

JRPP Ref. No.:	2014SYW075
DA No.:	DA14/0513
PROPOSED DEVELOPMENT:	Demolition of Existing Structures and Construction of Four (4) x Eight (8) Storey Residential Flat Buildings (289 Units), Two (2) Level Basement Car Parking Area, Landscaping, Drainage Works and Earthworks - Lot 1 DP 1070784, , 12 Carson Lane, ST MARYS NSW 2760
APPLICANT:	Dickson Rothschild
REPORT BY:	Donna Clarke, Environmental Planner, Penrith City Council

Assessment Report

Executive Summary

On 19 May 2014, Council received a Development Application in respect to the subject site for demolition of existing structures, construction of four residential flat buildings with associated basement carparking, landscaping and drainage works.

The application was lodged under Penrith Local Environmental Plan (LEP) 2010. The subject site is zoned B4 (Mixed Use) and residential flat buildings are permitted in this zone, with consent. Penrith LEP 2010 (Amendment No. 4) was adopted during the assessment period and the site remains zoned B4.

The Capital Investment Value (C.I.V.) of the development is \$70,623,463 and therefore in accordance with Schedule 4A of the Environmental Planning & Assessment Act 1979 (the EP&A Act 1979) the application is to be determined by the Sydney West Joint Regional Planning Panel (JRPP).

In accordance with the Penrith Development Control Plan (DCP) 2010 the development application was notified to the surrounding neighbours and publicly exhibited (advertised) between 10 June 2014 and 24 June 2014. During this time one (1) submission was received however this submission was later withdrawn.

The proposal includes a minor variation to building height, with the additional height only noticable for the upper level of Building B and is unlikely to be discernible for the other three buildings once constructed. The height variation is a result of the head height required for waste contractors clearance within the basement and to ensure acceptable finished floor levels with respect to flooding. The minor variation to height does not alter the suitability of the development or design or result in adverse amenity impacts.

During the assessment, amendments were made to the building facades, including amendments to increase articulation and reduce the overall bulk and scale, as well as to increase tonal contrast in built form through materials, frames, projecting and receding elements. The proposed green wall elements provide a variation in materials and increase the overall quality of the development. The design is acceptable with respect to the design requirements of SEPP 65.

The proposed development makes an important contribution to the desired St Marys community and provides necessary housing stock, within a variety of forms and unit sizes within a garden setting. The development activates an underutilised site which is highly accessible. Further, the site maximises casual surveillance and controls access to the site via security gates and intercoms.

An assessment under Section 23G and Section 79C of the EP&A Act 1979 (as amended) has been undertaken and the application is recommended for approval.

Background

The site features a 3.66m wide drainage pipe which transverses the north-eastern corner of the site. This infrastructure was not identified as part of the original survey plan submitted to Council and therefore during the assessment process, the applicant was required to establish a drainage diversion strategy to collect and divert stormwater around the subject site.

On 5 February 2015 Council received a drainage diversion strategy which included new stormwater infrastructure to the east of the subject site. This land is identified on title as road reserve and is currently being used as a Council owned carpark. The drainage diversion also included works to increase the kerb and guttering and divert overland flow away from the subject site and surrounding properties to the south and south-east, and manage flows to the new drainage lines. The applicant has sought land owner's consent to undertake the works under a Roads Act Approval and Local Government Act Approval and was subject to a separate report to Council on 29 June 2015. The applicant has formally requested that Council grant owner's consent for these works to proceed.

Whilst the works associated with the new line will facilitate the proposed development, the works do not require development consent and therefore have not formed part of this application. Notwithstanding, consent cannot be granted to development over Council's drainage infrastructure and therefore it is recommended that should the JRPP adopt Council's recommendation to support the development, a deferred commencement consent be granted to require the diversion works to be undertaken prior to the consent becoming operational with a 18 month timeframe.

Site & Surrounds

The subject site is situated within the St Marys Town Centre. It is located approximately 680m south-west of St Marys Railway Station and is approximately 100m west of Queen Street and adjacent to St Marys Village Shopping Centre. The site is bound by a Council reserve (Lang Park) to the north, St Marys Public School to the west, St Marys Band Club to the south and Council Road Reserve (carpark) to the east.

The site contains a single storey brick building, currently containing a community service use and disused recreational lawns previously associated with the former bowling club.

The site is 1.072 hectares in area.

Proposal

The proposed development involves the demolition of the existing structure and associated outbuildings, excavation works, tree removal, construction of four (4) Residential Flat Building towers comprising of a total of 289 units and two levels of basement car parking, landscaping works and onsite drainage works.

The proposal specifically includes:

- Four separate buildings, 8 storeys in height, separated by communal open space to provide a garden setting.
- A total of 289 units with a total floor area of 26,759m², with a breakdown of units as follows:
 - 14 x 1 bedroom units
 - 38 x 1 bedroom plus study units
 - 214 x 2 bedroom units
 - 23 x 3 bedroom units
- Two basement levels as follows:
 - Basement 1 - 199 car parking spaces, 6 motorcycle spaces, 96 bicycle spaces, general storage, waste storage
 - Basement 2 - 173 car parking spaces, car wash bay, general storage
- Car parking at ground level for 6 vehicles and 2 removalist's trucks.
- 31 accessible car parking spaces.
- Vehicular access to the site from the north.
- Pedestrian access via the north, east and south via gates within the proposed fencing.
- Waste is to be stored within the basement and serviced by a Council's waste contractor.
- Private open space in the form of courtyards for ground floor units and balconies for upper floors.
- Entry to the buildings is from the central courtyards, with a pedestrian pathway network throughout the development.
- Materials are to comprise a mixture of brick, cladding, timber and render, with green walls, framed windows, balcony elements and highlight colours used to articulate the facades.
- Common open space within three distinct areas, totaling 1720m² in area and embellished with play equipment, barbeques, seating and landscaping.
- Deep soil landscaped areas around the perimeter of the building within the landscaped setbacks.
- Drainage diversion works and new drainage lines.

It is Council's strategic future intention to have an east-west link road along the northern boundary, to link Charles Hackett Drive, through to Carson Lane, to Queen Street. Therefore the development will interface with a public road rather than Council's park in the near future.

With respect to the interface with Carson Lane, Council is investigating broader embellishment works as part of a St Marys town centre review, however the subject proposal includes suitable tree and shrub landscaping within the Carson Lane front setback zone.

Plans that apply

- Local Environmental Plan 2010 (Stage 1 LEP)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 55—Remediation of Land
- State Environmental Planning Policy No 65—Design Quality of Residential Flat Development
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• **Section 23G - Joint Regional Planning Panel (JRPP)**

Under Section 23G of the Environmental Planning and Assessment Act 1979, the functions of Council are conferred to a regional panel if stipulated under an environmental planning instrument. In this case, the proposed Capital Investment Value (C.I.V.) of the development is \$70,623,463 and Clause 8(c) of Schedule 3 of the Environmental Planning & Assessment Act 1979 delegates the function of 'consent authority' for general development over \$20 million to a regional panel.

• **Section 79C - Evaluation**

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration.

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

As assessment has been undertaken of the application against relevant criteria within State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. The application is accompanied by a list of commitments as to the manner in which the development will be carried out, and the carrying out of residential development pursuant to the recommended development consent or Construction Certificate will be subject to a condition requiring such commitments to be fulfilled.

State Environmental Planning Policy (Infrastructure) 2007

In accordance with Schedule 3 of the State Environmental Planning Policy (SEPP) (Infrastructure) 2007, the application was referred to Roads and Maritime Services (RMS) for comment.

The RMS has provided concurrence to the development and provided comments for consideration as part of the assessment and recommended conditions of development consent. The recommended conditions have been considered as part of the assessment of the application and Council Officers are satisfied the development is capable of accommodating those conditions.

The development therefore satisfies the relevant considerations under SEPP (Infrastructure) 2007.

State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) provide aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Under Clause 7 of SEPP 55, it must be considered as to whether the land is contaminated, and if so, the consent authority is to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The application was accompanied by a report which concluded that the site is suitable and there is a low likelihood of contamination. Concentrations of contaminants across the site were below the respective Site Assessment Criteria. The consultants were unable to sample below the structures currently on the site, so it has been recommended that further sampling of this area be undertaken once site structures have been removed. The report states that the results of the assessment, when combined with the previous assessments undertaken by others, have confirmed that the site is suitable for the proposed residential use.

The findings of the sampling program that were already undertaken and the conclusions of the report suggest that there is sufficient information available for determination to proceed. Given that a considerable volume of soil material will also be removed to construct the development, it is considered appropriate for the additional sampling as recommended in the report to be undertaken after development consent has been issued, however should contamination be identified an additional development application will be required to approve these works in accordance with the requirements of SEPP 55 in combination with the requirements of SREP 20.

Therefore, it is determined that the site is suitable for redevelopment for residential purposes subject to conditions of consent requiring further sampling and submission of validation certificates after demolition works and removal of the structures and soil.

State Environmental Planning Policy No 65—Design Quality of Residential Flat Development

State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development (SEPP 65) aims to improve the design quality of residential flat development. SEPP 65 generally does not contain numerical standards, but refers to the "Residential Flat Design Code" (the code). The code provides additional detail and guidance for applying the design quality principles outlined in SEPP 65.

Under the provisions of SEPP 65, the proposal is defined as a Residential Flat Building as it comprises of building of 3 storeys that includes 4 or more self-contained dwellings.

In accordance with Clause 1A and 5(a) of the Development Applications controls under Part 4 of SEPP 65, a Design Verification Statement which verifies that the design quality principles set out under Part 2 of the SEPP has been submitted by the applicant.

Changes were made to the building facades during the assessment, including amendments to increase articulation and reduce the overall bulk and scale, as well as to increase tonal contrast in built form through materials, frames, projecting and receding elements. The proposed green wall elements provide a variation in materials and increase the overall quality of the development.

Further, the proposal was considered on two separate occasions by Council's Urban Design Review Panel, with positive feedback provided in terms of the amended design.

An assessment of the development has been undertaken in accordance with the Design Quality Principles of Part 2 of SEPP 65 as addressed below:

(i) Design Quality Principle 1: Context

The site is located within an area zoned for high density commercial / residential development and is a flat site with minimal constraints and is highly accessible. St Marys as a whole is undergoing transition to multi-unit housing. The site is located in proximity to St Marys Railway Station and within the mixed use town centre and adjoins a school and park. The area is changing with likely future shopping centre

development to occur on the adjoining site to the north.

The buildings reflect the desired future character of the area rather than the bulk and scale of the existing single and two storey dwellings in the locality. The proposed development provides for outdoor communal areas at the centre and rear of the development and has had regard to the amenity of the adjoining properties, providing a suitable setback to the sides and rear and deep soil landscaped setbacks.

(ii) Design Quality Principle 2: Scale

The proposed buildings will have a maximum of 8 storeys which is considered to be in keeping with the height controls and future likely development in the area. The design separates the development into four towers with central areas of communal open space in a garden setting. Each building has three clear sections, with the central podium portion and upper level setback. This reduces the bulk of the development and provides articulation and an interesting element to the design. Accordingly, it is considered that the proposal will be of a scale that is in keeping with the future development of the surrounding built environment and provides a gradual transition of building height to surrounding development.

(iii) Design Quality Principle 3: Built Form

The proposed buildings have been designed to reduce the overall bulk and scale of the development and provide a continual progression of the built form. It is acknowledged that the overall size of the buildings is larger than the adjoining existing shops and school, however suitable side and rear setbacks, landscaping and building articulation will assist in integrating the proposed built form with the existing locality and the proposal remains consistent with the future intended built form.

The proposed setbacks are sufficient to allow outlook of the internal open spaces to encourage passive surveillance and safety whilst allowing for visual privacy to the proposed buildings.

The proposed buildings achieve an appropriate built form for their location, use and context. The rear common courtyard for the residents is formed between the buildings and enhances the internal amenity of the development. The building masses are articulated and massing within the proscribed envelope aims to reduce apparent building bulk combined with the use of detail elements, a mix of building materials and colours. The use of the framed windows, green landscaping and balcony elements is used to create a sophisticated, rhythmic and strong visual element. The increased glazing and setbacks for the upper level provide a lightweight character to the middle and top sections of the built form.

(iv) Design Quality Principle 4: Density

The proposed residential accommodation seeks to cater for future demand and desired future densities identified by the zoning. The density responds to the site opportunities and constraints and provides a range of floor space yields and apartment mixes in accordance with Council's requirements.

(v) Design Quality Principle 5: Resources, Energy and Water Efficiency

The flat code recommends that 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm mid winter into the living rooms and private open space. The layout of the proposed units has ensured maximum solar access with no southern aspect units.

Passive solar design principles have been incorporated through a high level of solar access and natural ventilation of units as well as effective thermal massing. The design responds to environmental concerns by focusing on natural ventilation and light.

Appropriate water efficiency and energy saving measures have been incorporated into the development.

The site is highly accessible and will have a greater reliance on public transport, with lesser reliance on private vehicles.

