

RECOMMENDED CONDITIONS

General

1.1 - General Conditions

(1) **Authority requirements** - The development must be carried out in accordance with the following authority requirements:

1. Department of Planning and Environment–Water, Ref IDAS-2025-10388, dated 28 August 2025;
2. WaterNSW, Ref IDAS1161981, dated 30 July 2025;
3. NSW Rural Fire Service, Ref DA20250610002284-Original-1, dated 23 July 2025; and
4. Sydney Water, Ref 202758, dated 23 June 2025.

Condition reason: To ensure the development complies with Authority requirements.

(2) **Approved plans and documents** - Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this development consent expressly require otherwise:

Approved plans			
Number	Title	Drawn by	Date
A1-D225264	Detail Survey Lot 4 DP 1262720 9 Gregory Hills Road, Gregory Hills	CEH Consulting Pty Ltd	12/5/2025
DA000 Revision G	Cover Pahe	DKO	21/10/2025
DA001 Revision C	Site Analysis	DKO	3/7/2025
DA002 Revision D	Campus Plan	DKO	21/10/2025
DA003 Revision D	Site Plan	DKO	21/10/2025
DA004 Revision C	Demolition Plan	DKO	03/07/2025
DA0100 Revision D	Basement 5 Floor Plan	DKO	09/09/2025
DA101 Revision D	Basement 4 Floor Plan	DKO	09/09/2025
DA102 Revision D	Basement 3 Floor Plan	DKO	09/09/2025

DA103 Revision E	Basement 2 Floor Plan	DKO	09/09/2025
DA104 Revision D	Basement 1 Floor Plan	DKO	03/07/2025
DA105 Revision H	Ground Floor Plan	DKO	21/10/2025
DA106 Revision D	Level 1 Floor Plan	DKO	09/09/2025
DA107 Revision D	Level 2 Floor Plan	DKO	09/09/2025
DA108 Revision D	Level 3 Floor Plan	DKO	09/09/2025
DA109 Revision D	Level 4 Floor Plan	DKO	09/09/2025
DA110 Revision D	Level 5 Floor Plan	DKO	09/09/2025
DA111 Revision D	Level 6 Roof Plan	DKO	09/09/2025
DA200 Revision E	Elevations – North & South	DKO	21/10/2025
DA201 Revision F	Elevations – East & West	DKO	21/10/2025
DA202 Revision C	Section AA	DKO	03/07/2025
DA203 Revision D	Section BB	DKO	21/10/2025
DA204 Revision B	Façade Sections	DKO	03/07/2025
DA205 Revision E	Materials & Finishes	DKO	21/10/2025
DA300 Issue D	Height Plan Diagram	DKO	21/10/2025
DA301 Issue D	GFA Diagrams	DKO	21/10/2025
DA302 Issue D	GFA Diagrams	DKO	21/10/2025
DA303 Issue D	Shadow Diagrams	DKO	21/10/2025
DA304 Revision C	Accessible Unit Location	DKO	03/07/2025
DA305 Revision B	Accessible Unit Location	DKO	03/07/2025
DA306 Revision D	Deep Soil – Basement 1	DKO	21/10/2025

DA307 Revision E	Deep Soil - Ground	DKO	21/10/2025
DA401 Revision C	Street Interface	DKO	03/07/2025
DA402 Revision D	Street Interface	DKO	21/10/2025
DA403 Revision D	Street Interface	DKO	21/10/2025
DA405 Issue C	Artists Impression	DKO	3/7/2025
LD-DA-000 Rev 1	Cover Sheet & Design Statement	Land and Form	27/10/2025
LD-DA-001 Rev 1	Planting Schedules & Legengs	Land and Form	27/10/2025
LD-DA-100 Rev 1	Ground Floor & Public Domain Landscape Plan	Land and Form	27/10/2025
LD-DA-110 Rev 1	Level 1 Landscape Plan	Land and Form	27/10/2025
LD-DA-200 Rev 1	Ground Floor & Public Domain Outline Planting Plan	Land and Form	27/10/2025
LD-DA-210 Rev 1	Level 1 Outline Planting Plan	Land and Form	27/10/2025
LD-DA-220 Rev 1	Level 4 Outline Planting Plan	Land and Form	27/10/2025
LD-DA-400 Rev 1	Typical Site Sections 1	Land and Form	27/10/2025
LD-DA-401 Rev 1	Typical Site Sections 2	Land and Form	27/10/2025
LD-DA-900 Rev 1	Typical Details & Outline Specification	Land and Form	27/10/2025
8154-DA-000 Rev A	Cover Sheet	Indesco Pty Ltd	5/5/2025
8154-DA-020 Rev A	Stormwater Drainage Plan Ground Floor Sheet 1 of 2	Indesco Pty Ltd	5/5/2025
8154-DA-021 Rev A	Stormwater Drainage Plan Ground Floor Sheet 2 of 2	Indesco Pty Ltd	5/5/2025
8154-DA-050 Rev A	Stormwater Drainage Catchment Plan	Indesco Pty Ltd	5/5/2025

	(Post Development)		
8154-DA-051 Rev B	Stormwater Drainage Catchment Plan (Stormwater Quality) and MUSIC Result	Indesco Pty Ltd	21/5/2025
8154-DA-070 Rev A	Stormwater Drainage On-Site Detention and WSUD Details	Indesco Pty Ltd	5/5/2025
8154-DA-071 Rev A	Stormwater Drainage Ocean Guard Stormwaterfilter Details	Indesco Pty Ltd	5/5/2025
8154-DA-080 Rev A	Sediment and Erosion Control Plan	Indesco Pty Ltd	5/5/2025
8154-DA-081 Rev A	Sediment and Erosion Control Details	Indesco Pty Ltd	5/5/2025

