

COUNCIL ASSESSMENT REPORT

SYDNEY CENTRAL CITY PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSCC-722 DA 1588/2025/JP
PROPOSAL	School Building and Associated Works (Our Lady of the Angels Primary School)
ADDRESS	1 Wellgate Avenue, North Kellyville
APPLICANT	Catholic Schools Parramatta Diocese
OWNER	Trustees Roman Catholic Church Diocese Parramatta
DA LODGEMENT DATE	08 May 2025
APPLICATION TYPE	Development Application - Integrated
REGIONALLY SIGNIFICANT CRITERIA	Clause 2.19 and Section 5 of Schedule 6 of the SEPP (Planning Systems) 2021: Private infrastructure and community facilities over \$5 million.
CIV	\$11,685,495.00 (excluding GST)
CLAUSE 4.6 REQUESTS	None requested
KEY SEPP/LEP	SEPP (Planning Systems) 2021 SEPP (Biodiversity and Conservation) 2021 SEPP (Resilience and Hazards) 2021 SEPP (Transport and Infrastructure) 2021 SEPP (Sustainable Buildings) 2022 The Hills LEP 2019
TOTAL & UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS	One (traffic)
DOCUMENTS SUBMITTED FOR CONSIDERATION	Architectural Plans - DTA Architects Landscape Plans - McIntosh & Phelps Civil Engineering Plan - Henry & Hymas Estimated Development Cost Report - Arcadis Australia Acoustic Report - Acoustic Logic Flora and Fauna Assessment Report - Narla Environmental Arboricultural Impact Assessment Report - Creative Planning Solutions

	Tree Protection Plan - Creative Planning Solutions Bushfire Assessment Report - Building Code & Bushfire Hazard Solutions Electrical Servicing Statement - IINGEN Aboriginal Heritage Due Diligence Assessment Report - Talking Walls History Accessibility Review - Access Consulting BCA Compliance Report - BCA Consulting Statement of Environmental Effects - Barr Planning Design Quality Principles Statement - DTA Architects Embodied Emissions Form - Eco Engineering Waste Management Plan
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)	The proposal is not subject to the payment of a Special Infrastructure Contribution under Section 7.24 of the Environmental Planning and Assessment Act 1979.
RECOMMENDATION	Approval - Deferred Commencement
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	30 November 2025
PREPARED BY	Lauren Carter – Senior Town Planner
CONFLICT OF INTEREST DECLARATION	None Declared
DATE OF REPORT	30 November 2025

EXECUTIVE SUMMARY

The subject Development Application 1588/2025/JP seeks consent for the construction of a two storey building and associated works at an existing educational establishment, replacing an existing single storey building. The building will comprise of multipurpose rooms, a knowledge and wellbeing hub, servicing rooms and bathroom facilities, with accessible connections created between the existing two storey buildings on both levels. Associated landscaping works including retaining walls, hedging and accessible pathways are proposed to improve connectivity within the school as well as ensuring the amenity of adjoining sites is maintained. No changes are proposed to the previously approved staff and student numbers or car parking.

The site is known as 1 Wellgate Avenue, North Kellyville (Lot 21 DP590193), and has an overall area of 2.82 hectares with two frontages. The site contains an existing educational establishment (Our Lady of Angels Primary School) and a place of worship (Our Lady of the Angels Catholic Church).

The proposal is defined as 'Integrated Development' under the provisions of Section 4.46 of the Environmental Planning and Assessment Act 1979 as the proposal requires approval from the Rural Fire Service under Section 100B of the Rural Fires Act 1997. A Bushfire Safety Authority has been provided.

The application is referred to the Sydney Central City Planning Panel ('the Panel') as the development is 'regionally significant development', pursuant to Clause 5 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 being a private infrastructure and community facility with a Capital Investment Value of more than \$5 million.

The application was notified for a period of 14 days. One (1) submission was received and raised concerns regarding traffic generation. The issue raised does not warrant the refusal of the application.

The development application is recommended for approval subject to conditions of consent, including a deferred commencement condition relating to stormwater management.

1. THE SITE AND LOCALITY

1.1 The Site

The site is known as 1 Wellgate Avenue, North Kellyville (Lot 21 DP590193). The site has an overall area of 2.82 hectares, with a frontage of 177.75 metres to Wellgate Avenue and a frontage of 128.46 metres to Withers Road. The site is rectangular and contains an existing educational establishment and a place of worship, being Our Lady of Angels Primary School and Our Lady of the Angels Catholic Church.

The site contains a carpark and the church to the north, school buildings to the south and west, with outdoor play areas to the east and between the buildings.

1.2 The Locality

The subject site is located within the Kellyville/Rouse Hill Release Area and is zoned R4 High Density Residential under The Hills LEP 2019. Properties to the north comprise dwelling houses on land zoned R2 Low Density Residential. The site adjoins a local heritage item directly to the south, 'Lintbrae' house (I104), and a mixture of residential flat buildings, single dwellings and mixed use development further to the south within a R4 High Density Residential zone. The site immediately adjoins the Kellyville Netball Complex Reserve to the east and is adjacent to Bruce Purser Reserve on the west, both zoned RE1 Public Recreation.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The subject Development Application seeks approval for the construction of a school building and associated works. The proposed two storey school building will be identified as 'Block C', replacing the existing demountable single storey Block C building on site. The demolition of the existing building is not proposed with this development and will be addressed under a separate application.

The ground floor will comprise:

- Knowledge Hub open space
- Wellbeing Hub
- Storeroom
- Comms room
- IT support room
- Library workroom
- Breakout room

- Four separate toilets and an accessible toilet
- Hallways connecting to the existing buildings

The first floor will comprise:

- Multipurpose room
- Three group learning support spaces with a breakroom room in each
- Shared balcony that will be extended into an elevated hallway, connecting with the existing buildings
- Two separate toilets and an accessible toilet

There are no changes proposed to the previously approved staff and student numbers or car parking arrangements.

2.2 Background

On 22 May 2009, Development Application 774/2009/HC for a single storey, 2 stream primary school for 420 students was approved by Council's Development Assessment Unit. This application included two stages with six buildings, an extension of the existing carpark, a sports court and associated landscaping works. The second stage was never constructed under this approval.

On 4 June 2012, Development Application 629/2012/JP for additions to the existing school and an increase in student numbers to 630 and staff numbers to 37 was approved by the Sydney Central City Planning Panel. This application was approved as three stages with two new buildings, alterations to an existing building and an atrium with associated landscaping works.

A prelodgement meeting was held prior to the lodgement of the application on 21 February 2025. A summary of the key issues discussed and information requested to be submitted with the development application are outlined as follows:

- Servicing requirements under Clause 6.3 of the LEP.
- Acoustic report.
- Avoid impacts to endangered vegetation.
- Arboricultural Impact Assessment.
- Landscape plans.
- BCA Compliance report to demonstrate fire safety measures and ensure the BCA compliance and fire safety is sufficient for the building and expanded use.

The development application was lodged on **8 May 2025**. A chronology of the development application since lodgement is outlined below in **Table 1**:

Table 1: Chronology of the DA

Date	Event
8 May 2025	DA lodged.
14 May 2025	Exhibition of the application.
14 May 2025	DA referred to external agencies (RFS, Endeavour Energy, Sydney Water).

19 June 2025	Request for information issued relating to Engineering, Landscaping and Planning matters.
9 July 2025	Amended information submitted including amended plans, tree protection plan, DRAINS model.
1 August 2025	Request for information issued relating to engineering matters.
11 August 2025	Request for information issued relating to contribution matters.
14 August 2025	Amended cost summary report provided.
22 August 2025	Amended engineering information provided.
15 September 2025	Request for information relating to Engineering matters.
17 October 2025	Amended information provided.

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal is considered to be Integrated Development pursuant to section 4.46(1) of the Act since approval of the NSW Rural Fire Service is required.

3.1 Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *The Hills Local Environmental Plan 2019 (LEP 2019)*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 2** and considered in more detail below.

Table 2: Summary of Applicable State Environmental Planning Policies

EPI	Matters for Consideration	Comply (Y/N)
Planning Systems SEPP	Section 2.19(1) declares the proposal as regionally significant development pursuant to Clause 5 of Schedule 6.	Y
Biodiversity and Conservation SEPP	Chapter 2 Vegetation in non-rural areas and Chapter 6 (6.13) Water Catchments.	Y
Resilience and Hazards SEPP	Clause 4.6 - Contamination has been previously considered and assessed and was found suitable and the proposal is satisfactory subject to conditions.	Y
Transport and Infrastructure SEPP	Chapter 3 Educational Establishments and Schedule 8 Design Principles	Y
Sustainable Buildings SEPP	Chapter 3 Development Consent for Non-Residential Development	Y
LEP 2019	<ul style="list-style-type: none"> • Clause 4.3 - Height of Buildings • Clause 5.10 - Heritage Conservation • Clause 6.3 – Public utility infrastructure • Clause 7.2 – Earthworks 	Y Y Y Y

State Environmental Planning Policy (Planning Systems) 2021

The proposed development is for the construction of a school building and associated works with an estimated development cost of \$11,685,495.00. As the development is for the purpose of an educational establishment with a capital investment value of more than \$5 million, it satisfies the criteria in Clause 5 of Schedule 6 of the Planning Systems SEPP and therefore is identified as 'regionally significant development' in which Sydney Central City Planning Panel are the nominated consent authority.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The provisions of the Biodiversity and Conservation SEPP 2021 have been considered in the assessment of the development application. Chapter 2 aims to protect biodiversity values of trees and other vegetation in non-rural areas of the State and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The proposal involves the removal of 11 trees, which has been assessed by Council's Landscaping Officer who has raised no objections to the proposal and has recommended conditions of consent, including replacement planting.

Chapter 6 aims to protect the environment of the Hawkesbury-Nepean River Catchment by ensuring that the impacts of future land uses are considered in a regional context. The proposed development has been designed in accordance with and assessed against Sections 6.6 and 6.13 of Chapter 6 of the SEPP. The Development Application has been reviewed by Council's Development Engineer and stormwater conditions have been recommended.

State Environmental Planning Policy (Resilience and Hazards) 2021

The provisions of the Resilience and Hazards SEPP have been considered in the assessment of the development application. Clause 4.6 requires the consent authority to consider whether the land is contaminated and if so, to be satisfied the land is suitable in its state or will be suitable after remediation. Prior to the school being constructed on site, a Development Application (4086/2002/HA) was approved for the 'Demolition and Removal of Existing Buildings and site Contamination Remediation and Associated Rehabilitation Works', where the entire site was tested for contamination and it was concluded that no remediation was required. Council's Environmental Health Team has also reviewed the application and raise no objections to the proposed development, subject to conditions. The site therefore satisfies the objectives and requirements of the SEPP.

State Environmental Planning Policy (Sustainable Buildings) 2022

As the estimated development cost exceeds \$5 million, the provisions of Chapter 3 of the Sustainable Buildings SEPP apply to the development application. In particular, Section 3.2 is to be considered which requires the consent authority to consider whether the development design enables sustainable use and is satisfied that the embodied emissions have been quantified. An emissions materials form has been submitted with the application, addressing the criteria within Section 3.2, satisfying the SEPP requirements.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure of the State and Chapters 2 and 3 apply to the subject site. As the site contains a padmount substation, the development application was referred to Endeavour Energy for comment. No objections were raised subject to conditions.

Section 3.37 of Chapter 3 of the SEPP applies to the development application as the proposal is for a new school building within an existing educational establishment. This section requires the consent authority to consider the design quality of the development against the principles set out in Schedule 8 as well as the design principles set out in the design guide.

