

General

1.	<p>Approved plans and supporting documentation</p> <p>To confirm and clarify the terms of consent, the development shall be carried out in accordance with the following plans and documents, except as otherwise provided or modified by the conditions of consent.</p>
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Plans	Prepared by	Drawing #	Issue #	Date
Cover Page	Nettleton Tribe	DA000	B	23.07.2024
Survey Plan	Nettleton Tribe	DA001	B	23.07.2024
Site Analysis	Nettleton Tribe	DA002	B	23.07.2024
Demolition Plan	Nettleton Tribe	DA003	B	23.07.2024
Site Plan	Nettleton Tribe	DA010	B	23.07.2024
Lower Ground Floor Plan	Nettleton Tribe	DA011	B	23.07.2024
Ground Floor Plan	Nettleton Tribe	DA012	B	23.07.2024
Mezzanine Plan	Nettleton Tribe	DA013	B	23.07.2024
Level 1 Floor Plan	Nettleton Tribe	DA014	B	23.07.2024
Roof Plan	Nettleton Tribe	DA015	B	23.07.2024
Substation Plan	Nettleton Tribe	DA016	B	23.07.2024
Proposed Elevations – Sheet 1	Nettleton Tribe	DA021	B	23.07.2024
Proposed Elevations – Sheet 2	Nettleton Tribe	DA022	B	23.07.2024
Proposed Sections	Nettleton Tribe	DA031	B	23.07.2024
Signage Detail – Sheet 1	Nettleton Tribe	DA061	B	23.07.2024
Signage Detail – Sheet 2	Nettleton Tribe	DA062	B	23.07.2024
Area Plans – GFA	Nettleton Tribe	DA091	B	23.07.2024
Landscape Coversheet	Site Image	000	E	25.07.2025
Landscape Area Diagram	Site Image	001	C	25.07.2025
Landscape Plan Level 1	Site Image	101	E	25.07.2025
Plant Schedule	Site Image	500	D	25.07.2025
Landscape Details	Site Image	501	B	25.07.2025
Landscape Soil Depths Diagram	Site Image	701	A	25.07.2025
Cover Sheet, Drawings Schedule, Notes and Locality Sketch	Henry & Hymas	21H97_DA_C000	02	05.08.2024
General Arrangement Plan	Henry & Hymas	21H97_DA_C100	03	05.08.2024
General Arrangement Plan	Henry & Hymas	21H97_DA_C100	05	15.11.2024
General Arrangement Plan – Level 1	Henry & Hymas	21H97_DA_C101	04	15.11.2024
Stormwater Miscellaneous Details and Pit Lid Schedule	Henry & Hymas	21H97_DA_C200	03	05.08.2024

OSD Plan, Sections and Details	Henry & Hymas	21H97_DA_C201	05	20.08.2024
Stormfilter Manhole Plan, Section and Detail	Henry & Hymas	21H97_DA_C202	03	05.08.2024
Pre-Development Stormwater Catchment Plan	Henry & Hymas	21H97_DA_C250	03	05.08.2024
Post-Development Stormwater Catchment Plan	Henry & Hymas	21H97_DA_C251	05	15.11.2024
Pre-Development MUSIC Modelling Catchment Plan	Henry & Hymas	21H97_DA_C252	03	05.08.2024
Post-Development MUSIC Modelling Catchment Plan	Henry & Hymas	21H97_DA_C253	05	15.11.2024
Sediment and Erosion Control Plan	Henry & Hymas	21H97_DA_SE01	02	05.08.2024

Documents	Prepared by	Version/issue #	Date
Noise Impact Assessment	Acoustic Logic	1	06.11.2024
Preliminary and Detailed Site Investigation Report	Geo-Logix	V01	03.02.2020
Geotechnical Report	Geo-Logix	V01	03.02.2020
Operational Waste Management Plan	Elephants Foot	E	22.07.2025
Construction & Demolition Waste Management Plan	Elephants Foot	B	22.07.2025
Plan of Management	Planning Ingenuity	Ref: M190122	24.07.2025
CPTED Report	Planning Ingenuity	Ref: M190122	22.11.2024
Arboricultural Impact Assessment Report	Arborist Network	Ref: CD2058 - 20B	July 2025

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

2.	Building Code of Australia
	All building work must be carried out in accordance with the provisions of the Building Code of Australia.
	Reason: Condition prescribed by section 69 of the <i>Environmental Planning and Assessment Regulation 2021</i> .

3.	Construction certificate
	A construction certificate is required prior to the commencement of any building work. This certificate can be issued either by Council as a certifying authority or by a registered certifier.
	Reason: To ensure compliance with legislative requirements.

4.	<p>Section 7.12 infrastructure contribution</p> <p>In accordance with the <i>Blue Mountains City-wide Local Infrastructure Contributions Plan 2022</i> adopted 28 June 2022 (“the Contributions Plan”), a contribution of \$334,710.00 shall be paid to Council prior to issue of a construction certificate.</p> <p>This amount will be adjusted* at the time of payment in accordance with Section 3.7 of the Contributions Plan.</p> <p>The Contributions Plan is available for inspection at Council’s offices or on Council’s website at www.bmcc.nsw.gov.au.</p> <p>*Using the All Groups Consumer Price Index (Sydney), as published by the Australian Bureau of Statistics. You are advised to check the current amount payable with Council prior to any payment.</p> <p>Reason: To ensure payment of infrastructure contributions required by Council’s Contribution Plan.</p>
5.	<p>Housing and productivity contribution</p> <p>The housing and productivity contribution (HPC) set out in (a) below, but as adjusted in accordance with (b), is required to be made:</p> <p>a) Housing and productivity contribution: \$123,901.27.</p> <p>b) The amount payable at the time of payment is the total contribution identified above adjusted by multiplying it by:</p> $\frac{\text{highest PPI number}}{\text{consent PPI number}}$ <p>where:</p> <ul style="list-style-type: none"> highest PPI number is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2nd last quarter before the quarter in which the payment is made. consent PPI number is the PPI number last used to adjust HPC rates when consent was granted. <p>June quarter 2023 and PPI have the meanings given in clause 22 (4) of the <i>Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023</i>.</p> <p>If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.</p> <p>The HPC must be paid before the issue first construction certificate and must be paid using the NSW planning portal.</p> <p>Reason: To comply with cl. 7.28 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>
6.	<p>WaterNSW General Terms of Approval</p> <p>The General Terms of Approval (GTAs) from WaterNSW must be complied with prior to, during, and at the completion of the development. The GTAs are attached to the end of this set of conditions.</p> <p>Reason: To ensure compliance with WaterNSW requirements.</p>
7.	<p>Sydney Water building plan approval</p> <p>A building plan approval must be obtained from Sydney Water Tap in.</p>

	<p>Refer to the Sydney Water Tap in website.</p> <p>Reason: To ensure that the development will not impact on Sydney Water infrastructure.</p>
8.	<p>Substation removal/relocation</p> <p>The applicant will need to make an application for the removal/relocation of the network asset (padmount substation no. 17374) with Endeavour Energy's Customer Network Solutions Branch.</p> <p>Generally, it is the Level 3 Accredited Service Provider's responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. If the substation does not comply with Endeavour Energy's standards, the applicant must request a dispensation.</p> <p>For information regarding Endeavour Energy's requirements, please refer to the Land Interest Guidelines for Network Connection Works, Version 5, December 2022.</p> <p>Reason: To comply with the electricity authority's requirements.</p>
9.	<p>Section 73 certificate</p> <p>A compliance certificate must be obtained from Sydney Water under Section 73 of the <i>Sydney Water Act 1994</i>, prior to issue of an occupation certificate.</p> <p>Make an early application for the certificate, as there may be assets to be built and this can take some time.</p> <p>Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.</p> <p>Reason: Required by Sydney Water for this development type.</p>
10.	<p>Staging of works</p> <p>The development must be carried out in two distinct stages, as follows:</p> <ul style="list-style-type: none"> Stage 1—Heritage works: <p>The approved restoration and refurbishment works to the front of the Oriental Hotel are to be carried out as the first stage of works. This includes reinstatement of the 1930s signage, alterations to the first-floor verandah, refurbishment of the 1960s addition (paint and new doors), and paving and landscaping works in the front outdoor seating area.</p> <p>(The portions of the outdoor seating area and landscaping that directly interface with the new driveway and hotel loading dock may be delayed to Stage 2.)</p> Stage 2—Supermarket works: <p>The construction and fit-out of the supermarket and associated works are to be carried out as the second stage of works.</p> <p>Prior to the commencement of any Stage 2 works, the applicant must submit to Council's Manager Development and Building Services a statement from a qualified heritage specialist confirming that all Stage 1 works have been completed in accordance with the approved plans and relevant conditions of this consent.</p>

Reason: To ensure the timely and proper conservation of the heritage item and to recognise the item's significance as a critical part of the development.

11.