Approved documents		
Title	Prepared by	Date
Lot 4 Gregory Hills Dr, Gledswood Hills, NSW Acoustics Report, Ref 301350488, Rev 003	Stantec Australia Pty Ltd	11/3/2025
Lot 4, Gregory Hills Drive, Gledswood Hills – Amending DA Submission Compliance Capability – Access for Persons with a Disability.	Jensen Hughes	8/5/2025
The Onslow Gledswood Hills Lot 4, 9 Gregory Hills NSW 2557 Operational Management Plan	SAG Developments Pty Ltd	Submitted with DA Documentation
9 Gregory Hills Dr, Gledswood Hills Proposed Hotel Expansion Traffic and Parking Assessment, Report Ref: 21020r02b-250514	MLA Transport Planning	14/5/2025
Lot 4 Gregory Hills Drive, Gledswood Hills NSW 2557 Operational Waste Management Plan Ref S03360 Rev F	Elephants Foot Consulting	8/5/2025
Stage 1 Lot 4 Gregory Hills Drive, Gledswood Hills NSW	Elephants Foot Consulting	3/9/2025

2557, Construction Waste Management Plan Rev C		
Lot 4, Gregory Hills Drive, Gledswood Hills – Amending DA Submission Compliance Capability – Building Code of Australia 2022 Amndt 1	Jensen Hughes	3/7/2025
Bush Fire Assessment Report Proposed Hotel at 9 Gregory Hills Drive, Gledswood Hills Ref 250755 Version1	Building Code and Bushfire Hazard Solutions Pty Ltd	13/5/2025
NABERS Embodied emissions material form	Submitted with DA Documentation	Submitted with DA Documentation
Ecologically Sustainable Design Report, Ref 2501944, Issue C	Efficient Living	6/8/2025
Net Zero Statement The Onslow, Ref 2501944NZ	Efficient Living	6/8/2025
NABERS Agreement to Rate, Agreement number AR00099	SAG Developments Pty Ltd	4/8/2025
Geotechnical Report for Proposed Hotel at 9 Gregory Hills Road, Gledswood Hills NSW 2557, Ref GF1200, Rev 1	Geofirst Pty Ltd	26/6/2025
Geotechnical Report for Proposed Hotel at 9 Gregory Hills Road, Gledswood Hills NSW 2557, Ref GF1200-A, Rev 1	Geofirst Pty Ltd	5/10/2021

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(3) **Engineering specifications** - The development must be designed and constructed in accordance with Council's engineering specifications.

Condition reason: To ensure the development complies with Council's engineering specifications.

(4) **No signage approved** - This development consent does not approve any signage. A separate development application must be lodged with and approved by Council before any signage is displayed on the site (unless the signs are exempt or complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).

Condition reason: To clarify when separate consent is required for signage.

(5) **Energy and water use for large commercial development under State Environmental Planning Policy (Sustainable Buildings) 2022** - Within the relevant

period, the following information must be given to the consent authority using the NSW Planning Portal:

1. An assessment of the NABERS rating for water use achieved by the development, prepared by an assessor accredited under NABERS.
2. An assessment of the NABERS rating for energy use achieved by the development, prepared by an assessor accredited under NABERS.
3. Evidence that the offsets required for the development under section 79A of the *Environmental Planning and Assessment Regulation 2021* have been:
 - a. for ACCUs or large-scale generation certificates - purchased and surrendered, or
 - b. for Climate Active certification - obtained.
4. The assessment under point 3 of this condition must specify the following:
 - a. The rated annual electricity use.
 - b. If the development will not achieve the energy use standards - the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.
 - c. The rated use of on-site fossil fuels and the associated amount of carbon dioxide measured as carbon dioxide equivalent or CO₂e, calculated for the first 10 years of operation.

Condition reason: Prescribed condition under section 79A of the *Environmental Planning and Assessment Regulation 2021*.

Building Work

2.1 - Before Issue of a Construction Certificate

(1) **Surrender of development consent** - Before the issue of a construction certificate, development consent DA/2021/1956/1 must be surrendered under section 4.17 of the Environmental Planning and Assessment Act 1979 and section 67 of the Environmental Planning and Assessment Regulation 2021.

Condition reason: To require the surrender of existing consent where warranted by approved development.

(2) **Modification of development consent** - Before the issue of a construction certificate, development consent DA/2017/45/13 must be modified under section 4.17 of the Environmental Planning and Assessment Act 1979 and section 67 of the Environmental Planning and Assessment Regulation 2021 to allow for a hotel of up to 6 storeys in height to be erected on the subject site.

Condition reason: To ensure the approved development is consistent with the concept approval in accordance with Section 4.24 of the *Environmental Planning and Assessment Regulation 2021*.

(3) **Design amendments** - Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. The roof materials must consist of a light coloured finish with a minimum solar reflectance index (SRI) of 66.

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

(4) **Public infrastructure alterations** - Before the issue of a construction certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

Condition reason: To clarify the timing and need for approval under the *Roads Act 1993*.

(5) **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a construction certificate, written evidence from the carrier must be obtained that demonstrates, to the certifier's satisfaction, that arrangements have been made for:

1. The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Written confirmation that the carrier is satisfied that the fibre ready facilities are fit for purpose is also required.
2. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

Condition reason: To ensure fibre-ready telecommunications facilities are installed for new development.

(6) **Glass reflectivity index** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the glass reflectivity index for all glass used externally will not exceed 20%.

Condition reason: To ensure all glass used externally has a reasonable maximum level of reflectivity.

(7) **Outdoor lighting provision** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will be provided with lighting in all outdoor areas that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

Condition reason: To ensure the provision of lighting in accordance with industry standards and to protect the amenity of the surrounding area.

(8) **Driveway design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the approved driveway(s) will comply with AS 2890 - Parking Facilities and Council's Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).

A driveway crossing approval must be obtained from Council before the issue of a construction certificate. Evidence of the approval must be provided to the certifier.

Condition reason: To ensure that driveways are designed to appropriate standards.

(9) **Engineering specifications** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

Condition reason: To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

(10) **Performance bond** - Before the issue of a construction certificate, a performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.