In accordance with the SEPP, the following design quality principles have been considered:

Principle 1 – Responsive to context

- *Schools should be designed to respond to and enhance the positive qualities of their surroundings.*
- *In designing built forms and landscapes, consideration should be given to a Country-centred approach and respond to site conditions such as orientation, topography, natural systems, Aboriginal and European cultural heritage and the impacts of climate change.*
- *Landscapes should be integrated into the overall design to improve amenity and to help mitigate negative impacts on the streetscape and neighbouring sites.*

Through the incorporation of connecting thoroughfares between the existing buildings and the proposed building, landscaping and careful selection of materials and colours, the development application responds well to the existing context and the surrounding area. The proposal replaces an existing building footprint with minimal earthworks to ensure the built form corresponds to the existing site conditions and is consistent with the existing building heights of other two storey school buildings on site. Detailed landscaping designs have been provided, screening the development from the adjoining heritage item and residential flat buildings immediately adjacent to the site, improving amenity and privacy.

Principle 2 – Sustainable, efficient and resilient

- *Good school design combines positive environmental, social and economic outcomes and should align with the principles of caring for Country.*
- *Schools should be designed to be durable and resilient in an evolving climate.*
- *Schools and their grounds should be designed to minimise the consumption of energy, water and other natural resources and reduce waste.*

An Aboriginal Heritage Assessment Report has been submitted with the application, concluding the subject area has limited potential for intact Aboriginal archaeological material. The proposal provides for a high-quality educational environment for staff and students, with measures in place to ensure a positive environmental, social and economic outcome. Measures including passive cooling design to allow for cross ventilation, movement sensors for lighting, water-efficient fixtures, separate labelled waste bins, insulation and acoustic treatments to rooms result in a sustainable and resilient design that reduces energy, waste and water consumption whilst responding well to the social and economic environment.

Principle 3 – Accessible and inclusive

- *School buildings and grounds should be welcoming, easy to navigate and accessible and inclusive for people with differing needs and abilities.*
- *Schools should be designed to respond to the needs of children of different ages and developmental stages, foster a sense of belonging and seek to reflect the cultural diversity of the student body and community.*
- *Schools should be designed to enable sharing of facilities with the community and to cater for activities outside of school hours.*

The proposal has been designed to improve the existing accessibility on site, proposing elevated wide walkways labelled 'learning streets', connecting existing Blocks E and F with the new building. Accessible entry doors are proposed with ramp access and a lift between levels. Accessible amenities are provided on both levels and the rooms within the building cater to all ages within the school. The ground level provides open space which provides potential for usage outside of school hours.

Principle 4 – Healthy and safe

- *Good school design should support wellbeing by creating healthy internal and external environments.*
- *The design should ensure safety and security within the school boundaries, while maintaining a welcoming address and accessible environment.*
- *In designing schools, consideration should be given to connections, transport networks and safe routes for travel to and from school.*

The proposed building has been designed to provide a safe and accessible environment through smart design choices and improved connectivity. Elevated walkways provide accessible connections to the second level of both existing two storey buildings. The ground floor of the building has a direct connection to the external play space. The new building footprint allows for greater outdoor play space, improving the external environment.

Principle 5 – Functional and comfortable

- *Schools should have comfortable and engaging spaces that are accessible for a wide range of formal and informal educational and community activities.*
- *In designing schools, consideration should be given to the amenity of adjacent development, access to sunlight, natural ventilation, proximity to vegetation and landscape, outlook and visual and acoustic privacy.*

- *Schools should include appropriate indoor and outdoor learning and play spaces, access to services and adequate storage.*

The internal design of the building will facilitate a range of educational and community activities. The proposed window and door design will allow for cross ventilation and natural sunlight, contributing to the comfort and adaptability of the space. The proposed building has a compliant setback and building height, maintaining the required sunlight amount to the adjoining site's private open spaces. A landscaping buffer is proposed between the built form and the adjoining boundary, offering privacy between properties. The proposed external learning streets provide opportunities for outdoor learning spaces. The building has also considered the need for a number of service/storage rooms on both levels.

Principle 6 – Flexible and adaptable

- *In designing schools, consideration should be given to future needs and take a long-term approach that is informed by site-wide strategic and spatial planning.*
- *Good design for schools should deliver high environmental performance and ease of adaptation and maximise multi-use facilities.*
- *Schools should be adaptable to evolving teaching methods, future growth and changes in climate, and should minimise the environmental impact of the school across its life cycle.*

The proposed design of the building has considered the future needs of the school introducing new links that enhance connectivity within the site, strengthening the overall integration and functionality of the school. Open style learning spaces with sliding doors between rooms allow for adaptable uses which can be easily altered internally in the future.

Principle 7 – Visually appealing

- *School buildings and their landscape settings should be aesthetically pleasing by achieving good proportions and a balanced composition of built and natural elements.*
- *Schools should be designed to respond to and have a positive impact on streetscape amenity and the quality and character of the neighbourhood.*
- *The identity and street presence of schools should respond to the existing or desired future character of their locations.*
- *The design of schools should reflect the school's civic role and community significance.*

The design of the building integrates into the existing school environment, respecting the established built form whilst introducing a modern design approach. The selected materials have been drawn from the school's primary colour scheme of green and orange and the combination of texture and layering to the façade creates a pleasing design. A skillion roof is proposed to reduce bulk and overshadowing, with a variety of landscaping elements incorporated into the overall design to provide a balance of the built and natural environment.

The Hills Local Environmental Plan 2019

The proposed development is pursuant to the provisions outlined within the LEP.

The site is located within the R4 High Density Residential Zone LEP and is a permissible use within the zone. The R4 zone objectives include the following:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage high density residential development in locations that are close to population centres and public transport routes.*

The proposal is consistent with the LEP objectives.

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 3** below.

Table 3: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Height of buildings (CI 4.3(2))	16 metres	8.41m	Yes

The proposal is considered to be generally consistent with the LEP.

i) Compliance with Clause 6.3 Public Utility Infrastructure

Clause 6.3(1) states the following:

(1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

Clause 6.1 of the LEP defines public utility infrastructure as any of the following:

- the supply of water,
- the supply of electricity,
- the disposal and management of sewage.

The applicant submitted satisfactory evidence to demonstrate that these services are available to the development.

Endeavour Energy and Sydney Water were consulted, and no objections were raised, subject to conditions.

The proposal is satisfactory with respect to Clause 6.3 of the LEP.

ii) Compliance with Clause 5.10 Heritage Conservation

Clause 5.10 (5) states the following:

(5) The consent authority may, before granting consent to any development—
(a) on land on which a heritage item is located, or
(b) on land that is within a heritage conservation area, or
(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

The adjoining heritage item 'Lintbrae House' (I104) is located approximately 30 metres south of the proposed development, with a recent approval on site for residential flat buildings between the heritage item and subject site boundary. Council's Heritage Officer has reviewed the application and concluded that the development will not impact on the significance of the local heritage item as it will be obscured from view, and there are no other identified significant view corridors to consider.

3.2 Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are no proposed instruments which have been the subject of public consultation under the Environmental Planning and Assessment Act 1979 that are relevant to the proposal.

3.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The Hills Development Control Plan 2012 does not specifically apply to general building design associated with educational establishments; however, the application was assessed having regard to the provisions of the following Sections of The Hills DCP 2012 and is considered to be generally consistent:

- Part B Section 2 – Residential
- Part C Section 3 – Landscaping
- Part C Section 4 - Heritage

The proposed development achieves compliance with all the relevant controls and is consistent with the overall vision of the locality.

3.4 Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

3.5 Section 4.15(1)(a)(iv) - Provisions of Regulations

Clause 61 of the Regulation contains matters that must be taken into consideration by a consent authority in determining a development application. These provisions have been considered.

3.6 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.7 Section 4.15(1)(c) - Suitability of the site

The proposal seeks to provide a new school building as part of the existing educational establishment, improving access within the school and creating adaptable spaces. The building positively contributes to the established school setting and has been designed to

respect the locality, particularly the heritage item and residential development that immediately adjoins the site. The proposal incorporates upgraded landscaping and improved stormwater infrastructure to ensure the building will have no adverse impacts on the existing services or the amenity of adjoining sites. In this regard, the development is considered suitable for the site.

3.8 Section 4.15(1)(d) - Public Submissions

One submission was received from a nearby property and is considered in Section 4 of this report.

3.9 Section 4.15(1)(e) - Public interest

In accordance with section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest because it provides important social and community infrastructure in a growing residential area. The development is able to be carried out in a manner which is unlikely to impact on the amenity of nearby residential development and will not result in adverse impacts on the natural and built environments.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application was referred to the following agencies for comment/concurrence/referral as required by the EP&A Act:

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act) – N/A			
Referral/Consultation Agencies			
Endeavour Energy	S2.48 – SEPP (Transport and Infrastructure) 2021	Advice has been provided, and no objections were raised, subject to recommended conditions (see Condition 4).	Yes (conditions)
Sydney Water	S78 – Sydney Water Act 1994	Advice has been provided in regard to the servicing needs, and no objections have been raised, subject to conditions (see Condition 3).	Yes (conditions)
Integrated Development (S 4.46 of the EP&A Act)			
RFS	S100B - Rural Fires Act 1997	No objections have been raised to the application and conditions have been recommended (see Condition 2).	Yes (conditions)

4.2 Council Referrals

The development application has been referred to various Council officers for technical review as outlined below.

Officer	Comments	Resolved
Engineering	Council's Senior Engineering Officer has reviewed the application. Concerns were raised with the proposed stormwater management design. The applicant has provided an amended stormwater design, incorporating an OSD system. The design is significantly undersized and as such, a deferred commencement is recommended to ensure the OSD will be designed to support the site.	Yes (deferred commencement condition)
Health	Council's Environmental Health Officer has reviewed the application and no objections are raised, subject to conditions.	Yes (conditions)
Landscaping	Council's Senior Landscaping Officer has reviewed the application. No objections are raised, subject to conditions.	Yes (conditions)
Contributions	Council's Forward Planning Contributions Officer has reviewed the submitted plans and information. No objections are raised, subject to condition 8.	Yes (condition)
Fire Safety	Council's Fire Safety Officer has reviewed the submitted plans and information. No objections are raised, subject to conditions.	Yes (conditions)
Heritage	Council's Forward Planning Team has reviewed the submitted Heritage Impact Statement and no objections were raised.	Yes

4.3 Community Consultation

The proposal was notified in accordance with Section 7 of Schedule 1 of the EP&A Act 1979, The Hills Shire Council Community Participation Plan and The Hills DCP 2012 from 14 May 2025 to 4 June 2025. The notification included notification letters sent to adjoining and adjacent properties (56 properties).

The Council received a total of one unique submission. The issues raised in this submission are considered below.

Issue	No of submissions	Council Comments
Concern that the development will increase traffic generation, noise pollution, and general disruption because of the increase in student numbers and size of the school.	1	The proposal does not involve any increase in staff or student numbers. The development is replacing an existing demountable structure with a permanent two storey building, providing multipurpose rooms to

		facilitate a variety of learning opportunities and uses.
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5. CONCLUSION

This Development Application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls and issues raised in the submission, it is considered that the application can be supported.

The Development Application has been assessed against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, 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 (Industry and Employment) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, The Hills Local Environmental Plan 2019 and The Hills Development Control Plan 2012 and is considered satisfactory.

A deferred commencement condition relating to the provision of on-site detention is recommended to ensure that stormwater generated by the development is adequately managed on the site.

6. RECOMMENDATION

That the Development Application DA No 1588/2025/JP for a new school building in an existing Educational Establishment be approved pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft deferred commencement and conditions of consent.