(vi) Design Quality Principle 6: Landscape

The proposed communal open space extends over three areas between the buildings, with different orientations, allowing for all year around use of different areas. The landscape strategy includes communal areas which include paved and grassed areas, playground equipment and seating. Deep soil planting which provides effective amenity both internally and to the public domain is also proposed within all setbacks.

The landscaped open space provides connectivity between the buildings and provides an adequate buffer to ensure maximum amenity is offered to the occupants of the units.

A landscape concept plan has been prepared and the landscape design strikes an effective balance between visual privacy and safety and security.

(vii) Design Quality Principle 7: Amenity

Main living spaces in each of the proposed units are open plan and located directly adjacent to their private open space areas. This is intended to promote an extension of the living space. The balconies are functional and promote indoor/outdoor living. The proposal provides a high level of amenity for all of the units including layout, natural ventilation, solar access and private open space. Room sizes are generous throughout as are ceiling heights, maximising fresh air and light. In addition, a mix of units is proposed.

There are communal recreation facilities throughout the site. These facilities have a garden aspect and will be easily reached by all residents via landscaped area pedestrian walkways.

There is ample car parking provision on the site itself, which minimises any potential impact of the development on local traffic conditions. The site is served by public transport with St Marys Railway Station nearby.

The units are serviced by lifts and central waste disposal areas are provided within the basement.

(viii) Design Quality Principle 8: Safety and Security

The proposed units are oriented to allow windows for passive surveillance of the communal open spaces and the main entrance. All entrances are highly visible, are in highly trafficked areas and have good sight lines across the site. Safety and security measures incorporate unobscured public domain spaces, all lobbies are wide and brightly lit, with units adjacent to facilitate safety and passive overlooking and all landscaped spaces within the site will be well lit, and designed to maximize personal security. There are no entrapment zones identified within the development.

Secure access is provided, with access via an intercom. Special arrangements have been made with Australia Post to access the letterboxes within the development.

(ix) Design Quality Principle 9: Social Dimensions

The proposal responds to the need for housing and incorporates a range of bedroom numbers and floor sizes, as well as providing 10% of the development as adaptable units.

(x) Design Quality Principle 10: Aesthetics

The architectural style is contemporary and is sympathetic to its surroundings. The design reduces building bulk by stepping the middle and upper portions of the buildings and the landscaped setting will ensure the buildings are integrated into their surroundings. The proposal uses a combination of brick, cladding, timber and render, punctuating framed window and balcony elements and highlight colours and textures to achieve a modern finish and visual appeal. The landscaped setbacks and plantings on the buildings integrate the built form into a green setting.

The proposal is designed to appear lightweight with defined entry points. Balconies are common external areas that create active edges for the proposed buildings both functionally and aesthetically.

In consideration of the detailed information above it is considered that the subject proposal can reasonably satisfy the design quality principles of SEPP 65 and the guidelines contained within the associated 'Residential Flat Design Code'. Not all Rules of Thumb are satisfied, however they are not mandatory controls and the intent of the code has been met by providing a high standard of design and amenity for future occupants. The buildings have excellent solar access and cross ventilation and the setbacks of levels 4 upwards increase the separations between the buildings. The setbacks are well landscaped and contain deep soil zones and the three areas of common open space will be suitably embellished. A good mix of unit sizes and types is proposed and clear access is provided for both vehicles and pedestrians throughout the development.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997) (REP 20) integrates planning with catchment management to protect the Hawkesbury-Nepean river system, requiring the impact of future land use to be considered in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture and urban and rural-residential development. It controls development that has the potential to impact on the river environment. The REP is supported by an Action Plan, which includes actions necessary to improve existing conditions.

The development proposal has been assessed and subject to conditions of development consent, found to be in accordance with the general planning considerations set out in Clause 5 of the REP and the relevant specific planning policies and related recommended strategies set out in Clause 6.

Local Environmental Plan 2010 (Stage 1 LEP)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Zone objectives	Complies - See discussion
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.5 Additional permitted uses for particular land	N/A
Clause 2.6 Subdivision - consent requirements	N/A
Clause 2.7 Demolition requires development consent	Complies
Clause 2.8 Are the temporary use of land requirements achieved?	N/A
Clause 4.1 - the minimum lot size	Complies
Clause 4.1AA Minimum subdivision lot size for community title schemes	N/A
Clause 4.2 Rural Subdivision	N/A
Clause 4.3 Height of buildings	Does not comply - See discussion
Clause 4.4 Floor Space Ratio	Complies - See discussion
Clause 4.5 Calculation of floor space ratio and site area	Complies
Clause 4.6 Exceptions to development standards	Complies - See discussion
Clause 5.1 Relevant acquisition authority	N/A
Clause 5.10 Heritage conservation	Complies - See discussion
Clause 5.11 Bush fire hazard reduction	N/A
Clause 5.12 Infrastructure development and use of existing buildings of the Crown	N/A
Clause 5.13 Eco-tourist facilities	N/A
Clause 5.2 Classification and reclassification of public land	N/A
Clause 5.3 Development near zone boundaries	N/A
Clause 5.4 Controls relating to miscellaneous permissible uses	N/A
Clause 5.5 Development within the coastal zone	N/A
Clause 5.6 Architectural roof features	N/A

Clause 5.7 Development below mean high water mark	N/A
Clause 5.8 Conversion of fire alarms	N/A
Clause 5.9 Preservation of trees or vegetation	Complies
Clause 5.9AA Trees or vegetation not prescribed by development control plan	N/A
Clause 6.1 Earthworks	Complies - See discussion
Clause 6.10 Villages of Mulgoa and Wallacia	N/A
Clause 6.11 Orchard Hills	N/A
Clause 6.12 Twin Creeks	N/A
Clause 6.13 Waterside Corporate	N/A
Clause 6.14 Development of land in the flight paths of the site reserved for the proposed Second Sydney Airport	N/A
Clause 6.15 Location of sex services premises and restricted premises	N/A
Clause 6.2 Salinity	N/A
Clause 6.3 Flood Planning	Complies - See discussion
Clause 6.4 Development on natural resources sensitive land	N/A
Clause 6.5 Protection of scenic character and landscape values	N/A
Clause 6.6 Servicing	Complies - See discussion
Clause 6.7 Dwelling houses on certain land in Llandilo and Mulgoa	N/A
Clause 6.8 Dual occupancies and secondary dwellings in certain rural and environmental zones	N/A
Clause 6.9 Mulgoa Valley	N/A
Schedule 1 Additional permitted uses	N/A

Permissibility and Zone Objectives

The subject site is zoned B4 - Mixed Use under the provisions of the Penrith Local Environmental Plan 2010 (LEP). The proposed development is defined as "residential accommodation" which is permissible within the zone, only with development consent and defined as:

"residential accommodation" means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,

- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks."

More specifically, the proposal is defined as a "residential flat building", as follows:

"residential flat building" means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note. Residential flat buildings are a type of residential accommodation— see the definition of that term in this Dictionary."

The objectives of the B4 - Mixed Use zone are as follows:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To create opportunities to improve public amenity.*
- *To provide a wide range of retail, business, office, residential, community and other suitable land uses.*

The proposed development is for the purposes of housing which responds to a need within the community in a location which is well serviced by public transport and services and shops. Within the development, there are a variety of unit sizes and bedroom mixes.

The development has been designed to ensure a high level of amenity is provided for the future occupants, whilst also having regard to the existing residents and the future character of the area.

It is considered that the nature of the proposal will not conflict with the existing and future adjoining landuses and is consistent with the objectives of the B4 zone. Consideration has been given to the likely future shopping centre extension to the north as well as existing surrounding land uses.

Clause 4.3 – Height

The LEP restricts the height of the development to 24m. The proposal contains four buildings, with a portion extending above the height limit (maximum 25.9m). The latest amendments to the proposal to reflect flooding and waste requirements resulted in the height of Buildings A and B being increased, whilst Buildings C and D have been reduced in overall height.

As shown in the Section Plans attached to this report, it is primarily Building B which exceeds the height limit, due to the headroom required for waste contractors within the basement and finished floor levels with respect to flooding. The exceedance by Buildings A, C and D are minimal and barely discernible.

A request for variation of the height control limit for part of the development is requested under Clause 4.6 of the LEP (see discussion below).

The objectives of Clause 4.3 are:

(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,

(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,

(c) to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance,

(d) to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.

The proposed development is in keeping with the desired future character of the area, being high density development.

The LEP allows a maximum height of 24m. The variation to the height control is not uniform over the whole site due to the varying topography. Building B generally has the largest variation with the lift overrun exceeding the control and the roof parapet by 1.9m at the highest point.

The site is important in terms of redevelopment of the St Marys Town Centre and it is considered that the overall height of the buildings will remain consistent with the future buildings on the surrounding land and will not appear larger in size or scale.

The applicant has provided the following justification as to why strict compliance with the height control is unreasonable in this instance:

- *The 24m height limit generally provides for 7-8 storeys. The proposal is in keeping with this being an 8 storey development and complies with the FSR control which controls bulk and scale of the built form.*
- *The site is located in an area undergoing change and the future desired character of the area is markedly different to the existing character.*
- *Compatibility with the surrounding built form is achieved by increasing setbacks, stepping back upper levels and most significantly the upper floor.*
- *The upper floor which exceeds the control is setback and recessive in character and as shown on the perspective, the development appears as seven storeys rather than eight from various vantage points.*
- *Materials are varied as the building increases in height to provide a lightweight appearance to upper levels, which together with setbacks and landscaping reduce the visual bulk and scale of the proposed height.*
- *Articulation of the facade reduces the visual bulk and scale of the building.*
- *The development has 21% deep soil, well in excess of the required 10%, which allows for mature tree planting and landscaping to screen and soften the built form, particularly when viewed from the school and Lang Park.*
- *Lang Park is identified for future redevelopment and establishment of a road, which will change the built form significantly on that site to be more compatible with the proposal.*
- *Views are preserved through the provision of the development in four buildings and the minor additional height does not result in view elimination.*
- *Notwithstanding the additional height, reasonable solar access is maintained to adjoining properties. Four hours of full solar access is maintained to the adjoining school grounds, due to the high standard of the design in separate buildings.*
- *The proposed Buildings C and D which adjoin the school grounds are at near compliance with respect to height and given the separation to the heritage item, adverse impacts with respect to heritage is not likely.*
- *The additional building height in no way arises due to a land use intensity which is inconsistent with the LEP.*

The bulk and scale is acceptable despite the non-compliance, with the height breach being virtually imperceptible. No adverse amenity impacts will arise on adjoining properties as a result of the non-compliance and the objectives of the LEP and zone continue to be achieved despite the minor variation.

The applicant's argument is well founded and the LEP zone objectives remain satisfied notwithstanding the minor numerical variation to the height control.

Clause 4.4 - Floor Space Ratio

The proposed development does not exceed the maximum floor space ratio of 2.5:1.

Clause 4.6 – Exceptions to Development Standards

Clause 4.6 allows granting of consent for development where it does not satisfy a development standard. A variation is requested to Clause 4.3 of the LEP by virtue of Clause 4.6. The discussion relating to the suitability of the requested variation is addressed above.

The objectives of Clause 4.6 are as follows:

(a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*

(b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

As discussed under Clause 4.3 above, the proposed variation to the height control provides for an improved planning outcome with respect to the overall development.

Clause 5.10 - Heritage

The site adjoins a heritage item within St Marys Public School. A Heritage Impact Assessment was prepared which concluded that there is minimal impact on the item, with the site being 100m from the structure and there being no visual relationship between the two. Council's Heritage Advisor is satisfied that the proposed setbacks and landscaping will ensure the development will not compromise heritage values.

Clause 6.3 - Flooding

The site is affected by overland flow, however Council's Engineer is satisfied that the proposed drainage works and proposed floor levels are suitable.

Clause 6.1 – Earthworks

The development requires earthworks to accommodate the basement car park. Appropriate conditions of consent have been recommended to ensure the earthworks occur with no damage to adjoining properties.

Clause 6.6 – Servicing

The site is already serviced and those services will be utilised for the proposed development. Appropriate conditions of consent have been included in the recommendation with respect to servicing of the site.

Draft Environmental Planning Instruments

Penrith LEP 2010 (Amendment No. 4)

The application was lodged under Penrith Local Environmental Plan (LEP) 2010. The subject site is zoned B4 (Mixed Use) and residential flat buildings are permitted in this zone, with consent. Penrith LEP 2010 (Amendment No. 4) was adopted during the assessment period and the site remains zoned B4.

Penrith LEP 2010 (Amendment No. 4) has draft weighting only by virtue of Clause 1.8A (savings provisions). Notwithstanding this, the proposed development remains suitable with respect to the recently adopted LEP.

Amendment to SEPP 65

During the assessment of the application, amendments to SEPP 65 and New Apartment Design Guide occurred and came into force on 17 July 2015.

