

# REVISED DRAFT CONDITIONS

The consent is structured with General Conditions relating to the development as a whole, with additional specific conditions relevant to the individual stages identified above. The consent must be read in full.

## CONDITIONS APPLICABLE TO ALL STAGES OF DEVELOPMENT

### GENERAL CONDITIONS

#### 1. Staging of Proposed Works

1. Notwithstanding any other condition, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the approved development in stages, provided that all conditions of consent relevant to the development incorporated within each stage have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that stage.
2. The development is to be carried out in the following stages:

Stage	Description of works
1A	Remediation, earthworks, tree retention and protection, vegetation removal, stormwater management, construction of mountain bike trails, walking tracks, southern sports field platform including associated amenities building, bicycle pump track, sections of the internal roads and car parking areas and provision of emergency access, construction of the new vehicular and pedestrian entries on Quarter Sessions Road including associated roundabout and shared path link to Ruddock Park, bushland restoration and provision of associated services and utilities.
1B	Earthworks, tree retention and protection, and construction of Sefton Road extension including associated retaining walls, drainage and fencing.
2	Remediation, earthworks, tree retention and protection, vegetation removal, stormwater management, construction of the middle and northern sports field platforms including associated amenities buildings, children's play equipment and other facilities, remainder of the internal roads and car parking areas, Scarred Tree relocation, construction of the new Warrigal Drive vehicular and pedestrian entry including road surface upgrade works and new roundabout at its intersection with Quarter Sessions Road, bushland restoration, and provision of associated services and utilities.

**Reason:** To ensure the staging of the development is consistent with approved plans and supporting documentation.

## 2. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

### Approved Plans

Plan No.	Plan Title	Drawn by	Dated	Council Reference
<b>Site Plans</b>				
C010(P8)	Existing Site Plan	TTW	01.07.24	
C018 (P4)	Proposed Site Plan	TTW	01.07.24	
<b>Sports Field Design Plans</b>				
SE_10681_SKT_001	Concept Sketch	SportEng	03.07.24	
SE_10681_SKT_002	Stormwater Drainage Layout Plan	SportEng	26.06.24	
SE_10681_SKT_006	Irrigation Sketch - South Field	SportEng	26.06.24	
SE_10681_SKT_007	Irrigation Sketch - Athletics Field	SportEng	26.06.24	
<b>Landscape Plans</b>				
3707.GA.00 (10)	General Arrangement Plan - Context	Environmental Partnership	July 2024	
3707.GA.01 (10)	General Arrangement Plan - Overall	Environmental Partnership	July 2024	
3707.GA.02 (10)	General Arrangement Plan - Pedestrian & Cycle Networks	Environmental Partnership	July 2024	
3707.GA.03 (10)	General Arrangement Plan - Traffic & Parking	Environmental Partnership	July 2024	
3707.GA.04 (9)	General Arrangement Plan - Bus Route	Environmental Partnership	July 2024	
3707.GA.05 (9)	General Arrangement Plan - Bushfire Management Access	Environmental Partnership	July 2024	
3707.GA.06 (10)	General Arrangement Plan - Precinct Plan	Environmental Partnership	July 2024	
3707.GA.07 (10)	General Arrangement Plan - Sheet 1	Environmental Partnership	July 2024	
3707.GA.08 (10)	General Arrangement Plan - Sheet 2	Environmental Partnership	July 2024	
3707.GA.09 (10)	General Arrangement Plan - Sheet 3	Environmental Partnership	July 2024	
3707.GA.10 (10)	General Arrangement Plan - Sheet 4	Environmental Partnership	July 2024	

<b>Plan No.</b>	<b>Plan Title</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Council Reference</b>
3707.GA.11 (10)	General Arrangement Plan - Sheet 5	Environmental Partnership	July 2024	
3707.GA.12 (10)	General Arrangement Plan - Sheet 6	Environmental Partnership	July 2024	
3707.ST.00 (5)	Staging Plan - Overall	Environmental Partnership	July 2024	
3707.ST.01 (5)	Staging Plan - 1A	Environmental Partnership	July 2024	
3707.ST.02 (5)	Staging Plan - 1B	Environmental Partnership	July 2024	
3707.ST.03 (5)	Staging Plan - 2	Environmental Partnership	July 2024	
3707.ST.04 (4)	Staging Plan - Bushfire Management Access	Environmental Partnership	July 2024	
3707.LV.00 (2)	Proposed Levels Plan - Overall	Environmental Partnership	July 2024	
3707.LV.01 (2)	Proposed Levels Plan - Sheet 1	Environmental Partnership	July 2024	
3707.LV.02 (2)	Proposed Levels Plan - Sheet 2	Environmental Partnership	July 2024	
3707.LV.03 (2)	Proposed Levels Plan - Sheet 3	Environmental Partnership	July 2024	
3707.LV.04 (2)	Proposed Levels Plan - Sheet 4	Environmental Partnership	July 2024	
3707.LV.05 (2)	Proposed Levels Plan - Sheet 5	Environmental Partnership	July 2024	
3707.LV.06 (2)	Proposed Levels Plan - Sheet 6	Environmental Partnership	July 2024	
3707.PP.01 (10)	Planting Plan - Tree Management Plan Overall	Environmental Partnership	July 2024	
3707.PP.01-1(2)	Planting Plan - Tree Management Plan - Sheet 1	Environmental Partnership	July 2024	
3707.PP.01-2(2)	Planting Plan - Tree Management Plan - Sheet 2	Environmental Partnership	July 2024	
3707.PP.01-3(2)	Planting Plan - Tree Management Plan - Sheet 3	Environmental Partnership	July 2024	
3707.PP.01-4(2)	Planting Plan - Tree Management Plan - Sheet 4	Environmental Partnership	July 2024	
3707.PP.01-5(2)	Planting Plan - Tree Management Plan - Sheet 5	Environmental Partnership	July 2024	
3707.PP.01-6(2)	Planting Plan - Tree Management Plan - Sheet 6	Environmental Partnership	July 2024	
3707.PP.02 (10)	Planting Plan - Tree Masterplan	Environmental Partnership	July 2024	

<b>Plan No.</b>	<b>Plan Title</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Council Reference</b>
3707.PP.03 (10)	Planting Plan - Overall	Environmental Partnership	July 2024	
3707.PP.04 (10)	Planting Plan - Sheet 1	Environmental Partnership	July 2024	
3707.PP.05 (10)	Planting Plan - Sheet 2	Environmental Partnership	July 2024	
3707.PP.06 (10)	Planting Plan - Sheet 3	Environmental Partnership	July 2024	
3707.PP.07 (10)	Planting Plan - Sheet 4	Environmental Partnership	July 2024	
3707.PP.08 (10)	Planting Plan - Sheet 5	Environmental Partnership	July 2024	
3707.PP.09 (10)	Planting Plan - Sheet 6	Environmental Partnership	July 2024	
3707.PP.10 (9)	Planting Plan - Planting Palette - sheet 1	Environmental Partnership	July 2024	
3707.PP.11 (9)	Planting Plan - Planting Palette - sheet 2	Environmental Partnership	July 2024	
3707.PP.12 (9)	Planting Plan - Planting Palette - sheet 3	Environmental Partnership	July 2024	
3707.PF.01 (10)	Park Furniture Arrangement Plan	Environmental Partnership	July 2024	
3707.PF.02 (9)	Park Furniture Palette	Environmental Partnership	July 2024	
3707.FF.01 (10)	Fencing & Walling Arrangement Plan Overall	Environmental Partnership	July 2024	
3707.FF.01-1(2)	Fencing & Walling Arrangement Plan - Sheet 1	Environmental Partnership	July 2024	
3707.FF.01-2(2)	Fencing & Walling Arrangement Plan - Sheet 2	Environmental Partnership	July 2024	
3707.FF.01-3(2)	Fencing & Walling Arrangement Plan - Sheet 3	Environmental Partnership	July 2024	
3707.FF.01-4(2)	Fencing & Walling Arrangement Plan - Sheet 4	Environmental Partnership	July 2024	
3707.FF.01-5(2)	Fencing & Walling Arrangement Plan - Sheet 5	Environmental Partnership	July 2024	
3707.FF.01-6(2)	Fencing & Walling Arrangement Plan - Sheet 6	Environmental Partnership	July 2024	
3707.FF.02 (9)	Fencing & Walling Palette	Environmental Partnership	July 2024	
3707.PD.01 (9)	Detailed Plan - Playground	Environmental Partnership	July 2024	
3707.PD.02 (9)	Playground Material Palette	Environmental Partnership	July 2024	

Plan No.	Plan Title	Drawn by	Dated	Council Reference
3707.SP.01 (1)	Perspectives	Environmental Partnership	June 2024	
3707.SEC.0 1(1)	Detailed Cross Sections - Sheet 1	Environmental Partnership	July 2024	
3707.SEC.0 2(1)	Detailed Cross Sections - Sheet 2	Environmental Partnership	July 2024	
3707.LD.01 (9)	Landscape Details - Sheet 1	Environmental Partnership	July 2024	
3707.LD.02 (9)	Landscape Details - Sheet 2	Environmental Partnership	July 2024	
3707.LD.03 (9)	Landscape Details - Sheet 3	Environmental Partnership	July 2024	
<b>Civil Drawings</b>				
C000(P6)	Cover Sheet	TTW	02.07.2024	
C001(P7)	Notes and Legend Sheet	TTW	27.06.2024	
C010(P8)	Existing Site Plan	TTW	01.07.2024	
C011(P12)	General Arrangement Plan 1	TTW	27.06.2024	
C012(P9)	General Arrangement Plan 2	TTW	27.06.2024	
C013(P18)	General Arrangement Disturbance Plan	TTW	27.06.2024	
C014(P10)	Biodiversity Assessment Disturbance Plan	TTW	27.06.2024	
C015(P5)	Remediation Assessment Disturbance Plan	TTW	27.06.2024	
C016(P4)	Proposed Development on Sydney Water Land	TTW	27.06.2024	
C018(P4)	Proposed Site Plan	TTW	01.07.2024	
C020(P3)	Site Demolition Plan	TTW	28.06.2024	
C021(P3)	Sediment and Erosion Control Plan	TTW	27.06.2024	
C022(P2)	Sediment and Erosion Control Typical Details	TTW	26.06.2024	
C031(P15)	Siteworks Plan 1	TTW	15.06.2024	
C032(P16)	Siteworks Plan 2	TTW	27.06.2024	
C033(P4)	Siteworks Plan 3	TTW	27.06.2024	
C034(P4)	Siteworks Plan 4	TTW	27.06.2024	
C035(P3)	Siteworks Plan 5	TTW	15.06.2024	
C036(P3)	Siteworks Plan 6	TTW	15.06.2024	
C051(P7)	Site Sections Sheet 1	TTW	18.06.2024	
C052(P1)	Site Sections Sheet 2	TTW	30.05.2024	
C053(P1)	Site Sections Sheet 3	TTW	18.6.2024	
C054(P1)	Site Sections Sheet 4	TTW	18.06.2024	
C055(P1)	Site Sections Sheet 5	TTW	18.06.2024	
C056(P1)	Site Sections Sheet 6	TTW	18.06.2024	

<b>Plan No.</b>	<b>Plan Title</b>	<b>Drawn by</b>	<b>Dated</b>	<b>Council Reference</b>
C057(P1)	Site Sections Sheet 7	TTW	18.06.2024	
C058(P1)	Site Sections Sheet 8	TTW	18.06.2024	
C059(P1)	South Field Retaining Wall Elevation	TTW	27.06.2024	
C060(P1)	Road Control Alignment Plan	TTW	27.06.2024	
C061(P5)	Westleigh Park Road Longitudinal Section - Sheet 1	TTW	25.06.2024	
C062(P3)	Westleigh Park Road Longitudinal Section - Sheet 2	TTW	25.06.2024	
C063(P3)	Westleigh Park Road Longitudinal Section - Sheet 3	TTW	25.06.2024	
C064(P1)	Sefton Road Longitudinal Section - Sheet 1	TTW	25.06.2024	
C065(P1)	Sefton Road Longitudinal Section - Sheet 2	TTW	25.06.2024	
C066(P1)	Westleigh Park Road Cross Sections - Sheet 1	TTW	25.06.2024	
C067(P1)	Westleigh Park Road Cross Sections - Sheet 2	TTW	25.06.2024	
C068(P1)	Sefton Road Cross Sections - Sheet 1	TTW	25.06.2024	
C069(P1)	Sefton Road Cross Sections - Sheet 2	TTW	25.06.2024	
C071(P15)	Stormwater Management Plan 1	TTW	28.06.2024	
C072(P10)	Stormwater Management Plan 2	TTW	28.06.2024	
C075(P3)	Stormwater Catchment Plan	TTW	28.06.2024	
C076(P2)	Water Quality Management Schematic Plan	TTW	28.06.2024	
C081(P9)	Bulk Earthworks Plan	TTW	15.06.2024	
C091(P3)	Details Sheet 1	TTW	27.06.2024	
C092(P3)	Details Sheet 2	TTW	27.06.2024	
C093(P3)	Details Sheet 3	TTW	27.06.2024	
C094(P4)	Details Sheet 4	TTW	27.06.2024	
C095(P3)	Details Sheet 5	TTW	27.06.2024	
C096(P3)	Details Sheet 6	TTW	27.06.2024	
C097(P2)	Details Sheet 7	TTW	27.06.2024	
C098(P1)	Details Sheet 8	TTW	27.06.2024	
C100(P5)	Overall Staging Plan	TTW	27.06.2024	
C101(P5)	Stage 1A Plan	TTW	27.06.2024	