DEFERRED COMMENCEMENT

	Deferred Commencement – On-Site Detention System Design
	<p>A. A deferred commencement consent is granted subject to:</p> <p>Revised stormwater management plans and an electronic copy of the supporting stormwater model is endorsed by Council demonstrating that:</p> <ul style="list-style-type: none"> i. The entire development area of this application discharges no more than 82L/s in the 1% AEP storm event and 47 L/s in the 10% AEP storm event. ii. Emergency overflows in the event of a blockage are directed to a legal discharge point. No emergency overflows shall be directed onto an adjoining property without an easement. iii. The revised plans comply with Council's requirements set out in Council's Design Guidelines for Subdivision/Developments. <p>B. The applicant must provide Council with written evidence demonstrating that the matters listed under Part A, above have been satisfactorily addressed within 24 months of the date of consent.</p> <p>C. Upon compliance with the requirements of Part A, a full consent will be issued subject to the following conditions:</p>
	Condition reason: Ensure satisfactory stormwater disposal.

ALL DEVELOPMENT TYPES

GENERAL CONDITIONS

1.	Approved Plans and Supporting Documentation																																																																																				
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.																																																																																				
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Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.																																																																																					

2.	Compliance with NSW Rural Fire Service Requirements				
	During the development of the site, occupation and ongoing use of the development, compliance with the requirements of the NSW Rural Fire Service re their Agency Concurrence and Referral reference CNR-81892 dated 01/07/2025, referenced as Attachment A in the relevant documents.				
	Condition reason: To ensure compliance with the relevant authority’s General Terms of Approval.				

3.	Compliance with Sydney Water Requirements				
	Before building work commences, applicants are advised the proposed development shall be in accordance with the requirements/conditions imposed by Sydney Water re their Agency Concurrence and Referral reference CNR-81892, dated 30/05/2025, referenced as Attachment B in the relevant documents.				
	Condition reason: To ensure compliance with relevant service provider’s requirements.				

4.	Compliance with Endeavour Energy Requirements				
	Before building work commences, applicants are advised the proposed development shall be in accordance with the requirements/conditions imposed by Endeavour Energy re their Agency				

	Concurrence and Referral reference CNR-81892 dated 14/05/2025 referenced as Attachment C in the relevant documents.
	Condition reason: To ensure compliance with relevant service provider's requirements.
5.	Tree Removal Approval is granted for the removal of eighteen (18) trees numbered 11-13, 17-18 and 25-37 as detailed in the Tree Protection Plan & Specification prepared by CPS Rev B dated 24/04/25. All other trees are to remain and are to be protected during all works. Suitable replacement trees are to be planted upon completion of construction. Condition reason: To provide details of trees approved for removal.
6.	Building Work to be in Accordance with BCA During building work, all building work must be carried out in accordance with the provisions of the Building Code of Australia as referenced by Section 69 of the Environmental Planning and Assessment Regulation 2021. Condition reason: To ensure compliance with the legislative requirements.
7.	Construction Certificate Before building works commence for the approved development, it is necessary to obtain a construction certificate. A construction certificate may be issued by Council or a Registered Certifier. Plans submitted with the construction certificate are to be amended to incorporate the conditions of the development consent. Condition reason: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation, and to ensure compliance with the legislative requirements.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

8.	Section 7.12 Contribution Before the issuing of a Construction Certificate, a contribution of \$127,353.75 must be paid to Council. This amount may be indexed at the time of payment. The contributions levy has been calculated in accordance with the table below: <table border="1" style="margin: 10px auto; width: 80%;"> <thead> <tr> <th>Proposed cost of the development</th><th>Maximum percentage of the levy</th></tr> </thead> <tbody> <tr> <td>Up to \$100,000</td><td>Nil</td></tr> <tr> <td>\$100,001 - \$200,000</td><td>0.5 %</td></tr> <tr> <td>More than \$200,000</td><td>1%</td></tr> </tbody> </table> Prior to payment, it is advised to phone or email Council to confirm the amount. Payments will be accepted via Debit or Credit Card. Cash payments will not be accepted. This condition has been imposed in	Proposed cost of the development	Maximum percentage of the levy	Up to \$100,000	Nil	\$100,001 - \$200,000	0.5 %	More than \$200,000	1%
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	accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and The Hills Section 7.12 Contributions Plan.
	Condition reason: To contribute towards public infrastructure for the area.
9.	<p>Construction Site Management Plan</p> <p>Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the Principal Certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> a) The location and materials for protective fencing and hoardings on the perimeter of the site; b) Provisions for public safety; c) Pedestrian and vehicular site access points and construction activity zones; d) Details of construction traffic management including: <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e) Details of bulk earthworks to be carried out; f) The location of site storage areas and sheds; g) The equipment used to carry out works; h) The location of a garbage container with a tight-fitting lid; i) Dust, noise and vibration control measures; j) The location of temporary toilets; k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>

BEFORE WORK COMMENCES

10.	<p>Ground Protection within Tree Protection Zone</p> <p>Before site works commence, ground protection measures are required where any construction access or works are within the TPZ of any tree (s) identified for retention which include the following:</p> <ul style="list-style-type: none"> a) Temporary access for machinery, vehicular and foot traffic within the TPZ of trees on the site and/or on adjoining Council site (s). <p>The measures may include a permeable membrane such as geo-textile fabric beneath a layer of mulch or crushed rock below rumble boards as per Clause 4.5.3 Ground protection AS4970-2025 Protection of trees on development sites.</p> <p>Any site activity within the Tree Protection Zone and Structural Root Zone of the tree/s to be preserved must have elevated protection installed clear of the ground to avoid compaction and damage to roots. Protection may comprise of timber planks or metal decking supported on scaffolding or the like.</p>
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	<p>All areas within the tree protection zone are to be mulched with composted leaf mulch to a depth of no less than 100mm as outlined in the mulching condition of this Consent.</p> <p>Documentation relating to the implementation of the subject tree protection measures (including certification of supervision) by a Project Arborist.</p> <p>Condition reason: To protect trees.</p>
11.	<p>Engagement of a Project Arborist</p> <p>Before site works commence, a Project Arborist (minimum AQF Level 5) is to be appointed and the following details provided to The Hills Shire Council's Manager – Environment & Health:</p> <p>a) Name:</p> <p>b) Qualification/s:</p> <p>c) Telephone number/s:</p> <p>d) Email:</p> <p>If the Project Arborist is replaced, Council is to be notified in writing of the reason for the change and the details of the new Project Arborist provided within 7 days.</p> <p>Condition reason: To protect vegetation.</p>
12.	<p>Erosion and Sediment Controls in Place</p> <p>Before site work commences, the certifying authority must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
13.	<p>Consultation with Service Authorities</p> <p>Before building work commences, applicants are advised to consult with Telstra, NBN Co and Australia Post regarding the installation of telephone conduits, broadband connections and letterboxes as required.</p> <p>Applicants are advised to consult with the relevant electricity authority with respect to electricity supply and connection points to the site, or any other electrical infrastructure located in close proximity to the proposed works. Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment.</p> <p>In the interest of health and safety, applicants are to contact dial before you dig Australia www.byda.com.au in order to protect damage to third party assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the dial before you dig service in advance of any construction or planning activities.</p> <p>Condition reason: To ensure compliance with relevant service provider's requirements.</p>
14.	<p>Builder and Principal Certifier Details</p> <p>Before building work commences, the builders name, address, telephone and email information must be submitted to the Principal Certifier. Where Council is not the Principal Certifier, Council must be notified of the Principal Certifier in writing two days before building works commence in accordance with the Regulations.</p> <p>Condition reason: To ensure compliance with the legislative requirements.</p>

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

DURING WORKS

16.	Protection of Tree Canopy
	Whilst site works are being carried out, damage to tree canopies (foliage and branches) are to be avoided when operating excavation machineries, cranes, drilling rigs and similar equipment near tree (s). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy and construction activities, the advice of a Project Arborist must be sought.
	In the event of any tree (s) becoming damaged for any reason during the construction period a Project Arborist shall be engaged to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the Project Arborist. The removal of a small portion of the crown (foliage and branches) is generally tolerable provided that the extent of pruning required is within 10% of the total foliage volume of the tree and the removal of branches does not create large wounds or disfigure the natural form and habit of the tree. All pruning cuts must be undertaken in accordance with the Australian Standard (AS 4373-2007) Pruning of Amenity Trees.
	Condition reason: To protect tree canopy.
17.	Dust Control
	During site works, dust suppression techniques must be used to minimise nuisance to surrounding properties. In the absence of any alternative measures, the following measures must be taken to control the emission of dust:
	<ul style="list-style-type: none"> a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the demolition and construction work; b) All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
	Condition reason: To prevent the movement of dust outside the boundaries of the development.
18.	Stockpiles
	During site work, stockpiles of topsoil, sand, aggregate or other material capable of being moved by water must be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.
	Condition reason: To protect waterways
19.	Soil Management
	While site work is being carried out, the certifying authority must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

	<p>a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the certifying authority</p> <p>b) All fill material imported to the site must be:</p> <ul style="list-style-type: none"> i. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>, or ii. a material identified as being subject to a resource recovery exemption by the NSW EPA, or iii. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA. <p>Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
20.	<p>Noise and Vibration Requirements</p> <p>While site work is being carried out, noise generated from the site must not exceed an L_{Aeq} (15 min) of 5dB(A) above background noise, when measured at the boundary of the site.</p> <p>Condition reason: To protect the amenity of the neighbourhood during construction.</p>
21.	<p>Hours of Work</p> <p>Site work must only be carried out between the following times – For all works from 7:00am to 5:00pm on Monday to Saturday. No work to be carried out on Sunday or Public Holidays. Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
22.	<p>Surveys by a Registered Surveyor</p> <p>While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:</p> <ul style="list-style-type: none"> a) All footings / foundations in relation to the site boundaries and any registered and proposed easements; and b) At other stages of construction – any marks that are required by the principal certifier. <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
23.	<p>Waste Management</p> <p>While site work is being carried out:</p> <ul style="list-style-type: none"> a) all waste management must be undertaken in accordance with the waste management plan, and b) upon disposal of waste, records of the disposal must be compiled and provided to the Principal Certifier, detailing the following: <ul style="list-style-type: none"> i. The contact details of the person(s) who removed the waste; ii. The waste carrier vehicle registration; iii. The date and time of waste collection; iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; v. The address of the disposal location(s) where the waste was taken; vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

	c) If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.
	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.