(11) **Damages bond** - Before the issue of a construction certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

Condition reason: To ensure that any damage to existing public infrastructure is rectified.

(12) **Structural engineer certificate** - Before the issue of a construction certificate, a certificate must be prepared by a suitably qualified structural engineer and certify, to the certifier's satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer's current professional indemnity insurance.

Condition reason: To ensure that building elements are designed for the site conditions.

(13) **Civil engineering plans and information** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of

Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).

2. Earthworks.
3. Water quantity and quality facilities:
 - a. A detailed on-site detention and water quality report.
 - b. An electronic stormwater model.
 - c. A validated Camden Council MUSIC-link report with electronic model.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
5. For roads and car parks:
 - a. Pavement design.
 - b. Traffic management devices.
 - c. Line marking.
6. Clearly delineate the extent/location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such (only if the site is flood affected). The FPL is defined in Council's Flood Risk Management Policy.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.

Condition reason: To ensure that civil works are designed to appropriate standards.

(14) **Detailed landscaping plan** - Before the issue of a construction certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. *Angophora costata* and *Eucalyptus benthamii* are to be substituted with the following species:
 - *Eucalyptus crebra*
 - *Eucalyptus tereticornis*
 - *Eucalyptus moluccana*
 - *Eucalyptus longifolia*
 - *Angophora floribunda*

4. A root barrier is required to be installed along retaining walls and any infrastructure in close proximity to the proposed tree planting. This is required to be demonstrated in the landscape plans with the measurements of the width and length of the mass planted garden bed and tree pits.
5. All tree stock shall be compliant with AS2303-2018, with certification to be provided to the Principal by the grower. Uncertified tree stock will not be accepted by Council or the certifier.
6. Trees are required to be sourced in accordance with the tests and measurements contained within AS2303-2018 – Tree Stock for Landscape Use.
7. Soil volumes and deep soils must be demonstrated within the landscape plan and must be in accordance with the Deep Soil Guidelines from the Apartment Design Guidelines to accommodate all landscaping within the proposed development.

Condition reason: To ensure that detailed landscaping requirements are documented.

(15) **Long service levy** - Before the issue of a construction certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

Condition reason: To ensure the long service levy is paid.

(16) **Public swimming pool design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the following detailed design requirements:

1. Public Health Act 2010
2. Public Health Regulation 2022 and
3. NSW Health's '*Public Swimming Pool and Spa Pool Advisory Document*'

Condition reason: To ensure that swimming pools and/or spas are designed to comply with statutory requirements and industry standards.

(17) **Swimming pool and/or spa design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the swimming pool and/or spa will comply with the following detailed design requirements:

1. The *Swimming Pools Act 1992*.
2. The *Swimming Pools Regulation 2018*.
3. The Building Code of Australia.
4. AS 1926.1 - Swimming Pool Safety - Safety Barriers for Swimming Pools.

5. AS 1926.3 - Swimming Pool Safety - Water Recirculation Systems.
6. AS 3500.2 - Plumbing and Drainage - Sanitary Plumbing and Drainage.

Condition reason: To ensure that swimming pools and/or spas are designed to comply with statutory requirements and industry standards.

(18) **Swimming pool and/or spa safety fencing (design)** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the swimming pool and/or spa will be fenced to be effectively isolated from the dwelling and adjoining property, and that the fencing will comply with the following detailed design requirements:

1. Compliance with the design and location approved with the development consent and any conditions of the development consent.
2. AS 1926.1 - Swimming Pool Safety - Safety Barriers for Swimming Pools.
3. A minimum 1.2m effective height.
4. All gates self-closing, self-latching and opening outwards from the swimming pool and/or spa enclosure.
5. Filtration equipment, including any cover, housing or pipework, must not be located within 900mm from the outside face of the safety fencing enclosure, nor within 300mm from the inside of the swimming pool safety fencing enclosure (where footholds are possible).
6. Boundary fencing forming part of the swimming pool and/or spa safety fencing maintains a minimum effective height of 1.8m and a 900mm non-climbable zone (measured from the top of the inside of the fencing).

Condition reason: To ensure that swimming pools and/or spas are fenced to comply with industry standards.

(19) **Swimming pool and/or spa wastewater disposal (design)** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that all swimming pool and/or spa wastewater disposal will comply with the following detailed design requirements:

Sand Filters

1. For sand filters and where Sydney Water sewer is available, wastewater must be drained or pumped to the sewer.
2. For sand filters and where a Sydney Water sewer is not available, wastewater disposal must meet the following requirements:
 - a. discharge to a rubble pit measuring 600mm wide x 600mm deep x 3m long and located not less than 3m from any structure or property boundary, or
 - b. discharge to a tail out drain to disperse the water over a large, grassed area, provided that the land fall does not direct water to buildings on the site or adjoining properties or create a nuisance to an adjoining property owner. The following requirements must also be complied with:

- i. Wastewater must not be discharged to a septic tank, an on-site sewage management installation or an effluent disposal area.
- ii. Wastewater must not be discharged into a public reserve, watercourse, easement or stormwater drainage system or otherwise adversely impact upon an adjoining property.

3. For cartridge filters, no connection to Sydney Water sewer in rural areas is required. Additionally, no connection to a rubble pit or tail out drain is required.

Condition reason: To protect the amenity of the surrounding area and the environment from pollution.

(20) **Sydney Water trade waste requirements** - Before the issue of a construction certificate, information must be obtained from Sydney Water and a suitably qualified person and demonstrate, to the certifier's satisfaction, any Sydney Water trade waste requirements and how the development will comply with them.

Condition reason: To ensure that provisions have been made for managing trade waste.

(21) **Food premises and/or storage areas** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the following detailed design requirements:

1. *The Food Act 2003.*
2. *The Food Regulation 2015.*
3. Food Standards Australia and New Zealand Food Standards Code 2003.
4. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
5. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical ventilation in Buildings.
6. AS 4674 - Design, Construction and Fit-Out of Food Premises.