Plan No.	Plan Title	Drawn by	Dated	Council Reference
C102(P5)	Stage 1B Plan	TTW	27.06.2024	
C103(P5)	Stage 2 Plan	TTW	27.06.2024	
C200(P3)	Schematic Design Vehicle Access Plan	TTW	28.06.2024	
C211(P1)	Turning Path Plan 12.5m Rigid Bus Sheet 1	TTW	08.09.2023	
C212(P2)	Turning Path Plan 12.5m Rigid Bus Sheet 2	TTW	28.06.2024	
C213(P2)	Turning Path Plan Sheet 3	TTW	28.06.2024	
C214(P2)	Turning Path Plan Sheet 4	TTW	28.6.2024	
C301(P1)	Signage & Line marking Plan Sheet 1 Of 4	TTW	02.07.2024	
C302(P1)	Signage & Line marking Plan Sheet 2 of 4	TTW	02.07.2024	
C303(P1)	Signage & Line marking Plan Sheet 3 of 4	TTW	02.07.2024	
C304(P1)	Signage & Line marking Plan Sheet 4 of 4	TTW	02.07.2024	
<b>Substation Plans</b>				
AN-22537(C) Sheet 1 of 6	ASP3 Work Westleigh Park Quarter Sessions Rd, Westleigh	JHA	26.06.2024	
AN-22537(C) Sheet 2 of 6	ASP3 Work Westleigh Park Quarter Sessions Rd, Westleigh	JHA	26.06.2024	
AN-22537(C) Sheet 3 of 6	ASP3 Work Westleigh Park Quarter Sessions Rd, Westleigh	JHA	26.06.2024	
AN-22537(C) Sheet 4 of 6	ASP3 Work Westleigh Park Quarter Sessions Rd, Westleigh	JHA	26.06.2024	
AN-22537(C) Sheet 5 of 6	ASP3 Work Westleigh Park Quarter Sessions Rd, Westleigh	JHA	26.06.2024	
An-22537(C) Sheet 6 of 6	ASP3 Work Westleigh Park Quarter Sessions Rd, Westleigh	JHA	26.06.2024	
<b>Mountain Bike Trail</b>				
T-16(A)	Trail Plan - Overview Map	Arterra Design	20.06.2024	
<b>Architectural Plans</b>				
DA-0001(D)	Cover Sheet	AJC Architects	11.07.2024	
DA-0002(D)	3D Views Sheet 1	AJC Architects	11.07.2024	
DA-0003(D)	3D Views Sheet 2	AJC Architects	11.07.2024	

Plan No.	Plan Title	Drawn by	Dated	Council Reference
DA-2101(D)	Ground Floor Plan - Building 1	AJC Architects	11.07.2024	
DA-2102(D)	Ground Floor Plan - Building 2	AJC Architects	11.07.2024	
DA-2103(D)	Ground Floor Plan - Building 3	AJC Architects	11.07.2024	
DA-2201(D)	Roof Plan - Building 1	AJC Architects	11.07.2024	
DA-2202(D)	Roof Plan - Building 2	AJC Architects	11.07.2024	
DA-2203(D)	Roof Plan - Building 3	AJC Architects	11.07.2024	
DA-3101(D)	Elevations - Building 1	AJC Architects	11.07.2024	
DA-3102(D)	Elevations - Building 2	AJC Architects	11.07.2024	
DA-3103(D)	Elevations - Building 3	AJC Architects	11.07.2024	
DA-3201(D)	Sections - Building 1	AJC Architects	11.07.2024	
DA-3202(D)	Sections - Building 2	AJC Architects	11.07.2024	
DA-3203(D)	Sections - Building 3	AJC Architects	11.07.2024	
DA-3301(D)	Materials Board	AJC Architects	11.07.2024	
<b>Lighting Plans</b>				
DA-001(P1)	Legend, Drawing List and Location Plan	Lighting, Art & Science	14.06.2024	
DA-101(P1)	Lighting & Electrical Layout - Sheet 01	Lighting, Art & Science	14.06.2024	
DA-102(P1)	Lighting & Electrical Layout - Sheet 02	Lighting, Art & Science	14.06.2024	
DA-103(P1)	Lighting & Electrical Layout - Sheet 03	Lighting, Art & Science	14.06.2024	
DA-201(P1)	Lighting & Electrical Layout - Sefton Road - Sheet 01	Lighting, Art & Science	14.06.2024	
DA-202(P1)	Lighting & Electrical Layout - Sefton Road - Sheet 02	Lighting, Art & Science	14.06.2024	
DA-301(P1)	Lighting Details - Sheet 01	Lighting, Art & Science	14.06.2024	
DA-302(P1)	Lighting Details - Sheet 02	Lighting, Art & Science	14.06.2024	
DA-303(P1)	Lighting Details - Sheet 03	Lighting, Art & Science	14.06.2024	
DA-304(P1)	Lighting Details - Sheet 04	Lighting, Art & Science	14.06.2024	
DA-305(P1)	Lighting Details - Sheet 05	Lighting, Art & Science	14.06.2024	
DA-306(P1)	Lighting Details - Sheet 06	Lighting, Art & Science	14.06.2024	
DA-307(P1)	Lighting Details - Sheet 07	Lighting, Art & Science	14.06.2024	



Plan No.	Plan Title	Drawn by	Dated	Council Reference
DA-308(P1)	Lighting Details - Sheet 08	Lighting, Art & Science	14.06.2024	
<b>Roundabout Lighting Plans</b>				
SL 000 (A)	Proposed Lighting Overall Plan	JHA	26.06.2024	
SL 001 (A)	Proposed Lighting Quarter Sessions Road & Warrigal Drive	JHA	26.06.2024	
SL 002 (A)	Proposed Lighting Quarter Sessions Road & Traffic Devices	JHA	26.06.2024	
SL 003 (A)	Proposed Lighting Quarter Sessions Road & Pedestrian Crossing	JHA	26.06.2024	

Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
Arboricultural Impact Assessment and Tree Management Report MBT-AIA-01 Rev. A	Arterra Design	21.06.2024	D08926065
Tree Retention Plan - Map Index and Maps 1-16	Truth About Trees	26.09.2024	D08976984
Aboriginal Archaeological Test Investigation Report V3	Hornsby Shire Council	28.05.2024	D08735838
Aboriginal Cultural Heritage Assessment	Scribe	12.07.2024	D08926068
Aboriginal Cultural Heritage Assessment (Consultation Documents)	Scribe	01.07.2024	D08926074
Aboriginal Cultural Heritage Assessment (Geoarchaeological Assessment)	Jakub Czastka Archaeological Services	01.08.2020	D08735905
Aboriginal Cultural Heritage Assessment (Recommendations for the Removal and Relocation of Scarred Tree AHIMS #45-6-3657)	Scribe	29.11.2022	D08735839
Aboriginal Cultural Heritage Assessment (Survey Report)	Scribe	30.05.2023	D08735904
Aboriginal Cultural Heritage Due Diligence Assessment	Tracey Howie-Guringai Tribal Link Aboriginal Corporation	01.02.2024	D08735840
Access & Inclusion Review	Funktion	07.06.2024	D08921428
Access Review - Amenities Buildings Iss. 4	Funkiton	07.06.2024	D08921423
Acoustic Impact Assessment Rp 001 R04 20200258	Marshall Day	05.07.2024	D08926072

<b>Document Title</b>	<b>Prepared by</b>	<b>Dated</b>	<b>Council Reference</b>
Air Quality Impact Assessment Ref: 22.1083.FR1V3	Northstar	01.07.2024	D08921408
Appraisal of Remedial Approaches Ref: SYDEN213135-L01c	Coffey	31.10.2018	D08735927
Arboricultural Impact Assessment Ref: Q1718	Truth about Trees	10.07.2024	D08926061
Asbestos and Hazardous Materials Assessment Ref: 754-SYDEN213135-3 Rev 01	Coffey	19.04.2021	D08735924
BCA Assessment Report Rev 2	BM+G	17.06.2024	D08921421
Biodiversity Development Assessment Report - Project No. 23SYD5964 v6	EcoLogical Australia	12.07.2024	D08926060
Biodiversity Credit Split Letter (Staged Development) Ref: 23SYD5964	EcoLogical Australia	18.10.2024	D08995135
Biodiversity Management Plan v6	EcoLogical Australia	12.07.2024	D08926076
Bushfire Protection Assessment Project No. 23HUS_6556 v3	EcoLogical Australia	12.09.2023	D08735871
Civil Stormwater Report Ref: 201537 CAAA Iss. M	TTW	01.07.2024	D08921380
Connecting with Country Workshop & Scarred Tree Discussion Report	Scribe	28.05.2024	D08735837
Construction Environmental Management Plan Rev 2	Willow Frank	11.07.24	D08926062
Construction Traffic Management Plan Report No. PT20017r01_Final_V2	Positive Traffic	01.07.24	D08926080
Demolition Management Plan Ref: 754-SYDEN213135	Tetra Tech Coffey	01.06.23	D08735898
Design Evolution Summary	EP	01.09.23	D08735947
Detailed Site Investigation Ref: s13978_rpt_rev1	Senversa	27.04.18	D08735933
Ecologically Sustainable Development Report (P11)	JHA	07.09.23	D08735914
Electrical Services Report Rev B	JHA	14.07.24	D08921426
Environmental Impact Statement Ref: #8934	SJB Planning	22.09.23	D08735921
Environmental Impact Statement Addendum v2 Ref: #8934	SJB Planning	12.07.2024	D08926081
Excavation Report	Arcadis	07.09.2018	D08735899
Geophysical Investigation of Fill Material v1	Tetra Tech Coffey	22.06.18	D08735919
Geotechnical Investigation Ref: SYDEN213135-6AA Rev 3	Tetra Tech Coffey	30.09.2024	D08926063

Document Title	Prepared by	Dated	Council Reference
Shelter Rock Geotechnical Investigation Ref: SYDEN213135-6 AC	Tetra Tech Coffey	27.05.2024	D08926066
Groundwater and Landfill Gas Investigation Ref: SYDEN213135-1-R03	Tetra Tech Coffey	18.05.2020	D08735926
Additional Groundwater Assessment Ref: SYDEN213135--1-R02	Tetra Tech Coffey	18.11.2020	D08735925
Hydraulic Services Report Rev D	JHA	19.06.2024	D08921432
Westleigh Mountain Bike Project Detailed Design Report	Dirt Art	01.07.2024	D08926064
Obtrusive Lighting Assessment Ref L1 650_R01_P6	LAS	21.06.2024	D08921386
Operational Plan of Management Rev. E	Hornsby Shire Council	01.07.2024	D08926078
Preliminary Health Risk Assessment	Senversa	27.04.2018	D08735934
Revised Remedial Action Plan Ref: SYDEN213135-2-R01 Rev4	Tetra Tech Coffey	15.09.2023	D08735928
Road Safety Audit Ref: 22-202-2	Stanbury Traffic Planning	01.07.2024	D08921392
Section J Report Job No. 210014 Rev. P4	JHA	15.05.2024	D08921415
Site Audit	Geosyntec	05.08.2019	D08735929
Sports Field Report Ref: SE_10681_TechSpec_001_C Rev 3	Sport Eng	24.04.2023	D08735944
Synthetic Turf Advice Tech Note 001 Rev A	Sport Eng	20.09.2023	D08735945
Traffic and Transport Impact Assessment v4	HSC (Transport Planning Unit)	10.07.2024	D08926073
Vegetation Management Plan V3	EcoLogical Australia	21.09.2023	D08735920
Waste Management Plan Rev. 2	Willow Frank	11.07.2024	D08926079
Water Management Report	Civille	08.09.2023	D08735969
Addendum to 2023 Water Management Strategy	Civille	04.07.2024	D08926630

**Reason:** To ensure all parties are aware of the approved plans and supporting documentation that apply to the development.

### 3. Inconsistency Between Documents

If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of any inconsistency. However, the conditions of this consent prevail to the extent of any inconsistency with any plans or documents listed above.

**Reason:** To ensure certainty in relation to the approved plans and supporting documentation that apply to the development under this development consent.

#### 4. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	Document Title/ Ref	Dated	Council Reference
NSW Heritage	Letter Ref: DOC24/630087-23	23.08.2024	D09008437
Environment Protection Authority	Letter Ref: DOC24/632570-8	24.09.2024	D08977413
NSW Rural Fire Service	Letter Ref: DA20230926004268-S38-1	11.10.2024	D08988867
Transport for NSW	Letter Ref: SYD24-01385/01	22.08.2024	D08962674
Ausgrid	Letter - no reference	27.09.2023	D08741547

(NOTE: For a copy of the above referenced document/s, please see Application Enquiry System on Council's website [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au))

**Reason:** To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

#### 5. Responsibility for other approvals/agreements

The proponent is responsible for ensuring that all additional approvals and agreements are obtained from other Authorities, as relevant.

**Reason:** Statutory compliance.

#### 6. Construction Certificate

1. A Construction Certificate is required to be approved by Council or a Principal Certifier prior to the commencement of any construction works under this consent.
2. A separate Subdivision Works Certificate (SWC) or Subdivision Roads Act (SRA) must be obtained from Council for all works within the public road reserve under S138 of the Roads Act.
3. The Construction Certificate and Subdivision Works Certificate plans must be consistent with the Development Consent plans.

**Reason:** To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.

#### 7. Heritage NSW General Terms of Approval

The proposed development must comply with the General Terms of Approval issued by Heritage NSW dated 23 August 2024.