BUILDING WORK GENERAL CONDITIONS

24.	Protection of Public Infrastructure
	During works, Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.
	Condition reason: To document any damaged to public infrastructure during construction and subsequently any damage is to be made good prior to Occupation Certificate.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

25.	Engineering Works and Design
	<p>The design and construction of the engineering works listed below must be provided for in accordance with Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments.</p> <p>Engineering works can be classified as either "subdivision works" or "building works".</p> <p>Works within an existing or proposed public road or works within an existing or proposed public reserve can only be approved, inspected and certified by Council.</p> <p>Depending on the development type and nature and location of the work the required certificate or approval type will differ. The application form covering these certificates or approvals is available on Council's website and the application fees payable are included in Council's Schedule of Fees and Charges.</p> <p>The concept engineering plan prepared by Henry & Hymas, Drawing C201, C253, Rev 1, C000, C200, C250, C252, SE01, SE02, BE01, Rev 2, C100, Rev C251, 4 C101, Rev 6, dated 14/10/2025 is for development application purposes only and is not to be used for construction. The design and construction of the engineering works listed below must reflect the concept engineering plan and the conditions of consent. Before the issue of a construction certificate or a subdivision work certificate, whichever precedes first/earlier, a suitably qualified civil engineer must review the Engineering design</p>

	<p>associated with this development and provide written certification on the approved plans to satisfy the certifier that:</p> <p>below is required including all other ancillary work to make this construction effective:</p> <p>a) Earthworks/ Site Regrading</p> <p>Earthworks and retaining walls are limited to those locations and heights shown on the concept engineering plan prepared by prepared by Henry & Hymas, Drawing BE01, Rev 2, dated 14/10/2025. Where earthworks are not shown on the approved plan the topsoil within lots must not be disturbed. Retaining walls between lots must be located on the high side lot that is being retained, save the need for easements for support on the low side lot adjacent.</p> <p>b) Water Sensitive Urban Design Elements</p> <p>Water sensitive urban design elements, consisting of Atlan stormwater filters and Atlan stormsacks, are to be located generally in accordance with the plans and information submitted with the application.</p> <p>Detailed plans for the water sensitive urban design elements must be submitted for approval. The detailed plans must be suitable for construction and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following environmental targets:</p> <ul style="list-style-type: none"> • 90% reduction in the annual average load of gross pollutants • 85% reduction in the annual average load of total suspended solids • 65% reduction in the annual average load of total phosphorous • 45% reduction in the annual average load of total nitrogen <p>All model parameters and data outputs are to be provided.</p> <p>Condition reason: To ensure that the engineering design associated with this development have been designed and completed in accordance with Australian standards, Council's relevant DCP and Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments</p>
26.	<p>Onsite Stormwater Detention – Hawkesbury River Catchment Area</p> <p>Before the issue of a construction certificate or a subdivision work certificate, whichever precedes first/earlier, a suitably qualified civil engineer must prepare Onsite Stormwater Detention/Stormwater plan and provide written certification on the approved plans to satisfy the certifier that:</p> <p>Onsite Stormwater Detention (OSD) has been designed in accordance with Council's adopted policy for the Hawkesbury River catchment area, the Upper Parramatta River Catchment Trust OSD Handbook, with amended parameters for the site storage requirement and permissible site discharge.</p> <ol style="list-style-type: none"> 1. The stormwater concept plan prepared by Henry & Hymas, Drawing C201, C253, Rev 1, C000, C200, C250, C252, SE01, SE02, BE01, Rev 2, C100, Rev C251, 4 C101, Rev 6, dated 14/10/2025 is for development application purposes only and is not to be used for construction. The detailed design must reflect the approved concept plan and the following necessary changes: <ul style="list-style-type: none"> a) Revised in accordance with the outcome of the deferred commencement condition

	<p>Water sensitive urban design elements, consisting of Atlan stormwater filters and Atlan stormsacks, are to be located generally in accordance with the plans and information submitted with the application.</p> <p>Detailed plans for the water sensitive urban design elements must be submitted for approval. The detailed plans must be suitable for construction and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following environmental targets:</p> <ul style="list-style-type: none"> • 90% reduction in the annual average load of gross pollutants • 85% reduction in the annual average load of total suspended solids • 65% reduction in the annual average load of total phosphorous • 45% reduction in the annual average load of total nitrogen <p>All model parameters and data outputs are to be provided.</p> <p>The design and construction of the stormwater management system must be approved by either Council or an accredited certifier. A Compliance Certificate certifying the detailed design of the stormwater management system can be issued by Council. The following must be included with the documentation approved as part of any Construction Certificate:</p> <ol style="list-style-type: none"> a) Design/ construction plans prepared by a hydraulic engineer. b) A completed OSD Drainage Design Summary Sheet. c) Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes. d) A completed OSD Detailed Design Checklist. <p>A maintenance schedule.</p> <p>2. The design and construction of the OSD system must be approved by either Council or an accredited certifier. A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council. The following must be included with the documentation approved as part of any Construction Certificate:</p> <ol style="list-style-type: none"> a) Design/ construction plans prepared by an accredited OSD designer. b) A completed OSD Drainage Design Summary Sheet. c) Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes. d) A completed OSD Detailed Design Checklist. a) A maintenance schedule. <p>Condition reason: To ensure runoff from the development do not impact local stormwater systems and waterways.</p>
27.	Security Bond – Road Pavement and Public Asset Protection

	<p>The applicant must provide a security bond of \$348,975 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the rate of \$141.00 per square metre based on the road frontage of the subject site plus an additional 50m on either side 275m multiplied by the width of the road 9m. A single bond payment with the amount specified above shall be lodged with Council, partial bond payments will not be accepted.</p> <p>The square metre rate is based on The Hills Shire Council Fees & Charges 2025-2026 which is applicable at the time this consent was issued. Upon lodgement of the bond the amount will be updated to reflect the current schedule of fees and charges that are available on The Hills Shire Council Website.</p> <p>The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these costs.</p> <p>This requirement shall be reflected on the Construction Certificate plans and supporting documentation. The bond must be lodged with Council before the issue of a construction certificate or a subdivision work certificate, whichever precedes first/earlier.</p>
	<p>Condition reason: To ensure any damage to public infrastructure is rectified</p>
28.	<p>Erosion and Sediment Control Plan</p> <p>Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to Certifying Authority:</p> <ul style="list-style-type: none"> a) Council's relevant development control plan, b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and <p>the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).</p>
	<p>Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
29.	<p>Acoustic – Mechanical plant</p> <p>Before the issue of a construction certificate, a suitably qualified acoustic consultant is to provide advice on the final mechanical plant selection/s to ensure that it meets the noise target not exceeding 43dB(A) in the daytime noise period and 43dB(A) in the evening noise period, at any residential boundary as per the acoustic assessment prepared by Acoustic Logic dated 23 April 2025 (referenced as 20250176.2/2304A/R1/RF). Evidence of this is to be provided to Council's Manager – Environment and Health for review and if satisfactory, written support will be provided prior to any construction certificate being issued.</p>
	<p>Condition reason: To protect the amenity of the local area.</p>

BEFORE WORK COMMENCES

30.	Tree Protection Signage
	Before any work begins on the site, a Tree Protection Zone sign must be attached to the tree protection fencing stating "Tree Protection Zone No Access" (The lettering size on the sign shall comply with AS1319). Access to this area can only be authorised by the project arborist or site manager.
	Condition reason: To protect trees during the carrying out of site work.
31.	Tree Protection Fencing
	<p>Before any work begins on the site, Tree Protection Fencing must be in place around trees or groups of trees nominated for retention. In order of precedence the location of fencing shall be:</p> <p>a) In accordance with the Tree Protection Plan & Specification prepared by CPS Rev B dated 24/04/25; or</p> <p>b) As per directed by a AQF Level 5 (or greater) Project Arborist; or</p> <p>c) In accordance with the Tree Protection Zone (TPZ) as calculated under AS4970 (2025) Protection of trees on development sites.</p> <p>Note: Any variations to the Standards shall be documented and certified by the Project Arborist.</p> <p>The erection of a minimum 1.8m chain-wire fence to delineate the TPZ is to stop the following occurring:</p> <ul style="list-style-type: none"> • Excavation, installation of services or other works within the TPZ; • Stockpiling of materials within TPZ; • Placement of fill within TPZ; • Parking of vehicles within the TPZ; • Compaction of soil within the TPZ; • Cement washout and other chemical or fuel contaminants within TPZ; and • Damage to tree crown. <p>Where the provision of the tree protection fencing is impractical due to its proximity to the proposed development footprint, trunk protection shall be erected around nominated trees to avoid accidental damage. The trunk protection shall consist of a layer of carpet underfelt (or similar) wrapped around the trunk, followed by 1.8m metre lengths of softwood timbers (90 x 45mm in section) aligned vertically and spaced evenly around the trunk at 150mm centres (i.e. with a 50mm gap) and secured together with galvanised hoop strap.</p> <p>All areas within the tree protection zone shall be mulched with composted leaf mulch to a depth of no less than 100mm as outlined in the mulching condition of this Consent.</p> <p>Documentation relating to the implementation of the subject tree protection measures (including certification of supervision) by a Project Arborist shall be provided to Council as outlined in this Consent and/or upon request by the Consent Authority.</p>
	Condition reason: To protect trees during the carrying out of site work.
32.	Public Infrastructure Inventory Report
	Before works commencing on site the Principal Contractor must get a public infrastructure inventory report prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any

	<p>access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include:</p> <p>a) Planned construction access and delivery routes; and</p> <p>Dated photographic evidence of the condition of all public assets.</p> <p>Condition reason: To document the condition of public infrastructure prior to works commencing.</p>
33.	<p>Traffic Control Plan</p> <p>Before the works commence on site a person with the relevant accreditation must complete and approve/sign a Traffic Control relevant to the site. A copy of the plan must be submitted to Council before being implemented.</p> <p>A plan that includes full (detour) or partial (temporary traffic signals) width road closure requires separate specific approval from Council. Sufficient time should be allowed for this to occur.</p> <p>Condition reason: To Ensure safe movement of vehicles around/past the site</p>
34.	<p>Erection of Signage – Supervision of Work</p> <p>Before works commencing on site the Certifier is to ensure a sign is erected in a prominent position displaying the following information:</p> <ul style="list-style-type: none"> • The name, address and telephone number of the Principal Certifying Authority; • The name and telephone number (including after hours) of the person responsible for carrying out the works; • That unauthorised entry to the work site is prohibited. <p>This signage must be maintained while the work is being carried out and must be removed upon completion.</p> <p>Condition reason: To address requirements Environmental Planning and Assessment Regulations 2021.</p>
35.	<p>Dust Management Plan</p> <p>Before works commencing on site the Principal Contractor must get a site specific dust management plan developed to proactively address the issue of dust during construction. This plan must be submitted to Council's Manager – Subdivision and Development Certification for written approval before works commence. The plan must address/ include the following matters, where relevant:</p> <ul style="list-style-type: none"> • A dust cloth must be installed along the perimeter of the site. • Where required, a sprinkler/ misting system along the perimeter of the site. • Stockpile management such as location, orientation, volume and height to minimise impacts on neighbouring properties. Covering of stockpiles with tarpaulins or vegetation should also be considered where warranted by the duration of the stockpile. Stockpiles expected to be in place for longer than 14 days are considered non-temporary. • Final topsoil placement and planting or seeding exposed areas as soon as possible. • Weather forecast systems to predict adverse weather conditions and allow for early action for dust management and to avoid dust generating activities when weather conditions are unfavourable.