Condition reason: To ensure that food premises and/or storage areas are designed to comply with statutory requirements and industry standards.

(22) **Regulated systems (design)** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the following detailed design requirements:

1. *The Public Health Act 2010.*
2. *The Public Health Regulation 2022.*
3. AS 3666 - Air Handling and Water Systems of Buildings.

4. AS 1657 - Fixed Platforms, Walkways, Stairways and Ladders - Design, Construction and Installation.
5. AS 1892.1 - Portable Ladders - Performance and Geometric Requirements.
6. AS 2865 - Confined Spaces.
7. The WorkCover New South Wales publication 'Safe Work on Roofs Part 1: Commercial and Industrial Buildings'.

Condition reason: To ensure that regulated systems are designed to comply with statutory requirements and industry standards.

(23) **Mechanical ventilation** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that any room or area not provided with natural ventilation in accordance with the Building Code of Australia will instead be provided with a mechanical ventilation system that complies with the following requirements:

1. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings.
2. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical Ventilation in Buildings.

Condition reason: To ensure that mechanical ventilation system(s) are provided where natural ventilation is not achieved.

(24) **Construction certificate information** - Before the issue of a construction certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:

1. The MUSIC model is required to be amended to demonstrate the following:
 - a. The 450sqm Ground Floor node is required to bypass the on site detention (OSD) and therefore, bypass the SF chamber, as shown on the approved civil plans.
 - b. The number of PSORB storm filters modelled is required to reflect the number demonstrated on approved civil engineering plans.
2. The stormwater infrastructure, including pump-out pits, are required to be designed in accordance with AS 3500.3.
3. Amended plans are required to be submitted to the certifier that demonstrates that the proposed swimming pool will be constructed and include a swimming pool barrier which complies with the requirements of AS 1926.1-2012 – Swimming Pool Safety – Part 1: Safety barriers for swimming pools.

Condition reason: To ensure that required information is provided to the certifier.

(25) **Section 7.12 contributions** - Before the issue of a construction certificate, contributions must be made to Council under section 7.12 of the *Environmental Planning and Assessment Act 1979*:

Camden Section 7.12 Development Contribution Plan	
% of development cost	1% OF DEVELOPMENT COST
Amount payable	\$558,088.00

The amount of contribution payable under this condition has been calculated at the date of determination. In accordance with the provisions of the contributions plan, this amount shall be indexed at the time of actual payment in accordance with the consumer price index.

Condition reason: To ensure that development makes contributions towards services identified in the applicable contributions plan.

(26) **Special infrastructure contribution payment** - Before the issue of a construction certificate, a special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Evidence of payment of the SIC shall be provided to Council and the certifier.

Alternatively, the applicant must obtain written confirmation from the Department of Planning, Housing and Infrastructure that the SIC is not required to be paid for the approved development.

More information

A request for assessment by the Department of Planning, Housing and Infrastructure of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to SICContributions@planning.nsw.gov.au.

Condition reason: To require a special infrastructure contribution to be paid.

(27) **Waste rooms** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the waste rooms will comply with the following detailed design requirements:

1. Constructed of solid, impact resistant materials and finished in a smooth, even surface.
2. Smooth, impervious walls to ensure no moisture, oils or similar material can soak in.
3. Impervious, coved and graded floors that will be drained to a floor waste connection.
4. Ventilated in accordance with AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
5. Provided with lighting, pest proofing and an external water tap.

6. Roofed with a minimum ceiling height of 2.4m.
7. Serviced by a minimum 1.8m wide door(s) that opens in an outwards direction and can be locked open.

Condition reason: To ensure that hygienic waste management facilities are provided.

(28) **Window Glazing** – The glazing surrounding the north, north-eastern and north-western indoor sections of the restaurant/bar/lounge and function room is to consist of 6mm laminated glass with an R_w of 32. This shall be demonstrated to the principal certifier.

Condition reason: To ensure compliance with the approved acoustic report.

(29) **Salinity** - Before the issue of a construction certificate a salinity assessment is required to be prepared for the site in accordance with the NSW Environment Protection Authority's Site Investigation for Urban Salinity Booklet. It is important that resistivity is included, and that the assessment is undertaken to the maximum depth of the proposed development. Where aggressive or saline soils are identified a salinity management plan, prepared by a suitably qualified person must be submitted to and approved to the certifying authority's satisfaction, which addresses construction requirements for all proposed buildings and infrastructure.

Alternatively, the Salinity Management Plan - Report on Salinity Investigation and Management Plan, proposed Subdivision Lot 701 in DP 1154772 Gregory Hills, Gledswood Hills Prepared by Douglas Partners project 76510.00, dated May 2012, specifically for a moderately aggressive to concrete and severely aggressive to steel shall be adopted in the absence of a further salinity investigation.

Condition reason: To ensure the development is designed to withstand the effects of salinity.

(30) **Roof Top Plant Selection and Attenuation** - Before the issue of a construction certificate an acoustic report for all mechanical plant shall be submitted to the principal certifying authority for compliance with the Project Trigger noise levels within Table 4.1.5 Project Noise trigger levels in acoustic report titled "Lot 4 Gregory Hills Drive, Gledswood Hills, prepared by Stantec Australia Pty Ltd", dated 11 March 2025.

Condition reason: To ensure compliance with the approved acoustic report.

2.2 - Before Building Work Commences

(1) **Site security and fencing** - Before any building work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

Condition reason: To ensure that access to the site is managed before works commence.

(2) **Sydney Water approval** - Before any building work commences within the zone of influence of a Sydney Water asset (undertake a 'Before You Dig Australia' services search), the approved construction certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit www.sydneywater.com.au/tapin to apply. The Sydney Water approval must be provided to the principal certifier.

For subdivision works certificates, stamped water servicing coordinator must be provided to the principal certifier.

Condition reason: To ensure that any impacts upon Sydney Water infrastructure have been approved.