**Reason:** Statutory compliance.

## **8. NSW Rural Fire Service Recommended Conditions**

The proposed development must comply with the recommended conditions issued by the NSW Rural Fire Service (RFS) dated 11 October 2024.

**Reason:** *Statutory compliance.*

## **9. EPA General Terms of Approval**

The proposed development must comply with the General Terms of Approval issued by EPA NSW dated 24 September 2024.

**Reason:** *Statutory compliance.*

## **10. Community Information**

Reasonable measures must be undertaken to keep nearby residents informed about the proposed work, such as by way of signs, leaflets and telephone contact numbers, to ensure that adjoining residents are aware of the likely duration of the construction works on the site.

**Reason:** *To ensure that residents are kept informed of activities that may affect their amenity.*

## **11. Separate Approvals**

Separate Development Approval shall be obtained for any future signage associated with the approved mountain bike tracks.

**Reason:** *To control the future development of the site.*

## **12. Ecosystem Credits**

1. The Applicant must retire the biodiversity credits for Offset Stages 1A, 1B, 2 prior to commencing native vegetation clearing in those stages as specified in Tables 1, 2 & 3 of the Biodiversity Credit Split letter for staging prepared by Ecological Australia dated 18 October 2024 and authored by Belinda Failes, Ecologist. The retirement of credits must be carried out in accordance with the Biodiversity Offsets Scheme of the Biodiversity Conservation Act, to the satisfaction of the Biodiversity Conservation Trust (BCT).
2. Written evidence of the retirement of these credits must be provided to the Principal Certifier and Council prior to commencing any works/ construction activity in the relevant stage.

**Reason:** *To ensure that biodiversity impacts are appropriately offset through the retirement of ecosystem credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur.*

## **13. National Construction Code**

Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the National Construction Code - Building Code of Australia. All building work must be carried out in accordance with the requirements of the National Construction Code - Building Code of Australia.

**Reason:** *Prescribed condition - EP&A Regulation section 69(1).*

# BUILDING WORK

## BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

### 14. Fire Safety Schedule

A schedule of all proposed essential fire safety measures to be installed in the buildings (e.g. hydrants, hose reels, emergency warning systems etc.) shall be submitted with the construction certificate application. The schedule shall distinguish between existing and proposed fire safety measures.

**Reason:** *To ensure all fire safety measures are identified to protect life and property.*

### 15. Retaining Walls

To ensure the stability of the site, structural details of all required retaining walls must be approved by Council or a Principal Certifier prior to the issue of the Construction Certificate.

**Reason:** *To ensure the stability of the site and adjoining properties.*

### 16. Utility Services

The applicant must submit written evidence of the following service provider requirements to Council or a Principal Certifier prior to issue of construction certificate:

1. Ausgrid (formerly Energy Australia) - a letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.
2. Telstra - a letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.
3. NBN - a letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.
4. Sydney Water Approval for both water and sewer connections.

**Reason:** *To ensure the development is provided with the relevant utility services.*

### 17. Construction Environmental Management Plan (CEMP)

A Construction Environmental Management Plan (consolidated) must be prepared by a suitably qualified environmental consultant in consultation with a qualified traffic engineer, AQF 5 arborist, and suitably qualified remediation consultant and submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval prior to the issue of construction certificate.

The Construction Environmental Management Plan (CEMP) represents the consolidation of the following specialist requirements and involves the following details:

The Construction Environmental Management Plan (CEMP).

#### 1. Description of the works

- a. A description of the scope of works for all stages of development consistent with all other plans submitted to Council as part of this development proposal.

- b. Site plans for all stages of works including the location of site sheds, concrete pump, and crane locations, unloading, and loading areas, waste and storage areas, existing survey marks, vehicle entry, surrounding pedestrian footpaths and hoarding (fencing) locations.
  - c. A statement confirming that no building materials, work sheds, vehicles, machines, or the like shall be allowed to remain in the road reserve area without the written consent of Council.
  - d. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Council will be made to obtain such a permit.
  - e. A statement confirming the applicant and all employees of contractors on the site shall obey any direction or notice from the Prescribed Certifying Authority or Council to ensure the matters contained in the CMP.
  - f. Parties responsible for ensuring compliance with the document and include the contact information for developers, builder, Principal Certifier, and any emergency details during and outside work hours.
2. **Construction Traffic Management Plan (CTMP)** including the following:
- a. The order of construction works and arrangement of all construction machines and vehicles being used during all stages.
  - b. The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.
  - c. The plans must consider appropriate temporary mitigation measures to respond to Corrective Action Requests 1 to 9 of the Road Safety Audit (1 July 2024 - Stanbury Traffic Planning).
  - d. The CTMP must document that all construction traffic associated with the Westleigh Park development shall be via the Quarter Sessions Road accesses, with the exception of minor vehicle movements associated with the final connection/ road opening on Sefton Road (maximum 3 construction vehicles per hour plus 15 light vehicles and 13 construction vehicles daily plus 30 light vehicles as detailed in the Hornsby Shire Council Construction Traffic Management Plan (CTMP) (ref. no PT20017r01\_Final\_V2 dated July 2024).
  - e. Demonstrate compliance with the requirements of the Transport for NSW Traffic control at work sites Technical Manual 2022 (including amendments) and detail:
    - i. Public notification of proposed works.
    - ii. Long term signage requirements.
    - iii. Short term (during actual works) signage.
    - iv. Vehicle Movement Plans, where applicable.
    - v. Traffic Management Plans.
    - vi. Pedestrian and Cyclist access and safety.
  - f. Traffic controls including those used during non-working hours. Pedestrian access and two-way traffic in the public road must be able to be facilitated at all times.

- g. Details of parking arrangements for all employees and contractors, including layover areas for large trucks during all stages of works. The parking or stopping of truck and dog vehicles associated with the development will not be permitted other than on the site and the plan must demonstrate this will be achieved.
  - h. Proposed truck routes to and from the site including details of the frequency of truck movements for all stages of the development.
  - i. Swept path analysis for ingress and egress of the site for all stages of works.
  - j. The total quantity and size of trucks for all importation and exportation of fill on site throughout all stages of works, and a breakdown of total quantities of trucks for each stage of works.
  - k. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.
3. A **Construction and Remediation Waste Management Plan** detailing the following:
- a. A table of information detailing cut and in-situ fill calculations for all stages for works. The table must include specified dimensions (WxLxD) and total cubic metres.
  - b. A scaled site plan including levels of the extent of cut and fill on the site, forming part of the proposed development.
  - c. Asbestos management requirement and procedures for removal and disposal from the site in accordance with AS 2601-2001 Demolition of structures, and the Protection of the Environment Operations (Waste) Regulation 2005.
  - d. General construction waste details including construction waste skip bin locations and litter management for workers.
4. A **Tree Protection Plan** (TPP) prepared by an AQF 5 Arborist in accordance with any approved Arboricultural Impact Assessment and tree location plans, detailing the following:
- a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and specific details of tree protection measures inclusive of distances (in metres) measured from tree trunks.
  - b. Construction methodology to avoid damage to trees proposed to be retained during construction works.
  - c. Specifications on tree protection materials used and methods within the TPZ or SRZ.
  - d. Location of dedicated material storage space on site outside of TPZ's and SRZ's for retained trees.
5. A **Construction Noise and Vibration Management Plan** (CNMP) which includes:
- a. Existing noise and vibration levels within the proximity of the proposed development site.
  - b. Details of the extent of rock breaking or rock sawing works forming part of the proposed development works.



- c. The maximum level of noise and vibration predicted to be emitted during each stage of construction.
  - d. The duration of each stage of works where the maximum level of noise and vibration are predicted to be emitted for.
  - e. Details of mitigation measures, inclusive of respite periods, that will meet acoustic standards within the *Interim Construction Noise Guideline* (DECC 2009b) and the *Draft Construction Noise Guideline* (EPA 2020)) at each stage of works.
  - f. Details of a complaints handling process for the surrounding neighbourhood for each stage of works.
6. A **Soil and Water Management Plan (SWMP)** prepared by a suitably qualified consultant in accordance with the *Managing Urban Stormwater – Soils & Construction, 2004 Manual*. The SWMP is to detail the sediment and erosion control measures to be implemented during the construction of the proposed development and is to be submitted incorporating a plan to scale of 1:500 or larger and supporting information. The following information must be included within the SWMP:
- a. Site survey which identifies contours and approximate grades and the direction(s) of fall.
  - b. Locality of site and allotment boundaries.
  - c. Location of adjoining road(s) and all impervious surfaces.
  - d. Location of site within catchment including an estimate of flows through the site.
  - e. Existing vegetation and site drainage.
  - f. Nature and extent of clearing, excavation and filling.
  - g. Diversion of run off around disturbed areas.
  - h. Location and type of proposed erosion and sediment control measures.
  - i. Location of site access and stabilisation of site access.
  - j. Location of material stockpiles.
  - k. Location and engineering details with supporting design calculations for all necessary sediment retention basins.
  - l. Location and concept plans of any proposed constructed wetlands, gross pollutant traps, trash racks or trash collection/separator units.
  - m. Proposed site rehabilitation and landscaping.
  - n. Detailed staging of construction works (breaking down of catchment disturbed); and
  - o. Maintenance program for erosion and sediment control measures.
  - p. All design criteria and calculations used to size sediment and erosion control measures should be shown, and construction standard drawings are to be provided on each type of sediment and erosion control measure proposed.

Where sediment retention basins are proposed, the following additional information is to be included in the SWMP:

- q. Details of catchment area of basin.

- r. Design capacity dimensions of basin and overflow mechanism.
  - s. Estimate of the average volumes of water to be disposed from the basin.
  - t. Details of treatment methods to be employed to water prior to disposal from basin (flocculation).
  - u. Estimate of the water quality after treatment prior to disposal from basin (suspended solids).
  - v. Method of disposal of water from basin.
  - w. Location of discharge points and / or disposal areas of water from basin, and
  - x. Inspection and maintenance program for basin.
7. An **'Unexpected Finds Protocol'** detailing the procedures to be implemented in the event contamination is discovered, including asbestos, not previously identified. The Unexpected Finds Protocol must specify the following:
- a. Upon identification of any contamination during all stages of work including excavation earthworks, the applicant shall immediately notify the Principal Certifier and Council (compliance@hornsby.nsw.gov.au).
  - b. A targeted soil sampling investigation must be prepared for the subject site by a certified consultant as recognised under the Certified Environmental Practitioners Scheme - Site Contamination (CEnvP (SC)) and the Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification and submitted to Council. The investigation must be undertaken in accordance with NSW Environment Protection Authority's Contaminated Sites Guidelines, Waste Classification Guideline and the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM).
  - c. A Remedial Action Plan (RAP) must be prepared for the subject site by a certified consultant as recognised under the Certified Environmental Practitioners Scheme - Site Contamination (CEnvP (SC)) and the Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification and submitted to Council, should the Preliminary/Detailed investigation reveal contamination exceeding criteria prescribed by the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM) and in accordance with the NSW Environment Protection Authority's Contaminated Sites Guidelines.
  - d. Council shall approve the proposed remedial strategy and any additional Site Management Plan in writing prior to recommencing remediation works and removal of excavated material from the site.
8. A de-watering plan that describes all controls to be implemented for the disposal of water that accumulates within any site excavation areas.
9. A Dust Control Plan detailing the measures to be implemented to control dust from the site and prevent nuisance to surrounding residents, including:
- a. Installing and maintaining dust screens around the perimeter of the site for the duration of the work.
  - b. Dust suppression methods on all exposed surfaces likely to generate dust.

- c. Procedures to ensure management of all material and soil stockpiles likely to generate dust.
  - d. Procedures to management dust generation and sediment tracking of vehicles entering and leaving the site.
10. The CEMP must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, Principal Certifier, and any emergency details during and outside work hours.

*Note: The CEMP must be lodged via Council's Online Services Portal at: <https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx> and by selecting the following menu options: Applications > New Applications > Under 'Application Types': Management Plans.*

**Reason:** To document construction measures to protect the public and the surrounding environment.

## **18. Integrated Bushfire and Vegetation Management Plan**

1. An Integrated Bushfire and Vegetation Management Plan (IBVMP) shall be prepared for the proposed development to the satisfaction of Council. The IBVMP shall address the following:
  - a. Provision of a map that identifies the location of the Asset Protection Zone (APZ) on the site.
  - b. Establishment and ongoing management of the APZ.
  - c. Offset planting.
  - d. Vegetation management.
2. The IBVMP shall address the APZ requirements including:
  - a. Permanent marking of the APZ to delineate areas for ongoing management actions.
  - b. Methodology for establishing and maintaining vegetation within the APZ.
  - c. Prioritise removal of weed species and retention of native species.
  - d. Retention of native vegetation in clumps where possible as described in the NSW RFS publications Planning for Bushfire Protection and Standards for asset protection zones.
  - e. Use of hand tools around trees and vegetation to be retained.
3. The IBVMP shall address any offset and vegetation management requirements including:
  - a. A schedule of works and general specification that demonstrates compliance with the ongoing management requirements of the APZ and retained vegetation outside of the APZ, including:
    - i. Desired outcomes of the vegetation management works (i.e. no. of plants, plant density, weed coverage, success rate).
    - ii. the timing of landscape and vegetation management works.
    - iii. protocols for planting, establishment, maintenance and replacement.
    - iv. species, numbers, pot size and height of plants to be used.