	<ul style="list-style-type: none"> • Education of all site personnel on reducing dust. • Community engagement plan and complaints management system demonstrating how dust complaints will be received, recorded, resolved and responded to. <p>How the dust management controls will be monitored, reviewed and revised on a regular basis to ensure their ongoing effectiveness</p> <p>Condition reason: To ensure appropriate dust control in is in place for large subdivision works.</p>
36.	<p>Dilapidation report</p> <p>Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the Certifying Authority.</p> <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Certifying Authority, that all reasonable steps were taken to obtain access to the adjoining properties.</p> <p>No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.</p> <p>Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report</p>
37.	<p>Stabilised Access Point</p> <p>Before building work commences, a stabilised all weather access point is to be provided and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).</p> <p>Condition reason: To ensure construction sites are managed properly.</p>
38.	<p>Toilet Facilities</p> <p>Before building work commences, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.</p> <p>Each toilet provided:</p> <ol style="list-style-type: none"> a) must be a standard flushing toilet, and b) must be connected: <ol style="list-style-type: none"> i. to a public sewer, or ii. if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or

	<p>iii. if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council.</p> <p>Condition reason: To ensure there are amenities provided to workers on site.</p>
39.	<p>Erection of Signage – Supervision of Work</p> <p>Before works commencing on site the Certifier is to ensure a sign is erected in a prominent position displaying the following information:</p> <ul style="list-style-type: none"> • The name, address and telephone number of the Principal Certifying Authority; • The name and telephone number (including after hours) of the person responsible for carrying out the works; • That unauthorised entry to the work site is prohibited. <p>This signage must be maintained while the work is being carried out and must be removed upon completion.</p> <p>Condition reason: To address requirements Environmental Planning and Assessment Regulations 2021.</p>

DURING BUILDING WORKS

40.	<p>Project Arborist</p> <p>During site works, the Project Arborist must be on site to supervise any works within the Tree Protection Zone (TPZ) of trees to be retained.</p> <p>Supervision of the works shall be certified by the Project Arborist and a copy of such certification shall be submitted to the Principle Certifying Authority within 14 days of completion of the works.</p> <p>Condition reason: To protect trees during carrying out of site work.</p>
41.	<p>Retention of Trees</p> <p>While works are being carried out, only trees specifically identified for removal on the approved plans may be removed. All other trees (including neighbouring trees and street trees) are to be retained with remedial work to be carried out in accordance with the Tree Protection Plan & Specification prepared by CPS Rev B dated 24/04/25.</p> <p>Condition reason: To ensure retained trees are adequately protected during works.</p>
42.	<p>Trenching within Tree Protection Zone</p> <p>Whilst site works are being carried out, any trenching and excavation for construction of footing / piers for retaining walls, installation of drainage, sewerage, irrigation or any other services, and/or for construction of driveways and roads, and/or any ancillary structures shall not occur within the Tree Protection Zone (TPZ) of any trees identified for retention unless under supervision and certification of a suitably qualified AQF Level 5 (or greater) Project Arborist.</p> <p>Certification of supervision by a Project Arborist must be provided to Council within 14 days of completion of trenching works and/or upon request by the Consent Authority.</p>

	<p>Demolition, construction, or any form of earth works within the Tree Protection Zone of trees identified for retention shall be carried out so as to avoid damage to the tree roots. Manual excavation shall be carried out under the supervision of the Project Arborist. Manual excavation may include the use of pneumatic and hydraulic tools. Note, mattocks and axes shall not be used.</p> <p>Where roots within the Tree Protection Zone are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection sheeting should be pegged in place and kept moist during the period that the root zone is exposed.</p> <p>Root pruning should be avoided, however where necessary, all cuts shall be clean cuts made with sharp tools such as secateurs, pruners, handsaws, chainsaws or specialised root pruning equipment. Where possible, the roots to be pruned should be located and exposed using minimally destructive techniques such as hand-digging, compressed air or water-jetting, or non-destructive techniques. No roots larger than 40mm in diameter shall be cut without Project Arborist advice and supervision. All root pruning must be done in accordance with Section 9 of Australia Standard 4373-2007 Pruning of Amenity Trees.</p> <p>Condition reason: To protect trees during the carrying out of site work.</p>
43.	<p>Imported 'Waste Derived' Fill Material</p> <p>During building works only virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); or any other waste-derived material the subject of a resource recovery exemption under clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014 is permitted to be used as fill material.</p> <p>Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Certifier.</p> <p>Condition reason: To ensure that fill is not contaminated.</p>
44.	<p>Control of early morning noise from trucks</p> <p>During works, trucks associated with the construction at the site that will be waiting to be loaded must not arrive at the site before 7am.</p> <p>Condition reason: To protect the acoustic amenity of the local area and of the development.</p>
45.	<p>Control of Noise from Trucks</p> <p>During works, the number of trucks waiting in adjacent streets to enter the site for the removal of fill shall not exceed 1 Trucks waiting shall not obstruct driveways and shall have their motors off if expected to wait more than 5 minutes.</p> <p>Condition reason: To protect the acoustic amenity of the local area and of the development.</p>
46.	<p>Rock Breaking Noise</p> <p>During building work and upon receipt of a justified complaint in relation to noise pollution caused by rock breaking. Rock breaking will only occur between the hours of 9am to 3pm, Monday to Friday. No rock breaking is to occur Saturday – Sunday and on public holidays.</p> <p>Details of noise mitigation measures and likely duration of the activity must be submitted to Council's Manager – Environment and Health within seven (7) days of receiving notice from Council.</p> <p>Condition reason: To minimise noise impacts on neighbouring properties</p>
47.	<p>Construction Noise</p> <p>During building work, the emission of noise from the construction of the development shall comply with the <i>Interim Construction Noise Guideline published by the Department of Environment and Climate Change (July 2009)</i>.</p> <p>Condition reason: To protect residential amenity</p>

48.	Location of Works
	During building works, any of the approved works / dwelling house (inclusive of any services, equipment and/or utilities), footings, walls, roof barges and guttering are to be constructed and contained wholly within the property boundaries. A survey report from a registered land surveyor may be required for confirmation of its location.
	Condition reason: To ensure no encroachment occurs onto the adjoining property.
49.	Procedure for Critical Stage Inspections
	While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.

ON COMPLETION OF WORKS

50.	Post-Construction Dilapidation Report
	After completion of all site work a post- construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the Certifying Authority, detailing whether:
	<ul style="list-style-type: none"> a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and b) where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and a) a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s).
	Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.

BEFORE ISSUE OF OCCUPATION CERTIFICATE

51.	Completion of Landscape and Tree Works
	Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.
	Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).
52.	Planting Requirements
	Before the issue of an occupation certificate, the Landscaping shall be certified to be in accordance with the approved plans by the private certifier. All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be

	<p>minimum 200mm pot size. Groundcovers are to be planted at 5/m2. Any species that need substituting requires confirmation from Council.</p> <p>Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).</p>
53.	<p>Public Infrastructure Inventory Report - Post Construction</p> <p>Before the release of an Occupation Certificate an updated public infrastructure inventory report must be prepared and submitted to Council.</p> <p>The updated report must identify any damage to public assets and the means of rectification for the approval of Council.</p> <p>Condition reason: To ensure protection and where required suitable remediation of public assets</p>
54.	<p>Completion of Engineering Works</p> <p>An Occupation Certificate must not be issued before the completion of all engineering works covered by this consent, in accordance with this consent.</p> <p>Condition reason: To ensure all engineering works are completed before an occupation certificate is issued.</p>
55.	<p>OSD System Certification</p> <p>Before the release of an Occupation Certificate the Onsite Stormwater Detention (OSD) system must be completed to the satisfaction of the Principal Certifying Authority (PCA).</p> <p>The following documentation is required to be submitted upon completion of the OSD system and prior to a final inspection:</p> <ul style="list-style-type: none"> a) Works as executed plans prepared on a copy of the approved plans; b) A certificate of hydraulic compliance (Form B.11) from a suitably qualified engineer or surveyor verifying that the constructed OSD system will function hydraulically; c) A certificate of structural adequacy from a suitably qualified structural engineer verifying that the structures associated with the constructed OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime. <p>Where Council is not the PCA a copy of the above documentation must be submitted to Council.</p> <p>Condition reason: To ensure completion of the OSD system in accordance with the approved plans and that the system has been constructed and is operations.</p>
56.	<p>Water Sensitive Urban Design Certification</p> <p>Before the issue of an Occupation Certificate the WSUD elements conditioned earlier in this consent must be constructed and operational. The following documentation must be submitted in order to obtain an Occupation Certificate:</p> <ul style="list-style-type: none"> a) WAE drawings and any required engineering certifications; b) Records of inspections;

	<p>c) An approved operations and maintenance plan; and</p> <p>d) A certificate of structural adequacy from a suitably qualified structural engineer verifying that any structural element of the WSUD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.</p> <p>Where Council is not the PCA a copy of the above documentation must be submitted to Council..</p> <p>Condition reason: To ensure structure(s) associated with the treatment of stormwater to ensure the quality of water discharge from site is suitable to enter the downstream watercourse</p>
57.	<p>Retaining Walls</p> <p>Before an occupation certificate is issued, all retaining walls shown on the approved plans shall be completed.</p> <p>Condition reason: To ensure the amenity of adjacent properties are protected.</p>
58.	<p>Section 64 – Consent Authority may require upgrade of building</p> <p>The following upgrades are to be undertaken with the construction certificate works and are be completed prior to an occupation certificate being issued:</p> <p>i. A review of hydrant coverage and location of landing valves is to be undertaken to ensure system coverage is sufficient, appropriate to E1P3 of the BCA.</p> <p>Condition reason: To ensure the existing building is brought into an appropriate level of conformity with the Building Code of Australia.</p>
59.	<p>Certification of acoustic measures</p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent.</p> <p>Condition reason: To protect the amenity of the local area.</p>
60.	<p>Preservation of Survey Marks</p> <p>Before the issue of an occupation certificate, documentation must be submitted by a registered surveyor to the Principal Certifier which demonstrates that:</p> <p>a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or</p> <p>b) any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.</p> <p>Condition reason: To protect the state's survey infrastructure.</p>

OCCUPATION AND ONGOING USE

61.	<p>Landscaping</p> <p>The landscaping shall be in accordance with the approved plan and shall be maintained at all times in accordance with THDCP 2012 Part C Section 3 – Landscaping and the approved landscape plan.</p> <p>Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plans.</p>
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62.	Number of Staff and Students
	The maximum number of staff and students are limited to 630 students and 37 staff as approved under Development Consent 629/2012/JP.
	Condition reason: To ensure the approved numbers of staff and students are retained with the new building.
63.	Offensive Noise
	During occupation and ongoing use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to “offensive noise” as defined under the provisions of the <i>Protection of the Environment Operation Act 1997</i> .
	Condition reason: To protect the amenity of the local area

ATTACHMENTS

- Attachment A: Locality Plan
- Attachment B: Aerial Photograph
- Attachment C: Site Plan
- Attachment D: Ground Floor Plan
- Attachment E: First Floor Plan
- Attachment F: Elevations
- Attachment G: Sections
- Attachment H: Landscape Plan
- Attachment I: Photomontage
- Attachment J: NSW RFS Requirements
- Attachment K: Endeavour Energy Requirements
- Attachment L: Sydney Water Requirements

ATTACHMENT A – LOCALITY PLAN



- ☐ SUBJECT SITE
- ✓ PROPERTIES NOTIFIED
- SUBMISSIONS RECEIVED

THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

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ATTACHMENT B – AERIAL PHOTOGRAPH