Design amendments

Prior to issue of any construction certificate, amended plans (architectural and landscape as relevant) showing the following design amendments and details must be submitted to and approved by Council's Manager Development and Building Services:

- a) The following amendments to the rooftop carpark level:
 - i. The Level 1 east–west pedestrian pathway along the northern edge of the carpark, as well as the planter bed strips between the link and carpark, must be widened by a combined minimum of 2.4m. The planter bed strips must be at least 2m wide. Pedestrian access from the parking area to the east–west link must be provided at both the eastern and western ends of the carpark. Up to 5 parking spaces may be removed to accommodate this amendment.
 - ii. Two trees are to be planted in raised planter beds within the middle parking area. Two parking spaces must be removed to accommodate this amendment.
 - iii. The trolley bay in the southwestern corner of the parking area must be removed, and the adjacent planter bed extended to occupy its place.
 - iv. A small planter bed must be added in the area immediately to the west of the fire stair, adjacent to the air intake at the top of the Macquarie Road driveway.
 - v. The rooftop car park circulation is to be changed to one-way, and any resulting surplus circulation space must be incorporated into garden beds.
- b) The planter bed along the western side of the Macquarie Road driveway (containing the *Acer palmatum* tree plantings) must be widened to achieve a minimum width of 2.4m, and the planter bed containing the *Nyssa sylvatica* tree planting must be widened to achieve a minimum deep soil area of 35m² around the *Nyssa sylvatica*.
- c) Tree 3 and Tree 4 in front of the Oriental Hotel (as identified in the Aboricultural Assessment Report by Arborist Network dated July 2025) must be retained and incorporated into the landscape scheme.
- d) The fixed shade structures in the front of the Oriental Hotel must be deleted.
- e) The pylon sign along Macquarie Road (SG01) must be deleted.
- f) The design and levels of the pedestrian forecourt on Raymond Road must be refined to provide for a smooth transition between private and public land, with gradual level changes and no trip hazards. The levels in the public domain may be adjusted to achieve an appropriate outcome.

Reason: Corresponding to the sequencing above:

- a) To enhance pedestrian amenity and connectivity, increase the curtilage around the Oriental Hotel with an aim to allow sufficient flexibility for a potential future rear addition, and provide for additional landscaping in and around the rooftop carpark.
- b) To ensure the new tree plantings around the northeastern corner of the site—which are critical for compensating for tree removal, softening the built form and hardstand areas, and promoting streetscape amenity in the Macquarie Road East Conservation Area—have sufficient soil volume to thrive and achieve a reasonable mature height.
- c) To retain healthy trees that contribute to streetscape amenity, to provide for a suitable balance between landscape elements and built form, and to provide for a suitable mix of new and established vegetation.

	<ul style="list-style-type: none"> d) To avoid adverse impacts to the heritage values of the Oriental Hotel and Macquarie Road East Conservation Area caused by inappropriate structures. e) To avoid adverse impacts to the heritage values of the Oriental Hotel and Macquarie Road East Conservation Area caused by inappropriate signage. f) To provide for a high-quality pedestrian entry and to ensure a suitable transition between public and private land.
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12.	<p>Works in the road reserve</p> <p>The following works are required in Council's road reserve:</p> <p>Pedestrian infrastructure:</p> <ul style="list-style-type: none"> a) New pedestrian crossing on David Road between the existing and new roundabout. See design requirements at Condition 14. (The crossing to the east of the new roundabout as shown on the approved site plan is not required and can be deleted from the plans.) b) New pedestrian crossing on Raymond Road (southern section) to the south of the approved roundabout, as shown on the approved site plan. See design requirements at Condition 14. c) New footpath to the southwest of the new roundabout to connect the pedestrian crossings required by (a) and (b) above. See design requirements at Condition 19. d) Relocation of the pedestrian crossing on Macquarie Road to avoid conflict with the new driveway. See design requirements at Condition 14. e) Removal of the Crepe Myrtle trees along the eastern side of Raymond Road and construction of a new footpath between the supermarket entry and Macquarie Road. See design requirements at Conditions 14 and 17. f) New raised pedestrian crossing on Raymond Road leading to the supermarket entry, to the north of Raymond Lane. See design requirements at Condition 14. g) Enhancement of the wedge-shaped public domain area to the south of the Raymond Road pedestrian entry with seating, landscape elements, and suitable integration with the supermarket entry in terms of finishes and levels. The levels in this area may be adjusted. h) At least 6 bicycle spaces in an accessible location near the Raymond Road supermarket entry. These may be located within the public domain. (Six of the 12 bicycle spaces in the basement may be deleted.) i) A consistent finish to all footpaths along the site's frontages. See design requirements at Condition 19. <p>Vehicular infrastructure:</p> <ul style="list-style-type: none"> j) New vehicular access to the rooftop parking on Macquarie Road. See design requirements at Condition 15 k) New vehicular access to the basement parking on David Road. See design requirements at Condition 15 l) New vehicular access to the loading dock on David Road. See design requirements at Condition 15. m) New roundabout at the basement carpark entry. See design requirements at Condition 16. n) A median strip-island in Macquarie Road at the new driveway location to ensure left-hand turn in and out of the driveway only. <p>Street trees and plantings:</p> <ul style="list-style-type: none"> o) At least 3 street trees (<i>Lagerstroemia indica</i> 'Biloxi'—Crepe Myrtle) in the existing planter beds on the western side of Raymond Road to the north of Raymond Lane.
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	<p>p) At least 2 street trees (<i>Lagerstroemia indica</i> 'Biloxi'—Crepe Myrtle) on the eastern side of Raymond Road to the south of the supermarket pedestrian entry, plus any additional landscaping associated with (g) above.</p> <p>q) Planting of a dense mix of shrubs and groundcovers in the garden bed at the corner of David Road and Raymond Road.</p> <p>r) Landscape upgrades to the verge on David Road, including a garden bed between the kerb and the footpath containing <i>Tristanopsis laurina</i> 'Lushious' street trees, low native shrubs, and groundcovers—<i>subject to the design of the new roundabout</i>.</p> <p>See public domain landscape design requirements at Condition 18.</p> <p>Other:</p> <p>s) New substation in the David Road reserve adjacent to the existing substation associated with the Blue Mountains Community Theatre and Hub, generally as shown on the approved architectural plans.</p> <p>Plans and details are to be lodged with the application for approval under Section 138 of the <i>Roads Act 1993</i> (see Condition 13).</p> <p>Reason: To ensure the roads, pedestrian infrastructure, and landscaping in the public domain around the site comply with relevant requirements, are suited to the nature of the development, respond to the increased vehicular and foot traffic generated by the development, and deliver a public benefit commensurate with the scale and significance of the development.</p>
13.	<p>Approval under the Roads Act 1993</p> <p>Prior to the issue of any construction certificate, detailed design plans and specifications for all works within the Council's road reserve are to be submitted to and approved by Council pursuant to the <i>Roads Act 1993</i>.</p> <p>The plans are to include details of all service relocations, new or altered signage, line marking, tactiles, new or relocated street furniture, lighting, road and footpath adjustments, and any other works required to make construction effective.</p> <p>This includes any temporary occupation of the roadway or footway during construction.</p> <p>Final design plans will be subject to the incorporation of any amendments requested by Council or the Local Traffic Committee.</p> <p>All works in Council's road reserves approved or required to be undertaken by this consent are to be designed, funded and delivered by the developer at no cost to Council.</p> <p>Reason: To comply with legislative requirements.</p>
14.	<p>Design requirements—pedestrian crossings</p> <p>All new proposed pedestrian crossings are to:</p> <ol style="list-style-type: none"> Be raised crossings. Incorporate kerb extensions where practical to reduce the crossing width. Be perpendicular to the roadway. Include any additional works necessary to ensure a continuous connection with existing footpaths. <p>Macquarie Road:</p>

	<ul style="list-style-type: none"> The new Macquarie Road crossing is to be located a minimum of seven metres from the holding line of the roundabout to the west. <p>Raymond Road North:</p> <ul style="list-style-type: none"> The new Raymond Road crossing is to be located to the north of Raymond Lane as shown on the approved architectural plans. <p>David Road:</p> <ul style="list-style-type: none"> The new David Road crossing shall be centrally located between the existing roundabout and proposed roundabout. <p>Raymond Road South:</p> <ul style="list-style-type: none"> The new crossing is to be located a minimum of seven metres from the holding line of the roundabout to the north. <p>All obsolete crossings are to be removed, and the road infrastructure restored to match existing.</p> <p>Reason: To ensure pedestrian crossings are safe and meet relevant design requirements.</p>
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15.	<p>Design requirements—vehicular access</p> <p>All new proposed vehicular crossings are to:</p> <ol style="list-style-type: none"> Be of heavy-duty construction. Include all necessary footpath, kerb and gutter and pavement adjustments. Include pedestrian crossing line marking in the footpath alignment. Be sized to accommodate vehicle entry and exit as per AS2890.1, AS2890.2 and AS2890.6 turning path requirements. Access driveways shall be no wider than necessary to accommodate access. <p>Macquarie Road:</p> <ul style="list-style-type: none"> In Macquarie Road, additional works are to include the provision of a median strip or island to restrict driveway vehicle movements to left in, left out. <p>All obsolete vehicle crossings are to be removed, and the road infrastructure restored to match existing.</p> <p>Reason: To ensure vehicular access meets relevant design requirements.</p>
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16.	<p>Design requirements—new roundabout</p> <p>Design plans are to demonstrate that the proposed roundabout can be suitably accommodated within the existing road reserve, incorporating the following:</p> <ol style="list-style-type: none"> The check vehicle shall be a 12.5m heavy rigid vehicle as defined by AS2890.2:2018. Turning templates are to be shown on the plan with any mounting of the roundabout or kerbs to accommodate access shown. The design vehicle shall be an 8.8m medium rigid vehicle as defined by AS2890.2:2018. The design vehicle movements shall be confined to the correct side of the road within the trafficable lane of the roundabout. Where the check vehicle is required to mount the roundabout or kerb, suitable design features shall be incorporated to ensure vehicle safety. Pedestrian access and safety are not to be reduced or compromised.
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	<p>f) Consideration of the locations of existing power/light poles and overhead services and any relocation required to maintain sightlines to and from the roundabout.</p> <p>g) A new footpath is to be provided on the southwestern side of the roundabout between the new pedestrian crossings, as required by Condition 12.</p> <p>Where a suitable design incorporating the parameters above is not provided to Council and/or the Local Traffic Committee's satisfaction, an alternative intersection design will be required in consultation with Council.</p>
	Reason: To ensure the new roundabout meets relevant design requirements.