(3) **Dilapidation report** - Before any building work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:

1. A photographic survey of the following properties:
 - a. Lot 2 DP 126720, 6 Digitaria Drive, Gledswood Hills
 - b. Lot 2 DP 1275480, 10A Digitaria Drive, Gledswood Hills
 - c. Lot 5 DP 1262720, 11 Gregory Hills Drive, Gledswood Hills
 - d. PLt 6 DP 1267714, 16 Digitaria Drive, Gledswood Hills
2. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
 - a. Road carriageways.
 - b. Kerbs.
 - c. Footpaths.
 - d. Drainage structures.
 - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer's damages bond.

The report must be submitted to the principal certifier and Council 2 days before any building work commences. The development must comply with all conditions that the report imposes.

Condition reason: To ensure that any damage causes by works can be identified and rectified.

(4) **Site management plan (preparation)** - Before any building work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
 - a. Cover the material so as to minimise sediment transfer.
 - b. Do not track soil and other waste material onto any public road.
 - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

Condition reason: To ensure site management practices are established before any works commence.

(5) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:

1. Showing the name, address and telephone number of the principal certifier for the work.

2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work is being completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

(6) **Utility services protection** - Before any building work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:

1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.
2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.

Condition reason: To ensure that utilities are not adversely affected by development.

2.3 - During Building Work

(1) **Priority (noxious) weeds management (during work)** - While building work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

(2) **Work hours** - While building work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

Condition reason: To protect the amenity of the surrounding area.

(3) **Work noise** - While building work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

Condition reason: To protect the amenity of the surrounding area.

(4) **Stormwater collection and discharge** - While building work is being carried out, the roof of the approved building work must be provided with guttering and downpipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, must be conveyed to the street gutter, drainage easement or existing drainage system in accordance with the approved stormwater plan(s).

Condition reason: To ensure that stormwater is properly collected and discharged.

(5) **Finished floor level** - Before the development proceeds beyond floor level stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the finished floor level complies with the approved plans and this development consent.

Condition reason: To ensure that the finished floor level complies with the approved plans and this development consent.

(6) **Survey report** - Before concrete is poured, the building(s) must be set out by a registered surveyor and a peg out survey must be prepared. The survey must confirm, to the satisfaction of the principal certifier, that the building will be sited in accordance with the approved plans and this development consent.

Condition reason: To ensure that the building(s) will be sited in accordance with the approved plans and this development consent.

(7) **Pollution warning sign** - While building work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:

'WARNING UP TO \$30,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (12 22 63) - Solution to Pollution.'

The wording must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.

The sign(s) must be maintained until the works have been completed.

Condition reason: To ensure that potential fines for pollution are clearly advertised.

(8) **Site management plan (during work)** - While building work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

Condition reason: To protect the amenity of the surrounding area.

(9) **Fill delivery register** - Once building work is completed, the delivery register for the site work must be submitted to Council.

Condition reason: To ensure that Council has a record of all fill deliveries to the site.

(10) **Fill material (virgin excavated natural material)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. The report and plan have been endorsed by a practising engineer with specific area of practice in subdivisional geotechnics.
2. The report and plan have been prepared in accordance with:
 - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'.
 - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
3. The fill material:
 - a. Provides no unacceptable risk to human health and the environment.
 - b. Is free of contaminants.
 - c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').
 - d. Is suitable for its intended purpose and land use.
 - e. Has been lawfully obtained.
4. The sampling of the material for salinity complies with:
 - a. Less than 6,000m³ - 3 sampling locations.

- b. Greater than 6,000m³ - 3 sampling locations with 1 extra location for each additional 2,000m³ or part thereof.
- c. A minimum of 1 sample from each sampling location must have been provided for assessment.

5. The sampling of the material for contamination complies with:

- a. 1 sample per 1,000m³ or part thereof.
- b. For volumes less than 1,000m³, a minimum of 2 separate samples from different locations must be taken.

Condition reason: To ensure that fill material has been adequately assessed before placement on the site.

(11) **Unexpected contamination finds contingency (general)** - While building work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of the principal certifier.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

Condition reason: To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

(12) **Car park noise control (during work)** - While building work is being carried out, all car parks must have a coved finish with Slabseal 2000 SR sealant (or a similar equivalent product) applied to concrete floors, to the satisfaction of the principal certifier.

Condition reason: To ensure that car parks are adequate finished to protect the amenity of the surrounding area.

(13) **Fill compaction (non-subdivision)** - While building work is being carried out, all fill must be compacted in accordance with Council's current engineering specifications, to the satisfaction of the principal certifier.

Condition reason: To ensure that fill is compacted to appropriate standards.

(14) **Work near or involving vegetation** - While building work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.

2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

Condition reason: To ensure that work near of involving vegetation is carried out to industry standards.

(15) **Archaeological discovery** - While building work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of the principal certifier:

1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

(16) **Compliance with *Building Code of Australia*** - While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021](#).
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

Condition reason: Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

(17) **Shoring and adequacy of adjoining property** - While building work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

(18) **Swimming pool and/or spa filling** - While building work is being carried out, the swimming pool and/or spa must not be filled with water until the safety fencing required by this development consent has been installed. The principal certifier must inspect the fencing prior to the filling.

Condition reason: To ensure that safety fencing has been installed before the swimming pool and/or spa is filled.

(19) **Material sampling and testing** - While building work is being carried out and before any material is delivered to the site, sampling and testing of all material in accordance with Council's engineering specifications must be completed by a suitably qualified testing organisation, to the satisfaction of the principal certifier. The testing results must include a certificate from the testing organisation that certifies compliance with the criteria in Council's engineering specifications. The testing results must be updated every 3 months or when the material source changes.

Condition reason: To ensure that material used in construction complies with Council's engineering specifications.

(20) **Building height** - Before the development proceeds beyond frame stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the building height complies with the approved plans and this development consent.

Condition reason: To ensure that the building height complies with the approved plans and this development consent.