- SUBJECT SITE
- HERITAGE ITEM

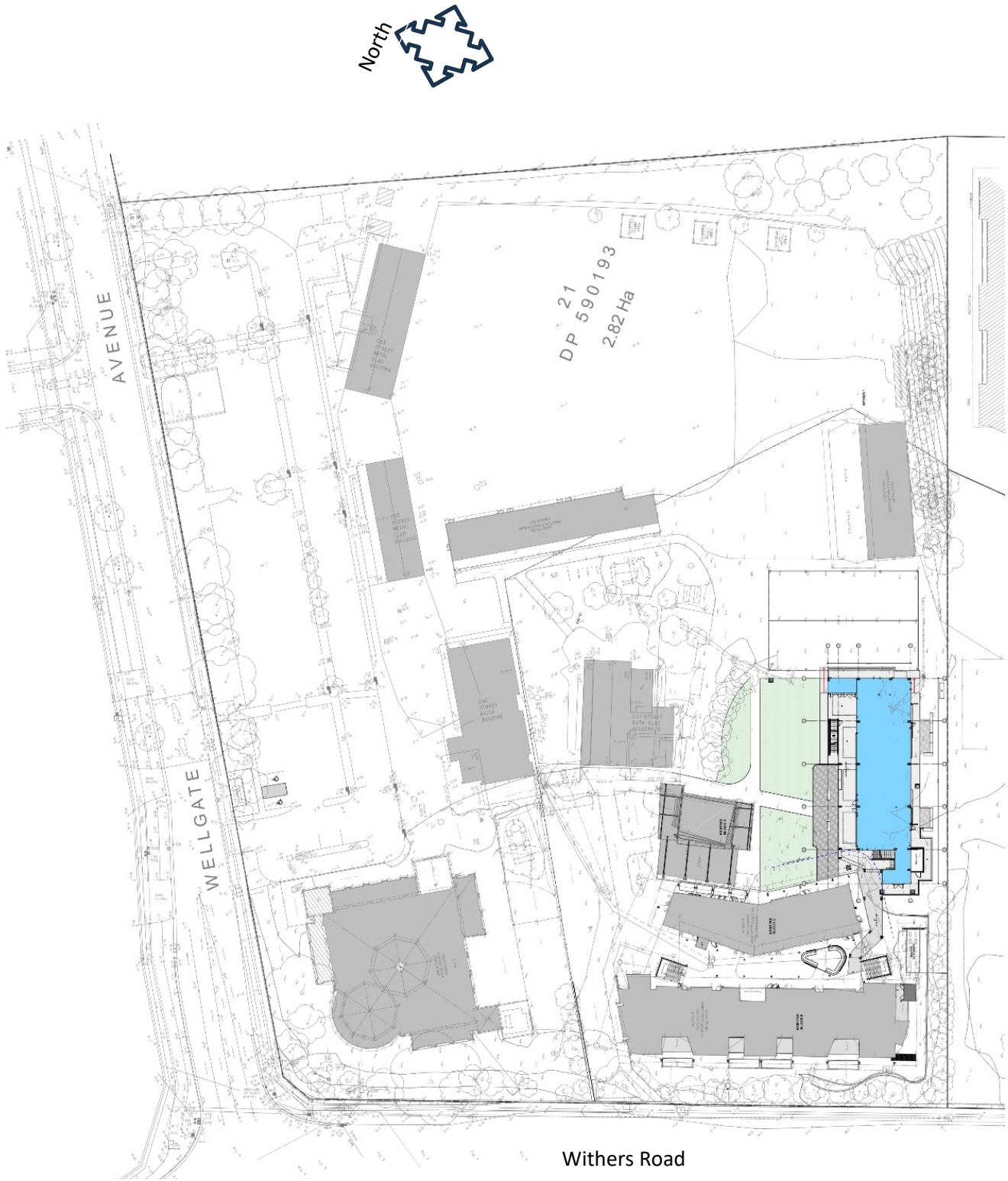
THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

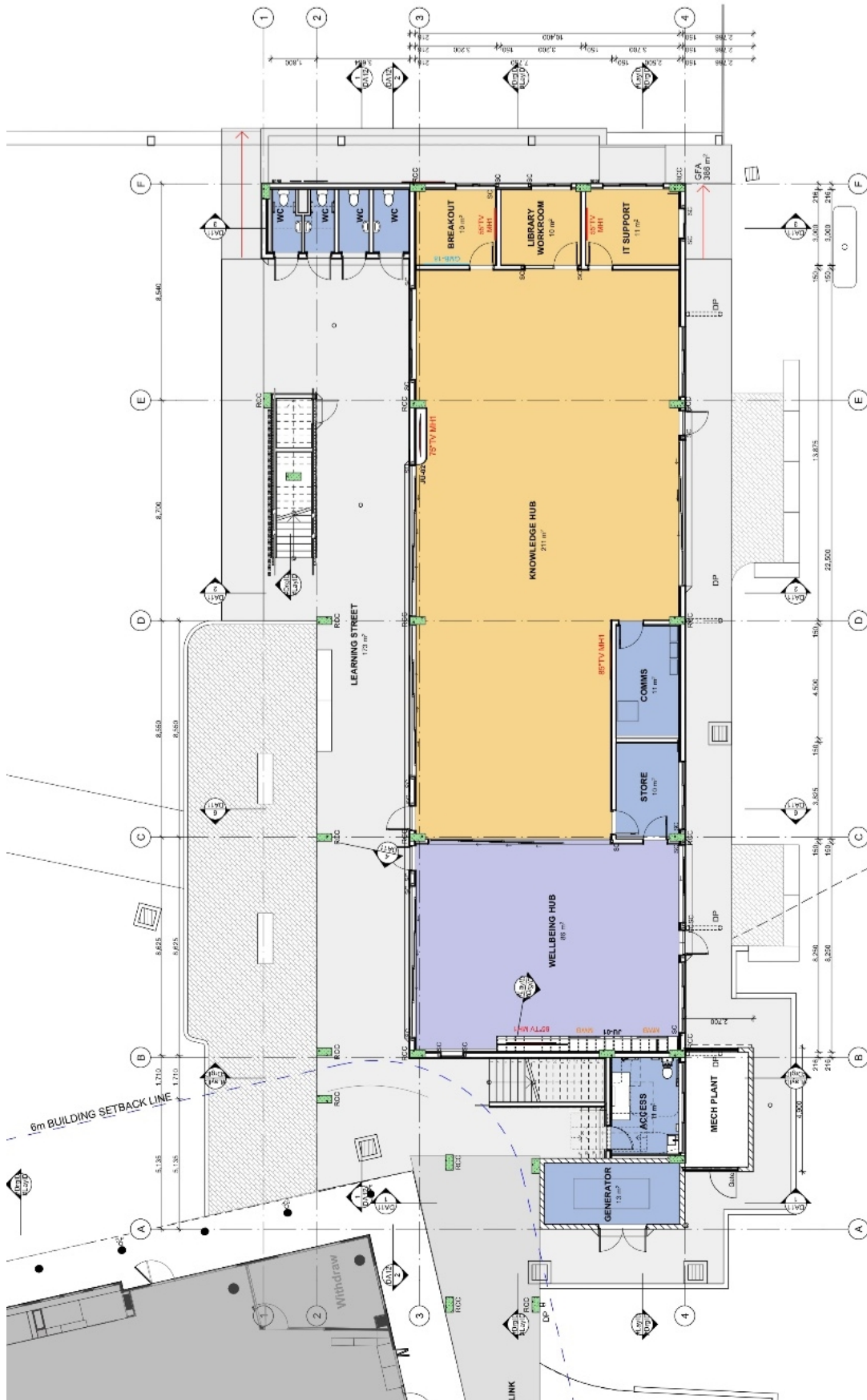
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ATTACHMENT C – SITE PLAN

SITE LEGEND	
	SITE BOUNDARY
	PROPOSED BALDING
	EXISTING BALDING
	LANDSCAPE AREA
	ARTIFICIAL TURF
	NATURAL TURF
	CONCRETE PAVEMENT TO CIVIL ENGINEERING DETAILS
	NEW LOTS & STOPS ENGINEERING DETAIL
	North