- v. Plant stock shall be sourced from a native nursery utilising Sydney basin stock.
  - vi. Ongoing weed management.
4. The IBVMP shall be implemented from the date of the Occupation Certificate for the relevant Stage and will be in place in perpetuity.
  5. The IBVMP shall be reviewed upon completion of the initial year period and updated in every 3 years. Monitoring should occur at a minimum of every 3 months for the first 3 years to ensure that weed control is well managed and plantings have established. Monitoring of the site after the initial 3 years should occur annually. Reporting on the implementation of the IBVMP should occur annually with the annual reports provided to Council.

**Reason:** *The development of a consolidated IBVMP will provide the developer and current and future landowners with a single document describing the required vegetation management actions across the site.*

## **19. Traffic Signals**

Any proposed traffic signals would require the consent of TfNSW under section 87 of the *Roads Act 1993* and is dependent on general Warrants in accordance with TfNSW requirements for Traffic Signal Design - Section 2 Warrants. The following information would need to be submitted to TfNSW for consideration and approval if any new traffic signals are proposed:

1. A traffic signal warrant assessment in accordance with the Traffic Signal Design Guide.
2. Electronic copies of the modelling files for the proposed TCS for the both the weekday AM and PM road network peak hours.
3. TCS and concept civil design plans (if TfNSW support is given based on the modelling and warrants assessment).

**Reason:** *To ensure the management of construction traffic to maintain road and pedestrian safety.*

## **20. Proposed Changes to Bus Stops**

Any proposed changes to existing bus stops shall be determined in consultation with the contract bus operator and TfNSW and approved by the Local Traffic Committee. Details of any proposed changes should be submitted to [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au). These works shall be at no cost to TfNSW.

**Reason:** *Statutory compliance.*

## **21. Appointment of a Project Arborist**

1. A project arborist with AQF Level 5 qualifications must be appointed to assist in ensuring compliance with the conditions of consent and provide monitoring reports as specified by the conditions of consent.
2. Details of the appointed project arborist must be submitted to Council and the PCA with the application for the construction certificate.

**Reason:** *To ensure appropriate monitoring and protection of tree(s) to be retained.*

## **22. Tree Protection Measures to be shown on Construction Drawings**

The tree protection measures contained in the Arboricultural Impact Assessment prepared by Truth About Trees and subsequently amended, shall be shown clearly on the Construction Certificate drawings. Plans and specifications showing the tree protection measures must be submitted to the Principal Certifier for approval prior to the issue of the Construction Certificate. The Principal Certifier must ensure the Construction plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

**Reason:** *To ensure that appropriate tree protection measures are shown on the construction drawings and implemented on site.*

## **23. Appointment of a Project Ecologist**

1. Prior to the issue of a Construction Certificate, a suitably qualified and experienced project ecologist must be appointed to assist in ensuring compliance with the conditions of consent and provide monitoring reports to Council at various stages of the Project as identified in the BDAR & Biodiversity Management Plan prepared by Eco Logical Australia, dated 12 July 2024 and as specified by the conditions of consent.
2. An inspection schedule to assess tree and vegetation health and provide certification for the various stages of development such as site establishment (includes demolition and installation of tree protection measures), construction work, hard and soft landscaping practical completion and occupancy certification is to be included with the application for the construction certificate.
3. Details of the appointed project ecologist must be submitted to Council and the Principal Certifier with the application for the Construction Certificate.
4. The Project ecologist is also responsible for the following:
  - a. Biodiversity management and mitigation strategies for pre-construction, construction and post-construction activities including environmental control measures for any preclearing process, fauna surveys and relocations.
  - b. Implementation of the Vegetation Management Plan (VMP) and monitoring of bush regeneration contractors to implement VMP works.
  - c. Ensuring that the Mountain Bike Track network is designed to include installation of rock armouring and drainage features to mitigate erosion and soil degradation. Materials used in the construction and operational maintenance phases are to be free of any potential invasive species, pathogens or diseases.
  - d. Micro-siting of the track (if necessary) to avoid mature trees and shrubs. Fauna searches are undertaken for wildlife in areas to be cleared.
  - e. Comprehensive climbing hollow inspections prior to removal of trees.
  - f. Augmented hollows and nest boxes are provided and installed in the conservation areas prior to commencement of vegetation removal and tree clearance works.
  - g. Red crowned toadlet (RCT) exclusion fences are installed upstream and around the perimeter of the RCT Species Polygon as defined in the BDAR prepared by Eco Logical Australia dated 12 July 2024 and any other like habitat within the site. RCT

fences are maintained in place for the duration of the construction works within the RCT Species Polygon and areas of other like habitat. RCT searches should be completed each morning of ponds and pooled water and along the RCT exclusion fencing and any resident frogs relocated prior to commencement of works each day within the RCT Species Polygon and other areas of like habitat.

- h. A fauna rescue and release procedure. Where tree removal is required, a licenced wildlife carer or ecologist will be required on site as a fauna handler during tree removal works.
- i. A procedure for controlling and managing the introduction of weeds and pathogens, including hygiene protocols and the arrangements for monitoring.
- j. The implementation of the Biodiversity Management Plan is to include:
  - i. All identified tree hollows proposed to be removed, are salvaged from trees removed and placed in retained or nearby bushland areas.
  - ii. For all tree hollows not able to be salvaged, they are replaced with nest boxes or artificial hollows for every one hollow removed.
  - iii. Imported rock is sourced from a certified supplier and is consistent with the geology of the proposal area.
  - iv. A procedure for dealing with unexpected threatened species finds. The procedure must include at a minimum, the following:
    - a. Stop work arrangements in the immediate area of the threatened species.
    - b. Notification and communication protocol.
    - c. Consultation with relevant specialists to assess the significance of the find, and
    - d. A list of approvals, licences and permits likely required prior to recommencing works.
- k. The proposed siting, design and earthworks associated with the Mountain bike tracks shall be undertaken under the supervision of the Appointed Project Ecologist.

**Reason:** *To ensure appropriate monitoring of the flora and fauna community on the site or in the local area.*

#### **24. Appointment of a Project Bush Regenerator**

- 1. A suitably qualified and experienced project bush regenerator must be appointed to assist in ensuring compliance with the conditions of consent and providing monitoring reports to Council at various stages of the Project as specified by the conditions of consent.
- 2. Details of the appointed project bush regenerator must be submitted to Council and the Principal Certifier with the application for the Construction Certificate.

**Reason:** *To ensure appropriate monitoring of the flora community on the site or in the local area.*

## **25. Road Opening Permit**

A Road Opening Permit shall be obtained from the Council to permit a person to dig into Council assets, such as roads, footpaths and nature strips. The fees payable for the restoration of any public asset damaged to be repaired by Council shall be at the applicant's full expense.

*Note: The Road Opening Permit must be applied for via Council's Online Services Portal at: <https://www.hornsby.nsw.gov.au/property/build/apply-for-a-permit/road-openings>*

**Reason:** *To ensure public infrastructure and property is maintained.*

## **26. Stormwater Drainage**

1. The stormwater drainage system for the development must be designed for an average recurrence interval (ARI) of 20 years and be gravity drained.
2. The stormwater drainage system must be generally in accordance with Concept Stormwater Management Plan, prepared by TTW Consulting Engineers, Drawing No. C071 (P15) and C072 (P10), dated 28 June 2024.

**Reason:** *To ensure appropriate provision for management and disposal of stormwater.*

## **27. On Site Stormwater Bioretention and Detention System**

An on-site stormwater bioretention and detention system must be generally in accordance with Civil Stormwater Report and Concept Stormwater Management Plan, prepared by TTW Consulting Engineers, Drawing No. C071 (P15) and C072 (P10), dated 28 June 2024 and constructed in accordance with the following requirements:

1. Have a surcharge/inspection grate located directly above the outlet.
2. Where above ground and the average depth is greater than 0.3 metres, a 'pool type' safety fence and warning signs must be installed; and
3. Not be constructed in a location that would impact upon the visual or recreational amenity.

**Reason:** *To ensure appropriate provision for management and disposal of stormwater.*

## **28. Water Saving Urban Design**

A Water Saving Urban Design (WSUD) is to be constructed generally in accordance with the engineering report Civil Stormwater Report Ref: 201537 CAAA Iss. M prepared by TTW Consulting Engineers, dated 1 July 2024 and the Water Quality Management Schematic Plan prepared by TTW Consulting Engineers, Drawing No. C076 (P2), dated 28 June 2024. The Water Quality Targets as detailed within the report and Hornsby Development Control Plan 2024 are to be achieved in the design.

**Reason:** *To ensure proper stormwater and water quality management.*

## **29. External Lighting**

Prior to the issue of a construction certificate, subdivision works certificate or Roads Act Approval, plans detailing external lighting must be prepared by a suitably qualified person. The lighting plan must be consistent with the approved plans and documents, and the following requirements:

1. Comply with Australian Standard AS1158: Lighting for roads and public spaces.
2. Comply with Australian Standard AS4282: Control of obtrusive effects of outdoor lighting.
3. Lighting must be placed at all entrances to and exits from the premises.
4. Lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas.
5. Lighting must not interfere with traffic safety.
6. Lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and
7. External lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.
8. Comply with the relevant council development control plan.

The lighting plan must be submitted to the Principal Certifier prior to issue of the construction certificate.

**Reason:** *To ensure external lighting is provided for safety reasons and to protect the amenity of the local area.*

### **30. Preparation of Construction and Fit Out Plans for Food and Drink Premises**

Prior to the issue of the relevant construction certificate, detailed plans of all food and beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals, and personal belongings) must be prepared by a suitably qualified person and submitted to the Principal Certifier (PC).

The detailed plans must be prepared in accordance with the following editions in force on the date of determination and provided to Council or the Principal Certifier:

1. Australian Standard AS4674-2004 Design, construction and fit-out of food premises.
2. Food Standards Code (Australia) and Food Safety Standard 3.2.3 - Food Premises and Equipment.
3. *Food Act 2003* and Food Regulation 2015
4. Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage
5. Sydney Water commercial trade wastewater requirements for food premises, and
6. Any relevant Water Services Association of Australia codes of practice, guidelines, policies, and requirements.

**Reason:** *To ensure the premises is designed and constructed for the safe preparation and storage of food.*

### **31. Electric Vehicle (EV) Ready Connections**

Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifier:

1. Provide a minimum of 6 shared Electric Vehicle (EV) car spaces.



2. The car park must provide at least one dedicated space and charging point to be used for electric bicycles and mobility scooters.
3. All EV charging infrastructure is to comply with the applicable Electric Vehicle safety and energy consumption data collection requirements of the National Construction Code.

*Note: EV Ready Connection is the provision of a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.*

*Note: Shared EV connection is the provision of a minimum Level 2, 40A fast charger and power supply to a car parking space connected to an EV distribution board.*

*Note: EV Distribution Board is a distribution board dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods and includes an EV Load Management System.*

*Note: The EV Distribution Board should provide adequate space for the future installation (post construction) of compact meters in or adjacent to the distribution board, to enable individual EV usage to be measured.*

**Reason:** To encourage and support the use of electric vehicles.

## **32. Geotechnical Report**

The Geotechnical Investigation Ref: SYDEN213135-6AA Rev 3 prepared by Tetra Tech Coffey (TTC), dated 30 September 2024, must be updated to include additional geotechnical borehole investigations along the retaining wall on the western side of the southern sports platform. The updated report must assess the impact and safety of the proposed works and shall be submitted to the Principal Certifier prior to the issue of the relevant Construction Certificate

**Reason:** To obtain the necessary data for the design and construction of these retaining walls once access to the area is available.

# **BEFORE BUILDING WORK COMMENCES**

## **32A. Sydney Water Requirements and Sefton Road Extension**

1. Prior to works commencing design and engineering documentation must be provided to Sydney Water for approval outlining all potential impacts upon current operations of the Thornleigh Reservoir site in relation to the Sefton Road Extension (Road Extension). The documentation must demonstrate that all key engineering requirements specified by Sydney Water have been satisfactorily addressed. These requirements include (but may not be limited) to the following:
  - a. Maintain structural integrity of the dam and associated infrastructure, including all pipework, valve chambers and all parts of the embankment.
  - b. Maintain ease of access to existing and proposed Sydney Water assets, to continue to operate and maintains assets safely.
  - c. Meet all necessary obligations associated with Dam Safety Regulations; and

- d. Maintain security of all critical water supply assets within the Thornleigh Reservoir site.
2. The use of the Sefton Road extension through the Thornleigh Reservoir site (proposed under Stage 1B & Stage 2) must be determined and agreed upon in consultation with, and to the satisfaction of, Sydney Water and if necessary detailed in the Revised Pan of Management as required under the terms of this consent.

**Reason:** *To maintain the security of Sydney Water's infrastructure and to ensure water supply and operational capabilities are not compromised.*

### **33. Preservation of Westleigh Scarred Tree**

1. Prior to the commencement of any works on site, a report is to be prepared by a suitably qualified professional that identifies all mitigation and future management measures required to ensure the protection and preservation of the Westleigh Scarred Tree (AHIMS 45-6-3657) in accordance with the Cultural Heritage Assessment Report (ACHAR) prepared by Scribe Cultural Resource Management dated July 2024. This includes:
  - a. A baseline record of the Westleigh Scarred Tree (AHIMS 45-6-3657) prior to Stage 1A.
  - b. Any immediate works required to ensure the structural integrity of the Westleigh Scarred tree and public safety in its vicinity prior to Stage 1A.
  - c. The relocation of the Westleigh Scarred tree shall take place prior to the commencement of Stage 2 works.
  - d. Development of a detailed tree relocation plan for the removal, storage and adaptive repurposing of AHIMS site 45-6-3657 (Westleigh Scarred Tree) informed by specialist arborists, landscape architects, and the cultural aspirations of the Registered Aboriginal Parties, as detailed in the ACHAR.
2. The measures identified in the report shall be implemented to ensure the protection and preservation of the Scarred tree. A specialist arborist is to be engaged to ensure the recommendations of the report are appropriately implemented on site.
3. All necessary approvals are to be obtained from Heritage NSW pursuant to the requirements of the *National Parks and Wildlife Act 1974*.
4. A copy of the report must be provided to Council and the Principal Certifier (PC) prior to any work commencing.