2.4 - Before Issue of an Occupation Certificate

(1) **Survey certificate** - Before the issue of an occupation certificate, a survey certificate must be prepared by a registered surveyor and demonstrate, to the principal certifier's

satisfaction, that the siting of the building(s) complies with the approved plans and this development consent.

Condition reason: To ensure that the building(s) are sited in accordance with the approved plans and this development consent.

(2) **Driveway crossing construction** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a driveway crossing has been constructed in accordance with this development consent and the driveway crossing approval.

Condition reason: To ensure that the building(s) is provided with vehicular access.

(3) **Services** - Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:

1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water website](#) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Condition reason: To ensure that energy, water and wastewater services are provided for the development.

(4) **Verge reconstruction** - Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species listed in Council's engineering specifications.

Condition reason: To ensure that road verges are reconstructed with grass following building works.

(5) **Landscaping works completion** - Before the issue of an occupation certificate, all of the landscaping works approved by this development consent and the construction certificate must be completed to the satisfaction of the principal certifier. This must include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use.

Condition reason: To ensure that all approved landscaping works have been completed to an appropriate standard.

(6) **Existing street trees inspection** - Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the satisfaction of Council. Evidence of the inspection and Council's satisfaction of any required rectification works must be provided to the principal certifier.

Condition reason: To ensure that existing street trees are inspected for damage and rectified where required.

(7) **Swimming pool and/or spa fencing** - Before the issue of an occupation certificate, the principal certifier must inspect the swimming pool and/or spa safety fencing.

Condition reason: To ensure that safety fencing has been installed for the swimming pool and/or spa.

(8) **Filter and recirculation systems** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that the swimming pool and/or spa filtration and recirculation systems comply with AS 1926.3 - Swimming Pool Safety.

Condition reason: To ensure that swimming pools and/or spas comply with industry standards.

(9) **Swimming pool and/or spa safety fencing (certification)** - Before the issue of an occupation certificate, a certificate must be prepared by the supplier of the swimming pool and/or spa fencing and certify, to the principal certifier's satisfaction, that the fencing will comply with AS 1926.1 - Swimming Pool Safety - Safety Barriers for Swimming Pools.

Condition reason: To ensure that swimming pools and/or spas are fenced to comply with industry standards.

(10) **Private waste collection contract** - Before the issue of an occupation certificate, a private waste collection contract must be entered into for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be provided to the principal certifier and Council.

Condition reason: To ensure that a formal arrangement is in place for the private collection of waste.

(11) **Development registration with Council** - Before the issue of an occupation certificate, the development must be inspected by and registered with Council. Evidence of the inspection and registration must be provided to the principal certifier.

Condition reason: To support Council's regulatory functions related to the development.

(12) **Regulated systems (commissioning)** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that the installed regulated systems comply with the following requirements:

1. The *Public Health Act 2010*.
2. The *Public Health Regulation 2022*.
3. AS 3666 - Air Handling and Water Systems of Buildings.

Condition reason: To ensure that regulated systems are installed in accordance with statutory requirements and industry standards.

(13) **Acoustic compliance report** - Before the issue of an occupation certificate, an acoustic compliance report must be prepared by a suitably qualified acoustic

consultant and demonstrate, to the principal certifier's satisfaction, that noise from the development will comply with the following criteria:

1. 7am-6pm - 45db(A).
2. 6pm-10pm - 43db(A).
3. 10pm-7am - 37db(A).
4. And commercial premises 65db(A)

All noise attenuation structures and materials used for the mitigation of noise must be in accordance with the conditions of this development consent.

For any acoustic non-compliance(s), the compliance report must make recommendations for compliance or further mitigation of noise sources, to the satisfaction of Council. The developer must then comply with the recommendations of the compliance report and a further acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier's satisfaction, that the noise criteria in this condition has been achieved.

Condition reason: To ensure that operational noise levels will comply with the approved acoustic report.

(14) **Defects and liability bond** - Before the issue of an occupation certificate, a defects and liability bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

Condition reason: To ensure that the cost to rectify defects and liabilities in new public infrastructure works is captured.

(15) **Water management facilities positive covenant** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a positive covenant has been registered with NSW Land Registry Services. The positive covenant must be created under Section 88E of the *Conveyancing Act 1919* and burden the property owner with a requirement to maintain any on-site detention, on-site retention/re-use and water quality facilities on the property.

The terms of the positive covenant must include the following:

1. The property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
2. The property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities' design specifications.
3. Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities.
4. Council will have the right to recover as a liquidated debt the cost of any remedial work from the property owner upon demand.

5. The property owner will indemnify Council and all adjoining property owners against damage to their properties arising from the failure of any component of the facilities or the failure to clean, maintain and repair the facilities.

Condition reason: To provide a legal mechanism for the long-term maintenance of water management facilities.

(16) **On-site detention facility plan of management (preparation)** - Before the issue of an occupation certificate, an on-site detention facility plan of management (POM) must be prepared by a suitably qualified person, to the satisfaction of the principal certifier. The POM must describe all design and operational parameters for the facility including:

1. Design levels.
2. Hydrology and hydraulics.
3. Inspection and maintenance requirements (including time intervals for inspections and maintenance).

Condition reason: To provide a management regime for on-site detention facilities.

(17) **Geotechnical certification** - Before the issue of an occupation certificate, certification must be prepared by a suitably qualified geotechnical engineer and demonstrate, to the satisfaction of the principal certifier, that:

1. All works detailed in any geotechnical report applicable to the site have been undertaken under the engineer's supervision and to the engineer's satisfaction.
2. The assumptions relating to the site conditions made in preparation of the geotechnical report were validated during construction.

Condition reason: To ensure that geotechnical works have been complete to appropriate standards.

(18) **Water management basins certificate** - Before the issue of an occupation certificate, a certificate must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, that the water management basins comply with the following requirements:

1. The basins have been completed in accordance with the approved construction certificate plans or that any variations that have been made will not impair the performance of the basins.
2. The basins will function in accordance with the design intent approved by the construction certificate.