17.	<p>Design requirements—Raymond Road retaining wall and footpath</p> <p>The existing block retaining wall in the Raymond Road road reserve adjoining the western side of the Oriental Hotel is to be removed, and a new retaining wall constructed wholly within the site boundary.</p> <p>The wall design, material and finishes shall be consistent with details to be submitted and approved under Condition 23.</p> <p>A new asphalt footpath is to be constructed from the back of kerb to the base of the new retaining wall as per Council's Public Domain Technical Manual.</p> <p>Existing light poles shall be relocated to ensure encroachment on the pedestrian pathway is avoided. The lighting location and requirements shall be designed by a Level 3 Accredited Service Provider.</p>
	Reason: To ensure the retaining wall meets relevant design requirements.

18.	<p>Design requirements—Public domain landscaping</p> <p>Landscape design in the public domain (road reserve) is to be undertaken by a suitably qualified landscape architect.</p> <p>The landscape design and specifications are to be submitted to and approved by Council's Manager Development and Building Services as part of the application for works in the road reserve under section 138 of the <i>Roads Act 1993</i>.</p> <p>The design must include the works required by Condition 12 as well as the following:</p> <ul style="list-style-type: none"> a) Detailed, site-specific technical specifications for the proposed landscape works must be provided, including but not limited to, preliminary site preparation, demolition of hardscape features, removal and relocation of existing signage and lighting, soil preparation, garden fixtures and structures, planting works, installation and irrigation, and drainage. b) Garden beds beneath street trees are to be mass-planted with shrubs and groundcovers. c) Street tree design—including tree pit bases, grates, and guards—must comply with the Blue Mountains City Council Public Domain Technical Manual, including section PI4. Tree locations must be compatible with service locations, lighting, furniture, and signage and ensure adequate space for tree pits and canopy growth. d) The design of tree pits and garden beds is to be detailed and include cross sections. The extent of tree pits below paving is to be indicated. e) Trees are to be supplied as advanced stock with a minimum 200L container and of quality consistent with AS 2303:2018 <i>Tree stock for landscape use</i>. f) The placement of street trees is to take into consideration the position of street signs and sight lines.
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	<p>g) The design must include a detailed planting plan and schedule listing all plants by botanical and common names, plant numbers, pot sizes, and the estimated size of the plant at maturity (height and spread). Tree species are to be in accordance with Council's Street Tree Master Plan.</p> <p>h) Tree locations must be compatible with service locations, lighting, furniture, and signage and ensure adequate space for tree pits and canopy growth.</p> <p>i) Any new traffic calming islands are to be densely planted with low shrubs and groundcovers where appropriate.</p> <p>j) To avoid conflicts between parallel parking bays and new trees, tree pits adjacent to parking areas should be aligned between bays, ensuring sufficient clearance for vehicle entry and exit, and door opening.</p> <p>k) Soil remediation and garden bed preparation is to comply with the specifications of the Council's Public Domain Technical Manual.</p> <p>l) The landscape design is to be coordinated with all road and pedestrian infrastructure works required in the road reserve.</p> <p>m) The location and specifications for all fixtures and infrastructure in the public domain (such as lighting, seats, bike rails, bollards, tactile ground-surface indicators, handrails, and wayfinding signage) are to be included.</p> <p>n) Details and schedule of maintenance required during an establishment period of 12 months.</p> <p>Reason: To ensure the landscaping works within the public domain comply with Council's requirements and are commensurate with the scale and significance of the development.</p>
19.	<p>Design requirements—footpath material</p> <p>All public footpaths surrounding the development site are to be provided with an asphalt overlay and clay brick header to ensure a consistent finish. The footpath works shall be undertaken in accordance with Council's Public Domain Technical Manual, P3 (Asphalt Paver with Clay Brick Header Course), unless otherwise approved by Council's Manager Development and Building Services.</p> <p>Reason: To ensure the footpath around the site has a consistent finish and complies with Council's public domain specifications.</p>
20.	<p>Council's drainage system</p> <p>The analysis of the full drainage system to the discharge point in Lot 1 DP1137561 using the DRAINS model is to be submitted with the Roads Act application (see Condition 13), for all storms up to and including the 1% AEP event for the pre- and post-development scenarios.</p> <p>The analysis is to identify any system surcharges including the storm event (frequency), the location, and an assessment of the impacts and public safety.</p> <p>Amendments to the on-site detention system to further restrict development discharge flow rates may be required to mitigate the impacts on Council's receiving stormwater system. Any amendments to the on-site detention system shall be submitted to Council's Supervising Engineer for approval.</p> <p>Where any upgrading of the Council drainage system is required to facilitate connection and/or to mitigate the impacts, details are to be submitted with the Roads Act application for approval.</p> <p>Reason: To ensure Council's stormwater network can accommodate discharge from the site.</p>

21.	<p>Removal/relocation of air conditioning units</p> <p>The existing outdoor air conditioning units along the western side of the Oriental Hotel must be removed or relocated prior to removal of the Crepe Myrtle trees and construction of the footpath at this location.</p> <p>Details of the removal/relocation works are to be submitted to and approved by Council’s Manager Development and Building Services prior to the works being carried out.</p> <p>Reason: To avoid adverse impacts resulting from the air conditioning units being revealed following the narrowing of the planter bed and the removal of established vegetation within the bed.</p>
22.	<p>Tree retention and removal</p> <p>Approval is given for removal of all trees within the site except for Tree 3 and Tree 4 as identified in the Arboricultural Impact Assessment Report by Arborist network dated July 2025.</p> <p>Approval is also given for removal of the row of Crepe Myrtles along the site’s western boundary. No approval is given for removal of any other trees outside the site.</p> <p>All other trees within and outside the site must be retained and protected.</p> <p>Reason: To clarify tree retention and removal.</p>

Before issue of a construction certificate

23.	<p>Colours and materials details</p> <p>Prior to issue of any construction certificate, an updated and detailed schedule of colours and materials, and associated drawings, must be submitted to and approved by Council’s Manager Development and Building Services. The updated schedule must include:</p> <ul style="list-style-type: none"> a) Product and paint names. b) Colour and material of items 01, 04 and 07 (as identified on the approved elevation drawings). c) Colour and material of the trellis over the pedestrian ramp along the driveway and the trellis over the Raymond Road steps. d) Material of the new paving around the Oriental Hotel (type and colour). The material should be consistent around the hotel. e) Design, material and finish of the reconstructed retaining wall along the western boundary of the Oriental Hotel. <p>Reason: To ensure the exterior finish of the development is compatible with the local character and heritage setting.</p>
24.	<p>Landscaping within the site</p> <p>Prior to issue of any construction certificate, updated landscape plans with the following details must be submitted to and approved by Council’s Manager Development and Building Services:</p> <ul style="list-style-type: none"> a) The design amendments required by Condition 11 must be included.

	<p>b) All paving works around the Oriental Hotel must be clearly delineated.</p> <p>c) <i>Pennisetum</i> is to be deleted from the plant list (because it is regarded as an environmental weed in the Blue Mountains). Suggested alternatives include <i>Patersonia sericea</i> (Purple flag), <i>Dianella tasmanica</i>, <i>D. longifolia</i> and <i>D. caerulea</i> (Spreading Flax-lily).</p> <p>d) Within the raised garden bed on the western edge of the Oriental Hotel.</p> <ul style="list-style-type: none"> i. Plant <i>Michelia</i> ‘Fairy Blush’ (syn. <i>Magnolia</i> ‘Fairy Blush’) (rather than <i>Michelia yunnanensis</i>) at 1m spacing along the building line rear portion of the garden bed. Plants shall be trained and hedged around window reveals. ii. Integrate feature <i>Elaeocarpus eumundii</i> trees (in standard form), planted centrally within the bed and positioned between each window reveal. iii. Along the outer (footpath) edge of the bed, include low shrubs and groundcovers in drift formations. Recommended species include <i>Convolvulus</i> ‘Starry Moon’, <i>Iberis</i> ‘Candytuft’, and <i>Escallonia</i> ‘Dwarf Pink Pixie’. <p>e) Omit <i>Rhagodia spinescens</i> and <i>Liriope muscarii</i> due to unsuitability and replace with the following recommendations: <i>Convolvulus</i> ‘Starry Moon’, <i>Iberis</i> ‘Candytuft’, and <i>Escallonia</i> ‘Dwarf Pink Pixie’ and <i>Hibbertia scandens</i>.</p> <p>f) The widened planter beds along the northern edge of the carpark (required by Condition 11) must contain at least 7 multi-stemmed <i>Lagerstoemia</i> trees spaced 2m apart in order to provide a good screen and linear avenue.</p> <p>g) Site-specific detailed and technical specifications for the onsite landscape works must be provided, including, but not limited to, site preparation, demolition of existing hardscape features, soil preparation, fixtures and structures, drainage, planting works, irrigation, drainage for planter beds, and maintenance details (including specific maintenance details for high, difficult-to-access plantings, e.g. <i>Photinia</i> ‘Red Robin’ around the rooftop condenser units).</p> <p>h) Within the carpark, the soil volume provided within each planter bed must be sufficient to ensure successful establishment and growth of selected tree and shrub species, generally in accordance with the guidelines of Blue Mountains DCP 2015 Part F2.3.</p> <p>i) No plant listed as a weed of the Blue Mountains in Part C2.3 of the Blue Mountains DCP 2015 is to be included in the landscaping.</p> <p>j) Soil remediation and planter bed preparation are to be in accordance with DCP 2015 Part F2.3 as relevant.</p> <p>Reason: To ensure the landscape design is suited to character and climate of the locality, and provides adequate softening of built form and hardstand areas.</p>
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25.	Detailed drawings—rear lobby addition
	Prior to issue of the relevant construction certificate, detailed drawings of the new lobby addition at the rear of the Oriental Hotel—including elevations, section, colours and materials, and details of attachment to the existing building—are to be submitted to and approved by Council’s Manager Development and Building Services.
	Reason: To ensure the design details do not detract from the significance of the Oriental Hotel.
26.	Arboricultural advice