**Reason:** *To ensure the proper management and preservation of historical artefacts and public safety.*

### **34. Westleigh Rock Shelter with Artefacts**

The following management and harm minimisation strategies for the Westleigh Rock Shelter site must be adopted prior to commencement of works:

1. A baseline record of the shelter must be undertaken prior to commencement of construction activities. This should include remote digital scanning of the shelter, detailed mapping of the shelter in relation to the broader gully, and the installation of photo points.

2. Preparation of a scheduled monitoring program to monitor vibration levels in the rock shelter during construction in accordance with recommendations of the Shelter Rock Geotechnical Investigation Ref: SYDEN213135-6 AC prepared by Tetra Tech Coffey, dated 27 May 2024. TTC recommended that vibration stations be installed around the shelter during construction. Furthermore, TTC recommend "limiting the ground vibration at the rock shelter to be less than 2mm/s during the park development and construction" (2024: 2).
3. Immediate cessation of work if vibration alarms are triggered to assess the state of the shelter. Work should only recommence after the shelter has been deemed unaffected. Any harm must be reported to Heritage NSW.
4. Coordinated site visits by the relevant site contractor at regular intervals/as required pre- and post-major construction activities to ensure that no harm or damage occurs from the excavation and construction activities.

**Reason:** *To ensure the proper management and preservation of the Westleigh Rock Shelter with Artefacts (AHIMS 45-6-3658) and to mitigate indirect impacts related to vibration during construction works, increased visitation and from water ingress.*

### **35. Cultural Heritage Management Strategy**

1. Prior to commencement of any works on site, a Cultural Heritage Management Strategy is to be prepared by a suitably qualified professional in accordance with the relevant legislative requirements and the Information Sheet published by Heritage NSW titled "Checklist for preparing an Aboriginal Cultural Heritage management plan" undated. The Cultural Management Strategy is to be submitted to Council's Strategic Land Use Team ([devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au)) for review and written approval.
2. Prior to commencement of any works on site, the applicant is to submit documentary evidence to the Principal Certifier demonstrating the written approval of the Cultural Heritage Management Strategy.

**Reason:** *To ensure the proper management of historical artefacts and to ensure their preservation.*

### **36. Vegetation Removal - Fauna Management**

Prior to the clearing of any vegetation and/or the demolition of any structures associated with the development, a Fauna Management Plan (FMP) must be submitted to Council Planning Division ([devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au)) for written approval in accordance with the Biodiversity Management Plan v6 prepared by EcoLogical Australia, dated 12 July 2024. The FMP must address as a minimum the following:

1. Suitably qualified and experienced fauna management personnel nominated for each stage of works.
2. Protocols for the capture and release of resident fauna, including the staging of any capture and release of resident fauna. Protocols for the capture and release of any injured fauna.
3. Pre-clearance surveys:
  - a. A search of habitat features on the site including natural habitat features such as tree hollows and man-made features such as pipes/culverts to identify current and likely resident fauna.

4. During vegetation clearance and/or demolition:
  - a. Presence of a suitably qualified and experienced fauna spotter/wildlife handler in attendance during vegetation and habitat clearance and disturbance works.
  - b. Methodology for the strategic removal or demolition of habitat features to minimise risk to resident fauna.
  - c. Potential relocation or reuse of habitat features on the site.
  - d. Notification protocols for unexpected finds
5. During construction:
  - a. Determine the need for a suitably qualified and experienced fauna spotter/wildlife handler to be in attendance or on call during the construction period.
  - b. Consideration of a need to exclude fauna from occupying retained habitat features during construction and/or the protection of retained habitat features and their resident fauna.
6. Notification protocols for unexpected finds.
7. Post works:
  - a. Post works survey of retained habitat features.
  - b. Relocation or reuse of habitat features on the site. The placement and ongoing management of replacement habitat features.
  - c. Certification of the FMP implementation.

**Reason:** *To ensure the protection of resident fauna during and post works on the site.*

### **37. Impacts to Fauna Management**

To ensure the protection of local fauna, prior to the removal of trees:

1. The project ecologist is to inspect all vegetation for wildlife and active habitat use including nests, hollows and decorticating bark no earlier than one day before demolition.
2. If any wildlife is identified or habitat is being actively used for nesting the tree and vegetation removal must be deferred until after inhabitants have fledged. Relocation of nests and eggs is not to be undertaken. In the event wildlife are identified, clearing is to cease until the ecologist or wildlife carer have confirmed that fauna has been relocated.
3. Trees are to be removed in sections by a qualified tree surgeon or arborist in the presence of a Wildlife Carers organisation to assist in the event of fauna presence or injury. A wildlife carer must be on site to capture any observed wildlife from the trees and relocate into adjacent bushland if the animals are unable to relocate themselves.
4. A certificate must be provided to the Principal Certifier by the project ecologist with details and outcome of the inspection.

*Note: 'WIRES' (Wildlife Rescue) volunteers can be contacted on 1300 094 737. 'Wildlife Services Sydney Metropolitan' volunteers can be contacted on 9413 4300.*

**Reason:** To ensure the protection of resident fauna during and post works on the site.

### **38. Site Amenities and Facilities Management**

Where work involved in the remediation, construction and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any SafeWork NSW requirements, must be provided and maintained at all times.

**Reason:** To ensure the health and safety of the community and workers on site.

### **39. Sydney Water Building Plan Approval**

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.

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

**Reason:** To ensure the development complies with the requirements of Sydney Water.

### **40. Site Signs**

1. A sign must be erected in a prominent position at all access points to the site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing:
  - a. The name, address, and telephone number of the Principal Certifier.
  - b. The name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and
  - c. Unauthorised entry to the work site is prohibited.
2. The signs must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed.

**Reason:** Prescribed condition EP&A Regulation, section 70(2) and (3).

### **41. Installation of Tree Protection Measures**

Trees to be retained as identified on the Tree Retention Plans (Maps 1-16) prepared by Truth about Trees dated 26 September 2024 must have tree protection measures for the ground, trunk and canopy installed by the project arborist as follows:

1. For the duration of demolition works, in accordance with the Tree Protection Plan.
2. For the duration of construction works, in accordance with Tree Protection Plan.
3. Tree protection fencing for the trees to be retained must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings.

4. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone.
5. The installation of all required tree protection fencing must have a TPZ radius as listed in the Tree Retention Plans Maps 1-16 prepared by Truth about Trees dated 26 September 2024.
6. Tree crown protection measures are required and must be installed by the AQF 5 project arborist.
7. The circumference of the trunk(s) must be wrapped in hessian material to provide cushioning for the installation of timber planks.
8. Timber planks (50 x100mm) must be spaced at 100mm intervals and must be attached using adjustable ratchet straps.
9. All tree protection zones must have a layer of wood-chip mulch at a depth of between 150mm and 300mm.
10. Where wood-chip mulch is permitted by Council instead of tree protection fencing within the tree protection zones, the woodchip must be covered with a layer of geotextile fabric and rumble boards.

**Reason:** *To protect trees during construction.*

#### **42. Protection of Adjoining Areas**

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic.
2. Could cause damage to adjoining lands by falling objects; and/or
3. Involve the enclosure of a public place or part of a public place; and/or
4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP) and Biodiversity Management Plan (BMP).

*Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.*

**Reason:** *To ensure public safety and protection of adjoining land.*

#### **43. Hazardous Material Survey Before Demolition**

Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences.

Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.

The report must include at least the following information:

1. The location of all hazardous material throughout the site
2. A description of the hazardous material
3. The form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust.
4. An estimation of the quantity of each hazardous material by volume, number, surface area or weight.
5. A brief description of the method for removal, handling, on-site storage, and transportation of the hazardous materials.
6. Identification of the disposal sites to which the hazardous materials will be taken.

*Note: The Hazardous Material Survey must be lodged via Council's Online Services Portal at: <https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx> and by selecting the following menu options: Applications > New Applications > Under 'Application Types': Management Plans.*

**Reason:** To require a plan for safely managing hazardous materials.

#### **44. Asbestos Removal Signage**

Before demolition or remediation work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.

**Reason:** To alert the public to any danger arising from the removal of asbestos Protection of vegetation, habitat and environmental features during construction

#### **45. Protection fencing must be placed in accordance with the specifications below:**

1. Install 1.2-metre-high chain wire fencing (or similar) to protect the vegetation, habitat and environmental features identified within the Vegetation Biodiversity Management Plan and integrated Vegetation and Bushfire management Plan as confirmed by the project ecologist.
2. Clean machinery of soil and debris before entering the site to prevent the spread of weeds and fungal pathogens.

*Note: The Act prohibits the disturbance to threatened species, endangered populations and threatened ecological communities, or their habitat, without appropriate consent or license.*

**Reason:** To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction.

#### **46. Erosion and Sediment Control Measures**

1. Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water,

or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:

- a. The publication Managing Urban Stormwater: Soils and Construction 2004 (4th edition) - 'The Blue Book'.
  - b. Protection of the Environment Operations Act 1997; and
  - c. The approved plans.
2. Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure in how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.*

**Reason:** *To minimise impacts on the water quality of the downstream environment.*

#### **47. Notice of Commencement for Demolition**

At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:

1. Name
2. Address,
3. Contact telephone number,
4. Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor,
5. The contact telephone number of council and
6. The contact telephone number of SafeWork NSW (4921 2900).

*Note: The written notice to Council can be sent to [devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au).*

**Reason:** *To advise neighbours about the commencement of demolition work and provide contact details for enquiries.*

#### **48. Toilet Facilities**

1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.
2. Each toilet must:
  - a. Be a standard flushing toilet connected to a public sewer; or
  - b. Be a temporary chemical closet approved under the Local Government Act 1993; or
  - c. Have an on-site effluent disposal system approved under the Local Government Act 1993.

**Reason:** *To ensure adequate toilet facilities are provided.*



## DURING BUILDING WORK

### 49. Hours of Work

1. All work on site (including remediation, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.
2. No work is to be undertaken on Sundays or public holidays.

**Reason:** *To protect the amenity of neighbouring properties.*

### 50. Preservation of Westleigh Scarred Tree

1. The measures identified in the report as required under Condition No. 33 and prepared to ensure the protection and preservation of the Westleigh Scarred Tree (AHIMS 45-6-3657) shall be carried out before any works commence and throughout building works until such a time as relocation is lawfully permitted. A specialist arborist is to be engaged to supervise the preservation measures and ensure that all necessary recommendations are implemented on site.
2. All necessary approvals are to be obtained from Heritage NSW pursuant to the requirements of the *National Parks and Wildlife Act 1974*.

**Reason:** *To ensure the proper management and preservation of historical artefacts and public safety.*

### 51. Protection of Westleigh Rock Shelter

The following requirements are to be implemented during construction/earthworks to ensure the protection of the Westleigh Rock Shelter:

1. Preparation of a scheduled monitoring program to monitor vibration levels in the rock shelter during construction in accordance with the recommendations in the Shelter Rock Geotechnical Investigation Ref: SYDEN213135-6 AC prepared by Tetra Tech Coffey, dated 27 May 2024. TTC recommended that vibration stations be installed around the shelter during construction. Furthermore, TTC recommend "limiting the ground vibration at the rock shelter to be less than 2mm/s during the park development and construction" (2024: 2).
2. Immediate cessation of work if vibration alarms are triggered to assess the state of the shelter. Work should only recommence after the shelter has been deemed unaffected. Any harm must be reported to Heritage NSW.
3. Coordinated site visits by the relevant site contractor are to occur at regular intervals/as required pre- and post-major construction activities to ensure that no harm or damage occurs from the excavation and construction activities.
4. Construction of the Mountain bike trails in the vicinity of the rock shelter will be undertaken with hand tools only.

**Reason:** *To ensure the proper management and preservation of the Westleigh Rock Shelter with Artefacts (AHIMS 45-6-3658) and to mitigate indirect impacts related to vibration during construction works, increased visitation and from water ingress.*

## **52. Cultural Heritage Management Strategy**

The relevant recommendations of the approved Cultural Heritage Management Strategy are to be implemented during construction works.

**Reason:** *Cultural Heritage Protection*

## **53. Waste Management**

All work must be carried out in accordance with the approved waste management plan.

**Reason:** *To ensure the management of waste to protect the environment and local amenity during construction.*

## **54. Maintenance of Public Footpaths**

Public footpaths must be maintained for the duration of works to ensure they are free of trip hazards, displacements, breaks or debris to enable pedestrians to travel along the footpath safely.

**Reason:** *To maintain safe pedestrian movement.*

## **55. Soil Management (Excavation and Fill)**

While site work is being carried out, the Principal Certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

1. 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 Principal Certifier or Council (where a principal certifier is not required).
2. Tipping dockets for the total volume of excavated material that are received from the licensed waste management facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.
3. Prior to fill material being imported to the site, a Waste Classification Certificate shall be obtained from a suitably qualified environmental consultant confirming all fill material imported to the site must be:
  - a. Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or
  - b. A material identified as being subject to a resource recovery exemption by the NSW EPA, or
  - c. A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA.
4. The required Waste Classification Certificate must be provided to the Principal Contractor prior to fill being imported to the site and made available to Council at its request.