Condition reason: To ensure that water management basins will comply with the construction certificate.

(19) **Works as executed plans** - Before the issue of an occupation certificate, works as executed plans in accordance with Council's engineering specifications must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:

1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:
 - a. Levels and dimensions to verify the storage volume of any water management facilities.
 - b. Levels and other relevant dimensions of:
 - i. Internal drainage pipes.
 - ii. Orifice plates.
 - iii. Outlet control devices and pits.
 - iv. Weirs (including widths).
 - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
 - d. Verification that trash screens are installed.
3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

Condition reason: To ensure that the completed works are recorded.

(20) **Noise Management Plan** – Before the issue of an occupation certificate a noise management plan prepared by an appropriately qualified person is to be submitted to and approved by the Consent Authority. The plan shall demonstrate the management principles that will be implemented at the site to ensure that the noise emissions from the premises will comply with the relevant noise criteria. The plan shall include but is not limited to the following information:

- a. Details of management practices to be implemented to ensure the noise emitted from the premises is kept to a minimum and in compliance with the approved acoustic report.
- b. A complaint handling systems including details regarding how noise complaints from the use of the premises will be received, rectified recorded and monitored.

All requirements of the approved Acoustic Management Plan are to be implemented at within one month of the use of the premises commencing and shall be complied with at all times during the operation of the premises.

Condition reason: To protect the amenity of the surrounding area.

2.5 - Occupation and Ongoing Use

(1) **Priority (noxious) weeds management (ongoing)** - During occupation and ongoing use of the development, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. All new infestations must be reported to Council.

Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

(2) **Goods, materials, equipment and/or waste storage** - During occupation and ongoing use of the development, all goods, materials, equipment and/or waste must be stored inside the building.

Condition reason: To protect the visual amenity of the surrounding area and not impact the public domain.

(3) **Loading and unloading** - During occupation and ongoing use of the development, all loading and unloading activities must take place within the development's approved loading area.

Condition reason: To maintain the visual amenity of the area and off-street car parking spaces and driveways approved for the development.

(4) **Graffiti removal** - During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application.

Condition reason: To protect the visual amenity of the area surrounding the development.

(5) **Operating hours** - During occupation and ongoing use of the development, the development is approved to operate within the following hours:

Reception

Day	Hours of Operation
Monday to Sunday	24/7

Restaurant / Bar / Lounge Area / Function Rooms

Day	Hours of Operation
Monday to Saturday	7.00am to 12.00 Midnight
Sunday	7:00am to 10:00pm

Pool Bar

Day	Hours of Operation
Monday to Sunday	1.00pm to 9.00pm

Pool

Day	Hours of Operation
Monday to Sunday	8:00am to 9:00pm

Hotel Gym

Day	Hours of Operation
Monday to Sunday	6:00am to 10:00pm

Condition reason: To protect the amenity of the surrounding area.

(6) **Private waste collection contract** - During occupation and ongoing use of the development, a private waste collection contract must be maintained for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be kept on the site.

Condition reason: To ensure that a formal arrangement is in place for the private collection of waste.

(7) **Car park noise control (ongoing)** - During occupation and ongoing use of the development, the coved finish and sealant applied to all car parks must always be maintained to a standard that eliminates tyre squeal noise from being audible.

Condition reason: To protect the amenity of the surrounding area.

(8) **Liquid spills management** - During occupation and ongoing use of the development, the management of liquid spills must comply with the following requirements:

1. Supplies of spill prevention, absorbent and clean-up materials must be kept on site to recover any spilled liquid.
2. Liquid spills must be cleaned up using dry methods (by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin).
3. Materials used for clean-up must be disposed of at a waste facility.

Condition reason: To protect the environment from pollution.

(9) **Offensive noise and noise compliance** - During occupation and ongoing use of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Operational noise must also comply with the NSW Noise Policy for Industry 2017.

Condition reason: To protect the amenity of the surrounding area.

(10) **Landscaping works maintenance** - During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

Condition reason: To ensure that approved landscaping works are perpetually maintained to an appropriate standard.

(11) **Public domain landscaping works establishment period** - Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.

Condition reason: To ensure that approved public domain landscaping works are established to an appropriate standard.

(12) **Swimming pool and/or spa wastewater disposal (ongoing)** - During occupation and ongoing use of the development, the following requirements must be complied with:

1. Wastewater must not be discharged to a septic tank, an on-site sewage management installation or an effluent disposal area.
2. Wastewater must not be discharged into a public reserve, watercourse, easement or stormwater drainage system or otherwise adversely impact upon an adjoining property.
3. If cartridge filters are used, when the filters are cleaned they must be hosed out in a location that will not adversely impact upon an effluent disposal area or an adjoining property and must not cause water to enter a public reserve, watercourse, easement or stormwater drainage system.

Condition reason: To protect the amenity of the surrounding area and the environment from pollution.

(13) **Swimming pool and/or spa safety fencing (ongoing)** - During occupation and ongoing use of the development, the placement of outdoor furniture (including barbecues and the like) must not reduce the effectiveness of swimming pool and/or spa safety fencing. All such items must be located at least 900mm from the outside of the fencing.

Condition reason: To ensure that swimming pools and/or spas safety fencing remains effective.

(14) **Prohibited items within swimming pool and/or spa enclosures** - During occupation and ongoing use of the development, the area contained within the swimming pool enclosure must not be used for non-related activities such as the installation of children's play equipment or clothes drying lines.

Condition reason: To ensure that swimming pools and/or spas enclosures are preserved for their intended purpose.

(15) **Public swimming pool and/or spa water quality standards** - During occupation and ongoing use of the development, the swimming pool and/or spa must comply with the following requirements:

Temperature

1. The temperature of the water must not exceed 38°C.

Chlorine disinfected pools

1. Except as provided by subsection 2., the concentration of free available chlorine in the water in a chlorine disinfected pool must be equal to or greater than the following:
 - a. For an outdoor public swimming pool - 1.0 mg/L.
 - b. For an outdoor public swimming pool in which cyanuric acid is used - 3.0 mg/L.
 - c. For an indoor swimming pool - 2.0 mg/L.