The changes to SEPP 65 included savings provisions for apartment building development applications lodged prior to 19 June 2015, with the Residential Flat Design Code still applying. Accordingly, the assessment occurred against the existing flat code.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2010

Provision	Compliance
Part D2 - Residential development	Complies - see Appendix - Development Control Plan Compliance
Part E5 - St Marys Town Centre controls	Complies - see Appendix - Development Control Plan Compliance

Section 79C(1)(a)(iv) The provisions of the regulations

Fire Safety

In accordance with Section 143 of the Environmental Planning and Assessment Regulation 2000, an assessment of the fire protection and structural capacity of the proposed development is necessary.

The application was referred to Council's Building Surveyor for assessment and subject to conditions was found to comply with the requirements of the Regulations.

Section 79C(1)(b) The likely impacts of the development

Building Design

The subject site sits within an area comprising a mix of built forms and landuses. The area has been identified as being suitable for high density mixed use development.

The scale and layout of the buildings is considered to be appropriate in relation to the future massing and size likely to occur in the area. The buildings have been designed such that sufficient solar access is available to the rooms, and the location of one building does not impact the solar access of another.

The proposal ensures that principles of Crime Prevention Through Environmental Design (CPTED) are incorporated into the design with living zones facing the street, driveway and common open space to provide passive surveillance, building articulation to inhibit hiding or enclosed spaces and landscaping to provide an attractive streetscape without compromising safety and security. The application was accompanied by a Crime Prevention Through Environmental Design Assessment which indicates that the site maximises casual surveillance and controls access to the site via security gates and intercoms, as well as providing appropriate lighting and pathways throughout the site. Appropriate conditions of consent have been recommended.

Environmental Sustainability

The proposed development will incorporate a number of sustainability initiatives for reduced water and energy consumption. These include passive solar design and orientation of all buildings and primary living spaces to minimise heating requirements in winter and cooling requirements in summer. The proposal incorporates a rainwater retention and re-use system for stormwater collection.

The waste is to be stored within the basement and will be serviced by Council's waste contractor. This allows for increased deep soil planting within the setbacks.

The proposal will generate an increase in traffic volumes, however this has been considered in the rezoning of the area. Off-street parking spaces are provided in accordance with the DCP requirements and this arrangement will reduce the incidence of on-street parking. Sight distances for the proposed driveway will be clear.

The site is subject to overland flow, however Council's Engineer is satisfied that the proposed drainage works are suitable. The finished floor levels of the building were increased in height to ensure no flooding impacts. In order to relocate Council's existing drainage infrastructure within the site, stormwater re-division works are required to be carried out and completed prior to the consent becoming operational.

The development will comply with Council's WSUD Policy with the use of 4 enviropods which will be installed as well as 26 X 690mm Stormfilter Cartridges and a 20kL rainwater tank.

Social & Economic

The proposed development will make an important contribution to the St Marys community and will provide necessary housing stock, within a variety of forms and unit sizes within a garden setting. The development activates an underutilised site which is highly accessible to public transport and St Marys Town Centre in terms of employment and services.

Section 79C(1)(c) The suitability of the site for the development

The proposed development is considered to be compatible with the desired future character of the surrounding area and the B4 zoning for mixed uses and high density housing. The site is generally cleared of constraints which preclude development.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Appendix F4 of Penrith Development Control Plan 2010, the proposed development was publicly exhibited, advertised and notified to nearby and adjoining land owners and residents.

Council notified 157 land owners and residences in the area. The exhibition period was between 10 June 2014 and 24 June 2014. Council received 1 (one) submission in response.

The submission related to an incorrect reference on the site plan to access over a private lot of land located along Queen Street. The matter was raised with the applicant and a revised site plan omitting reference to the illegal access way was issued to Council on 29 September 2014. The plan was forwarded to the objector and their objections was withdrawn in writing on 6 October 2014.

It is therefore considered that there are no objections to the development.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions
Landscape Architect	No objections - subject to conditions
Heritage	No objections
Environmental - Environmental management	No objections - subject to conditions
Environmental - Waterways	No objections - subject to conditions
Waste Services	No objections - subject to conditions
Community Safety Officer	No objections - subject to conditions
Legal	No objections
Planning and Sustainability	No objections
Tree Management Officer	No objections
Social Planning	No objections

Section 79C(1)(e)The public interest

The proposed development is in keeping with the desired built environment of the area and is consistent with the relevant planning instruments and future plans applicable to the site. The proposal is therefore considered to be in the interest of the public, and will not conflict with the character or amenity of the surrounding region.

The proposal involves the construction of a mixture of residential units, which will contribute to the local demands for housing. The area consists of a variety of housing types and the proposed development will provide the opportunity for more choice of housing in the market.

In view of the above, it is considered that development of the site as proposed will create public benefit.

Conclusion

The proposed development has been assessed against the relevant heads of consideration contained in Section 23G and Section 79C of the Environmental Planning and Assessment Act 1979 and has been found to be satisfactory. The likely impacts have been considered and found to be satisfactory. The site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of support.

Recommendation

1. That DA14/0513 for Demolition of Existing Structures and Construction of Four (4) x Eight (8) Storey Residential Flat Buildings (289 Units), Two (2) Level Basement Car Parking Area, Landscaping, Drainage Works and Earthworks at 12 Carson Lane, ST MARYS NSW 2760, be approved subject to a Deferred Commencement consent and the conditions contained in Appendix 1.

CONDITIONS

Standard Conditions

1 A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)

The development shall not be used or occupied until an Occupation Certificate has been issued.

2 A046 - Obtain Construction Certificate before commencement of works

A Construction Certificate shall be obtained prior to commencement of any building works.

3 A029 - HOURS OF OPERATION AND DELIVERY TIMES

The use of the garbage loading bay and all other truck loading and unloading activities are restricted to between 7:00 am and 10:00 pm.

4 A001

The development must be implemented substantially in accordance with the plans and documents listed below and stamped approved by Council, the application form and any supporting information received with the application, except as may be amended in red on the approved plans and documents and by the following conditions.

Plans / Documents	Prepared by	Dated
Statement of Environmental Effects	Dickson Rothschild	16 May 2014
Letter	Dickson Rothschild	2 February 2015
Clause 4.6 Variation – Revision C	Dickson Rothschild	22 June 2015
Cover Page – Issue I	Dickson Rothschild	09/07/15
Project Summary – Issue H	Dickson Rothschild	02/04/15
Basement 2 Plan – Issue I	Dickson Rothschild	09/07/15
Basement 1 Plan – Issue J	Dickson Rothschild	09/07/15
Ground Floor Plan – Issue J	Dickson Rothschild	09/07/15
Level 01 Plan – Issue I	Dickson Rothschild	09/07/15
Level 02 Plan – Issue I	Dickson Rothschild	09/07/15
Level 03 Plan – Issue I	Dickson Rothschild	09/07/15
Levels 04-06 Plan– Issue I	Dickson Rothschild	09/07/15
Level 07 Plan – Issue I	Dickson Rothschild	09/07/15
Roof Plan – Issue I	Dickson Rothschild	09/07/15
Section A-A & D-D – Issue F	Dickson Rothschild	19/06/15
Section B-B & C-C & E & F – Issue I	Dickson Rothschild	19/06/15
Elevations East – Issue H	Dickson Rothschild	19/06/15
Elevations West – Issue H	Dickson Rothschild	19/06/15
Elevations North – Issue H	Dickson Rothschild	19/06/15
Elevations South – Issue H	Dickson Rothschild	19/06/15
GFA Calc. – Building A – Issue D	Dickson Rothschild	16/05/14
GFA Calc. – Building B – Issue E	Dickson Rothschild	24/07/14
GFA Calc. – Building C– Issue D	Dickson Rothschild	16/05/14
GFA Calc. – Building D – Issue D	Dickson Rothschild	16/05/14
Solar & Vent – Building A – Issue F	Dickson Rothschild	19/09/14
Solar & Vent – Building B – Issue G	Dickson Rothschild	30/01/15
Solar & Vent – Building C – Issue F	Dickson Rothschild	19/09/14
Solar & Vent – Building D – Issue F	Dickson Rothschild	19/09/14
Balcony Detail – Issue A	Dickson Rothschild	13/10/13
Materials & Finishes – Issue G	Dickson Rothschild	30/01/15
Photomontage E – Issue B	Dickson Rothschild	22/01/14
Photomontage F – Issue B	Dickson Rothschild	22/01/14
View Impact Study A – Issue E	Dickson Rothschild	24/07/14
View Impact Study B – Issue E	Dickson Rothschild	24/07/14
View Impact Study C – Issue E	Dickson Rothschild	24/07/14
Shadow Study A – Winter – Issue E	Dickson Rothschild	24/07/14
Shadow Study B – Equinox – Issue E	Dickson Rothschild	24/07/14
Social Impact Assessment & Crime Through Environmental Design Principles	BBC Consulting Planners	September 2014

Daylight Illumination Study	Windtech	13 May 2014
DA Report Building Services	Cundall	May 2014
BASIX Certificate 537278M_02		28 January 2015
Final Access for People with a Disability / Adaptable Housing Report	BCA Assess	15 May 2014
Traffic Impact Assessment Report	Brown	January 2015
Overland Flow Study Addendum #2	BG&E	28/01/15
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan – Issue A	BG&E	17/9/14
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan– Issue A	BG&E	17/9/14
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan – Issue B	BG&E	29/1/15
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan – Issue B	BG&E	29/1/15
Site Discharge Stormwater Drainage Information	AJ Whipps Consulting Group	2/6/15
Stormwater Drainage Plan - HDA01-06/P4	AJ Whipps Consulting Group	4/7/15
Swept Path Analysis	Calibre Consulting Pty Ltd	9/7/15
Swept Paths (4 sheets) - Rev J	DR Design Pty Ltd	9/7/15
Preliminary Geotechnical Investigation and Phase One Environmental Assessment	Intrax Consulting Engineering Pty Ltd	22/12/14
Additional Environmental Investigation	Consulting Earth Sciences Pty Ltd	23/4/15
Heritage Report	Garry Stanley	May 2014
BCA Assessment Report	BCA Logic	15 May 2014
Landscape Concept Plans	Arcadia	27/05/15
Landscape Plans	Arcadia	27/05/15
Waste Management Plan	Elephants Foot	July 2015
Cover Letter – Additional Information	Dyldam	10 July 2015

5 A038 - LIGHTING LOCATIONS

Prior to the issue of an Occupation Certificate, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding landuses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

6 A039 - Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

7 B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

8 B003 - ASBESTOS

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site.**

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

9 B004 - Dust

Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

10 B005 - Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

11 B006 - Hours of work

Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No demolition work is permitted on Sundays and Public Holidays.

In the event that the demolition relates to works inside the building that do not involve external walls or the roof, and do not involve the use of equipment that emits noise, then the demolition works are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

12 D001 - Implement approved sediment& erosion control measures

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

13 D001 - Implement approved sediment& erosion control measures

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

14 D002 - Spraygrass

All land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.

- 15 D06A – Approval for bulk earthworks/major filling operations (Use for bulk earthworks/ major filling operations)
No fill material shall be imported to the site until such time as a Validation Certificate(with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in Penrith Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soils science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

- 16 D009 - Covering of waste storage area

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

- 17 D010 – Appropriate disposal of excavated or other waste

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

18 D013 - Approved noise level 1

Noise levels from the premises shall not exceed the relevant noise criteria detailed in "Development Application Acoustic Assessment: Proposed Residential Development - 12 Carson Lane, St Marys" prepared by Rodney Stevens Acoustics Pty Ltd dated 7 November 2014 (Report 13660R1, Revision 2). The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and **shall be shown on plans accompanying the Construction Certificate application.** A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

19 D020 - Vehicle wash bay

Any vehicle washing shall be carried out in a designated area that is connected to the sewer in accordance with Sydney Water's requirements. Wastewater from vehicle washing is not to enter the stormwater system.

20 D026 - Liquid wastes

Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

21 D027 - SW lines not to be Touched

The stormwater drainage system shall not be altered or new lines directed into the system without the prior approval of Penrith City Council.

22 E001 - BCA compliance

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

23 E01A - BCA compliance for Class 2-9

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/statement for the building.

24 E006 - Disabled access and facilities

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility". Details of compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application.

25 E008 - FIRE SAFETY LIST WITH CONSTRUCTION CERTIFICATE

A fire safety list of essential fire or other safety measures shall be submitted to Penrith City Council prior to the issue of the Construction Certificate. The fire safety list shall specify all measures (both current and proposed) that are required for the building so as to ensure the safety of persons in the building in the event of fire. The fire safety list must distinguish between:

- the measures that are currently implemented in the building premises,
- and the measures that are to be proposed to be implemented in the building premises, and must specify the minimum standard of performance for each measure.

26 E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

(a) deal with each essential fire safety measure in the building premises, and

(b) be given:

- within 12 months after the last such statement was given, or
- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

27 F006 - Water tank & nuisance

The rainwater tank must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.