	<p>Prior to issue of any construction certificate, an updated arborist's report must be submitted to and approved by Council's Manager Development and Building Services. The updated report must be fully coordinated with the updated landscape design required by Conditions 11 and 24 and must include the following information:</p> <ul style="list-style-type: none"> a) Retention of Tree 3 and Tree 4. b) Updated tree protection plan and specifications. c) Site-specific recommendations for tree protection, tree-sensitive construction methodologies, and tree-sensitive design integration to minimise impacts to Tree 3 and Tree 4 caused by paving and landscaping works. The recommendations should prioritise the retention and increase of uncompacted soil volume. d) Guidance on any required selective limb or root pruning of Tree 3 and Tree 4. <p>Reason: To ensure protection of trees required to be retained.</p>
27.	<p>Potential addition behind the Oriental Hotel</p> <p>Prior to issue of any construction certificate, the following details relating to a potential future addition behind the Oriental Hotel must be submitted to and approved by Council's Manager Development and Building Services:</p> <ul style="list-style-type: none"> a) A concept plan showing a pavilion-style addition with a footprint of at least 115m² behind the hotel. The addition must not obstruct the east–west pedestrian pathway along the northern edge of the carpark. b) Statements from qualified structural and services engineers confirming that the supermarket's structure and services have been designed to accommodate a potential future addition behind (to the south of) the Oriental Hotel. The statements must assume a single storey addition of standard commercial construction. <p>Reason: To ensure the area behind the Oriental Hotel can practically accommodate a future addition.</p>
28.	<p>Construction management plan</p> <p>Prior to the issue of a construction certificate for the relevant stage of works, the applicant must submit a Construction Management Plan (CMP) to the certifier and Council's Manager Development and Building Services:</p> <p>The CMP must detail how construction activities will be managed to minimise environmental, social, and traffic impacts on the surrounding locality. The plan must address the following at minimum:</p> <ul style="list-style-type: none"> a) Site security and public safety surround the construction site. b) Noise and vibration management. c) Traffic management, including site access and parking arrangements. d) Measures to management dust and other air quality impacts. e) Sediment and erosion control measures. f) Location and management of construction plant, equipment and materials storage. g) Waste management and disposal methods. h) Contact details for the site manager and procedures for receiving and addressing complaints. <p>The CMP shall include/reference the construction traffic and pedestrian management plan, construction noise and vibration management plan, and dewatering management plan required by Conditions 29, 30 and 31.</p> <p>Reason: To ensure construction is properly managed to avoid and minimise impacts on the surrounding environment.</p>

<p>29.</p>	<p>Construction traffic and pedestrian management plan</p> <p>A construction traffic and pedestrian management plan (CTMP) prepared by a suitably qualified person shall be submitted to and approved by Council's Manager Development and Building Services prior to issue of the relevant construction certificate.</p> <p>Works in relation to each stage of work shall not commence until Council's Manager Development and Building Services has provided written notice of the approval of the CTMP for that stage of work.</p> <p>The CTMP is to be in the form of a report and is to address (but not be limited to) the following:</p> <ul style="list-style-type: none"> a) The construction program. b) Details of the average daily number of truck movements to and from the site during the various stages of sitework (e.g. demolition, excavation, construction). c) Details of the proposed construction vehicle access and egress routes. Access and egress routes shall be detailed from the site to the Great Western Highway. d) Traffic control plans outlining how pedestrian/traffic movements around the site and access to adjacent properties are to be maintained/managed. e) Traffic control plans detailing how construction vehicle movements entering and exiting the site are to be managed. f) Materials storage and handling for works both internal and external to the site. g) Details of the proposed parking and access arrangements for workers and sub-contractors. h) Any proposed hoarding, site fencing, or site delineation proposed around the subject site. Location, height, type and duration to be outlined. i) Stipulation that the Blue Mountains Community Theatre and Hub property will not be used for construction vehicle access or parking. <p>Safety devices such as signs, barricades, barriers, warning lights etc. shall be placed where works affect the Council roads and shall be in accordance with Australian Standard No. 1742 <i>Manual of Uniform Traffic Control Devices and Roads</i> and Traffic Authority Manual <i>Traffic Control at Work Sites</i> 1998. Details are to be included in the Traffic Management Plan Report.</p> <p>Additional traffic management plans will be required with any application under the <i>Roads Act 1993</i> for works within the road reserve.</p> <p>Pedestrian access between the Macquarie Road southern and northern footpaths shall be maintained for the duration of site works.</p> <p>Reason: To ensure construction traffic is managed to avoid impacts to the safety and amenity of the local road network.</p>
<p>30.</p>	<p>Construction noise and vibration management plan</p> <p>Prior to issue of the relevant construction certificate, a construction noise and vibration management plan must be submitted to and approved by Council's Manager Development and Building Services:</p> <p>The plan shall be prepared by a suitably qualified and experienced noise expert and must incorporate the criteria and recommendations in the noise report by Acoustic Logic, ref. 20240748.1/0611A/R1/HD, Rev 1, dated 6/11/2024.</p> <p>The plan must include the following at minimum:</p>

	<ul style="list-style-type: none"> a) Procedures for achieving the noise management levels in the EPA's <i>Interim Construction Noise Guideline</i> (DECC, 2009). b) Measures to be implemented to manage high noise generating works (e.g. piling) close to sensitive receivers, including the Blue Mountains Community Theatre and Hub (the Hub). c) Strategies that have been developed with the community for managing high noise generating works, including specific strategies to avoid adverse impacts to performances at the Hub theatre and a description of the community consultation undertaken to develop these strategies. Consultation with relevant Hub staff must be carried out and documented. d) A complaints management system to be implemented for the duration of the construction. e) A vibration monitoring plan to ensure surrounding structures, including the Oriental Hotel and the Hub, are not adversely affected by excavation and construction activities. The recommendations in section 5.7 of the Geotechnical Report by Geo-Logix dated 03-02-2020 are to be incorporated into this plan. f) A program to monitor and report on impacts and the effectiveness of the implemented management measures.
	<p>Reason: To ensure construction is managed to avoid and minimise noise and vibration impacts to surrounding receivers.</p>

31.	<p>Dewatering management plan</p>
	<p>Prior to issue of the relevant construction certificate, a construction dewatering management plan must be submitted to and approved by Council's Manager Development and Building Services. The plan must include the following:</p> <ul style="list-style-type: none"> a) Consistency with the General Terms of Approval issued by Water NSW. b) Incorporation of the water quality discharge requirements specified at Condition 75. c) Analysis of the current groundwater conditions and the receiving environment, including Magdala Creek. d) Detailed description of the proposed dewatering, including predicted volumes and rates of groundwater extraction and discharge, discharge location, and potential environmental risks. e) Identification of measures to avoid or mitigate adverse environmental impacts in the event that monitoring shows non-compliance with the water quality discharge requirements. f) A monitoring program to show compliance with the management plan, the condition of development consent titled "Treatment quality of discharged groundwater" and any requirements of Water NSW. g) Stipulation that contact with groundwater should be minimised and good hygiene implemented due to the potential presence of elevated concentrations of organic nitrogen and E. Coli, as per the recommendation in the Preliminary and Detailed Site Investigation Report by Geo-Logix dated 03-02-2020.
	<p>Reason: To ensure groundwater is properly managed to avoid impacts to the receiving environment and human health.</p>

32.	<p>Internal pavement and vehicle barrier</p>
	<p>Prior to the issue of the relevant construction certificate, the principal certifier shall be satisfied that the internal driveway and parking areas have been designed in accordance with Australian Standards AS 2890.1/2004, AS2890.2/2002 and AS 2890.6/2009.</p>

	<p>A suitable vehicle barrier is to be designed and constructed to prevent vehicles from running over the edge of the carpark and driveway. The barrier is to be designed in accordance with Clause 2.4.5.3 of AS2890.1:2004 <i>Off street car parking</i> by a chartered professional engineer (civil or structural).</p> <p>Reason: To ensure internal driveway and parking areas comply with relevant technical requirements.</p>
33.	<p>Stormwater system</p> <p>The stormwater management system is to be generally in accordance with the concept Stormwater Management Plans dated 15/11/2024 prepared by Henry & Hymas, subject to the following advancements:</p> <ul style="list-style-type: none"> a) The rainwater tank of minimum 4,250L capacity shall be connected for reuse within the subject development. Reuse details shall be shown on the amended plans. b) The conventionally drained basement details are to be amended to show a tanked basement design. c) A longitudinal section of all stormwater pits and pipes, including connection points to Council infrastructure shall be provided with relevant levels shown. <p>The detailed construction plans prepared by a qualified person and endorsed by a chartered professional engineer (civil), together with certification verifying the above requirements have been met, shall be submitted to the principal certifier for approval prior to the issue of the relevant construction certificate.</p> <p>Reason: To ensure the site's stormwater design meets relevant technical requirements.</p>
34.	<p>Food premises fit-out</p> <p>Detailed plans of any food/beverage preparation facilities and waste storage areas shall be submitted to the principal certifier prior to the issue of the relevant construction certificate.</p> <p>The fit-out shall comply with:</p> <ul style="list-style-type: none"> a) National Food Standard 3.2.3 Food Premises and Equipment. b) Australian Standard AS4674.2004 Design, Construction and Fit-Out of Food Premises. c) Requirements of Sydney Water regarding trade wastewater disposal. <p>Reason: To ensure the premises are constructed to be suitable for the safe and hygienic preparation of food.</p>
35.	<p>Food premises—floors, walls and ceilings</p> <p>Floors, walls and ceilings of the food premises shall comply with the requirements of Australian Standard 4674.2004 <i>Design, Construction and Fit-Out of Food Premises</i> and the Food Safety Standard 3.2.3, in particular parts 3.1, 3.2 and table 3.3 of AS 4674.2004 (which indicates suitable floor, walls and ceiling finishes). Walls must be of solid construction; stud walls are not permitted.</p> <p>Details are to be included on the relevant plans prior to issue of the relevant construction certificate.</p> <p>Reason: To ensure the premises are constructed to be suitable for the safe and hygienic preparation of food.</p>
36.	<p>Food premises—ventilation</p>