**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.*

## **56. Demolition**

To protect the surrounding environment, all demolition work must be carried out in accordance with Australian Standard AS2601-2001 Demolition of structures and the following requirements:

1. Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan; and
2. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by SafeWork NSW in accordance with the Work Health and Safety Regulation 2017 and be appropriately transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014; and
3. On construction sites where any building contains asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.

**Reason:** *To ensure the appropriate removal and disposal of demolition materials.*

## **57. Handling of Asbestos**

While demolition or remediation work is being carried out, any work involving the removal of asbestos must comply with the following requirements:

1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling, and disposal of any asbestos material.
2. All contamination to be disposed of in accordance with the RAP.

**Reason:** *To ensure that the removal of asbestos is undertaken safely and professionally.*

## **58. Erosion and Sediment Control**

All control measures nominated in the Erosion and Sediment Control plan must be implemented to ensure:

1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land.
2. Sediment and other materials are not tracked onto the roadway by vehicles leaving the site.

**Reason:** *To minimise impacts on neighbouring properties and public land.*

## **59. Storage and Removal of Waste**

All control measures nominated in the Waste Management Plan must be implemented and include:

1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.

2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.

**Reason:** *To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment.*

#### **60. Compliance with Construction Environmental Management Plan**

The approved Construction Environmental Management Plan must be complied with for the duration of remedial works, unless otherwise approved by Council.

**Reason:** *To ensure implementation of construction measures to protect the public and the surrounding environment.*

#### **61. Environmental Management (Air Pollution)**

The Applicant must implement the steps identified in the Air Quality Impact Assessment Ref: 22.1083.FR1V3 prepared by NorthStar, dated 1 July 2024 to minimise dust generated during all works (including remediation, demolition, earthworks and construction) authorised by this consent. During works, the Applicant must ensure that:

1. Exposed surfaces and stockpiles are suppressed by regular watering.
2. All trucks entering or leaving the site with loads have their loads covered.
3. Trucks associated with the development do not track dirt onto the public road network.
4. Public roads used by these trucks are kept clean; and
5. Land stabilisation works are carried out progressively on site to minimise exposed surfaces.

**Reason:** *To minimise impacts to the natural environment and public health.*

#### **62. Disturbance of Existing Site**

During construction works, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.

**Reason:** *To protect the natural features of the site.*

#### **63. Removal of Trees**

This development consent permits the removal of the trees identified in the Arboricultural Impact Assessment and Tree Management Report MBT-AIA-01 Rev. A, prepared by Arterra Design, dated 21 June 2024 and the Tree Retention Plans (Maps 1-16), prepared by Truth About Trees, dated 26 September 2024.

*Note: The removal of any other trees from the site requires separate approval by Council in accordance with Part 1B.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan, 2013.*

**Reason:** *To identify only those trees permitted to be removed.*

**64. Maintaining the Health of Trees Approved for Retention**

1. The appointed AQF 5 project arborist must monitor and record necessary actions required to maintain tree health and condition for trees to be retained shown on the approved Tree Retention Plans (Maps 1-16), prepared by Truth About Trees, dated 26 September 2024.
2. Tree Protection Measures must be maintained by the project arborist in accordance with this consent for the duration of works.

**Reason:** *To protect trees during demolition, excavation and construction.*

**65. Approved Works within Tree Protection Zone Incursions**

1. Where tree root pruning is required for the installation of piers, footings, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows:
  - a. Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean.
  - b. The maximum diameter of roots permitted to be cut is 40 mm.
  - c. The sub-grade may be raised by maximum of 150mm using gap-graded material in accordance with Australian Standards AS4419-2003 Soils for landscaping and garden use.
2. Where the building or structural footprints enter or transects the Tree Protection Zones of trees to be retained, sensitive construction techniques in the form of screw pilings or piers, cantilevered or suspended slab design must be employed to create a minimum 100mm clearance above existing soil grade.
3. Approved excavations within the Tree Protection Zone of trees to be retained, not associated with installation of services must be undertaken as follows:
  - a. Excavations associated with any footings and or building footprints and within the Tree Protection Zone of trees being retained, must be overseen by the AQF 5 Project Arborist to view, locate roots and allow for pruning in accordance with AS4373 - 2007, Pruning of amenity trees.
4. To minimise impacts within the Tree Protection Zone (TPZ) of trees to be retained as shown on the approved Tree Retention Plans (Maps 1-16), prepared by Truth About Trees, dated 26 September 2024, the installation of services must be undertaken as follows:
  - a. The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the Tree Protection Zone.
  - b. The installation of any underground services which either enter or transect the designated TPZ must either use directional bore drilling, Hydrovac or vac suck, non-destruction methods, only.
  - c. For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools.
5. Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order:

- a. Installation of a 100mm deep layer of woodchip; and
- b. Installation of geotextile fabric ground covering; and
- c. Installation of scaffold boarding above the woodchip and geotextile fabric.

**Reason:** *To protect trees during construction.*

#### **66. Building Materials and Site Waste**

The stockpiling and preparation of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.

**Reason:** *To protect trees during construction.*

#### **67. Prohibited Actions Within the Tree Protection Zone**

In accordance with the AS4970-2009, the following actions are prohibited within the fenced area of the TPZ:

1. Soil cut or fill including excavation and trenching,
2. Soil cultivation, disturbance or compaction,
3. Stockpiling storage or mixing of materials,
4. The parking, storing, washing and repairing of tools, equipment and machinery,
5. The disposal of liquids and refuelling,
6. The disposal of building materials,
7. The siting of offices or sheds, and
8. Any action leading to the impact on tree health or structure.

**Reason:** *To ensure that the growing conditions of retained trees are maintained.*

#### **68. Implementation of the Biodiversity Management Plan**

1. While work is being carried out, the commitments and measures required by the approved Biodiversity Management Plan must be implemented and impacts shall not encroach into areas of retained native vegetation and habitat.
2. A copy of the approved plan is to be kept on site at all times and made available to council officers upon request.

**Reason:** *To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction.*

#### **69. Street Sweeping**

1. During works (including remediation, demolition, earthworks and construction) and until exposed ground surfaces across the site have been stabilised, street sweeping must be undertaken following sediment tracking from the site.
2. The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.

***Note:** The above Item does not permit for sediment and/or any other materials/substances to exit the site in a way that constitutes water pollution as defined in the Protection of the Environment Operations Act 1997 or in a manner that contravenes other conditions in this consent. The directions under this condition, however, serve to prevent further water pollution from occurring.*

**Reason:** To minimise impacts to the natural environment.

#### **70. Council Notification of Unexpected Finds**

Any unexpected land contamination finds are to be notified to Council. Where remediation of unexpected finds is not within the scope of the approved Revised Remedial Action Plan Ref: SYDEN213135-2-R01 Rev4 (RAP) prepared by Tetra Tech Coffey dated 15 September 2023, additional approvals required must be obtained prior to the additional remediation works being undertaken.

**Reason:** To comply with the requirements of the SEPP (Resilience and Hazards) for the approval of all remediation works.

#### **71. De-watering of Excavated Sites**

Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in the pollution of waters, nuisance to neighbouring properties, or damage to neighbouring land and/or property.

**Reason:** To document the safe removal of water during work to protect the public and the surrounding environment.

## **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

#### **72. Revised Operational Plan of Management**

Prior to the issue of an occupation certificate, a revised Operational Plan of Management (POM) is to be submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval, which addresses the following requirements:

1. An "End of Life" (EOL) Management strategy for the use of synthetic turf playing field that is consistent with the intent and provisions of the NSW Waste and Sustainable Materials Strategy and the NSW Plastic Reduction and Circular Economy Act 2021. The strategy must include a "review, monitor and replace" requirement which would assist in ensuring the integrity of the surface adopted and minimise potential adverse health, biodiversity and fire risk consequences. The practice of cutting up EOL sporting fields for use in other settings should not be approved as an acceptable EOL plan.
2. A detailed maintenance schedule to consider the lifespan of the bike track design and materials (both natural and manufactured materials), ensuring that they are replaced before expiry. The maintenance schedule must specify regular track inspections and ensure track features are functioning correctly. The maintenance schedule must encompass relevant maintenance of erosion and sediment control measures and weed and pest management strategies.

3. A statement that separate consent/approval is to be sought for special events or development that falls outside what is anticipated under the Westleigh Plan of Management.
4. Strategies to ensure orderly operations at peak usage times through separation of game start times and staggered arrival and departure times to address potential impacts of carparking and overflow demand.
5. A statement that the use and operation of the Mountain Bike trails shall be in accordance with the Westleigh Plan of Management document and will be subject to further review one year after operation.
6. Emergency management procedures developed in consultation with relevant emergency services. Specific emergency protocols and instructions concerning procedures to be adopted in the event of an emergency for staff and operators. Emergency points for users of all facilities including emergency service vehicles and aircraft must be clearly defined with the corresponding points and grid references to be shared with local emergency services if required. Closure protocols should also be clearly defined within the POM.
7. A Bush Fire Emergency Evacuation and Management Plan and associated bushfire safety protocols prepared in accordance with the recommendations contained in the Bushfire Protection Assessment prepared by Ecological and dated 12 September 2023 and all bushfire safety protocols must be clearly outlined in accordance with Planning for Bushfire Protection November 2019. The Bush Fire Emergency Evacuation and Management Plan must be developed in consultation with RFS.
8. A complaints procedure including a nominated contact person and a process to manage complaints. Any complaints received throughout construction and into the operational phase of the sporting facility must be documented in a formal register. The register shall record but not necessarily be limited to:
  - a. The date and time of the complaint.
  - b. The means by which the complaint was made.
  - c. Any personal details of the complainant or if no details were provided a note to that effect.
  - d. Nature of the complaint.
  - e. Any actions taken to address the complaint including any follow up actions to resolve the complaint.
  - f. If no actions were taken, the reason why no actions were taken.
9. Operational, management and safety protocols in relation to the Storage Shed and Maintenance Compound are to be detailed.

*Note: The POM must be lodged via Council's Online Services Portal at: <https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx> and by selecting the following menu options: Applications > New Applications > Under 'Application Types': Management Plans.*

**Reason:** *to mitigate impacts to the environment, promote user and community safety and ensure orderly operations.*



### **73. Fire Safety Statement - Final**

In accordance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, upon completion of the building, the owner must provide Council with a certificate in relation to each fire safety measure implemented in the building.

**Reason:** *To ensure all fire safety measures are implemented to protect life and property.*

### **74. Works as Executed Plans**

1. A works-as-executed plan(s) must be prepared by a registered surveyor and submitted to Council for completed road pavement, kerb & gutter, public drainage systems, driveways and on-site detention and water quality systems.
2. The plan(s) must be accompanied by a certificate from a registered surveyor certifying that all pipelines and associated structures lie wholly within any relevant easements.

**Reason:** *To ensure infrastructure is constructed and positioned in the approved location.*

### **75. Submission of Excavated Material Tipping Dockets to Principal Certifier**

Tipping dockets for the total volume of excavated material that are received from the licensed waste facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.

**Reason:** *To confirm appropriate disposal of excavated material.*

### **76. Utility Services**

All utility services shall be provided in accordance with the relevant provider requirements and as required by this consent, prior to the issue of an Occupation Certificate.

**Reason:** *To ensure compliance with this consent.*

### **77. Damage to Council Assets**

To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications ([www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions](http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions)). Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.

**Reason:** *To ensure public infrastructure and property is maintained.*

### **78. Equitable Access**

Prior to the issue of an Occupation Certificate, a certificate (for all stages of work and on completion) must be prepared by an appropriately qualified and practising Accessibility Consultant certifying that access in relation to the site and facilities for persons with a disability in accordance with the National Construction code/ Building Code of Australia and AS Disability ( Access to Premises-buildings) Standards 2010 ( Premises Standards has been provided. The certificate must be submitted to, and approved by, the Certifying Authority prior to the issue of the Occupation Certificate.

**Reason:** *To ensure equitable access and facilities for people with a disability.*

#### **79. Final Certification - Asset Protection Zone**

A suitably qualified and experienced bushfire consultant is to provide Council with a certificate stating that the APZ has been established in accordance with the “Bushfire Protection Plan” prepared by Eco Logical Australia dated 12 September 2023, Planning for Bushfire Protection 2019 and the NSW Rural Fire Service’s Standards for Asset Protection Zones.

**Reason:** *To ensure the APZ has been established in accordance with the approved plans.*

#### **80. Final Certification - Project Ecologist**

The project ecologist must provide to the Council certification of the implementation of the approved IBVMP, Vegetation Management Plan, Fauna Management Plan, BDAR and Biodiversity Management Plan. The certification must note:

1. Time and date of any site inspections.
2. Key observations made during each site inspection.
3. Compliance with key hold points in the approved plans.
4. Variations from the approved plan and alternative solution or remedial works.
  - a. Including correspondence with Council or the certifier regarding variations.
5. Compliance or non-compliance with the approved plan.
  - a. Recommendations for future works.

**Reason:** *To ensure that ecological works have been undertaken in accordance with the approved plans.*

#### **81. Verification of Biodiversity Preservation Commitments**

Before the issue of an occupation certificate, provide a report prepared by a suitably qualified person verifying that all commitments and harm minimisation measures required by the approved Biodiversity Management Plan (or biodiversity management measures in the Construction Site Management Plan) have been satisfied.