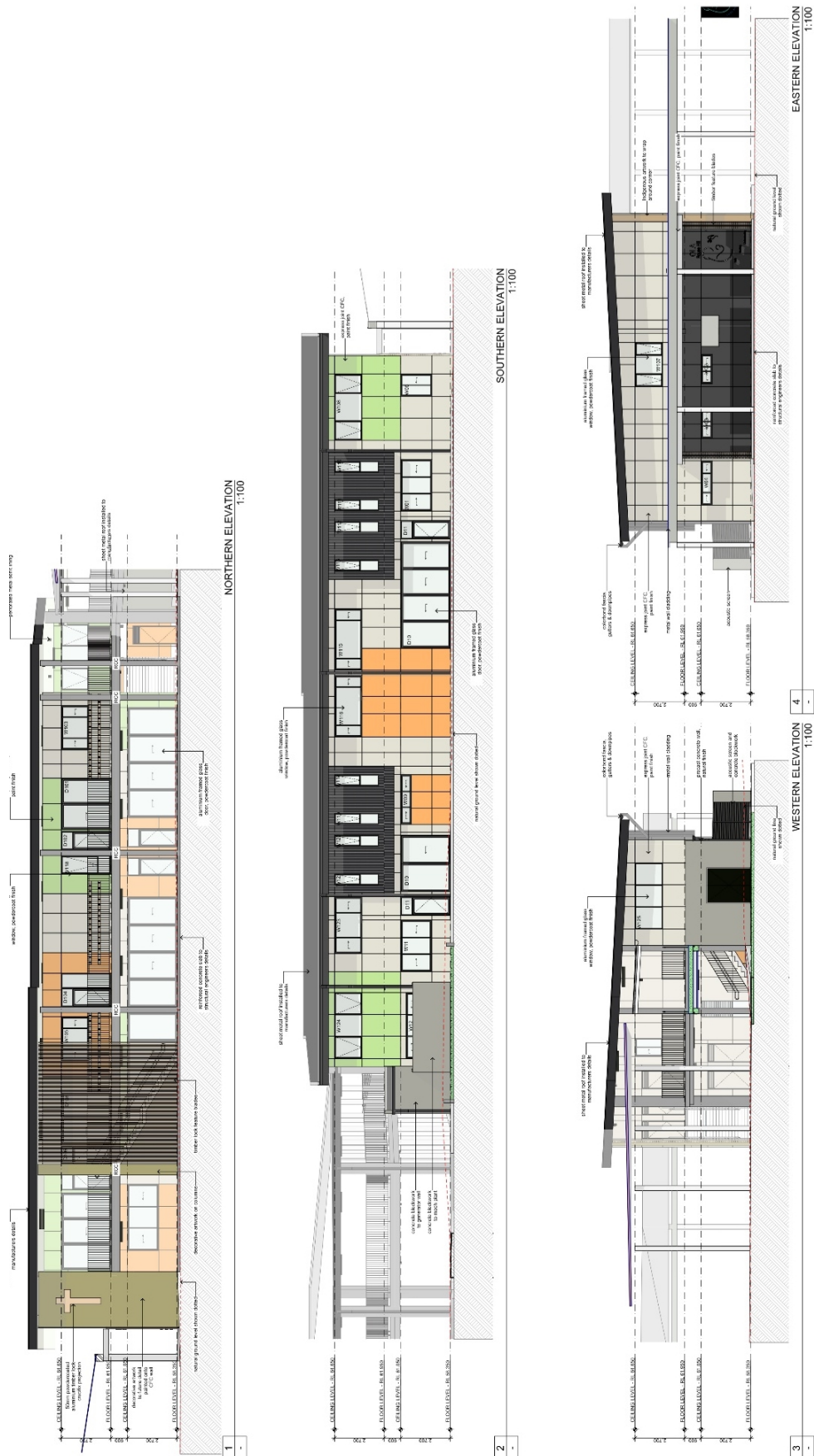


ATTACHMENT D – GROUND FLOOR PLAN

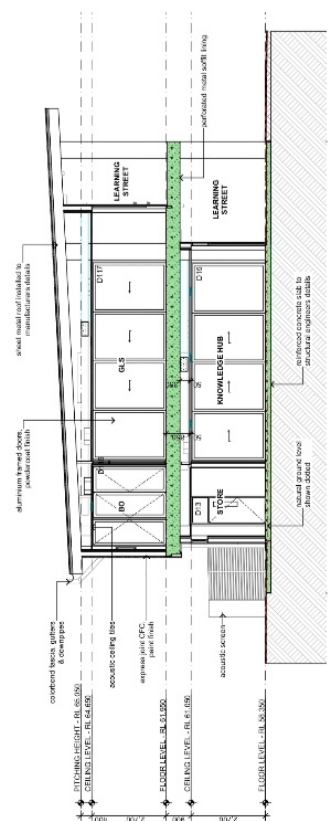


ATTACHMENT E – FIRST FLOOR PLAN

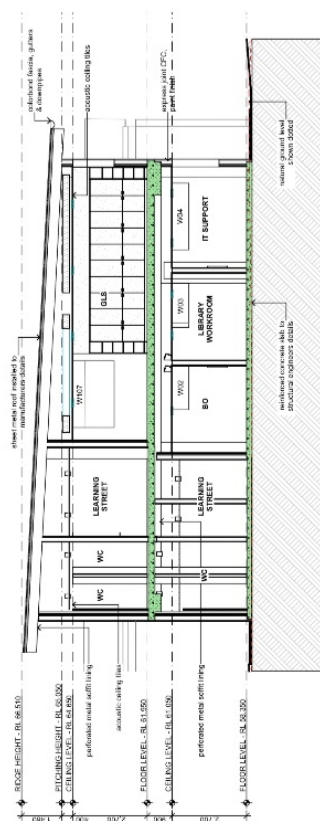




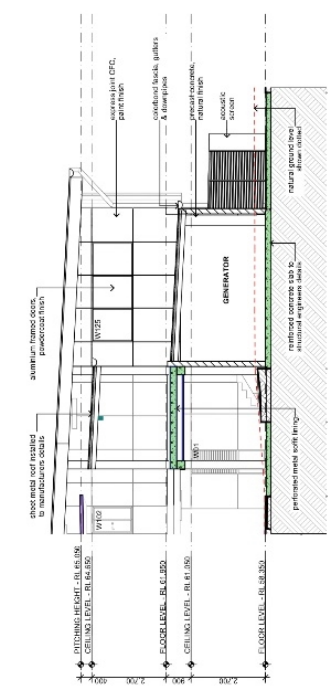
ATTACHMENT G – SECTIONS



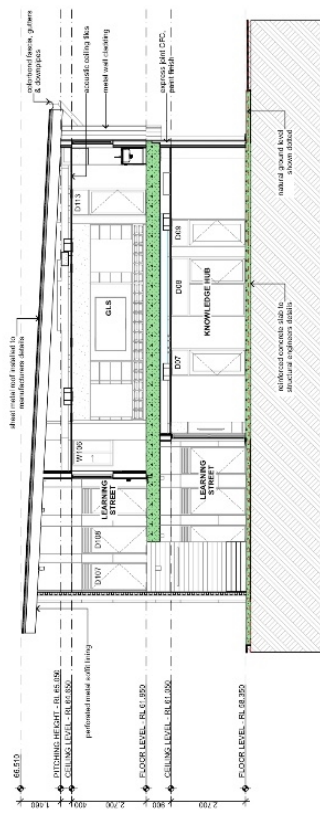
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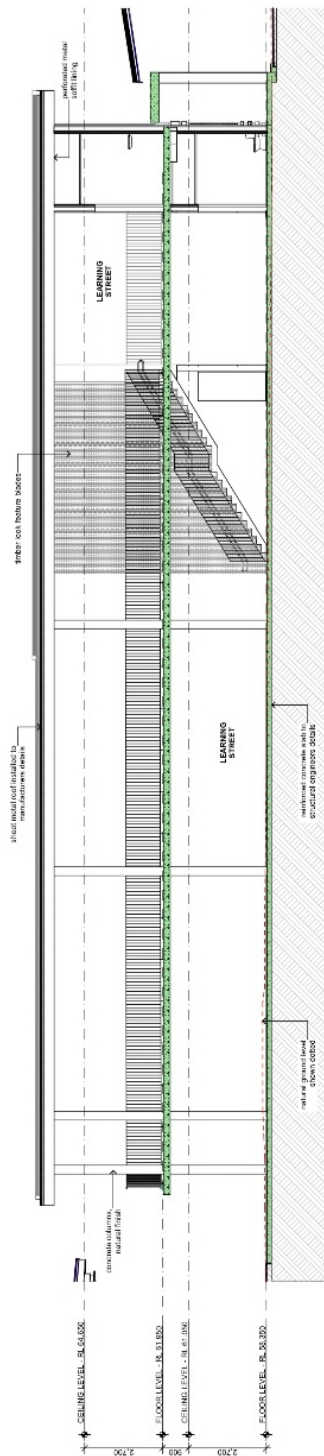
SECTION 04
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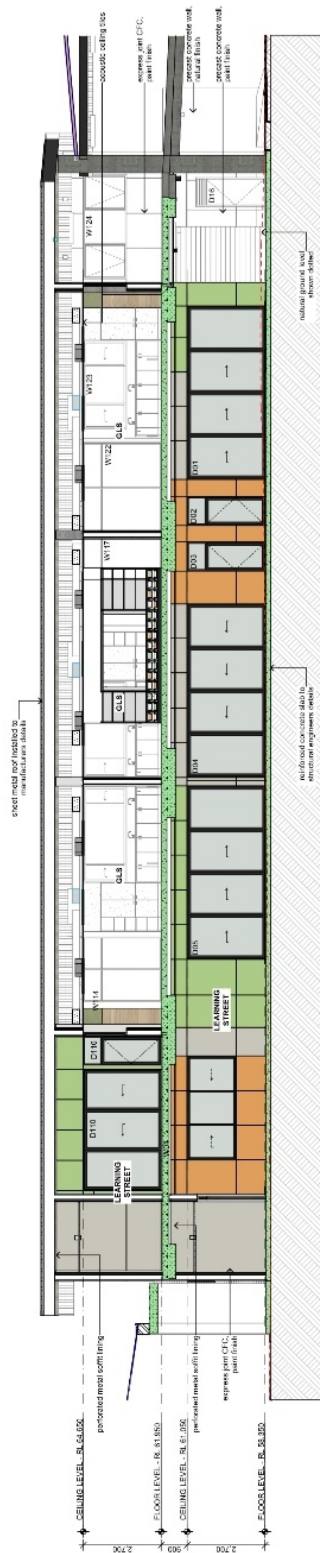
SECTION 01
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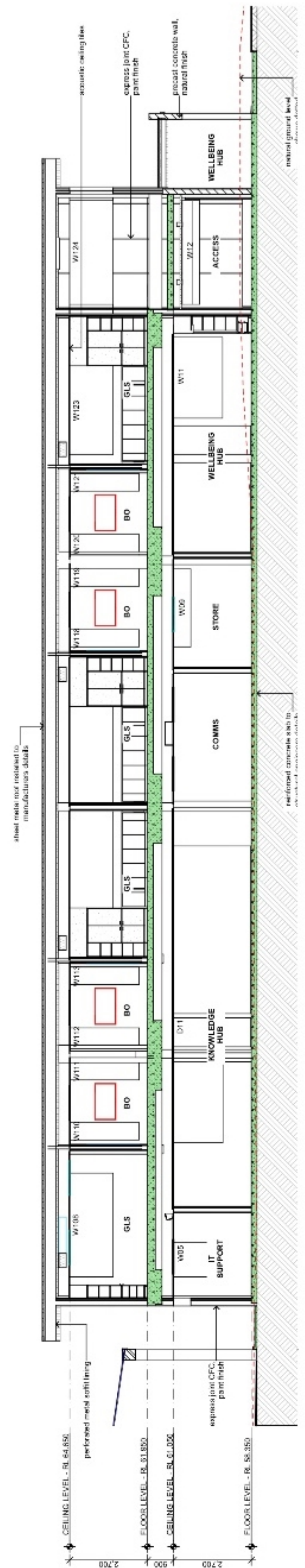
SECTION 03
1:100



1 -



2 -



3 -

This architectural site plan illustrates a building complex with several functional zones and extensive landscaping. The plan includes the following elements:

- Functional Zones:**
 - WELLBEING HUB:** Located in the upper left, featuring a large open area with a central staircase and surrounding greenery.
 - KNOWLEDGE HUB:** A large central area containing a 'LIBRARY WORKROOM' and an 'IT SUPPORT' room.
 - COMMIS (Commercial):** Situated in the lower right, adjacent to a 'STORE' and a 'MECH PLANT' (mechanical plant).
 - Breakout:** A designated area for informal meetings or relaxation.
 - WC (Toilets):** Multiple restrooms are distributed throughout the plan, including a cluster near the top left.
- Landscaping and Greenery:**
 - Large, irregular green shapes represent landscaped areas with trees and shrubs, primarily along the left and bottom edges.
 - Small circular symbols with crosses indicate specific tree locations.
 - Shaded green areas represent lawn or grass.
- Infrastructure and Access:**
 - EXISTING BLOCK E:** A building structure is shown on the far left, partially integrated with the new plan.
 - Access Points:** Various points of entry and exit are marked with lines and labels.
 - Drainage and Utilities:** Symbols for drains (D), manholes (M), and other utilities are present.
- Technical Details:**
 - Dimensions and scale are provided at the bottom left.
 - A north arrow is located in the bottom right corner.
 - Material and finish callouts are present, such as 'CONCRETE', 'PAVING', and 'LANDSCAPING'.

ATTACHMENT I – PHOTOMONTAGE



ATTACHMENT J – BUSHFIRE SAFETY AUTHORITY



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

Your reference: 1588/2025/HC (CNR-81892)
Our reference: DA20250514001841-Original-1

ATTENTION: Lauren Carter

Date: Tuesday 1 July 2025

Dear Sir/Madam,

Integrated Development Application
s100B – SFPP – School
1 Wellgate Avenue North Kellyville 2155, 21//DP590193

I refer to your correspondence dated 23/05/2025 seeking general terms of approval for the above Integrated Development Application.

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

General Conditions

Compliance with Specification 43 for S43C14 Vehicular access of the *National Construction Code 2022* (NCC 2022) is modified by the RFS in response to the provision of a performance based solution provided by Building Code and Bushfire Hazard Solutions Ref: 250399, dated 16 April 2025, where the existing car park and proposed pedestrian pathways within the subject site provides access to the proposed Block C building. This is in accordance with the requirements of S43C14 Vehicular access of NCC 2022, and Table 3 of Appendix B of Addendum 2022, of *Planning for Bush Fire Protection 2019*.

Asset Protection Zones

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

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

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

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

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



RFS



- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

Construction Standards

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

2. New construction must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

Access Requirements

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

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

- SFPP access roads are two-wheel drive, all-weather roads;
- access is provided to all structures;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- access roads must provide suitable turning areas in accordance with Appendix 3; and
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.

Water and Utility Services

Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building

4. The provision of water, electricity and gas must comply with the following in accordance with Table 6.8c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:





RFS



- lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
- no part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

Emergency and Evacuation Planning Assessment

The intent of measures is to provide suitable emergency and evacuation arrangements for occupants of Special Fire Protection Purpose developments

5. A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*.

The Bush Fire Emergency Management and Evacuation Plan must include planning for the early relocation of occupants.

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

For any queries regarding this correspondence, please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Srv (Est)
Built & Natural Environment





BUSH FIRE SAFETY AUTHORITY

SFPP – School
1 Wellgate Avenue North Kellyville 2155, 21//DP590193
RFS Reference: DA20250514001841-Original-1
Your Reference: 1588/2025/HC (CNR-81892)

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

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

Nika Fomin

Manager Planning & Environment Srv (Est)
Built & Natural Environment

Tuesday 1 July 2025



ATTACHMENT K – ENDEAVOUR ENERGY REQUIREMENTS

Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
The Hills Shire Council	1588/2025/HC	CNR-81892	Lauren Carter	14/05/2025	4/06/2025	14/05/2025

Address	Land Title
1 WELLGATE AVENUE NORTH KELLYVILLE 2155	Lot 21 DP 590193

Scope of Development Application or Planning Proposal

Construction of new two-storey building identified as 'Block C' including covered elevated walkway, tree removal, landscaping and paved footpaths.