28 G002 - Section 73 (not for

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

29 G004 - Integral Energy

Prior to the issue of a Construction Certificate, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

30 H01F - Stamped plans and erection of site notice 2

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction. The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage, but no more than 2 signs, stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed on completion of earthworks or construction works and when a Compliance Certificate has been issued by the Principal Certifying Authority certifying that the development has complied fully with the development consent and, where required, been constructed in accordance with the Construction Certificate.

31 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

32 H011 - Engineering plans & specifications

Detailed engineering plans and specifications relating to the work shall be submitted for consideration and approval prior to the issue of a Construction Certificate.

33 H041 - Hours of work (other devt)

Demolition and construction works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

34 H025 - Construction of garbage rooms

Garbage rooms within buildings shall have masonry walls with smooth facecement rendering to the full height internally and be provided with a smooth concrete floor. The floor shall be graded and drained to a floor waste connected to the sewer that shall be charged with a suitably located cold water hose cock. Access doors to the garbage store shall be tight fitting solid core or of non-combustible construction.

35 H033 - Clothes line

Clothes drying facilities are to be positioned and screened from public view.

36 H036 - Rainwater Tank (Also impose H037, H038, H039, G005 & Q010)

The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the Manufacturer's Specifications, and
- Sydney Water and NSW Health requirements.

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

37 H037 - Safe supply of water from catchment areas (Also impose H036, H038 & H039)

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- roof catchment areas must be kept clear of overhanging vegetation,
- gutters must have sufficient fall to downpipes to prevent pooling of water,
- overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.

38 H038 - Connection of rainwater tank supply (Also impose H036, H037 & H039)

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

39 H039 - Rainwater tank pumps (Also impose H036, H037 & H038)

The rainwater tank pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

40 K101 - Works at no cost to Council

All roadworks, stormwater works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

41 K202 - Section 138 Roads Act – Minor Works in the public road

Prior to the issue of a Construction Certificate, a Section 138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:

- Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
- Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Penrith City Council's specifications. Contact Council's **City Works Department** on (02) 4732 7777 for further information regarding the application process.

Note:

1. Approvals may also be required from the Roads and Maritime Services for classified roads.

42 K202A - Infrastructure Bond

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council **prior to the issue of a Construction Certificate**. The bond shall be determined accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit Council's website to obtain the form and request for final inspection.

43 K209 - Stormwater Management

The stormwater management system shall be provided generally in accordance with the concept plan/s approved under the deferred commencement conditions in association with the stormwater management and OSD system.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy.

44 K211 - Stormwater Discharge (Basement Car parks)

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS 3500.3:2003.

45 K219 - Overland Flow Report Recommendations

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the proposed development is compatible with the recommendations of the Overland Flow Study Addendum #2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.

46 K221 - Access, Car Parking and Manoeuvring – General

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council's Development Control Plan.

47 K301 - Sediment & Erosion Control

Prior to commencement of works, sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

48 K302 - Traffic Control Plan

Prior to commencement of works, a Traffic Control Plan including details for pedestrian management shall be prepared in accordance with AS 1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

49 K303 - Dilapidation report

Prior to the commencement of works, a dilapidation report of all infrastructures fronting the development in Carson Lane and Lang Park is to be submitted to Penrith City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

50 K402 - Flooding – Surveyor Verification of floor levels

A certificate by a registered surveyor verifying that all habitable floor levels are minimum 500mm above the 1% AEP flood levels identified in the Overland Flow Study Addendum #2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015, shall be submitted upon completion of the building to that level. No further construction of the building is to be carried out until approval to proceed is issued by the Principal Certifying Authority.

51 K501- Penrith City Council clearance – Roads Act/ Local Government Act

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with the Section 138 Roads Act approval and Section 68 Local Government Act approval have been inspected and signed off by Penrith City Council.

52 K502 - Works as executed – General and Compliance Documentation

Prior to the issue of an Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments Policy.

An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

53 K509 - Directional signage

Prior to the issue of an Occupation Certificate, directional signage and linemarking shall be installed indicating the garbage truck waste collection area, drop-off area, directional movements and the location of visitor parking to the satisfaction of the Principal Certifying Authority.

54 K513 - Maintenance Bond

Prior to the issue of an Occupation Certificate, a maintenance bond is to be lodged with Penrith City Council for the drainage re-diversion works and road works, including but not limited to:

- Road and drainage construction in Carson Lane (including the public car park), Carinya Avenue and Lang Park
- Decommissioning works of the existing Council drainage lines within Lot 1 DP 1070784
- Flood control works in public roads identified in the overland flow study addendum 2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.
- Construction of vehicular crossings (including kerb reinstatement of redundant vehicular crossings) to accommodate the turning of a 12.5m long Heavy Rigid Vehicle (HRV) as shown on the submitted swept path diagrams
- Replacement of damaged concrete footpath for the Carson Lane and Lang Park frontage of the site
- Construction of concrete footpath for the Carson Lane frontage of the site where there is no existing concrete footpath

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note:

1. Contact Council's **Engineering Services Department** on 4732 7777 for further information relating to bond requirements.

55 K601 - Stormwater Management system operation and maintenance

The stormwater management systems shall continue to be operated and maintained for the life of the development in accordance with the final operation and maintenance management plan.

56 K301 - Sediment & Erosion Control

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

57 K503 - Stormwater Compliance

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
 - b) Overland flowpath works
 - c) Flood control works
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

58 K504 - Restriction as to User and Positive Covenant

Prior to the issue of an Occupation Certificate, a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Overland flowpath works
- c) Flood control works

shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development Policy.

59 L001 - General

All landscape works are to be constructed in accordance with the stamped approved plans and Penrith Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

60 L003 - Report requirement

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a landscape professional, suitable to design category 3 landscape works.

i. Implementation Report

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a landscape professional suitable to design category 3 landscape works.

An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

ii. Maintenance Report

On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a landscape professional suitable to design category 3 landscape works.

iii Final Site Arborist's Report

This report is to be submitted to Penrith City Council 2 years after the Occupation Certificate was issued. This report is to be prepared by a consulting arborist. At Council's discretion this period may be reduced under circumstances where the Site Arborist is able to guarantee the health and ongoing survival of the trees.

iv 3 Year Landscaping Report

3 years after an Occupation Certificate was issued for the development, a landscape professional suitable to design category 3 landscape works shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

- (a) The landscaping on site has matured and is in accordance with the original landscape approval.
- (b) The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In the latter case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

61 L005 - Planting of plant

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Development Control Plan.

62 L006 - Aust Standard

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

63 L007 - Tree protection measures—no TMP with DA

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in Council's Development Control Plan.

64 L008 - Tree Preservation Order

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

65 Landscaping

- (a) Accessibility to all open spaces is to be demonstrated. Clarification is required regarding accessibility of connections between the common open space and private courtyards. Details of inclusive seating and accessibility to all common areas are required (e.g., raised turf areas are accessible, seating with adjacent space for wheelchairs, with backs and armrests).
- (b) The play element is not indicated clearly. Details of the play elements are required.

66 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$1,058,318.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

67 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for Local Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$382,636.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Local Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

68 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$97,797.60 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

69 Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

70 Tree Management Plan

A Tree Management Plan shall be provided prior to the issue of a construction certificate. Trees are to be retained and duly protected during the construction of the development. Tree protection measures shall:

- be installed before any works can commence on site including the clearing of site vegetation, and
- comply with the standards prescribed by the Tree Management Plan, and
- be certified by the author of the Tree Management Plan (TMP) before any works can commence on site. The certification is to be a Compliance Certificate or other written document certifying that the tree protection measures have been installed in accordance with the recommendations in the approved TMP. The Compliance Certificate or other suitable documentation shall be submitted to the Principal Certifying Authority a minimum 2 days prior to the commencement of site works. A copy of the Compliance Certificate or written documentation is to be submitted to Council with the "Notice of Commencement".

71 WW03 - Stormwater Management system operation and maintenance

The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.

Special Conditions

72 A special BLANK

Once all site structures have been demolished, a soil sampling program is to be undertaken to assess the materials underneath the building and any other site structures and to further delineate and assess fill material from creek infilling and construction. This investigation is to consider the requirements of the relevant NSW Environment Protection Authority Guidelines and be prepared by a suitably qualified environmental consultant.

Prior to the issue of a Construction Certificate, the report of this investigation is to be provided to Penrith City Council for approval. If Council is not the certifying authority, then a copy of Council's approval is to be obtained and provided to the Private Certifying Authority. This report is to demonstrate that the site is suitable for the proposed residential use.

Should it be identified in the investigation that remediation works are required to be undertaken on the site, a separate development application is to be submitted to Council for this work. No work on the current development is to proceed until such time as this new application has been approved by Council, and Council has approved the Validation Report associated with the remediation works.

73 A CPTED - 03 Car Parking 06

The basement carpark is required to provide communication devices such as: -

- Intercoms
- Public address systems
- Telephones
- Emergency alarms
- Signage

74 A CPTED - 03 Car Parking 08

All surfaces in the car park are to be painted in light coloured paint or finished in light coloured concrete to reflect as much light as possible.

75 A CPTED - 04 Basement Car Parking 01

The following Safer By Design measures are to be incorporated into the development:

- A security system must be installed on any pedestrian and vehicle entry/exit points to the car park, including the lift and stairwell, to minimise opportunities for unauthorised access.
- All areas of the car park (including lift lobbies, stairwells, garbage rooms and storage areas) must be well-lit, with consistent lighting to prevent shadowing or glare.
- Signage must be in place to clearly identify exit and access points, the location of lifts and stairwells.
- Signage is recommended to clearly delineate spaces intended for use by residents and those for use by visitors.
- Dense, medium height vegetation with top to bottom foliage must be avoided in common landscaped areas. The use of low-level planting or high canopied vegetation will improve surveillance, provide clear lines of sight and avoid any potential concealment areas.
- Security gates must be permeable (e.g. open/grill style) to enable surveillance opportunities into the development whilst controlling access. Gates must be kept in a locked position at all times and only accessible to residents and their authorised guests through individual swipe card/key access.
- Entrances should be easily recognisable through design features and directional signage.
- Street numbers should be made of durable materials preferably reflective or luminous, and should be unobstructed (e.g. by foliage).
- Directional signage should be provided for this development. This will assist with wayfinding for visitors and clarify private versus public areas.
- Unit numbers should be clearly provided on each level.
- Each building entry should clearly state the unit numbers accessed from that entry.

76 A Special (BLANK)

The development is to be carried out in accordance with the requirements of the Roads and Maritime Service, as detailed within their letter dated 8 September 2014, as follows:

- (a) Off-street parking shall be in accordance with AS 2890.1-2004.
- (b) Car parking provision and all driveway widths to Council's satisfaction.
- (c) The swept path of the longest vehicle (including garbage trucks) entering and existing the subject site, as well as maneuverability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- (d) A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a Construction Certificate.

77 A Special (Design Verification Statement)

Prior to the issue of a Construction Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the Construction Certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

Prior to the issue of an Occupation Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the development achieves the design quality shown in the approved Construction Certificate plans and specifications, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

78 D Special BLANK

Garbage rooms within buildings shall have masonry walls with smooth face cement rendering to the full height internally and be provided with a smooth concrete floor. The floor shall be graded and drained to a floor waste connected to the sewer that shall be charged with a suitably located cold water hose cock. Access doors to the garbage store shall be tight fitting solid core or of non-combustible construction.

79 D Special (Noise)

Prior to the issue of a Construction Certificate, a Construction Noise Impact Assessment and Management Plan is to be prepared and submitted to Council for approval. This assessment is to consider (at minimum) the details of the construction program, construction methods, equipment and vehicles in association with the NSW Department of Environment and Climate Change's "Interim Construction Noise Guideline" 2009.

The recommendations of the approved Management Plan are to be implemented and adhered to during the construction phase of the development.

80 D Special (Plant & Equipment)

All mechanical plant and equipment is to comply with the noise criteria outlined in "Development Application Acoustic Assessment: Proposed Residential Development - 12 Carson Lane, St Marys" prepared by Rodney Stevens Acoustics Pty Ltd dated 7 November 2014 (Report 13660R1, Revision 2).