**Reason:** *To ensure that the required biodiversity management measures to avoid and minimise biodiversity impacts were implemented prior to the issue of an occupation or subdivision certificate.*

#### **82. Construction of Engineering Works**

All engineering works identified in this consent are to be completed and a Compliance Certificate issued prior to the release of the Occupation Certificate.

**Reason:** *To ensure engineering works are completed.*

#### **83. Replacement Tree Requirements**

The trees approved for removal under this consent, within the Arboricultural Impact Assessment and Tree Management Report MBT-AIA-01 Rev. A, prepared by Arterra Design, dated 21 June 2024 and the Tree Retention Plans (Maps 1-16), prepared by Truth About Trees, dated 26 September 2024, must be replaced in accordance with the approved landscape plan.

**Reason:** *To ensure replacement planting to maintain tree canopy.*

#### **84. Final Certification by Project Arborist**

The AQF 5 Project arborist must submit to the Principal Certifier a certificate that includes the following:

1. All tree protection requirements complied with the Arborist Report and approved tree Retention plans (1-16) for the duration of demolition, excavation and construction works; and
2. All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans; and
3. Dates, times, and reasons for all site attendance; and
4. All works undertaken to maintain the health of retained trees; and
5. Details of tree protection zone maintenance for the duration of works.

*Note: Copies of signed, monitoring documentation may be requested throughout the development works.*

**Reason:** *To ensure compliance with tree protection commitments.*

#### **85. Certification of RFS Requirements**

A Certificate prepared by a BPAD accredited Bushfire Consultant is to be provided to the Principal Certifier (PC) certifying the completion of all works required by the NSW RFS General Terms of Approval (GTAs) prior to the issue of the Occupation Certificate.

**Reason:** *To ensure all bushfire protection measures are implemented to protect life and property.*

#### **86. Certify Fit Out Complies with Food Safety Standards**

Certification must be provided to the Principal Certifier, prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the *Food Act 2003*, and the requirements of Australian Standard AS4674-2004 Design, construction and fit-out of food premises.

**Reason:** *To ensure construction and fit-out of the premises is in accordance with the approved plans.*

#### **87. Retaining Walls**

1. All retaining walls must be constructed as part of the development and prior to the issue of an Occupation Certificate.
2. Retaining walls required to support the proposed sport fields and the compaction of all fill batters must be in accordance with the requirements of a chartered structural engineer.

**Reason:** *To ensure the stability of the site and adjoining properties.*

**88. Certification of Structural Engineer**

Prior to the issue of an Occupation Certificate a certificate from a suitably qualified and experienced structural engineer is to be obtained stating that the retaining walls have been constructed in accordance with the structural engineer's design.

**Reason:** *To ensure the stability of the site and adjoining properties.*

**89. Certification of WSUD Facilities**

Prior to the issue of an Occupation Certificate a certificate from a Civil Engineer is to be obtained stating that the WSUD facilities have been constructed and will meet the water quality targets as specified in the Hornsby Development Control Plan 2024.

**Reason:** *To ensure appropriate water management and statutory compliance.*

**90. Certification of External Lights**

Prior to the issue of an Occupation Certificate Certification of compliance from a suitably qualified and experienced person is to be obtained stating that the external lights have been installed in accordance with the relevant standards.

**Reason:** *To ensure the safe operation of the premises and protect the amenity of the local area.*

## **REMEDIATION WORK**

### **BEFORE REMEDIATION WORK COMMENCES**

**91. Notice of Commencement for Remediation**

At least two days before remediation work commences, written notice must be provided to council and the occupiers of properties adjoining and immediately across the road of the site of the intention to commence remediation works on the site. The notice must include:

1. Name
2. Address,
3. Contact telephone number,
4. Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor,
5. The contact telephone number of council and
6. The contact telephone number of SafeWork NSW (4921 2900).

*Note: The written notice to Council can be sent to [devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au).*

**Reason:** *To advise neighbours about the commencement of remediation work and provide contact details for enquiries.*

## **92. Long-term Site Management Plan**

A Long-term Site Management Plan must be prepared for the subject site by a certified contamination consultant as recognised under the Certified Environmental Practitioners Scheme - Site Contamination (CEnvP (SC)) and the Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification. The plan must be prepared in accordance with NSW Environment Protection Authority's *Contaminated Sites Guidelines* and the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM)* and shall include:

1. The nature and location of the contamination.
2. Prescribe how the contaminants will be managed.
3. The responsible parties for management during all stages of work and long-term on completion of works.

**Reason:** *To ensure that the land is suitable for its intended use and protect the environment and human health.*

## **93. Section B2 Site Audit Statement**

1. Prior to any works commencing, a Section B2 Site Audit Statement (SAS) shall be prepared by a NSW EPA Accredited Site Auditor (Site Auditor) as defined under the *Contaminated Land Management Act 1997*. The Site Auditor shall review:
  - a. The final design of the containment (capping) system.
  - b. All site plans relevant to remediation work.
  - c. The long-term site management plan.
2. The Section B2 SAS and all associated plans reviewed by the Site Auditor must be submitted to Council and the Principal Certifier for review and endorsement.

**Reason:** *To ensure the appropriate management of contamination and protect the environment and human health.*

## **94. Notice to Council**

Any notice to Council required by State Environmental Planning Policy (Resilience and Hazards) 2021 is to be submitted to Council ([devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au)) within the prescribed period prior to the commencement and/or completion of remediation works.

**Reason:** *To ensure Council receives notification of commencement and/or completion of remediation works in accordance with section 4.14 and 4.15 of SEPP (Resilience and Hazards).*

# **DURING REMEDIATION WORK**

## **95. Compliance with Remediation Action Plan**

Remediation works (for all relevant stages) shall be carried out in accordance with the Revised Remedial Action Plan Ref: SYDEN213135-2-R01 Rev4 (RAP) prepared by Tetra Tech Coffey dated 15 September 2023. The applicant shall inform Council in writing of any proposed

variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

**Reason:** *To ensure implementation of approved remedial action plan.*

## ON COMPLETION OF REMEDIATION WORK

### 96. Validation Report

1. A Validation Report (for all relevant stages of work and on completion) must be prepared by a certified contamination consultant as recognised under the Certified Environmental Practitioners Scheme - Site Contamination (CEnvP (SC)) and the Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification, verifying that the site has been remediated in accordance with the NSW Environment Protection Authority's Contaminated Sites Guidelines, the National Environment Protection (Assessment of Site Contamination) Measure 2013 (NEPM) and the recommendations of the Council approved Revised Remedial Action Plan Ref: SYDEN213135-2-R01 Rev4 (RAP) prepared by Tetra Tech Coffey dated 15 September 2023.
2. The validation report must be submitted to the Principal Certifier and Council (within 30 days following completion of the remediation works or prior to issue of CC), which demonstrates:
  - a. Compliance with the approved Remediation Action Plan (RAP);
  - b. That the remediation acceptance criteria (in the approved RAP) have been fully complied with.
  - c. That all remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, State Environmental Planning Policy (Resilience and Hazards), and includes:
  - d. Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor.
  - e. A "notice of completion of remediation work" as required under Clause 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021; and
  - f. A statement confirming that the site following remediation of contamination is suitable for the intended use.

**Reason:** *To ensure the land is suitable for its intended use.*

### 97. Site Audit Statement

All remediation works and the Validation Report shall be reviewed by a NSW EPA Accredited Site Auditor (Site Auditor) as defined under the Contaminated Land Management Act 1997 at the conclusion of the remediation works. The Site Auditor shall provide a Site Audit Statement (SAS) in accordance with the contaminated lands planning guidelines and Contaminated Lands Management Act 1997 confirming the land is suitable for the intended use. The SAS shall be

provided to the Principal Certifier and Council within 30 days following the completion of the remediation works and submission of the Validation Report.

**Reason:** *To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.*

## OCCUPATION AND ONGOING USE

### 98. Ongoing Protection of Remnant Trees

All trees on site not approved for removal under this consent are required to be retained for conservation purposes. These trees are required to be preserved and are excluded from the clearing provisions of the 10/50 Vegetation Clearing Code of Practice for New South Wales in accordance with Clause 7.8 of the Code.

**Reason:** *To inform current and future landowners that certain trees and vegetation are protected.*

### 99. Management of Asset Protection Zones

During ongoing use of the site, the APZ must be managed in accordance with the Bushfire Protection Plan prepared by Eco Logical Australia dated 12 September 2023, Planning for Bushfire Protection 2019 and the NSW Rural Fire Service's Standards for Asset Protection Zones.

**Reason:** *To ensure ongoing protection from bush fires.*

### 100. Ongoing Biodiversity Management Plan

During ongoing use, all commitments in the approved Biodiversity Management Plan must be met.

**Reason:** *To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during and following the occupation of the site.*

### 101. Ongoing Tree and Landscape Maintenance Works

All newly planted trees and plants must be maintained for the life of the project. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilising, pest and disease control, replacement of dead or dying trees and plants and other operations required to maintain healthy trees, plants and turfed areas.

Trees must be maintained until they reach a height where they are protected by Council's Tree Management Controls. If any trees are found to be faulty, damaged, dying or dead before they are protected by Council's Tree Management Controls then they must be replaced with the same species and pot/bag size.

**Reason:** *To ensure the replacement tree planting and landscaped works are established and maintained.*

### 102. Hours of Operation

The hours of operation of the facility are restricted to those times listed below:

Monday to Friday	7:00 am to 10:00 pm
Saturday	7:00 am to 10:00 pm
Sunday & Public Holidays	8:00 am to 10:00 pm

**Reason:** *To protect the amenity of the local area.*

#### **103. Compliance with Revised Operational Plan of Management**

1. All control measures and procedures nominated in the Revised Operational Plan of Management Report required under this consent must be implemented.
2. Any amendments to the Plan of Management must be submitted to Council for review and written approval.

**Reason:** *To ensure the operational measures implemented protect the amenity of the local area.*

#### **104. Deliveries and Waste Collection Hours**

During ongoing use, all deliveries, waste and recycling collection must only occur during the approved hours of operation.

**Reason:** *To protect the amenity of the local area.*

#### **105. Promotion of Public Transport Options**

Relevant Bus/Train timetables servicing the local area in the vicinity of the site shall be clearly displayed at appropriate locations within the site. The available public transport options to and from the site shall be included in any advertising material, web sites etc. for the proposed use.

**Reason:** *To encourage the use of public transport to gain access to and from the premises.*

#### **106. Storage and Disposal of Waste**

During ongoing use of the premises:

1. An adequate number and size of bins must be put on the premises for the storage of any waste that is generated (including for recycling),
2. All garbage and recyclable materials generated from the premises must be stored wholly within an approved storage area and must not be stored outside the premises (including any public place) at any time.
3. Arrangements must be implemented for the separation of recyclable materials from garbage.
4. Any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests.
5. Where council does not provide commercial garbage and recyclable materials collection services:
  - a. A contract must be entered into with a licensed contractor to provide these services for the premises; and
  - b. A copy of the contract must be kept on premises and provided to relevant authorities including council officers on request.



6. All liquid trade waste discharged to sewerage system must comply with the trade waste approval issued by the relevant water authority.
7. All liquid trade waste pre-treatment devices must be regularly maintained to remain effective in accordance with the conditions of the liquid trade waste approval issued by the relevant water authority.

**Reason:** *To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises.*

#### **107. Fire Safety Statement - Annual**

On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

**Reason:** *To ensure fire safety measures are maintained to protect life and property*

#### **108. External Lighting During Ongoing Use**

During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved lighting plan.

**Reason:** *To ensure the safe operation of the premises and protect the amenity of the local area.*

## **ADDITIONAL CONDITIONS FOR STAGE 1A**

The following additional conditions are specific to the relevant stages of the development and are to be read in conjunction with the general suite of conditions for the whole development.

### **BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE/ SUBDIVISION ROADS ACT APPROVAL FOR STAGE 1A**

#### **109. Construction Engineering Drawings**

Prior to the issue of any construction certificate for Stage 1A, the applicant must prepare engineering drawings for:

1. Quarter Session Road South Access. The drawing must incorporate all agreed mitigation works in Corrective Action Request 1 of the Road Safety Audit (1 July 2024, Stanbury Traffic Planning).
2. The drawings must be provided to and approved by the certifier and the relevant road Authority.

**Reason:** *To ensure that road infrastructure meets the demands of the use, and to protect public safety and amenity.*

#### **110. Car Parking No. 3 and 4**

The driveway and parking areas on site must be designed and a Subdivision Works Certificate or Roads Act Approval issued in accordance with Australian Standards AS2890.1, AS2890.2, AS3727 and the following requirements:

1. All parking areas and driveways are to be sealed to an all-weather standard, line marked and signposted.
2. All vehicular entry on to the site and egress from the site shall be made in a forward direction.
3. All parking for people with disabilities is to comply with AS/NZS 2890.6:2022 Off-street parking for people with disabilities.
4. Bicycle parking spaces are to be designed in accordance with AS 2890.3-1993 Bicycle parking facilities.
5. Motorcycle parking spaces are to be designed in accordance with AS/NZS 2890.1:2004 Figure 2.7.
6. Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath.
7. Access for garbage vehicles is to satisfy the requirements of Council's Waste Management Branch.
8. The driveway grade must not exceed 25 percent and changes in grade must not exceed 8 percent.
9. The driveway pavement be a minimum 3 metres wide, 0.15 metres thick reinforced concrete with SL72 steel reinforcing fabric and a 0.15 metre sub-base.
10. Retaining walls required to support the carriageway and the compaction of all fill batters to be in accordance with the requirements of a chartered structural engineer.
11. The provision of safety rails where there is a level difference more than 0.3 metres and a 1:4 batter cannot be achieved.