	<p>To ensure emissions from cooking processes are effectively removed and to avoid air pollution, the mechanical exhaust system is to be designed and constructed in accordance with AS1668 <i>Mechanical Ventilation and Air Conditioning Code</i>.</p> <p>Details are to be included on the relevant plans prior to issue of the relevant construction certificate.</p> <p>Reason: To ensure the premises are constructed to be suitable for the safe and hygienic preparation of food.</p>
37.	<p>Mechanical plant noise confirmation</p> <p>Prior to the issue of the relevant construction certificate, an acoustic report shall be submitted to the principal certifier demonstrating that all selected internal and external mechanical plant—including but not limited to air conditioners, kitchen exhaust fans, and refrigeration condensers—will meet the requirements of the project-specific noise criteria identified in Table 5.2.4 (and section 6.3 & 7) of the report prepared by Acoustic Logic dated 6 November 2024, with the following amendment:</p> <ul style="list-style-type: none"> The Project Amenity Level for the Blue Mountains Community Theatre and Hub (the Hub) shall be 48 dB(A) Leq (15min) rather than 63 dB(A) Leq (15min). The purpose of this change is to account for the special nature of the Hub receiver and to ensure mechanical plant noise does not exceed the predicted noise from the carparking facilities. <p>The acoustic report is to be prepared by an appropriately qualified acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS).</p> <p>Reason: To ensure mechanical plant meets relevant noise criteria and avoids impact to the Hub.</p>
38.	<p>Acoustic attenuation measures</p> <p>Prior to issue of the relevant construction certificate, the certifier is to be satisfied that:</p> <ul style="list-style-type: none"> the acoustic attenuation recommendations in section 7 of the report by Acoustic Logic dated 6/11/2024 are shown on the plans where relevant, and the hotel loading dock at the location where beer kegs are unloaded from beer delivery trucks, as well as the path of travel for beer kegs from the loading dock to the cellar door/shute, incorporates soft-fall to nullify noise impacts from loading and unloading beer kegs. <p>Reason: To ensure the building design incorporates appropriate noise mitigation measures.</p>
39.	<p>Heritage temporary protection plan</p> <p>The applicant must develop a heritage temporary protection plan that identifies the potential risks to heritage fabric and outlines methodologies and measures to reduce the potential for damage to heritage fabric during the works, including potential impacts to the footings and structure of the Oriental Hotel.</p> <p>The plan must be approved by Council’s Manager Development and Building Services prior to issue of the relevant construction certificate.</p> <p>Reason: To ensure the protection of heritage fabric.</p>

40.	Schedule of conservation works
	<p>A suitably qualified built heritage specialist is to develop a schedule of conservation works that identifies the works required to guide repairs, restoration or reconstruction.</p> <p>The schedule of conservation works shall be prepared in accordance with the <i>Heritage Maintenance Guides: technical guides for conserving, repairing and using heritage items</i> prepared by Heritage NSW and NSW Department of Planning and Environment.</p> <p>The schedule is to be approved by Council's Manager Development and Building Services prior to issue of the relevant construction certificate.</p>
	Reason: To ensure appropriate protection and management of heritage fabric.

41.	Geotechnical considerations
	<p>The recommendations in section 5 of the geotechnical report by Geo-Logix dated 03-02-2020 must be implemented as relevant in the design of the building. Details demonstrating compliance with these recommendations are to be shown in the relevant construction drawings to the satisfaction of the principal certifier prior to issue of the relevant construction certificate.</p> <p>Reason: To ensure the building is designed and constructed to reflect subsurface conditions and avoid impacts to neighbouring structures.</p>

Before commencement of works

42.	Security bond
	<p>In accordance with Part 4, Division 4.3, Section 4.17(6) of the <i>Environmental Planning and Assessment Act 1979</i>, a security bond of \$334,710.00 (being 1% of the estimated development cost) is to be lodged with Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction and completion of public works.</p> <p>The security bond shall be lodged with Council prior to the commencement of any works associated with the development.</p> <p>The bond shall be held for the duration of works and for a defect period of 6 months following the issue of an occupation certificate. The security bond will be refunded upon written application to Council subject to all public works and Council assets being in a satisfactory condition.</p>
	Reason: To safeguard Council's public assets and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

43.	Dilapidation report
	<p>A dilapidation report on Council's surrounding assets, including buildings, roads, drainage system and other infrastructure, is to be prepared by the applicant and submitted to Council at least 10 business days prior to the intended commencement of works. The dilapidation report is to include the route of trucks transporting excavated and demolition material from the development site to the Great Western Highway.</p>

	<p>Reason: To establish and document the structural condition of adjoining buildings and land for comparison as site work progresses and is completed, and to ensure Council is provided with the dilapidation report.</p>
44.	<p>Groundwater discharge</p> <p>Where discharge of groundwater to Council's drainage system is proposed, written approval from Council is required. Prior to giving its written approval. Council must be satisfied with the dewatering plan required by Condition 31.</p> <p>Reason: To require Council's approval for any discharge of groundwater to Council's drainage system.</p>
45.	<p>Construction in Council's roads</p> <p>Prior to the commencement of works in Council's road reserve, an onsite preconstruction meeting is to be arranged with Council's Supervising Engineer.</p> <p>The person or company carrying out the works are required to have workers compensation and public liability insurance to the value of at least \$20 million. The policy shall indemnify the Council from all claims arising from the execution of the works. Proof of the policy is to be provided to the Council's Supervising Engineer at the preconstruction meeting.</p> <p>Inspections of the works will be required at specific stages, which will be advised at the pre-construction meeting. The applicant will be required to pay for the inspections in accordance with the Council's Schedule of Fees and Charges.</p> <p>A minimum 48 hours' notice is required to book an inspection. Works are not to proceed further until that stage of the works has been approved in writing by the Council's Supervising Engineer.</p> <p>Reason: To require Council's approval for any discharge of groundwater to Council's drainage system.</p>
46.	<p>Notification to Council and adjoining residents of demolition of buildings</p> <p>The applicant is to notify Council and any residents and businesses immediately across Raymond or David Road in writing, at least ten (10) working days prior to demolition commencing, of the intention to commence demolition works.</p> <p>In the case of adjoining residents and businesses, such notification is to be a clearly written note, on at least note pad size paper, giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) immediately across a road from the demolition site.</p> <p>Reason: To ensure neighbours are aware of upcoming demolition work.</p>
47.	<p>Removal of asbestos material in garden beds</p> <p>Prior to demolition and building work, any fragments of bonded asbestos-containing material should be removed in accordance with the recommendations in the Preliminary and Detailed Site Investigation Report by Geo-Logix dated 3/02/2020.</p> <p>Reason: To avoid impacts to human health.</p>

48.	<p>Site management—signage</p> <p>Prior to works commencing, a sign is to be erected in a prominent position on the site with:</p> <ul style="list-style-type: none"> a) Street number. b) The name, address, and contact number of the principal certifier for the work. c) The name of the principal building contractor and number on which that person may be contacted during and outside working hours. d) The statement that ‘Unauthorised entry to the site is prohibited’. <p>The sign must be maintained while the development works are being carried out and removed when the work has been completed.</p> <p>Reason: Prescribed by section 70 of the <i>Environmental Planning and Assessment Regulation 2021</i>, for easy identification of the site for contractors and emergency services.</p>
49.	<p>Construction workers’ amenities</p> <p>Toilet facilities must be provided or made available for construction personnel on the site prior to the commencement of works. Any temporary or portable amenities are to be installed and operated in an environmentally responsible and sanitary manner.</p> <p>Reason: To ensure a healthy work site.</p>
50.	<p>Erosion, sediment and pollution control</p> <p>Adequate sediment and erosion control measures shall be installed before building work commences in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1 (the ‘Blue Book’).</p> <p>The measures shall be maintained for the duration of all works, until such a time that sediment, sediment-laden water or any other constructed-related material/substance can no longer migrate from the property.</p> <p>Reason: To control sediment runoff and pollution.</p>
51.	<p>Licence agreement for temporary anchoring into Council property</p> <p>If temporary ground anchors in Council property are required, the applicant must, prior to commencement of works, enter into a license agreement with Council for use of Council land and pay all applicable fees and charges associated with the agreement, including any licence fees, legal review fees, and security deposits.</p> <p>The licence agreement must:</p> <ul style="list-style-type: none"> a) Specify the location, depth, design, and temporary nature of the anchors. b) Include installation, maintenance and removal procedures. c) Include requirements to review adjoining structure and services to ensure there are no clashes between the anchors and any structure and services. This includes review of as-built drawings for the Blue Mountains Community Theatre and Hub. d) Include requirements for pre- and post-dilapidation reports to be carried out by an independent Tier 1 structural engineer.

	e) Address insurance, indemnity, and reinstatement of public land to the satisfaction of Council.
	Reason: To ensure Council's assets are protected.