- d. For a spa pool - 2.0 mg/L.
2. The concentration of free available chlorine in the water in a chlorine disinfected pool in which the water has a pH level greater than 7.6 must be equal to or greater than the following:
 - a. For an outdoor public swimming pool - 2.0 mg/L.
 - b. For an outdoor public swimming pool in which cyanuric acid is used - 4.0 mg/L.
 - c. For an indoor swimming pool - 3.0 mg/L.
 - d. For a spa pool - 3.0 mg/L.
3. The concentration of combined chlorine in the water in a chlorine disinfected pool must not exceed 1.0 mg/L.
4. The total chlorine level of the water in a chlorine disinfected pool must not exceed 10.0 mg/L.

Bromine disinfected pools

1. The concentration of bromine in the water in a bromine disinfected pool must be equal to or greater than the following:
 - a. For an outdoor public swimming pool - 2.25 mg/L.
 - b. For an indoor swimming pool - 4.5 mg/L.
 - c. For a spa pool - 4.5 mg/L.
2. The concentration of bromine in the water in a bromine disinfected pool must not exceed 9.0 mg/L.

pH levels

1. For a chlorine disinfected pool, the pH level of the water must be between 7.0 and 7.8.
2. For a bromine disinfected pool, the pH level of the water must be between 7.0 and 8.0.

Alkalinity

1. The alkalinity of the water must be between 80 mg/L and 200 mg/L.

Ozone

1. Ozone may be used in the circulation system of a pool but must not be present in the pool.

Cyanuric Acid (Outdoor Chlorine Disinfected Pools)

1. Cyanuric acid may only be used in an outdoor chlorine disinfected pool and must not be used in a spa pool and the concentration must not exceed 50 mg/L.

Condition reason: To ensure that swimming pools and/or spas are maintained in a clean and healthy condition.

(16) **Remote storage facilities for food premises** - During occupation and ongoing use of the development, the use of remote storage facilities by food premises is prohibited.

Condition reason: To ensure that food storage only occurs in approved locations.

(17) **Noise generating equipment in common areas** - During occupation and ongoing use of the development, the use of noise generating equipment for the cleaning or maintenance of common areas must only occur between 7am-10pm each day.

Condition reason: To protect the amenity of the surrounding area.

(18) **Licensed premises noise** - During occupation and ongoing use of the development, noise from the development must comply with the following requirements:

1. The LA10, 15min noise level emitted from the licensed premises must not exceed the background noise level in any octave band centre frequency (31.5Hz-8kHz inclusive) by more than 5dB between 7am and 12 midnight at the boundary of any affected residence.
2. The LA10,15min noise level emitted from the licensed premises must not exceed the background noise level in any octave band centre frequency (31.5Hz-8kHz inclusive) between 12 midnight and 7am at the boundary of any affected residence.
3. The LA10, 15min noise level emitted from the licensed premises when measured inside a habitable room of a residence between 12pm and 7am must not give rise to a measurable increase above the ambient level in any octave band centre frequency (31.5Hz-8kHz inclusive) in the absence of music.

*In this condition, LA10 is taken as the average maximum deflection of the noise emission from the licensed premises.

Condition reason: To ensure that hazardous materials are safely stored and used.

(19) **On-site detention facility plan of management (ongoing)** - During occupation and ongoing use of the development, the on-site detention facility plan of management plan required by this development must be complied with.

Condition reason: To provide a management regime for on-site detention facilities.

(20) **Offensive noise and noise compliance** - During occupation and ongoing use of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Operational noise must also comply with the NSW Noise Policy for Industry 2017.

Condition reason: To protect the amenity of the surrounding area.

(21) **Largest Service Vehicle to Serve the Site** – The largest vehicle to access the site for servicing and / or operations shall be a Medium Rigid Vehicle.

Condition reason: To ensure the adequate maneuverability of vehicles within the premises.

(22) **Waste and Delivery Vehicles Operating Hours** - Delivery and waste vehicles to the site shall only occur during the hours of 7.00am and 6.00pm Monday to Saturday and 8.00am and 6.00pm Sunday and Public Holidays.

Condition reason: To ensure compliance with the approved acoustic report.

(23) **Restaurant / Bar and Function Rooms** - In accordance with the acoustic report prepared by Stantec Australia Pty Ltd dated 11 March 2025, the restaurant/ bar and function areas shall comply with Section 6.4.1 of the approved acoustic report.

Condition reason: To ensure compliance with the approved acoustic report.

(24) **Outdoor Terrace** - A maximum of 50 patrons are allowed on the outdoor terrace with a background music limited La10 - 70dB(A).

Condition reason: To ensure compliance with the approved acoustic report.

(25) **Restaurant / Bar and Function Rooms** - A maximum of 150 patrons are allowed indoors. Doors and windows to these areas are to be kept closed.

Condition reason: To ensure compliance with the approved acoustic report.

(26) **Public Address Systems** - Public address systems and amplified music are not to be installed or used external to the commercial tenancy.

Condition reason: To ensure compliance with the approved acoustic report.

(27) **In House Sound System and Calibration** - Live entertainment in the function rooms must use an 'in-house' sound system owned by the hotel. The system must have RMS limiters to control the low frequency components of the music. The system must be calibrated by a qualified acoustic consultant to meet sound pressure levels when used in each area.

Condition reason: To ensure compliance with the approved acoustic report.

(28) **Live Entertainment** – All live entertainment shall cease at 12.00 midnight.

Condition reason: To ensure compliance with the approved acoustic report.

(29) **Internal room noise** - The recommended design sound levels for the internal hotel rooms shall comply with AS2107:2000, laeq 30-35dB(A).

Condition reason: To ensure compliance with the approved acoustic report.