Prior to the issue of a Construction Certificate, further details on the type and location of all mechanical plant and equipment associated with the development is to be provided to Council for consideration and approval. Suitable data and information on the noise impacts associated with this plant and equipment is also to be supplied to demonstrate compliance with the established noise criteria.

a) Waste Loading Bay Signage

Prior to issue of an occupation certificate, appropriate signage must be mounted in a visible location and is to be maintained by the Body Corporate, indicating the waste loading bay is to be available and unimpeded at all times. This must also be referenced within the strata management statement.

b) Provision of Flexible Striker Bars

Prior to issue of a construction certificate, all areas shown in the manoeuvring plan for the waste collection vehicle are to have clear headroom of no less than 4.5m. All areas where the clear headroom is less than 4.5m must have flexible striker bars and warning signs to warn waste collection contractors of the low headroom area.

c) Internal Pavement Construction

Prior to an Occupation Certificate being issued, a Certified Practising Engineer (CPEng) must submit a letter to Council confirming that the internal pavement has been constructed in accordance to the approved plans, and is suitable for use by a loaded heavy rigid waste collection vehicle.

d) Waste and Recycling Management

A caretaker must be engaged to move all bins to and from the waste storage and collection points on the allocated day(s) of collection as determined by Council. Residual waste is collected twice weekly and Recycling is collected once weekly.

e) Supply of Bin Tug or Towing Device

Prior to the issue of an Occupation Certificate, a mechanical bin tug or towing device suitable for transporting the bins allocated, must be supplied and permanently stored at the development. The nominated storage point must be in the basement in an enclosed room, with a lockable door. The door is only accessible through an abloy key held by the caretaker and the Council's contracting staff. The selected equipment must be able to tow full bins over all ramps and slopes between the waste chute storage rooms and the storage bay for collection.

f) Adherence to Bin Presentation Plan

The collection of waste and recyclables from the development is required to be undertaken in accordance with the bin presentation plan submitted to and approved by Council. A copy of the plan must be made available to all future residents to ensure they are informed of the waste collection arrangements.

a) Internal Pavement Structural Design Certification

Prior to a Construction Certificate being issued, a Certified Practising Engineer (CPEng) must submit a letter to Council confirming the structural adequacy of the internal pavement design. The pavement design must be adequate to withstand the loads imposed by a loaded heavy rigid waste collection vehicle (i.e. 28 tonne gross vehicle mass) from the boundary to the waste collection point including any manoeuvring areas.

b) Management of Construction and Demolition Waste

Any waste generated as a result of construction and/or demolition for the development is to be reused and recycled where possible, and any residual waste is to be disposed of at a licensed waste facility. Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to its reuse onsite or being sent offsite. Building waste containers are not permitted to be placed on public property at any time unless a separate application is approved by Council to locate a building waste container in a public place. Receipts of all waste/recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of Penrith Council.

c) Surplus Excavated Material

The disposal of surplus excavated material, other than to a licensed waste facility, is not permitted without the formal approval of Council prior to works commencing onsite. Any unauthorized disposal of waste, which includes excavated material, is a breach of the Protection of the Environment Operations Act 1997 and subject to penalties. Receipts of all waste/recycling tipping must be kept onsite at all times and presentable to Council upon request.

d) Contaminated Waste

The generation, storage, transport, treatment or disposal of hazardous, industrial or Group A liquid waste must be made in accordance with Protection of the Environment Operations Act 1997 and NSW Department of Environment and Climate Change and Water waste requirements. For information relating to guidelines and requirements, contact the environment line on 131 555.

e) Demolition Works and Asbestos Management

The demolition of any structure is to be carried out in accordance with the Work Health and Safety "How to Safely Remove Asbestos Code of Practice" document (ISBN 9780642333179). Failure to do so can incur large financial penalties. Should such demolition impede upon traffic and pedestrian activity on an adjoining road or reserve a separate application is required to be submitted to Council to allow the designated area to be fenced, inhibiting public access.

a) Final Inspection of Waste Storage Area(s)

Prior to an Occupation Certificate being issued, a final inspection of the waste storage area(s) and management facilities must be arranged by the Principal Certifying Authority and must be undertaken by Penrith Council. This is to ensure compliance with Council's design specifications and that necessary arrangements are in place for waste collection by Penrith Council. The time for the inspection must be arranged with Council at least 2 business days prior to the Principal Certifying Authority's suggested appointment time.

b) Agreement for Onsite Waste Collection

Prior to an Occupation Certificate being issued, an Indemnity Agreement is to be provided to Penrith Council for approval and signed by both parties. This is to enable Council and its contractor to enter onto private property with its collection vehicles or staff to enable the collection of waste, recyclables and bulky waste items. Council will not be held responsible for any damage caused during collection and return of domestic waste bins from and to the site. Council requires indemnification of Penrith Council and its contractors or agents to enter the property for the purpose of waste collections.

c) Commencement of Domestic Waste Service

The property owner or agent acting for the owner must ensure to arrange the commencement of a domestic waste service with Council. The service is to be arranged no earlier than five days prior to occupancy of the development. All requirements of Council's domestic collection service must be complied with at all times. Please telephone Council on **(02) 4732 7615** for the commencement of waste services.

Any changes to the waste collection arrangements from approved will require separate consideration and approval by Council.

- 85 I Special BLANK
Signage indicating the location of visitor parking is required at the driveway entrance, prior to the issue of the Occupation Certificate.
- 86 I Special BLANK
Subleasing of car parking spaces is not permitted by this consent.
- 87 I Special BLANK
Prior to the issue of an occupation certificate, appropriate signage is to be displayed to reinforce designated vehicle circulation and parking arrangements.
- 88 I Special BLANK
The required sight lines around the driveway entrances/exits are not to be compromised by landscaping, fencing or signage.
- 89 I Special BLANK
Prior to issue of an Occupation Certificate, "No Right Turn" (R2-6) signage shall be installed at the EXIT driveway(s).
- 90 I Special BLANK
All vehicles are to enter/exit the site in a forward direction.
- 91 I Special BLANK
Prior to the issue of an Occupation Certificate, secure bicycle parking is to be provided at convenient locations in accordance with *AS 2890.3:1993 Bicycle Parking Facilities*.
- 92 K Special Condition – Turf to Verge
All verge areas are to be turfed for the full width from back of kerb to property boundary at the completion of works.
- 93 K Special Condition Section 138 Roads Act (roadworks requiring approval of civil drawings) and Section 68 Local Government Act (Stormwater drainage works)
Prior to the development consent becoming operational, a Section 138 Roads Act application and an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, shall be lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for the drainage re-diversion works and road works, including but not limited to:
- Road and drainage construction in Carson Lane (including the public car park), Carinya Avenue and Lang Park
 - Decommissioning works of the existing Council drainage lines within Lot 1 DP 1070784
 - Flood control works in public roads identified in the overland flow study addendum 2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.
 - Construction of vehicular crossings (including kerb reinstatement of redundant vehicular crossings) to accommodate the turning of a 12.5m long Heavy Rigid Vehicle (HRV) as shown on the submitted swept path diagrams
 - Replacement of damaged concrete footpath for the Carson Lane and Lang Park frontage of the site
 - Construction of concrete footpath for the Carson Lane frontage of the site where there is no existing concrete footpath

The drainage re-diversion works shall be consistent with the stamped approved concept plans prepared by BG&E Pty Ltd, project number S13219, drawing number C-0010, revision B, dated 29 January 2015 and drawing number C-0020, revision B, dated 29 January 2015.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

Note:

1. Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
2. Contact Penrith City Council's **Engineering Services Department** on (02) 4732 7777 to ascertain applicable fees.

94 K Special Condition Completion of drainage re-diversion works – Roads Act/ Local Government Act
Prior to the development consent becoming operational, all drainage re-diversion works associated with the Section 138 Roads Act approval and Section 68 Local Government Act approval shall be inspected and signed off by Penrith City Council. The following compliance documentation shall also be submitted to Council:

- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Engineering Construction Specification for Civil Works.
- b) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding).
- c) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within public roads and public land. Any damage that is identified is to be rectified in consultation with Penrith City Council.
- d) Surveyor's Certificate certifying that all pipes and services are located wholly within the public roads and public land and that no services encroach boundaries.
- e) Documentation for all road pavement materials used demonstrating compliance with Council's Engineering Construction Specification for Civil Works.

95 K Special Condition Stormwater Management and OSD

Prior to the development consent becoming operational, the stormwater management concept plans, prepared by AJ Whipps Consulting Group, project number 2013-0431, drawing number HDA01/P4 to HDA06/P4, revision P4, dated 4 July 2014, shall be revised to address the following:

- (a) The OSD system shall be located in the common property area.
- (b) No groundwater shall be permitted to discharge into Council's stormwater system.
- (c) The pump-out system for the basement car parking area shall be designed to accept only the minor runoff from undrained areas such as driveway leading to the basement car park.
- (d) The tail water level of the OSD system shall be the 1% AEP flood level at the connection point and the OSD storage shall increase to accommodate the submerged outlet condition. Alternatively, consideration may be given to delete OSD requirements subject to the calculations and justification to be submitted to Council satisfactorily demonstrating that the downstream properties will not be adversely affected by the additional runoff from the development for all storm events up to and including 1% AEP storms.

Engineering plans and supporting calculations for the stormwater management systems shall be prepared by a suitably qualified person and submitted to Council for assessment and approval. The stormwater management system, including the OSD system and WSUD measures, shall be designed in accordance with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy.

96 K Special Condition Performance Bond

Prior to the development consent becoming operational, a performance bond is to be lodged with Penrith City Council for the drainage re-diversion works and road works, including but not limited to:

- Road and drainage construction in Carson Lane (including the public car park), Carinya Avenue and Lang Park
- Decommissioning works of the existing Council drainage lines within Lot 1 DP 1070784
- Flood control works in public roads identified in the overland flow study addendum 2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.
- Construction of vehicular crossings (including kerb reinstatement of redundant vehicular crossings) to accommodate the turning of a 12.5m long Heavy Rigid Vehicle (HRV) as shown on the submitted swept path diagrams
- Replacement of damaged concrete footpath for the Carson Lane and Lang Park frontage of the site
- Construction of concrete footpath for the Carson Lane frontage of the site where there is no existing concrete footpath

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note: Contact Council's **Development Engineering Unit** on 4732 7777 for further information relating to bond requirements.

97 K Special Condition Basement Construction

Prior to the issue of a Construction Certificate, a Geotechnical and Hydrological report, detailing proposed measures to ensure there will be no adverse hydrological impacts, shall be submitted to Council to ensure the design and construction of belowground structures has been undertaken in accordance with relevant Australian Standards where applicable. In addition, the following requirements shall also be complied with:

- (a) The basement car park structure shall be constructed to be fully waterproofed and "tanked".
- (b) No groundwater shall be permitted to discharge into Council's stormwater system.

98 K Special Condition Operation Management Plan for garbage collection vehicle

Prior to the issue of a Construction Certificate, an Operation Management Plan for the garbage collection vehicle accessing the site shall be submitted to the Principal Certifying Authority and a copy shall be provided to Council.

The management plan shall include measures to ensure no vehicles are allowed to access the basement car parking ramp during the garbage collection vehicle accessing the site.

Appendix - Development Control Plan Compliance

Development Control Plan 2010

D2 - Residential development

The proposed development has been assessed in accordance with the requirements of the DCP and summary of the key issues is provided in the following table.

REQUIREMENT	COMMENT	COMPLIES
Part C		
Site Planning & Design Principles	The design is considered appropriate for the site and has had regard to the constraints and the adjoining properties in the design. The current and likely future character of the area has been taken into account.	Yes
Energy Efficiency	The design allows for good solar access and natural ventilation. A BASIX Certificate was submitted outlining energy efficiency commitments.	Yes
Vegetation Management	The site is generally cleared, however a number of existing trees are to remain and a landscape plan has been prepared which details replacement planting within the front, side and rear setbacks, with substantial areas of deep soil planting. Street trees will also be required by a condition of consent.	Yes
Water Management	The site is proposed to be drained by way of on-site detention and WSUD measures have also been incorporated. Further, BASIX commitments have been made with respect to provision of water saving devices and water tanks.	Yes
Land Management	The site is generally flat and the basement has been designed to be primarily below natural ground level. Conditions of consent are recommended regarding the disposal of fill and subsequent testing and implementation of erosion and sedimentation control measures. Based on the previous use of the land it is unlikely that the site is contaminated.	Yes
Waste Management	A waste management plan has been prepared in support of the subject proposal and addresses storage space, access, amenity, construction and on-going management. Bin storage bays are proposed within the basement and are to be serviced by Council's waste contractor. Council's Waste Officer has reviewed the proposal and raised no objection to the proposed arrangements.	Yes
Landscape Design	A landscape plan has been prepared for the site, which provides a high level of landscaping within the front, rear and side setbacks. The deep soil zones in the setbacks exceed the SEPP 65 requirements. Native, low demand species are proposed, which are also endemic to the area and suitable to the soil.	Yes
Public Domain	The development has been designed to provide an acceptable interface with the public domain. Clear and accessible entries are provided to the development, as well as high quality landscaping along the front setback. Providing the units within four buildings allows for a break in built form, as well as landscaping to be more prominent between and around the buildings. Further, casual surveillance of the street and within the development is provided.	Yes
Transport, Access & Parking	The existing road network can withstand the additional traffic generation. Car parking has been provided in excess of the DCP requirements, with 370 spaces required and 378 spaces provided.	Yes