52.	Heritage—salvage
	Prior to commencement of works, a suitably qualified built heritage specialist is to identify significant internal elements for salvage (and storage as necessary). Removal of these elements is to be carried out in accordance with specific salvage methodologies provided by the built heritage specialist.
	Reason: To ensure the protection of significant heritage elements for salvage.

53.	Photographic archival recording
	A suitably qualified built heritage specialist is to develop an archival record (before, during and after) of areas of heritage significance affected by the works in accordance with the Heritage Division of the NSW Office of Environment & Heritage guidelines <i>Photographic recording of Heritage Items Using Film or Digital Capture</i> (2006). The record is to be provided to Council upon completion.
	Reason: To ensure the proper recording of built heritage.

54.	Tree protection measures and appointment of supervising arborist
	Prior to commencement of works, the applicant must engage a qualified arborist (minimum Australian Qualification Framework (AQF) Level 5) to oversee the tree removal, tree protection and pruning activities approved/required by this consent. Prior to commencement of works, tree protection measures must be installed in accordance with the updated arborist's report required Condition 26 and implemented in a manner consistent with Australian Standard 4970-2009 <i>Protection of trees on development sites</i> , except as varied by the supervising arborist.
	Reason: To ensure protection of trees to be retained.

During works

55.	Construction hours
	Demolition, excavation and construction works (including the delivery of materials to and from the site) must be restricted to the following hours: <ul style="list-style-type: none"> Monday to Friday between 7am and 6pm. Saturdays between 8am and 3pm. No work or deliveries shall occur on Sundays or public holidays. Alteration to these hours may be possible for safety reasons but only with the prior agreement of Council.
	Reason: To safeguard local amenity during the construction period.

56.	Implementation of management plans
	The applicant must ensure the requirements of the construction management plan, construction noise and vibration management plan, construction traffic and pedestrian management plan, and dewatering management plan required by Conditions 28, 29, 30 and 31 are implemented during construction.
	Reason: To safeguard local amenity during the construction period.
57.	General demolition requirements
	The demolition work must be supervised by a competent person with due regard to safe working practices and in accordance with the requirements of SafeWork NSW. Such work is to be carried out in accordance with the Work Health and Safety Act 2011 and Regulations and AS 2601 <i>The demolition of structures</i> .
	Reason: To ensure demolition work is carried out in a safe manner.
58.	Bonded asbestos material and friable asbestos material
	Work involving the removal of bonded asbestos removal of an area of more than 10 square metres or friable asbestos must be undertaken by a person licensed to undertake such work under clause 458 of the <i>Work Health and Safety Regulation 2017</i> .
	Reason: To protect human health.
59.	Disposal of asbestos
	All asbestos material, including asbestos cement, is to be disposed of to an approved waste management facility licensed to receive asbestos.
	Reason: To protect human health.
60.	Display of signage
	Appropriate asbestos/demolition signage must be in place prior to and during demolition works.
	Reason: To provide clarity to the community regarding demolition works.
61.	Construction noise mitigation
	Construction noise management and mitigation measures must be implemented in accordance with the construction noise and vibration management plan required by Condition 30 .
	Reason: To safeguard local amenity during the construction period.

62.	<p>Geotechnical considerations</p> <p>The recommendations in section 5 of the geotechnical report by Geo-Logix dated 03-02-2020—including the recommendations relating to earthworks, excavations, groundwater inflow and disposal, temporary and permanent batter slopes, retaining walls and shoring, and constructed-induced vibrations, site classification, foundations, ground slabs and pavements, aggressivity/exposure classification, salinity risk, and earthquake design—must be implemented during excavation and construction.</p> <p>Reason: To ensure works are carried out in accordance with geotechnical recommendations and avoid impacts to neighbouring structures and services.</p>
63.	<p>Air quality management</p> <p>The applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the applicant must ensure that:</p> <ul style="list-style-type: none"> a) Exposed surfaces and stockpiles are suppressed by regular watering as required. b) All trucks entering or leaving the site with loads have their loads covered. <p>Reason: To safeguard local amenity during the construction period and prevent pollution in the public road network and surrounding land.</p>
64.	<p>Vehicle cleaning</p> <p>Suitable measures must be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site.</p> <p>Reason: To prevent pollution in the public road network and surrounding land.</p>
65.	<p>Erosion and sediment control</p> <p>All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.</p> <p>Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.</p> <p>Reason: To prevent sediment runoff and pollution during the construction period.</p>
66.	<p>Cut and fill</p> <p>While work is being carried out, the certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility. b) The classification and the volume of material removed must be reported to the certifier.

	<p>All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> or a material identified as being subject to a resource recovery exemption by the EPA.</p> <p>Reason: To prevent environmental pollution.</p>
67.	<p>Asbestos management</p> <p>The applicant must ensure that any asbestos encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:</p> <ul style="list-style-type: none"> a) <i>Work Health and Safety Regulation 2017.</i> b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace, September 2016. c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos, September 2016. d) <i>Protection of the Environment Operations (Waste) Regulation 2014.</i> <p>Reason: To ensure public health and safety.</p>
68.	<p>Construction access and parking</p> <p>Construction access and parking are to be in accordance with the construction traffic and pedestrian management plan required by Condition 29.</p> <p>All construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone.</p> <p>Construction vehicles must not use the Blue Mountains Community Theatre and Hub (the Hub) driveway and must not park in the Hub parking area.</p> <p>Reason: To avoid adverse impacts caused by construction vehicles.</p>
69.	<p>Shoring and adequacy of adjoining property</p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense:</p> <ul style="list-style-type: none"> a) Protect and support the building, structure or work from possible damage from the excavation. b) Where necessary, underpin the building, structure or work to prevent any such damage. <p>Note: This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.</p> <p>Reason: To protect neighbouring structures during construction.</p>
70.	<p>Implementation of heritage temporary protection plan</p> <p>The heritage temporary protection plan required by Condition 39 must be implemented during construction.</p>

	Reason: To ensure protection of heritage fabric.
71.	<p>Heritage monitoring</p> <p>A suitably qualified built heritage specialist is to be on site during all critical processes that affect heritage fabric and require specialist knowledge and methodology.</p> <p>Should any discoveries be made apparent during the absence of the built heritage specialist, they are to be notified immediately and work in that area is to cease.</p> <p>The built heritage specialist is to undertake regular inspections to suit the works. Timing and frequency are to be agreed with the contractor.</p> <p>The built heritage specialist is to monitor the works and ensure that compliance conditions pertaining to heritage fabric are met.</p> <p>All new work associated with heritage fabric to be discreetly dated as such.</p> <p>All junctions between new and original fabric to be reversible and easily identifiable as such.</p> <p>Reason: To ensure proper protection and management of heritage fabric.</p>
72.	<p>Archaeological monitoring</p> <p>An archaeological professional is to be on site during all critical processes of the excavation that require specialist knowledge and methodology. Should any discoveries be made apparent during the absence of the archaeological professional, they are to be notified immediately and work in that area is to cease.</p> <p>The archaeological professional is to conduct an onsite induction with the relevant contractors involved in the excavation process to provide information of the nature of the site's archaeological potential and the appropriate process involved in the identification and treatment of any potential finds.</p> <p>Reason: To ensure protection of unexpected archaeological</p>
73.	<p>Tree protection during works</p> <p>The tree protection measures required by Condition 54 must be maintained for the duration of works in the relevant area. No works shall occur within tree protection zones unless approved by the supervising arborist.</p> <p>Reason: To ensure protection of trees to be retained.</p>
74.	<p>Tree removal</p> <p>The approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 5 qualified arborist and be carried out by an AQF Level 3 (or higher) qualified arborist.</p> <p>Reason: To ensure tree removal is carried out by qualified professionals.</p>
75.	<p>Quality of discharged groundwater</p> <p>All groundwater discharged during the construction phase of the development must be appropriately managed to</p>

	<p>ensure protection of receiving environments. Specifically:</p> <p>Treatment standard:</p> <p>Groundwater to be discharged must be treated, managed, and monitored so that the quality of the discharge is consistent with the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ, 2000)</i>.</p> <p>The quality of the discharge is not to contravene the default trigger values for physical and chemical stressors for upland rivers of south-east Australia for slightly disturbed ecosystems (Tables 3.3.2 -3.3.3) and the freshwater trigger values for toxicants to protect 95 % of species (Table 3.4.1). Specific to the parameters electrical conductivity, pH and turbidity, the following values threshold values apply:</p> <ul style="list-style-type: none"> • Electrical conductivity: 178.60 µS/cm. • pH: 5.28 to 6.75 pH units. • Turbidity: 7.08 NTU. <p>These values reflect the locally derived guidelines for water quality in streams of the Blue Mountains local government area (see <i>Blue Mountains City Council Ecological Waterway Health Monitoring Methods for aquatic macroinvertebrate and ecological water quality monitoring – 2025</i>).</p> <p>Monitoring and validation:</p> <p>The proponent must implement a monitoring program to verify compliance with the above requirements, including, but not limited to, pre-discharge water quality sampling, comparison of results against the imposed treatment standards, and retention of monitoring records for inspection upon request by the consent authority.</p> <p>Non-compliance:</p> <p>In the event monitoring indicates that the discharge water quality does not meet the required standard, the discharge must cease and not recommence until appropriate treatment measures have been implemented to achieve compliance. The proponent must immediately inform both the principal certifier and Council in the case of any non-compliance.</p> <p>Note: Satisfaction of this condition does not constitute an approval under the <i>Water Management Act 2000</i>. The development consent holder must apply to WaterNSW for a water supply work approval before the commencement of any dewatering activity.</p> <p>Reason: To ensure groundwater discharged from the site does not adversely affect the receiving environment.</p>
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76.	Tree removal on Council land
	The removal of trees approved for removal from Council's land (i.e. Crepe Myrtles along the boundary with the Oriental Hotel) shall be undertaken at no cost to Council by an experienced tree removal contractor or arborist holding public liability insurance with minimum cover of \$20,000,000.
	Reason: To ensure tree removal is carried out by qualified professionals.