Endeavour Energy's HxGN NetWorks Core NetViewer Master Facility Model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pole / tower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Cables				
Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Streetlight / pillar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substation				
Pole mounted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Padmount	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Switch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.



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Endeavour Energy
ABN 11 247 865 823
T 133 718
Level 40-42, 8 Parramatta Square,
10 Darcy Street Parramatta NSW 2150
PO Box 811, Seven Hills NSW 1730
endeavourenergy.com.au

Relevant / applicable clause numbers from Endeavour Energy's Standard Conditions for Development Applications and Planning Proposals indicated by ☒ .

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive / high / unsecured loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into to multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
<input type="checkbox"/>	<input type="checkbox"/>	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.

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Condition	Advice	Clause No.	Issue	Detail
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input type="checkbox"/>	<input type="checkbox"/>	25	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input type="checkbox"/>	28	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	29	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines. No works or loads must occur within the zone of influence of underground cables.
<input type="checkbox"/>	<input type="checkbox"/>	30	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the current 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Street Infrastructure	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic. Existing electricity infrastructure must have adequate access and not be left stranded in public areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	34	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Decision			Approve (with conditions)	

Environmental Services Team

P 133 718

E Property.Development@endeavourenergy.com.au



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past and present.

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Reason(s) for Conditions or Objection (If applicable)

- There is an easement for transmission line to the Commercial Road frontage shown in the below extract of Reference Plan RP 1990. From the below extracts of Google Maps Street View this was for overhead power lines and a pole mounted substation which likely was replaced by padmount substation no. 27919. Accordingly it is possible that this easement may be able to be released.

Although there are no network assets in the easement, Endeavour Energy may manage the easement as if there are 'Inservice' assets. No easement is considered redundant until it is released by Endeavour Energy.

- All encroachments, activities and / or works (including subdivision and even if not part of the Development Application) whether temporary or permanent within or affecting an easement, restriction, right of access or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project) need to be referred to Endeavour Energy's Easements Officers for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities.

For further information please refer to the attached copies of Endeavour Energy's:

- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
 - Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
 - To ensure an adequate connection, the applicant may need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
 - An extension or augmentation of the existing electricity distribution network may be required. Whilst there are distribution substations in the area which are likely to have some spare capacity, it is not unlimited and may not be sufficient to provide for the additional load from the proposed development.
- Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.
- Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
 - The low voltage service conductor and customer connection point must comply with the current 'Service and Installation Rules of NSW'.
 - The Electrical Servicing Statement prepared by IINGEN dated 16 April 2025 includes the following advice regarding whether electricity services are available and adequate for the proposed development.

Noting that the existing Main Switchboard is sufficiently sized at 800 Amps and is supplied from a dedicated substation, it has been determined that the site infrastructure has sufficient capacity and will not require any upgrades to the Endeavour Energy network or downstream electrical infrastructure.

- The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'.
- Whilst there may be no restrictions in legislation that stop sensitive uses such as schools, pre-schools, day / child care centres being placed next to electricity infrastructure, prudent avoidance measures should however be implemented.

As a guide, with the observance of the separation distances identified in Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 'Minimum easement widths', electric and magnetic fields (EMF) should not exceed the recommended magnetic field public exposure limits.

Nonetheless the applicant may wish to commission an independent review to provide an overall assessment and the consideration and adoption of prudent avoidance principles.

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- The minimum required safety clearances and controls for buildings and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building or structure, consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV). It also includes the following requirements for work near low voltage overhead power / service lines.

TABLE 4

Approach distances for work near low voltage overhead service lines

Ordinary Persons (m)				
Hand held tools	Operation of crane or mobile plant	Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc)	Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc)	Driving or operating vehicle
0.5	3.0	4.0	1.5	0.6

- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

No planting of trees is allowed in the easement for a padmount substation. Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

Endeavour Energy's HxGN NetWorks Core master facility model

The advice provided regarding the extent of the electricity network within or adjacent to the property is based on a desk top review of Endeavour Energy's HxGN NetWorks Core master facility model. This is a computer based geospatial data system which holds the data on and is used to map the electricity network but is indicative only and based on the data available at the time. It only shows the Endeavour Energy electricity network and does not show electricity infrastructure belonging to other authorities or customers owned electricity equipment beyond the customer connection point / point of supply to the property.

Due to privacy and security requirements, certain aspects of Endeavour Energy's geospatial data are protected information. Additional plans and details of the electricity network within or adjacent to the property are available by the arrangements provided to the relevant referral services in accordance with the applicable legislation, licences, regulations and codes of practice etc.

Easement (or other form of property tenure)

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

Standard Conditions

Due to the high number of notifications / referrals received by Endeavour Energy, the use of the 'Standard Conditions' is needed to enable responses / submissions to be made with the reasonably available resource allocation and within the statutory / requested time frames. The ability to provide more specific and detailed individual consideration to every notification / referral is limited.

Whilst all reasonable care and effort has been made to address the matters affecting the Development Application or Planning Proposal related to the electricity distribution network, the determining authority / applicant will need to consider their own specific knowledge, needs or circumstances, objectives and requirements in consideration of the response / submission to take appropriate corrective action.

This may require the determining authority / applicant to review the information provided for the application / proposal to verify the issue / risk included as either a 'Condition' or 'Advice' in the response / submission. For example, if Clause 37 'Vegetation Management' is marked as a 'Condition', the landscape plans / planting schedule should be referred to and reviewed to validate the risk associated with the matter as described in the 'Standard Conditions' eg. the mature height and /or spread of the proposed plantings may interfere with overhead power lines and require the use of smaller alternative planting.

Condition or Advice

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is not applicable / relevant then it is not marked as either.

For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations is a standard / regulatory requirement and will be indicated as 'Condition'. If the Site Plan from Endeavour Energy's HxGN NetWorks Core master facility model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution regarding any other underground utilities.

Not all the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

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Decision

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal.

It will 'Approve (with conditions)' if there are any matters in the submission marked for 'Condition'.

If all the matters in the submission are marked for 'Advice', the outcome of the assessment will also be 'Advice'.

Objection

Submissions that 'Approve (with conditions)' in the NSW Planning Portal may be indicated as 'Object' in Endeavour Energy's submission if the matters may substantially impact the proposed development or are regarded as a significant risk to the electricity distribution network. For example, if a building or structure encroaches and easement, restriction or safety clearances, either the encroaching parts of the building or structure will need to be redesigned or alternatively an asset relocation / removal required.

If indicated as 'Object', the submission details the reason/s subject to the satisfactory resolution of which, Endeavour Energy will have no further objection to the Development Application. To resolve these matters the applicant will need to make direct contact with the relevant Endeavour Energy's Contact (who do not have access to the NSW Planning Portal) via the contact details provided below. Re-referral via the NSW Planning Portal is not required and the matters can rest on the further correspondence.

In most instances even if the submission has been marked as 'Object', Endeavour Energy is not necessarily opposed to the Development Application. Whilst the determining authority may appropriately condition or defer these matters, Endeavour Energy recommends that whenever reasonably possible they be resolved before rather than as conditions of any development consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Information Provided

Please note Endeavour Energy can only assess the Development Application or Planning Proposal based on the information provided by the applicant and determining authority. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or determining authority. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site (including current photographs) and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects / Environmental Impact Statements. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application or Planning Proposal.

Applicants should also provide details of any early engagement or consultation undertaken with Endeavour Energy eg. Technical Review Requests, Connection of Load Applications, approval from Easements Officers etc. as this will assist in expediting the submission.

Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

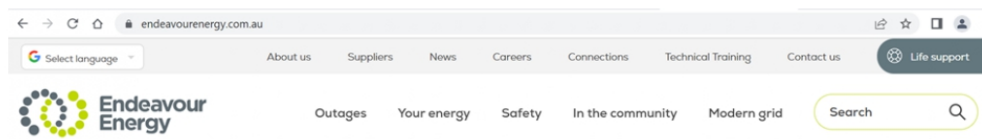
Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

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Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



To resolve any objection or to seek further advice the following are the main contacts and can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Services Team can provide the initial assessment and general advice or guidance, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s and is not subject to the usual statutory notice requirements and response times

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	CWAdmin@endeavourenergy.com.au
Easements Officers	Easement management or protected works / assets.	Easements@endeavourenergy.com.au
Property	Property tenure eg. the creation or release of easements.	network_property@endeavourenergy.com.au
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near the electricity network / street infrastructure in public areas (including zone and transmission substations).	Construction.Works@endeavourenergy.com.au

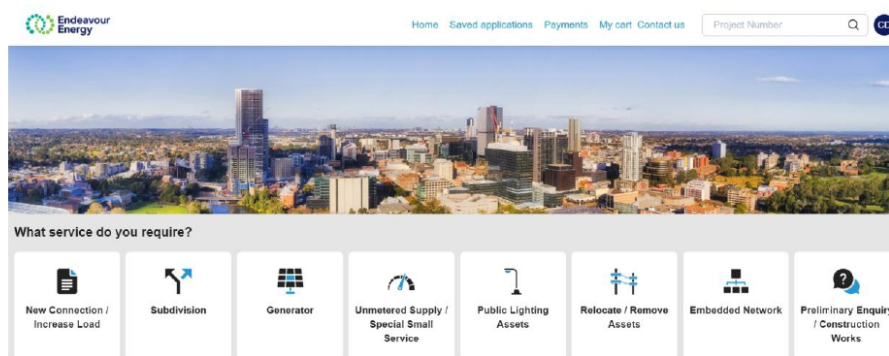
Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.

In some circumstances further advice or guidance may need to be obtained by the applicant from an independent and appropriately qualified and / or experienced person / consultant before making any determination / decisions.

Connections Portal

For new enquiries or work requests, applicants can use the online [Connections Portal](#). After signing up, applicants can sign in and submit requests by clicking on the relevant tile for the service required shown below. Hovering over the tiles provides a preview of the services provided or please refer to the quick reference guides:

- [Connections Portal User Guide for Construction Works Services](#) - a step by step guide for the new application process.
- [User registration, log in and password reset guide](#).



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Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance. In case of an emergency call 131 003.
- 4) **DO NOT** attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

ATTACHMENT L – SYDNEY WATER REQUIREMENTS



30 May 2025

Our reference: N/A

Lauren Carter
The Hills Shire Council
lcarter@thehills.nsw.gov.au

RE: Development Application 1588/2025/HC at 1 Wellgate Avenue, North Kellyville

Thank you for notifying Sydney Water of 1588/2025/HC at 1 Wellgate Avenue, North Kellyville, which proposes to replace the existing single-storey building at 'Block C' and the construction of a new two storey building at Our Lady of Angels Primary School. Sydney Water has reviewed the application based on the information supplied and provides the following Sydney Water requirements to assist in understanding the servicing needs of the proposed development.

Sydney Water position:	Condition of Consent applies
Condition of Consent which applies:	Section 73 and Building Plan Approval required See Attachment 1 for recommended wording for Sydney Water conditions to be included in the consent letter.
Additional comments:	The development site is outside the SP1154 boundary. Water and wastewater servicing should be available.
Other information:	This advice is not formal approval of our servicing requirements. Detailed requirements will be provided once the development is referred to Sydney Water for further applications. The <i>Sydney Water Development Application Information Sheet (for proponent)</i> enclosed contains details on how to make further applications to Sydney Water and further information on Infrastructure Contributions. A copy of this should be provided to the proponent in conjunction with the development consent.

If you require any further information, please contact the Growth Analytics Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

Growth Analytics Team
Growth and Development, Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Sydney Water Corporation ABN 49 776 225 038
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Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

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

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

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

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

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

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

Tree Planting

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

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

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

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