**Reason:** *To ensure proper stormwater and water quality management.*

#### **111. Footpath/ Shared Path**

A concrete footpath and shared path must be designed accordance with AUS-SPEC Specifications ([www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions](http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions)) and the following requirements:

1. Construction of a shared path along the Quarter Sessions Road frontage of the Sydney Water Thornleigh Reservoir site, and pedestrian crossing to Ruddock Park.
2. Any public utility adjustments to be carried out to the requirements of the relevant public authority.

**Reason:** *To ensure community amenity and infrastructure designed in accordance with Australian Standards.*

## 112. Road Works

All road works approved under this consent including:

1. Construction of the access road from Quarter Sessions Road to the southern platform.
2. Construction of the southern car parking area and emergency access must be designed in accordance with AUS-SPEC Specifications and relevant Australian Standards.
3. Construction of new vehicular and pedestrian entries on Quarter Sessions Road.
4. Construction of the roundabout at Quarter Sessions Road and new road; and
5. Construction of the roundabout in front of the south gate,

must be designed in accordance with AUS-SPEC Specifications ([www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions](http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions)), the relevant Australian Standards and the following requirements:

- a. The existing road pavement to be saw cut a minimum of 600mm from the existing edge of the bitumen and reconstructed.
- b. The submission of a compaction certificate from a geotechnical engineer for any fill within road reserves, and all road sub-grade and road pavement materials.

**Reason:** *To ensure parking facilities and vehicle manoeuvring areas are designed in accordance with Australian Standards.*

## BEFORE BUILDING WORK COMMENCES FOR STAGE 1A

### 113. Community Notification

A notification procedure must be developed prior to any works commencing in relation to the mountain bike tracks to inform the local community about the construction and changes to the existing bike trails. Safety fencing shall be erected around the perimeter of the tracks to ensure the safety of the community and notification signage shall be displayed in prominent positions to ensure community awareness and safety.

**Reason:** *To ensure the safety of the community during work on public land.*

## DURING BUILDING WORK FOR STAGE 1A

### 114. Helicopter Delivery of Materials

The proposed dates and times for the helicopter lifts of materials for the construction of the Mountain Bike trials should be communicated with affected residents ahead of time and be limited across 2 days to minimise noise impacts. It is recommended that Helicopter lifts be addressed and identified in the Construction and Environmental Management Plan in consultation with suitably qualified consultants.

**Reason:** *To ensure residential amenity and mitigate noise impacts.*

**115. Mountain Bike Trail Construction**

All Mountain bike construction in the vicinity of the rock shelter will be undertaken with hand tools only.

**Reason:** *Protection of Cultural Heritage.*

## **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE FOR STAGE 1A**

**116. Completion of External Road Works**

1. Prior to the occupation of Stage 1A, the following road works must be completed:
  - a. All works on the Quarter Session Road South Access
2. All works must be completed to the satisfaction of the certifier and the relevant road Authority.

**Reason:** *To ensure that infrastructure works are delivered.*

## **OCCUPATION AND ONGOING USE FOR STAGE 1A**

**117. Ongoing Implementation of IBVMP**

The IBVMP shall be reviewed upon completion of the initial year period and updated in every 3 years. Monitoring should occur at a minimum of every 3 months for the first 3 years to ensure that weed control is well managed and plantings have established. Monitoring of the site after the initial 3 years should occur annually. Reporting on the implementation of the IBVMP should occur annually with the annual reports provided to Council.

**Reason:** *The ensure the required vegetation management actions across the site are implemented.*

## **ADDITIONAL CONDITIONS FOR STAGE 1B**

The following additional conditions are specific to the relevant stages of the development and are to be read in conjunction with the general suite of conditions for the whole development.

### **BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE/ SUBDIVISION ROADS ACT APPROVAL FOR STAGE 1B**

**118. Road Works**

All road works approved under this consent including the construction of the Sefton Road extension from the end of the existing road to the roundabout near South Gate must be designed in accordance with AUS-SPEC Specifications

([www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions](http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions)) and the following requirements:

1. The existing road pavement to be saw cut a minimum of 600mm from the existing edge of the bitumen and reconstructed.
2. The submission of a compaction certificate from a geotechnical engineer for any fill within road reserves, and all road sub-grade and road pavement materials.

*Note: The lodgement of SWC/ SRA with Council for Sefton Road extension must have prior approval from Sydney Water.*

**Reason:** To ensure infrastructure works are designed and constructed to appropriate standards and requirements of the Roads Act 1993.

## ONGOING USE FOR STAGE 1B

### 119. Completion of Sefton Road External Road Works

The proposed Sefton Road Extension can only be used for emergency and maintenance vehicle access, until such time the external road works under Stage 2 are constructed.

**Reason:** To ensure that infrastructure works are delivered prior to the use of Sefton Road Extension for public access.

### 120. Ongoing Implementation of IBVMP

The IBVMP shall be reviewed upon completion of the initial year period and updated in every 3 years. Monitoring should occur at a minimum of every 3 months for the first 3 years to ensure that weed control is well managed and plantings have established. Monitoring of the site after the initial 3 years should occur annually. Reporting on the implementation of the IBVMP should occur annually with the annual reports provided to Council.

**Reason:** To ensure the required vegetation management actions across the site are implemented.

## ADDITIONAL CONDITIONS FOR STAGE 2

The following additional conditions are specific to the relevant stages of the development and are to be read in conjunction with the general suite of conditions for the whole development.

### GENERAL

#### 121. TfNSW related External Road Works

The applicant will need approval under Section 138 of the Roads Act 1993 via a Roads application for the following works:

1. Upgrade of the Sefton Road/ Chilvers Road to include traffic control signals, as presented in Figure 4.2 of the Traffic Impact Assessment (26 July 2023, Bitzios) dated 26 July 2023
2. Upgrade of the Duffy Avenue/Chilvers Road/ the Esplanade intersection, as illustrated in Figure 4.7 of the Traffic Impact Assessment (26 July 2023, Bitzios).

**Reason:** To ensure that infrastructure works are delivered.

## BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE/ SUBDIVISION ROADS ACT APPROVAL FOR STAGE 2

### 122. Construction Engineering Drawings

Prior to the issue of any construction certificate for Stage 2, the applicant must prepare engineering drawings for:

1. Quarter Session Road/ Warrigal Drive North and South Accesses. The drawing must incorporate all agreed mitigation works in Corrective Action Requests 2 and 3 of the Road Safety Audit (1 July 2024, Stanbury Traffic Planning), as well as incorporate additional traffic calming from the south of the new roundabout at Warrigal Drive North in response to the Road Safety Audit findings.
2. All agreed mitigation works for Sefton Road in Corrective Action Requests 4 to 9 of the Road Safety Audit dated 1 July 2024 and prepared by Stanbury Traffic Planning.
3. The drawings must be provided to and approved by the certifier and the relevant road Authority.

**Reason:** *To ensure that road infrastructure meets the demands of the use, and to protect public safety and amenity.*

### 123. Car Parking No. 1 and No. 2

The driveway and parking areas on site must be designed, constructed and a Construction Certificate issued in accordance with *Australian Standards AS2890.1, AS2890.2, AS3727* and the following requirements:

1. All parking areas and driveways are to be sealed to an all-weather standard, line marked and signposted.
2. All vehicular entry on to the site and egress from the site shall be made in a forward direction.
3. All parking for people with disabilities is to comply with AS/NZS 2890.6:2022 Off-street parking for people with disabilities.
4. Bicycle parking spaces are to be designed in accordance with AS 2890.3-1993 Bicycle parking facilities.
5. Motorcycle parking spaces are to be designed in accordance with AS/NZS 2890.1:2004 Figure 2.7.
6. Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath.
7. Access for garbage vehicles is to satisfy the requirements of Council's Waste Management Branch.
8. The driveway grade must not exceed 25 percent and changes in grade must not exceed 8 percent.
9. The driveway pavement be a minimum 3 metres wide, 0.15 metres thick reinforced concrete with S172 steel reinforcing fabric and a 0.15 metre sub-base.

10. Retaining walls required to support the carriageway and the compaction of all fill batters to be in accordance with the requirements of a chartered structural engineer.
11. The provision of safety rails where there is a level difference more than 0.3 metres and a 1:4 batter cannot be achieved.

**Reason:** *To ensure the management of carparking and traffic safety.*

#### **124. Road Works**

All road works approved under this consent including:

1. Construction of the access road from Quarter Sessions Road; Warrigal Road upgrade and Intersection Treatment.
2. Construction of the North Field car parking area and emergency access.
3. Construction of the new vehicular and pedestrian entry from Warrigal Drive.
4. Construction of the roundabout at the intersection of Quarter Sessions Road and Warrigal Drive.
5. Construction of internal roads from North Gate to service North and Central Fields.
6. Construction of a shared path and Fire Access Trail.

must be designed in accordance with AUS-SPEC Specifications ([www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions](http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions)), the relevant Australian Standards and the following requirements:

- a. The existing road pavement to be saw cut a minimum of 600mm from the existing edge of the bitumen and reconstructed.
- b. The submission of a compaction certificate from a geotechnical engineer for any fill within road reserves, and all road sub-grade and road pavement materials.

**Reason:** *To ensure infrastructure works are designed and constructed to appropriate standards and requirements of the Roads Act 1993.*

## **DURING BUILDING WORK FOR STAGE 2**

#### **125. Disturbance of Existing Site**

During construction works of Stage 2, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.

**Reason:** *To protect the natural features of the site.*

## **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE FOR STAGE 2**

#### **126. Completion of External Road Works**

1. Prior to the occupation of Stage 2, the following road works must be completed:
  - a. Quarter Session Road/ Warrigal Drive North and South Accesses.

- b. Upgrade of the intersection of Sefton Road/ Chilvers Road to include traffic control signals, as presented in Figure 4.2 of the Traffic Impact Assessment (26 July 2023, Bitzios) dated 26 July 2023.
  - c. All agreed mitigation works for Sefton Road in Corrective Action Requests 4 to 9 of the Road Safety Audit dated 1 July 2024 and prepared by Stanbury Traffic Planning.
2. All works must be completed to the satisfaction of the certifier and the relevant road Authority.

**Reason:** *To ensure that infrastructure works are delivered.*

#### **127. Final Certification - Asset Protection Zone**

A suitably qualified and experienced bushfire consultant is to provide Council with a certificate stating that the APZ required for the Stage 2 works has been established in accordance with the "Bushfire Protection Plan" prepared by Eco Logical Australia dated 12 September 2023, Planning for Bushfire Protection 2019 and the NSW Rural Fire Service's Standards for Asset Protection Zones.

**Reason:** *To ensure the APZ has been established in accordance with the approved plans.*

#### **128. Final Certification - Project Ecologist**

The project ecologist must provide to the Council certification of the implementation of the of the approved IBVMP, Vegetation Management Plan, Fauna Management Plan, BDAR and Biodiversity Management Plan. relevant to Stage 2. The certification must note:

1. Time and date of any site inspections.
2. Key observations made during each site inspection.
3. Compliance with key hold points in the approved plans.
4. Variations from the approved plan and alternative solution or remedial works.
  - a. Including correspondence with Council or the certifier regarding variations.
5. Compliance or non-compliance with the approved plan.
  - a. Recommendations for future works.

**Reason:** *To ensure that ecological works have been undertaken in accordance with the approved plans.*

#### **129. Verification of Biodiversity Preservation Commitments**

Before the issue of an occupation certificate for Stage 2, provide a report prepared by a suitably qualified person verifying that all commitments and harm minimisation measures required by the approved Biodiversity Management Plan (or biodiversity management measures in the Construction Site Management Plan) have been satisfied.

**Reason:** *To ensure that the required biodiversity management measures to avoid and minimise biodiversity impacts were implemented prior to the issue of an occupation or subdivision certificate.*



### **130. Construction of Engineering Works**

All engineering works identified in this consent for Stage 2 are to be completed and a Compliance Certificate issued prior to the release of the Occupation Certificate.

**Reason:** *To ensure engineering works are completed.*

### **131. Final Certification by Project Arborist**

The AQF 5 Project arborist must submit to the Principal Certifier a certificate that includes the following:

1. All tree protection requirements complied with the Arborist Report and approved tree Retention plans (1 - 16) for the duration of demolition, excavation and construction works; and
2. All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans; and
3. Dates, times, and reasons for all site attendance; and
4. All works undertaken to maintain the health of retained trees; and
5. Details of tree protection zone maintenance for the duration of works.

*Note: Copies of signed, monitoring documentation may be requested throughout the development works.*

**Reason:** *To ensure compliance with tree protection commitments.*

### **132. Certification of RFS Requirements**

A Certificate prepared by a BPAD accredited Bushfire Consultant is to be provided to the Principal Certifier (PC) certifying the completion of all works required by the NSW RFS General Terms of Approval (GTAs) relevant to Stage 2 prior to the issue of the Occupation Certificate.

**Reason:** *To ensure all bushfire protection measures are implemented to protect life and property.*

## **ONGOING USE FOR STAGE 2**

### **133. Ongoing Implementation of IBVMP**

The IBVMP shall be reviewed upon completion of the initial year period and updated in every 3 years. Monitoring should occur at a minimum of every 3 months for the first 3 years to ensure that weed control is well managed and plantings have established. Monitoring of the site after the initial 3 years should occur annually. Reporting on the implementation of the IBVMP should occur annually with the annual reports provided to Council.

**Reason:** *To ensure the required vegetation management actions across the site are implemented.*

**- END OF CONDITIONS -**