Before issue of an occupation certificate

77.	Consolidation of lots
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	<p>Prior to issue of any occupation certificate for the supermarket, evidence must be provided to the principal certifier that the subject lots have been consolidated into a single allotment.</p> <p>Reason: To rationalise the lot layout and ensure compliance with BCA fire separation requirements.</p>
78.	<p>Restrictive covenant for future addition</p> <p>The principal certifier shall be satisfied, prior to issue of any occupation certificate for the supermarket, that a restrictive covenant under Section 88E of the <i>Conveyancing Act 1919</i> has been registered over the property to reserve an area of land behind the Oriental Hotel for a potential future addition. The covenant must:</p> <ol style="list-style-type: none"> Identify an area behind the hotel for a future potential addition, consistent with the concept plan for the addition required by Condition 27. Include terms, to Council's satisfaction, that no aboveground building (excluding retaining walls or landscape structures) shall be erected within the restricted area except where it forms part of a development involving removal of the hotel's 1960s additions. Name Council as the only authority to release, vary or modify the terms of the covenant. <p>Reason: To ensure an area behind the hotel is set aside for an addition forming part of a potential future proposal to remove the hotel's intrusive 1960s additions.</p>
79.	<p>Trade wastewater agreement</p> <p>A formal agreement with Sydney Water for trade wastewater removal must be in place prior to issue of any occupation certificate for the supermarket and prior to the discharge of trade wastewater to the sewer system.</p> <p>Reason: To ensure proper disposal of wastewater.</p>
80.	<p>Final inspection of food premises</p> <p>Council must be contacted at least 48 hours prior to the opening of the food premises to arrange for a final inspection by Council's Environmental Health Officer.</p> <p>The principal certifier must ensure the final inspection by the Environmental Health Officer passes all food safety requirements prior to issue of any occupation certificate for the supermarket.</p> <p>Reason: To ensure the design of the food premises meets relevant public health standards.</p>
81.	<p>Acoustic verification</p> <p>Prior to the issue of any occupation certificate for the supermarket, an acoustic report shall be submitted to and approved by Council confirming that the completed development meets the acoustic objectives in the report prepared by Acoustic Logic Consultancy Dated 6 November 2024 and any relevant conditions of this consent.</p> <p>The acoustic report is to be prepared by an appropriately qualified acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS).</p> <p>Reason: To ensure the development meets relevant noise objectives.</p>

82.	<p>Crime prevention measures</p> <p>Prior to the issue of any occupation certificate for the supermarket, the certifier must be satisfied that the recommendations in section 7 of the CPTED report by Planning Ingenuity dated 22 November 2024 have been implemented, as relevant.</p> <p>Reason: To mitigate against potential crime.</p>
83.	<p>Post-construction dilapidation report</p> <p>Prior to issue of any occupation certificate for the supermarket, a post-construction dilapidation report must be submitted to and approved by the principal certifier, and a copy provided to Council. The report must be prepared by a suitably qualified engineer and include the following information:</p> <ul style="list-style-type: none"> a) Whether there has been any structural damage to any adjoining buildings and infrastructure compared to the pre-construction dilapidation report required by Condition 43. b) Where there has been structural damage to any adjoining buildings, whether it is a result of the work approved under this consent. <p>Reason: To identify any damage to adjoining properties resulting from works associated with the development.</p>
84.	<p>Updated plan of management</p> <p>An updated plan of management must be submitted to and approved by Council's Manager Development and Building Services prior to the issue of any occupation certificate for the supermarket. The updated plan must include:</p> <ul style="list-style-type: none"> a) Details of the trolley control management system. b) Further detail regarding waste collection and delivery times. c) A refined and detailed loading dock management plan, including scheduling details for heavy vehicles deliveries and details of mitigation measures to prevent impacts to existing traffic, pedestrians and other road users. <p>Reason: To ensure the plan of management for the premises is comprehensive.</p>
85.	<p>Landscaping certification</p> <p>Prior to issue of any occupation certificate for the supermarket, a statement from a qualified landscape specialist or Council's landscape officer (fees apply) must be submitted to the principal certifier confirming that the landscaping works within the site have been completed in accordance with the amended design required by Conditions 11 and 24, relevant consent conditions, and the following:</p> <ul style="list-style-type: none"> a) Plantings which are suitably advanced, vigorous, structurally sound and correctly installed. b) An operational and effective automatic irrigation system. c) Mulched garden beds. d) Completion of all structural landscape elements, including retaining walls, garden edging, fencing, paving, seating and lighting as approved.

	<p>e) Protection of all new and established plantings from vehicular and pedestrian traffic.</p> <p>A copy of the statement must be provided to Council (if Council's landscape officer does not carry out the inspection).</p> <p>Reason: To ensure landscaping on the site is completed in accordance with the consent.</p>
86.	<p>Inspection of retained trees by arborist</p> <p>Prior to issue of any occupation certificate, the supervising arborist must:</p> <ul style="list-style-type: none"> a) Undertake an assessment of the retained trees within the site as well as Tree N1 in the road reserve to check for damage and disease, and oversee any remedial works required. b) Oversee any remedial works required. c) Provide advice for the ongoing maintenance so as to conserve the structural stability and life expectancy of each retained tree. d) Recommend appropriate timing for an ongoing monitoring regime to assess the retained trees for decline and hazards. <p>Reason: To ensure protection of trees to be retained.</p>
87.	<p>Completion of works in road reserve</p> <p>On completion of the site works and prior to the issue of any occupation certificate for the supermarket, the works in road reserve required by Condition 12 and the footpath works required by Condition 19 must be completed.</p> <p>Reason: To ensure the required public domain works are completed prior to occupation.</p>
88.	<p>Stormwater maintenance manual</p> <p>Prior to the issue of any occupation certificate for the supermarket, a maintenance manual for all stormwater devices is to be prepared and submitted to the principal certifier for approval. A copy is to be submitted to Council for its records.</p> <p>Reason: To ensure the maintenance requirements for the site's stormwater system are suitably documented.</p>
89.	<p>Certification—site stormwater system</p> <p>The on-site stormwater detention, rainwater tank and water quality treatment devices must be completed to the satisfaction of the principal certifier prior to the issue of any occupation certificate for the supermarket.</p> <p>The following documentation is to be submitted prior to the final inspection:</p> <ul style="list-style-type: none"> a) A work-as-executed plan prepared by a suitably qualified person. b) Certification by the system designer or a chartered professional engineer (civil) that the system has been constructed in accordance with the approved plans and will function as intended. <p>Any variation to the approved design is to be noted together with any required remedial works to ensure the system will function as intended.</p>

	Reason: To ensure the stormwater system is constructed in accordance with the consent.
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90.	Positive covenant for maintenance of stormwater system
	<p>The principal certifier shall be satisfied, prior to issue of any occupation certificate for the supermarket, that a covenant under Section 88E of the <i>Conveyancing Act 1919</i> has been registered over the property.</p> <p>The terms of the 88E instrument with positive covenant shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a) The proprietor of the property shall agree to be responsible for keeping clear and the maintenance of all tanks, pits, pipelines, filter chambers and other stormwater infrastructure, in accordance with the approved maintenance schedule. b) The registered proprietor shall indemnify the Council and any adjoining landowners against damage to their land arising from the failure of any component of the stormwater management system or failure to clean, maintain and repair the stormwater management system. <p>The 88E instrument shall also contain a provision that it may not be extinguished or altered except by Blue Mountains City Council.</p> <p>The 88E Instrument shall be submitted to Council for endorsement prior to lodgement at NSW Land and Property Information.</p>
	Reason: To ensure the site's stormwater system is satisfactorily maintained.

91.	Works-as-executed plans
	<p>Prior to the issue of any occupation certificate for the supermarket, a works-as-executed plan of all external engineering works, together with an engineer's certification confirming that all works have been constructed in accordance with the approved plans, shall be submitted to and approved by Council.</p>
	Reason: To ensure engineering works comply with the consent.

92.	Repair of damage
	<p>The applicant shall repair or reconstruct all damages caused by construction activity relating to the development as required by the Council's Supervising Engineer prior to release of any occupation certificate for the supermarket.</p>
	Reason: To ensure any damage to Council's assets are repaired.

Ongoing use

93.	Trading hours—supermarket and retail tenancy
	<p>The trading hours for the supermarket and separate retail tenancy are limited to the following:</p> <ul style="list-style-type: none"> • Monday to Sunday: 7am to 10pm.
	Reason: To minimise impact on the amenity of the area.