Noise & Vibration	The site is not located immediately adjacent to the railway station or railway line and as such noise and vibration from those services is not applicable. There is noise generated from the adjoining school, however this is scattered throughout the day and is not a consistent noise source throughout the entire year. There will be an increase in noise as a result of new units on the site. However, the area is appropriate for this form of development and noise restrictions under the Protection of the Environment Operations Act 1997 will apply.	Yes
Infrastructure & Services	The site is already serviced and no new infrastructure is required to facilitate the development.	Yes
Part D 2.5 - Residential Flat Buildings		
Residential Character & Urban Form	The area is commencing transition to mixed use, including residential flat buildings. Already there is a mix of housing forms, styles and uses and as such there is no consistent design to incorporate. The proposed urban form of the building is acceptable, in particular with regard to the desired future character.	Yes
Landscaped Area	The proposed development will have substantial open space and landscaped areas surrounding the residential and communal facilities.	Yes
Front & Rear Setbacks	The proposed development has been designed with a reduced front setback of 1.8m, however the side and rear setbacks have been increased well beyond the minimum controls. This reflects the interface of the site with the Council car park to the front boundary which does not contain any buildings. Given the changing nature of the area, and considering the form and use on surrounding sites, the proposed setbacks are appropriate.	Yes
Side Setbacks	The side setbacks meet the DCP requirements.	Yes
Visual & Acoustic Privacy	The accommodation of 378 units within four x 8 storey buildings on the site will result in some loss of privacy for adjoining properties. However, the area has been identified as being suitable for re-development for high density housing and the surrounding properties are also undergoing change in terms of a new road and commercial development. The design has included suitable setbacks which will be extensively landscaped.	Yes
Solar Planning	SEPP 65 contains solar access requirements which are satisfied by the proposed development.	Yes
Building Design	A variety of materials and architectural features have been incorporated into the development.	Yes
Energy Efficiency	A BASIX Certificate has been lodged which includes energy efficiency measures to be incorporated into the development.	Yes
Design of Dwellings & Courtyards	Balconies have been provided to each unit, in excess of 10m ² in size.	Yes
Part E5 - St Marys		
Southern (Mixed Use) Precinct	The DCP identifies the site within the Southern Mixed Use precinct, which is on the southern edge of the town centre and aims to provide high quality buildings as the gateway to St Marys.	Yes
Mix of Units	A mix of units is provided including 1, 2 and 3 bedrooms. Whilst the maximum 65% being 2 bedrooms is exceeded, there is a demand for 2 bedroom units in St Marys.	No
Accessible Housing	10% of units are required to be accessible and are provided. An Accessibility Report was submitted with the application and accessible car parking spaces are proposed.	Yes

Built Form	<p>The DCP allows for the buildings to be built up to the front boundary.</p> <p>The proposal recesses the upper floors above the podium.</p> <p>The building is appropriate in scale and provides a good separation between buildings.</p> <p>The buildings exceed 50m in length, however the design has responded to this non-compliance by ensuring good separation.</p> <p>Regional views to the west to the Blue Mountains are maintained.</p> <p>The proposal is below the maximum floor area and depth requirements for floors above the 12m height plane.</p> <p>Side and rear setbacks are satisfactory.</p> <p>The proposal has site coverage and deep soil areas, in accordance with the DCP.</p> <p>The proposed landscaping is suitable for the area and will be in accordance with the submitted landscape plan.</p>	No
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The proposal has generally satisfied the provisions of the Penrith Development Control Plan 2010.

CONDITIONS SUMMARY

Application Number:	DA14/0513
Assessing Officer	Donna Clarke
Land to be developed (Address):	Lot 1 DP 1070784 12 Carson Lane ST MARYS NSW 2760
Proposed Development:	Demolition of Existing Structures and Construction of Four (4) x Eight (8) Storey Residential Flat Buildings (289 Units), Two (2) Level Basement Car Parking Area, Landscaping, Drainage Works and Earthworks

General

1 A001

The development must be implemented substantially in accordance with the plans and documents listed below and stamped approved by Council, the application form and any supporting information received with the application, except as may be amended in red on the approved plans and documents and by the following conditions.

Plans / Documents	Prepared by	Dated
Statement of Environmental Effects	Dickson Rothschild	16 May 2014
Letter	Dickson Rothschild	2 February 2015
Clause 4.6 Variation – Revision C	Dickson Rothschild	22 June 2015
Cover Page – Issue I	Dickson Rothschild	09/07/15
Project Summary – Issue H	Dickson Rothschild	02/04/15
Basement 2 Plan – Issue I	Dickson Rothschild	09/07/15
Basement 1 Plan – Issue J	Dickson Rothschild	09/07/15
Ground Floor Plan – Issue J	Dickson Rothschild	09/07/15
Level 01 Plan – Issue I	Dickson Rothschild	09/07/15
Level 02 Plan – Issue I	Dickson Rothschild	09/07/15
Level 03 Plan – Issue I	Dickson Rothschild	09/07/15
Levels 04-06 Plan– Issue I	Dickson Rothschild	09/07/15
Level 07 Plan – Issue I	Dickson Rothschild	09/07/15
Roof Plan – Issue I	Dickson Rothschild	09/07/15
Section A-A & D-D – Issue F	Dickson Rothschild	19/06/15
Section B-B & C-C & E & F – Issue I	Dickson Rothschild	19/06/15
Elevations East – Issue H	Dickson Rothschild	19/06/15
Elevations West – Issue H	Dickson Rothschild	19/06/15
Elevations North – Issue H	Dickson Rothschild	19/06/15
Elevations South – Issue H	Dickson Rothschild	19/06/15
GFA Calc. – Building A – Issue D	Dickson Rothschild	16/05/14
GFA Calc. – Building B – Issue E	Dickson Rothschild	24/07/14
GFA Calc. – Building C– Issue D	Dickson Rothschild	16/05/14
GFA Calc. – Building D – Issue D	Dickson Rothschild	16/05/14
Solar & Vent – Building A – Issue F	Dickson Rothschild	19/09/14
Solar & Vent – Building B – Issue G	Dickson Rothschild	30/01/15
Solar & Vent – Building C – Issue F	Dickson Rothschild	19/09/14
Solar & Vent – Building D – Issue F	Dickson Rothschild	19/09/14
Balcony Detail – Issue A	Dickson Rothschild	13/10/13
Materials & Finishes – Issue G	Dickson Rothschild	30/01/15
Photomontage E – Issue B	Dickson Rothschild	22/01/14
Photomontage F – Issue B	Dickson Rothschild	22/01/14
View Impact Study A – Issue E	Dickson Rothschild	24/07/14

View Impact Study B – Issue E	Dickson Rothschild	24/07/14
View Impact Study C – Issue E	Dickson Rothschild	24/07/14
Shadow Study A – Winter – Issue E	Dickson Rothschild	24/07/14
Shadow Study B – Equinox – Issue E	Dickson Rothschild	24/07/14
Social Impact Assessment & Crime Through Environmental Design Principles	BBC Consulting Planners	September 2014
Daylight Illumination Study	Windtech	13 May 2014
DA Report Building Services	Cundall	May 2014
BASIX Certificate 537278M_02		28 January 2015
Final Access for People with a Disability / Adaptable Housing Report	BCA Assess	15 May 2014
Traffic Impact Assessment Report	Brown	January 2015
Overland Flow Study Addendum #2	BG&E	28/01/15
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan – Issue A	BG&E	17/9/14
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan– Issue A	BG&E	17/9/14
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan – Issue B	BG&E	29/1/15
Stormwater Drainage Re-Diversion Works (Carson Lane) Concept Plan – Issue B	BG&E	29/1/15
Site Discharge Stormwater Drainage Information	AJ Whipps Consulting Group	2/6/15
Stormwater Drainage Plan - HDA01-06/P4	AJ Whipps Consulting Group	4/7/15
Swept Path Analysis	Calibre Consulting Pty Ltd	9/7/15
Swept Paths (4 sheets) - Rev J	DR Design Pty Ltd	9/7/15
Preliminary Geotechnical Investigation and Phase One Environmental Assessment	Intrax Consulting Engineering Pty Ltd	22/12/14
Additional Environmental Investigation	Consulting Earth Sciences Pty Ltd	23/4/15
Heritage Report	Garry Stanley	May 2014
BCA Assessment Report	BCA Logic	15 May 2014
Landscape Concept Plans	Arcadia	27/05/15
Landscape Plans	Arcadia	27/05/15
Waste Management Plan	Elephants Foot	July 2015
Cover Letter – Additional Information	Dyldam	10 July 2015

2 A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)

The development shall not be used or occupied until an Occupation Certificate has been issued.

3 A029 - HOURS OF OPERATION AND DELIVERY TIMES

The use of the garbage loading bay and all other truck loading and unloading activities are restricted to between 7:00 am and 10:00 pm.

4 A038 - LIGHTING LOCATIONS

Prior to the issue of an Occupation Certificate, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding landuses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

5 A039 - Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

6 A046 - Obtain Construction Certificate before commencement of works

A Construction Certificate shall be obtained prior to commencement of any building works.

7 A CPTED - 03 Car Parking 06

The basement carpark is required to provide communication devices such as: -

- Intercoms
- Public address systems
- Telephones
- Emergency alarms
- Signage

8 A CPTED - 03 Car Parking 08

All surfaces in the car park are to be painted in light coloured paint or finished in light coloured concrete to reflect as much light as possible.

9 A CPTED - 04 Basement Car Parking 01

The following Safer By Design measures are to be incorporated into the development:

- A security system must be installed on any pedestrian and vehicle entry/exit points to the car park, including the lift and stairwell, to minimise opportunities for unauthorised access.
- All areas of the car park (including lift lobbies, stairwells, garbage rooms and storage areas) must be well-lit, with consistent lighting to prevent shadowing or glare.
- Signage must be in place to clearly identify exit and access points, the location of lifts and stairwells.
- Signage is recommended to clearly delineate spaces intended for use by residents and those for use by visitors.
- Dense, medium height vegetation with top to bottom foliage must be avoided in common landscaped areas. The use of low-level planting or high canopied vegetation will improve surveillance, provide clear lines of sight and avoid any potential concealment areas.
- Security gates must be permeable (e.g. open/grill style) to enable surveillance opportunities into the development whilst controlling access. Gates must be kept in a locked position at all times and only accessible to residents and their authorised guests through individual swipe card/key access.
- Entrances should be easily recognisable through design features and directional signage.
- Street numbers should be made of durable materials preferably reflective or luminous, and should be unobstructed (e.g. by foliage).
- Directional signage should be provided for this development. This will assist with wayfinding for visitors and clarify private versus public areas.
- Unit numbers should be clearly provided on each level.
- Each building entry should clearly state the unit numbers accessed from that entry.

10 A Special (BLANK)

The development is to be carried out in accordance with the requirements of the Roads and Maritime Service, as detailed within their letter dated 8 September 2014, as follows:

- (a) Off-street parking shall be in accordance with AS 2890.1-2004.
- (b) Car parking provision and all driveway widths to Council's satisfaction.
- (c) The swept path of the longest vehicle (including garbage trucks) entering and existing the subject site, as well as maneuverability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- (d) A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a Construction Certificate.

11 A Special (Design Verification Statement)

Prior to the issue of a Construction Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the Construction Certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

Prior to the issue of an Occupation Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the development achieves the design quality shown in the approved Construction Certificate plans and specifications, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

12 A special BLANK

Once all site structures have been demolished, a soil sampling program is to be undertaken to assess the materials underneath the building and any other site structures and to further delineate and assess fill material from creek infilling and construction. This investigation is to consider the requirements of the relevant NSW Environment Protection Authority Guidelines and be prepared by a suitably qualified environmental consultant.

Prior to the issue of a Construction Certificate, the report of this investigation is to be provided to Penrith City Council for approval. If Council is not the certifying authority, then a copy of Council's approval is to be obtained and provided to the Private Certifying Authority. This report is to demonstrate that the site is suitable for the proposed residential use.

Should it be identified in the investigation that remediation works are required to be undertaken on the site, a separate development application is to be submitted to Council for this work. No work on the current development is to proceed until such time as this new application has been approved by Council, and Council has approved the Validation Report associated with the remediation works.

Demolition

13 B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

14 B003 - ASBESTOS

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site**.

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

15 B004 - Dust

Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

16 B005 - Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

17 B006 - Hours of work

Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No demolition work is permitted on Sundays and Public Holidays.

In the event that the demolition relates to works inside the building that do not involve external walls or the roof, and do not involve the use of equipment that emits noise, then the demolition works are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Environmental Matters

18 D001 - Implement approved sediment& erosion control measures

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

19 D001 - Implement approved sediment& erosion control measures

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

20 D002 - Spraygrass

All land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.

21 D009 - Covering of waste storage area

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

22 D010 – Appropriate disposal of excavated or other waste

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

23 D013 - Approved noise level 1

Noise levels from the premises shall not exceed the relevant noise criteria detailed in "Development Application Acoustic Assessment: Proposed Residential Development - 12 Carson Lane, St Marys" prepared by Rodney Stevens Acoustics Pty Ltd dated 7 November 2014 (Report 13660R1, Revision 2). The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and **shall be shown on plans accompanying the Construction Certificate application**. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate**.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

24 D020 - Vehicle wash bay

Any vehicle washing shall be carried out in a designated area that is connected to the sewer in accordance with Sydney Water's requirements. Wastewater from vehicle washing is not to enter the stormwater system.

