/ pick-up spaces and 2 bus spaces are required to be provided on site together with overflow parking as shown on approved plans.

14.4.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

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

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

14.4.5 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and AS2890.6-2022.

14.5 Operations Management Plan

14.5.1 The management, maintenance and operation of the premises are to be conducted at all times in a manner that complies with the operations management plan as prepared by Blacktown City Council dated March 2024 as amended by conditions of this consent.

14.6 Graffiti Removal

14.6.1 Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection.

14.7 Crime Prevention Through Environmental Design

14.7.1 The recommendations in the Crime Prevention Through Environmental Design (CPTED) report prepared by Barker Ryan Stewart, dated 17 March 2025 must be implemented.

14.7.2 Vandal proof and security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.

14.8 Signage

14.8.1 Approval has been granted for "business identification signage" only. At no time is the signage to be used for general advertising purposes. Should any change to the signage be proposed (including changes to the sign content, size, dimensions, etc), the separate approval of Council must be obtained.

14.8.2 Signage illumination is to be time-clocked to turn off no later than 10:00pm each night.

14.9 Waste Matters

14.9.1 The building manager will be responsible for ensuring that clear access is provided for waste collection trucks servicing the property.

- 14.9.2 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 14.9.3 All required waste, recycling and food and organics collections at the site are to be undertaken by a suitable commercial waste contractor.
- 14.9.4 All waste, recyclable material, bulky waste and organics must be stored internally in a suitably constructed waste storage area of sufficient size to contain all such material generated onsite.
- 14.9.5 The applicant must ensure that bulky waste items such as furniture, lounges and fridges etc are collected by commercial waste contractors directly from the site and stored in a suitably sized enclosed area until collection. These items must not be presented at the kerbside for collection.

15 **Operational (Environmental Health)**

- 15.1 The recommendations of *Acoustic Report, prepared by Northrop Consulting Engineers Pty Ltd* dated 4 March 2025 are to be implemented.
- 15.2 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.
- 15.3 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.
- 15.4 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.
- 15.5 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.
- 15.6 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.