94.	<p>Loading dock hours—supermarket</p> <p>Use of the supermarket loading dock is limited to the following hours:</p> <ul style="list-style-type: none"> Monday to Saturday: 5am to 10pm. Sunday and public holidays: 8am to 10pm. <p>Within the early morning shoulder period (between 5am and 7am), a maximum of two truck movements (associated with home delivery operations) are permitted.</p> <p>Reason: To minimise impact on the amenity of the area.</p>
95.	<p>Loading dock hours—hotel</p> <p>Use of the hotel loading dock is limited to the following hours:</p> <ul style="list-style-type: none"> Monday to Saturday: 5am to 10pm. Sunday and public holidays: 8am to 10pm. <p>Reason: To minimise impact on the amenity of the area.</p>
96.	<p>Outdoor lighting and illuminated signage</p> <p>The approved illuminated signage (other than loading dock signage) may be illuminated only during the approved trading hours.</p> <p>The loading dock sign may be illuminated only during the approved loading dock hours.</p> <p>All outdoor lighting and illuminated signage must be managed to not detrimentally affect the amenity of surrounding development and public domain, and must comply, where relevant, with the latest version of AS 1158.3 <i>Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance and design requirements</i> and AS 4282 <i>Control of the obtrusive effects of outdoor lighting</i>.</p> <p>Reason: To minimise light pollution and to ensure pedestrian areas are suitably lit.</p>
97.	<p>Plan of management</p> <p>During operations, the premises must be managed in accordance with the updated plan of management required by Condition 84.</p> <p>Reason: To ensure the premises are properly managed during operations.</p>
98.	<p>Waste management</p> <p>Operational waste must be managed in accordance with the approved Operational Waste Management Plan by Elephants Foot (rev D) dated 25-06-2025.</p> <p>All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise, or pollution of land or water as defined by the <i>Protection of the Environment Operations Act 1997</i>.</p>

	Reason: To ensure the premises are properly managed during operations.
99.	Activities shall not give rise to pollution
	Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise, or pollution of land and/or water as defined by the <i>Protection of the Environment Operations Act 1997</i> .
	Reason: To prevent pollution.
100.	Noise complaints
	<p>Upon receipt of a justified complaint relating to noise pollution emanating from the premises, an acoustic assessment is to be carried out in accordance with the requirements of the <i>Noise Policy for Industry</i> (NSW EPA, 2017) and provide recommendations to ensure the development meets the acoustic objectives of the report prepared by Acoustic Logic dated 6 November 2024.</p> <p>The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants or membership of the Australian Acoustical Society (MAAS) and shall be submitted to Council for consideration.</p>
	Reason: To ensure noise complaints are adequately managed.
101.	Landscape maintenance
	<p>Landscape maintenance is to be undertaken for the life of the development at sufficient intervals to promote successful establishment and growth of all new plantings and maintain all landscaped areas in optimal condition. Trees and other plants that die or are removed are to be replaced with the same or similar species in an equivalent stage of growth.</p> <p>Maintenance is to include pruning, fertilising, weeding, re-mulching, watering and irrigation, pest/disease control, rubbish removal, leaf litter management, drain clearing, monitoring and replacement of stakes, ties and other tree protection devices and tree maintenance.</p>
	Reason: To ensure landscaping around the development is maintained and provides a high-quality long-term outcome for the site.
102.	Tree monitoring
	<p>Following the practical completion of construction works and for a minimum period of 24 months, the person benefitting from this consent is to engage a qualified consulting arborist (minimum Australian Qualification Framework (AQF) Level 5) to undertake monitoring of the trees within the works area. The appointed arborist is to inspect the trees for decline and hazards and determine the adequacy of the maintenance regime for the purpose of maintaining tree health and longevity.</p> <p>Where significant evidence of tree decline or structural instability is detected, the inspecting arborist is to immediately notify and provide a report detailing identified issues and recommending remedial or other actions to Council.</p>
	Reason: To provide for the monitoring and care of retained trees.

103.	Windows to remain transparent
	Approved windows in the supermarket and corner retail shop are to remain transparent and must not be obscured by advertising, unapproved signage, shelving or the like.
	Reason: To ensure the aesthetic of the approved building is not compromised.

Advisory notes

A.	General advice
	<p>This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.</p> <p>This consent contains conditions organised by stage (i.e. general, before issue of a construction certificate, before commencement of works, during works, before issue of an occupation certificate, and ongoing). However, some conditions may be applicable to multiple stages. It is important to read the specific requirements of each condition rather than rely upon the headings.</p>
B.	Sydney Water—Trade wastewater requirements
	<p>If the development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water’s sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.</p> <p>The permit application should be emailed to Sydney Water’s Business Customer Services at atbusinesscustomers@sydneywater.com.au.</p> <p>A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.</p>
C.	Sydney Water—Backflow prevention requirements
	<p>All properties connected to Sydney Water’s supply must install a testable Backflow Prevention Containment Device appropriate to the property’s hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.</p> <p>Separate hydrant and sprinkler fire services on non-residential properties require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.</p> <p>Before you install a backflow prevention device:</p> <ol style="list-style-type: none"> Get your hydraulic consultant or plumber to check the available water pressure versus the property’s required pressure and flow requirements. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099. <p>For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website.</p>

Contact: David Stephens
Phone: 1300 662 077
Email: David.Stephens@waternsw.com.au

Blue Mountains City Council
Attention: Addison Boykin

Our ref: IDAS1159380

Your ref: X/1578/2024

aboykin@bmcc.nsw.gov.au

1 August 2025

Dear Addison

**RE: Integrated Development Referral – General Terms of Approval
Proposed Development X/1578/2024
Lot 1 DP880313 & Lot 22 DP597588
112 Macquarie Road & 8-12 Raymond Road, SPRINGWOOD 2777**

I refer to your recent request regarding an integrated Development Application (DA) proposed for the above location. Please find attached the WaterNSW General Terms of Approval (GTA) for part of the proposed development requiring a Water Supply Work approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.47(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, **WaterNSW requests these GTA be included (in their entirety) in Council's development consent.** Please also note WaterNSW requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities that relate to any excavation which interferes with an aquifer. WaterNSW will ascertain from the notification if the amended plans require review of the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.
- if Council receives an application under s4.55 of the EP&A Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

Dewatering activity cannot commence before the applicant applies for and obtains an approval. WaterNSW recommends the following condition be included in the development consent:

The attached GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for a Water Supply Work approval **after consent** has been issued by Council **and before** the commencement of any dewatering activity.

A completed application form must be submitted to WaterNSW together with any required plans, documents, application fee, and proof of Council's development consent.

Application forms are available from the WaterNSW website which can be found [here](#).

WaterNSW requests that Council provides a copy of this letter to the development consent holder.

WaterNSW also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) of the EP&A Act.

Information to the proponent:

- An extraction limit will be determined by the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) following a further hydrogeological assessment and included on the conditions applied to the approval authorisation for the dewatering activity.
- Detailed information required to permit the hydrogeological assessment to be carried out is to be provided by the applicant otherwise the issue of the authorisation will be subject to delay. The [Minimum requirements for building site groundwater investigations and reporting](#) (DPE Oct 2022) identify what data needs to be collected and supplied.
- The authorisation will be issued for the purpose of temporary construction dewatering only and it does not constitute any form of approval for ongoing pumping of groundwater from basement levels after the building is issued an occupation certificate.

Yours sincerely

A handwritten signature in blue ink, appearing to read "D. Stephens".

David Stephens
Water Regulation Officer
WaterNSW

General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS1159380

Issue date of GTA: 01 August 2025

Type of Approval: Water Supply Work

Description: 80mm submersible pump

Location of work/activity: 8-12 Raymond Rd & 112 Macquarie Rd Springwood NSW 2777

DA Number: X/1578/2024

LGA: Blue Mountains City Council

Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2023

The GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
Dewatering	
GT0115-00001	Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
GT0119-00001	All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.
GT0120-00001	The design and construction of the building must prevent: (a) any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b) obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c) any elevated water table from rising to within 1.0 m below the natural ground surface.
GT0122-00001	Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b) The applicant must comply with

General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS1159380
Issue date of GTA:	01 August 2025
Type of Approval:	Water Supply Work
Description:	80mm submersible pump
Location of work/activity:	8-12 Raymond Rd & 112 Macquarie Rd Springwood NSW 2777
DA Number:	X/1578/2024
LGA:	Blue Mountains City Council
Water Sharing Plan Area:	Greater Metropolitan Region Groundwater Sources 2023
	the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)
GT0123-00001	(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/water-licensing/dewatering
GT0150-00001	The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual
GT0151-00001	Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
GT0152-00001	This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
GT0155-00001	The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report

General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS1159380

Issue date of GTA: 01 August 2025

Type of Approval: Water Supply Work

Description: 80mm submersible pump

Location of work/activity: 8-12 Raymond Rd & 112 Macquarie Rd Springwood NSW 2777

DA Number: X/1578/2024

LGA: Blue Mountains City Council

Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2023

- GT0174-00001 Construction phase monitoring bore requirements GTA: a) Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting a water supply work approval b) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. c) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval. d) The monitoring bores should be used to develop a water table map for the site and its near environs. e) The monitoring bores must be protected from construction damage. Advisory note: no approval under the Water Management Act 2000 is required for these monitoring bores provided that they extract less than 3ML/water year.
- GT0278-00001 A water access licence, for the relevant water source, must be obtained prior to extracting groundwater, unless an exemption applies. Advisory Note: See Schedule 4 of the Water Management (General) Regulation 2018.
- GT0279-00001 A construction certificate can be issued for excavation work in accordance with a valid development consent, however dewatering cannot take place without an Approval being granted by Water NSW for any water supply works required by the development. If the excavation work will or is likely to require dewatering, the applicant must apply and obtain, an approval under the Water Management Act 2000 prior to any dewatering taking place and notify WaterNSW of the programme for the dewatering activity including the commencement and proposed completion dates of the dewatering activity. Advisory Note: An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with X/1578/2024 as provided by Council:

- Groundwater Investigation Report (Ref. 2501019Rpt01FinalV01, Geo-Logix 18/7/25)
- Architectural plans, elevations and sections
- Response to Council's RFI (H&H Consulting Engineers Pty Ltd, 21H97-C2/fz, 9/7/2025)