25 D026 - Liquid wastes

Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

26 D027 - SW lines not to be Touched

The stormwater drainage system shall not be altered or new lines directed into the system without the prior approval of Penrith City Council.

27 D06A – Approval for bulk earthworks/major filling operations (Use for bulk earthworks/ major filling operations)

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in Penrith Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soils science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

28 D Special (Noise)

Prior to the issue of a Construction Certificate, a Construction Noise Impact Assessment and Management Plan is to be prepared and submitted to Council for approval. This assessment is to consider (at minimum) the details of the construction program, construction methods, equipment and vehicles in association with the NSW Department of Environment and Climate Change's "Interim Construction Noise Guideline" 2009.

The recommendations of the approved Management Plan are to be implemented and adhered to during the construction phase of the development.

29 D Special (Plant & Equipment)

All mechanical plant and equipment is to comply with the noise criteria outlined in "Development Application Acoustic Assessment: Proposed Residential Development - 12 Carson Lane, St Marys" prepared by Rodney Stevens Acoustics Pty Ltd dated 7 November 2014 (Report 13660R1, Revision 2).

Prior to the issue of a Construction Certificate, further details on the type and location of all mechanical plant and equipment associated with the development is to be provided to Council for consideration and approval. Suitable data and information on the noise impacts associated with this plant and equipment is also to be supplied to demonstrate compliance with the established noise criteria.

30 D Special BLANK

Garbage rooms within buildings shall have masonry walls with smooth face cement rendering to the full height internally and be provided with a smooth concrete floor. The floor shall be graded and drained to a floor waste connected to the sewer that shall be charged with a suitably located cold water hose cock. Access doors to the garbage store shall be tight fitting solid core or of non-combustible construction.

31 D Special BLANK

a) Waste Loading Bay Signage

Prior to issue of an occupation certificate, appropriate signage must be mounted in a visible location and is to be maintained by the Body Corporate, indicating the waste loading bay is to be available and unimpeded at all times. This must also be referenced within the strata management statement.

b) Provision of Flexible Striker Bars

Prior to issue of a construction certificate, all areas shown in the manoeuvring plan for the waste collection vehicle are to have clear headroom of no less than 4.5m. All areas where the clear headroom is less than 4.5m must have flexible striker bars and warning signs to warn waste collection contractors of the low headroom area.

c) Internal Pavement Construction

Prior to an Occupation Certificate being issued, a Certified Practising Engineer (CPEng) must submit a letter to Council confirming that the internal pavement has been constructed in accordance to the approved plans, and is suitable for use by a loaded heavy rigid waste collection vehicle.

d) Waste and Recycling Management

A caretaker must be engaged to move all bins to and from the waste storage and collection points on the allocated day(s) of collection as determined by Council. Residual waste is collected twice weekly and Recycling is collected once weekly.

e) Supply of Bin Tug or Towing Device

Prior to the issue of an Occupation Certificate, a mechanical bin tug or towing device suitable for transporting the bins allocated, must be supplied and permanently stored at the development. The nominated storage point must be in the basement in an enclosed room, with a lockable door. The door is only accessible through an abloy key held by the caretaker and the Council's contracting staff. The selected equipment must be able to tow full bins over all ramps and slopes between the waste chute storage rooms and the storage bay for collection.

f) Adherence to Bin Presentation Plan

The collection of waste and recyclables from the development is required to be undertaken in accordance with the bin presentation plan submitted to and approved by Council. A copy of the plan must be made available to all future residents to ensure they are informed of the waste collection arrangements.

32 D Special BLANK

a) Internal Pavement Structural Design Certification

Prior to a Construction Certificate being issued, a Certified Practising Engineer (CPEng) must submit a letter to Council confirming the structural adequacy of the internal pavement design. The pavement design must be adequate to withstand the loads imposed by a loaded heavy rigid waste collection vehicle (i.e. 28 tonne gross vehicle mass) from the boundary to the waste collection point including any manoeuvring areas.

b) Management of Construction and Demolition Waste

Any waste generated as a result of construction and/or demolition for the development is to be reused and recycled where possible, and any residual waste is to be disposed of at a licensed waste facility. Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to its reuse onsite or being sent offsite. Building waste containers are not permitted to be placed on public property at any time unless a separate application is approved by Council to locate a building waste container in a public place. Receipts of all waste/recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of Penrith Council.

c) Surplus Excavated Material

The disposal of surplus excavated material, other than to a licensed waste facility, is not permitted without the formal approval of Council prior to works commencing onsite. Any unauthorized disposal of waste, which includes excavated material, is a breach of the Protection of the Environment Operations Act 1997 and subject to penalties. Receipts of all waste/recycling tipping must be kept onsite at all times and presentable to Council upon request.

d) Contaminated Waste

The generation, storage, transport, treatment or disposal of hazardous, industrial or Group A liquid waste must be made in accordance with Protection of the Environment Operations Act 1997 and NSW Department of Environment and Climate Change and Water waste requirements. For information relating to guidelines and requirements, contact the environment line on 131 555.

e) Demolition Works and Asbestos Management

The demolition of any structure is to be carried out in accordance with the Work Health and Safety "How to Safely Remove Asbestos Code of Practice" document (ISBN 9780642333179). Failure to do so can incur large financial penalties. Should such demolition impede upon traffic and pedestrian activity on an adjoining road or reserve a separate application is required to be submitted to Council to allow the designated area to be fenced, inhibiting public access.

33 D Special BLANK

a) Final Inspection of Waste Storage Area(s)

Prior to an Occupation Certificate being issued, a final inspection of the waste storage area(s) and management facilities must be arranged by the Principal Certifying Authority and must be undertaken by Penrith Council. This is to ensure compliance with Council's design specifications and that necessary arrangements are in place for waste collection by Penrith Council. The time for the inspection must be arranged with Council at least 2 business days prior to the Principal Certifying Authority's suggested appointment time.

b) Agreement for Onsite Waste Collection

Prior to an Occupation Certificate being issued, an Indemnity Agreement is to be provided to Penrith Council for approval and signed by both parties. This is to enable Council and its contractor to enter onto private property with its collection vehicles or staff to enable the collection of waste, recyclables and bulky waste items. Council will not be held responsible for any damage caused during collection and return of domestic waste bins from and to the site. Council requires indemnification of Penrith Council and its contractors or agents to enter the property for the purpose of waste collections.

c) Commencement of Domestic Waste Service

The property owner or agent acting for the owner must ensure to arrange the commencement of a domestic waste service with Council. The service is to be arranged no earlier than five days prior to occupancy of the development. All requirements of Council's domestic collection service must be complied with at all times. Please telephone Council on **(02) 4732 7615** for the commencement of waste services.

34 D Special BLANK

Any changes to the waste collection arrangements from approved will require separate consideration and approval by Council.

BCA Issues

35 E001 - BCA compliance

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

36 E006 - Disabled access and facilities

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility". Details of compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application.

37 E008 - FIRE SAFETY LIST WITH CONSTRUCTION CERTIFICATE

A fire safety list of essential fire or other safety measures shall be submitted to Penrith City Council prior to the issue of the Construction Certificate. The fire safety list shall specify all measures (both current and proposed) that are required for the building so as to ensure the safety of persons in the building in the event of fire. The fire safety list must distinguish between:

- the measures that are currently implemented in the building premises,
- and the measures that are to be proposed to be implemented in the building premises, and must specify the minimum standard of performance for each measure.

38 E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

(a) deal with each essential fire safety measure in the building premises, and

(b) be given:

- within 12 months after the last such statement was given, or
- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

39 E01A - BCA compliance for Class 2-9

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/statement for the building.

Health Matters and OSSM installations

40 F006 - Water tank & nuisance

The rainwater tank must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.

Utility Services

41 G002 - Section 73 (not for

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

42 G004 - Integral Energy

Prior to the issue of a Construction Certificate, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

Construction

43 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

44 H011 - Engineering plans & specifications

Detailed engineering plans and specifications relating to the work shall be submitted for consideration and approval prior to the issue of a Construction Certificate.

45 H01F - Stamped plans and erection of site notice 2

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction. The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage, but no more than 2 signs, stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed on completion of earthworks or construction works and when a Compliance Certificate has been issued by the Principal Certifying Authority certifying that the development has complied fully with the development consent and, where required, been constructed in accordance with the Construction Certificate.

46 H025 - Construction of garbage rooms

Garbage rooms within buildings shall have masonry walls with smooth face cement rendering to the full height internally and be provided with a smooth concrete floor. The floor shall be graded and drained to a floor waste connected to the sewer that shall be charged with a suitably located cold water hose cock. Access doors to the garbage store shall be tight fitting solid core or of non-combustible construction.

47 H033 – Clothes line

Clothes drying facilities are to be positioned and screened from public view.

48 H036 - Rainwater Tank (Also impose H037, H038, H039, G005 & Q010)

The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the Manufacturer's Specifications, and
- Sydney Water and NSW Health requirements.

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

49 H037 - Safe supply of water from catchment areas (Also impose H036, H038 & H039)

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- roof catchment areas must be kept clear of overhanging vegetation,
- gutters must have sufficient fall to downpipes to prevent pooling of water,
- overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.

50 H038 - Connection of rainwater tank supply (Also impose H036, H037 & H039)

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

51 H039 - Rainwater tank pumps (Also impose H036, H037 & H038)

The rainwater tank pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

52 H041 - Hours of work (other devt)

Demolition and construction works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Roads Act Requirements

53 I Special BLANK

Signage indicating the location of visitor parking is required at the driveway entrance, prior to the issue of the Occupation Certificate.

54 I Special BLANK

Subleasing of car parking spaces is not permitted by this consent.

55 I Special BLANK

Prior to the issue of an occupation certificate, appropriate signage is to be displayed to reinforce designated vehicle circulation and parking arrangements.

56 I Special BLANK

The required sight lines around the driveway entrances/exits are not to be compromised by landscaping, fencing or signage.

57 I Special BLANK

Prior to issue of an Occupation Certificate, "No Right Turn" (R2-6) signage shall be installed at the EXIT driveway(s).

58 I Special BLANK

All vehicles are to enter/exit the site in a forward direction.

59 I Special BLANK

Prior to the issue of an Occupation Certificate, secure bicycle parking is to be provided at convenient locations in accordance with *AS 2890.3:1993 Bicycle Parking Facilities*.

Engineering

60 K101 - Works at no cost to Council

All roadworks, stormwater works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

61 K202 - Section 138 Roads Act – Minor Works in the public road

Prior to the issue of a Construction Certificate, a Section 138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:

- Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
- Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Penrith City Council's specifications. Contact Council's **City Works Department** on (02) 4732 7777 for further information regarding the application process.

Note:

1. Approvals may also be required from the Roads and Maritime Services for classified roads.

62 K202A - Infrastructure Bond

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council **prior to the issue of a Construction Certificate**. The bond shall be determined accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit Council's website to obtain the form and request for final inspection.

63 K209 - Stormwater Management

The stormwater management system shall be provided generally in accordance with the concept plan/s approved under the deferred commencement conditions in association with the stormwater management and OSD system.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy.

64 K211 - Stormwater Discharge (Basement Car parks)

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS 3500.3:2003.

65 K219 - Overland Flow Report Recommendations

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the proposed development is compatible with the recommendations of the Overland Flow Study Addendum #2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.

66 K221 - Access, Car Parking and Manoeuvring – General

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council's Development Control Plan.

67 K301 - Sediment & Erosion Control

Prior to commencement of works, sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

68 K301 - Sediment & Erosion Control

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

69 K302 - Traffic Control Plan

Prior to commencement of works, a Traffic Control Plan including details for pedestrian management shall be prepared in accordance with AS 1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

70 K303 - Dilapidation report

Prior to the commencement of works, a dilapidation report of all infrastructures fronting the development in Carson Lane and Lang Park is to be submitted to Penrith City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

71 K402 - Flooding – Surveyor Verification of floor levels

A certificate by a registered surveyor verifying that all habitable floor levels are minimum 500mm above the 1% AEP flood levels identified in the Overland Flow Study Addendum #2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015, shall be submitted upon completion of the building to that level. No further construction of the building is to be carried out until approval to proceed is issued by the Principal Certifying Authority.

72 K501- Penrith City Council clearance – Roads Act/ Local Government Act

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with the Section 138 Roads Act approval and Section 68 Local Government Act approval have been inspected and signed off by Penrith City Council.

73 K502 - Works as executed – General and Compliance Documentation

Prior to the issue of an Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments Policy.

An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

74 K503 - Stormwater Compliance

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
 - b) Overland flowpath works
 - c) Flood control works
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

75 K504 - Restriction as to User and Positive Covenant

Prior to the issue of an Occupation Certificate, a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Overland flowpath works
- c) Flood control works

shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development Policy.

76 K509 - Directional signage

Prior to the issue of an Occupation Certificate, directional signage and linemarking shall be installed indicating the garbage truck waste collection area, drop-off area, directional movements and the location of visitor parking to the satisfaction of the Principal Certifying Authority.

77 K513 - Maintenance Bond

Prior to the issue of an Occupation Certificate, a maintenance bond is to be lodged with Penrith City Council for the drainage re-diversion works and road works, including but not limited to:

- Road and drainage construction in Carson Lane (including the public car park), Carinya Avenue and Lang Park
- Decommissioning works of the existing Council drainage lines within Lot 1 DP 1070784
- Flood control works in public roads identified in the overland flow study addendum 2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.
- Construction of vehicular crossings (including kerb reinstatement of redundant vehicular crossings) to accommodate the turning of a 12.5m long Heavy Rigid Vehicle (HRV) as shown on the submitted swept path diagrams
- Replacement of damaged concrete footpath for the Carson Lane and Lang Park frontage of the site
- Construction of concrete footpath for the Carson Lane frontage of the site where there is no existing concrete footpath

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note:

1. Contact Council's **Engineering Services Department** on 4732 7777 for further information relating to bond requirements.

78 K601 - Stormwater Management system operation and maintenance

The stormwater management systems shall continue to be operated and maintained for the life of the development in accordance with the final operation and maintenance management plan.

79 K Special Condition – Turf to Verge

All verge areas are to be turfed for the full width from back of kerb to property boundary at the completion of works.

80 K Special Condition Basement Construction

Prior to the issue of a Construction Certificate, a Geotechnical and Hydrological report, detailing proposed measures to ensure there will be no adverse hydrological impacts, shall be submitted to Council to ensure the design and construction of belowground structures has been undertaken in accordance with relevant Australian Standards where applicable. In addition, the following requirements shall also be complied with:

- (a) The basement car park structure shall be constructed to be fully waterproofed and "tanked".
- (b) No groundwater shall be permitted to discharge into Council's stormwater system.

81 K Special Condition Completion of drainage re-diversion works – Roads Act/ Local Government Act

Prior to the issue of a construction certificate, all drainage re-diversion works associated with the Section 138 Roads Act approval and Section 68 Local Government Act approval shall be inspected and signed off by Penrith City Council. The following compliance documentation shall also be submitted to Council:

- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Engineering Construction Specification for Civil Works.
- b) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding).
- c) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within public roads and public land. Any damage that is identified is to be rectified in consultation with Penrith City Council.
- d) Surveyor's Certificate certifying that all pipes and services are located wholly within the public roads and public land and that no services encroach boundaries.
- e) Documentation for all road pavement materials used demonstrating compliance with Council's Engineering Construction Specification for Civil Works.

82 K Special Condition Operation Management Plan for garbage collection vehicle

Prior to the issue of a Construction Certificate, an Operation Management Plan for the garbage collection vehicle accessing the site shall be submitted to the Principal Certifying Authority and a copy shall be provided to Council.

The management plan shall include measures to ensure no vehicles are allowed to access the basement car parking ramp during the garbage collection vehicle accessing the site.

83 K Special Condition Performance Bond

Prior to the issue of a construction certificate, a performance bond is to be lodged with Penrith City Council for the drainage re-diversion works and road works, including but not limited to:

- Road and drainage construction in Carson Lane (including the public car park), Carinya Avenue and Lang Park
- Decommissioning works of the existing Council drainage lines within Lot 1 DP 1070784
- Flood control works in public roads identified in the overland flow study addendum 2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.
- Construction of vehicular crossings (including kerb reinstatement of redundant vehicular crossings) to accommodate the turning of a 12.5m long Heavy Rigid Vehicle (HRV) as shown on the submitted swept path diagrams
- Replacement of damaged concrete footpath for the Carson Lane and Lang Park frontage of the site
- Construction of concrete footpath for the Carson Lane frontage of the site where there is no existing concrete footpath

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note: Contact Council's **Development Engineering Unit** on 4732 7777 for further information relating to bond requirements.

84 K Special Condition Section 138 Roads Act (roadworks requiring approval of civil drawings) and Section 68 Local Government Act (Stormwater drainage works)

Prior to the issue of a construction certificate, a Section 138 Roads Act application and an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, shall be lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for the drainage re-diversion works and road works, including but not limited to:

- Road and drainage construction in Carson Lane (including the public car park), Carinya Avenue and Lang Park
- Decommissioning works of the existing Council drainage lines within Lot 1 DP 1070784
- Flood control works in public roads identified in the overland flow study addendum 2, prepared by BG&E Pty Ltd, project number S13219, dated 28 January 2015.
- Construction of vehicular crossings (including kerb reinstatement of redundant vehicular crossings) to accommodate the turning of a 12.5m long Heavy Rigid Vehicle (HRV) as shown on the submitted swept path diagrams
- Replacement of damaged concrete footpath for the Carson Lane and Lang Park frontage of the site
- Construction of concrete footpath for the Carson Lane frontage of the site where there is no existing concrete footpath

This may include additional flood control works / drainage works associated with the Section 138 Roads Act and Section 68 Local Government Act applications.

The drainage re-diversion works shall be consistent with the stamped approved concept plans prepared by BG&E Pty Ltd, project number S13219, drawing number C-0010, revision B, dated 29 January 2015 and drawing number C-0020, revision B, dated 29 January 2015.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

Note:

1. Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
2. Contact Penrith City Council's **Engineering Services Department** on (02) 4732 7777 to ascertain applicable fees.

Prior to the development consent becoming operational, the stormwater management concept plans, prepared by AJ Whipps Consulting Group, project number 2013-0431, drawing number HDA01/P4 to HDA06/P4, revision P4, dated 4 July 2014, shall be revised to address the following:

- (a) The OSD system shall be located in the common property area.
- (b) No groundwater shall be permitted to discharge into Council's stormwater system.
- (c) The pump-out system for the basement car parking area shall be designed to accept only the minor runoff from undrained areas such as driveway leading to the basement car park.
- (d) The tail water level of the OSD system shall be the 1% AEP flood level at the connection point and the OSD storage shall increase to accommodate the submerged outlet condition. Alternatively, consideration may be given to delete OSD requirements subject to the calculations and justification to be submitted to Council satisfactorily demonstrating that the downstream properties will not be adversely affected by the additional runoff from the development for all storm events up to and including 1% AEP storms.

Engineering plans and supporting calculations for the stormwater management systems shall be prepared by a suitably qualified person and submitted to Council for assessment and approval. The stormwater management system, including the OSD system and WSUD measures, shall be designed in accordance with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy.

Landscaping

86 L001 - General

All landscape works are to be constructed in accordance with the stamped approved plans and Penrith Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

87 L003 - Report requirement

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a landscape professional, suitable to design category 3 landscape works.

i. Implementation Report

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a landscape professional suitable to design category 3 landscape works.

An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

ii. Maintenance Report

On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a landscape professional suitable to design category 3 landscape works.

iii Final Site Arborist's Report

This report is to be submitted to Penrith City Council 2 years after the Occupation Certificate was issued. This report is to be prepared by a consulting arborist. At Council's discretion this period may be reduced under circumstances where the Site Arborist is able to guarantee the health and ongoing survival of the trees.

iv 3 Year Landscaping Report

3 years after an Occupation Certificate was issued for the development, a landscape professional suitable to design category 3 landscape works shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

- (a) The landscaping on site has matured and is in accordance with the original landscape approval.
- (b) The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In the latter case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

88 L005 - Planting of plant

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Development Control Plan.

89 L006 - Aust Standard

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

90 L007 - Tree protection measures—no TMP with DA

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in Council's Development Control Plan.

91 L008 - Tree Preservation Order

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

92 Landscaping

- (a) Accessibility to all open spaces is to be demonstrated. Clarification is required regarding accessibility of connections between the common open space and private courtyards. Details of inclusive seating and accessibility to all common areas are required (e.g., raised turf areas are accessible, seating with adjacent space for wheelchairs, with backs and armrests).
- (b) The play element is not indicated clearly. Details of the play elements are required.

Development Contributions

93 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$1,058,318.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

94 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for Local Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$382,636.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Local Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

95 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$97,797.60 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

Certification

96 Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Unallocated

97 Tree Management Plan

A Tree Management Plan shall be provided prior to the issue of a construction certificate. Trees are to be retained and duly protected during the construction of the development. Tree protection measures shall:

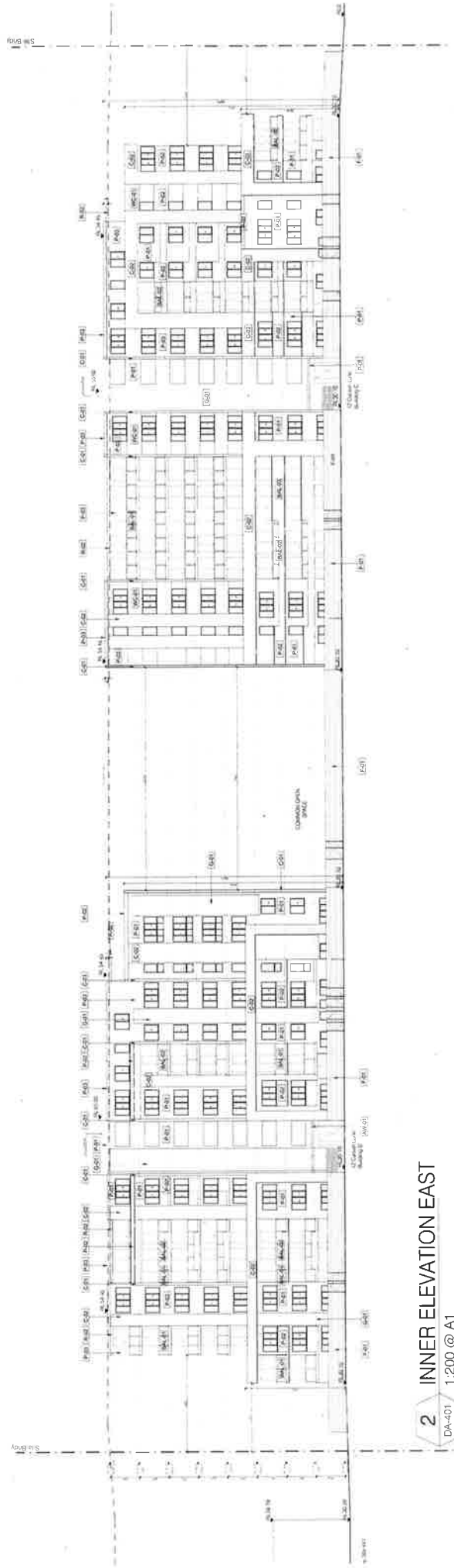
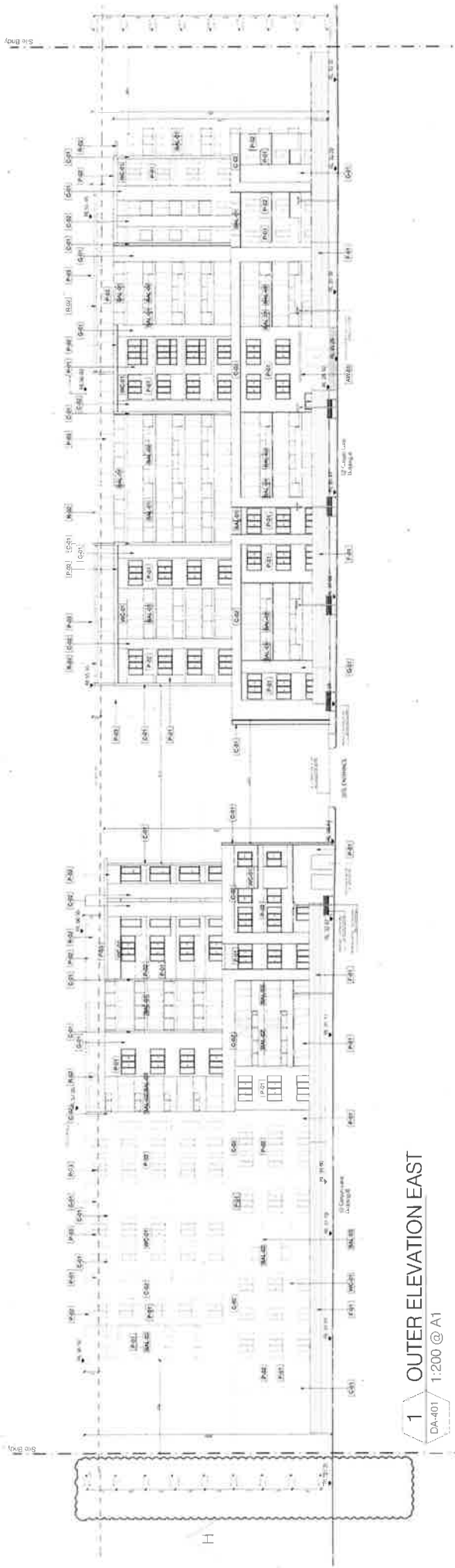
- be installed before any works can commence on site including the clearing of site vegetation, and
- comply with the standards prescribed by the Tree Management Plan, and
- be certified by the author of the Tree Management Plan (TMP) before any works can commence on site.

The certification is to be a Compliance Certificate or other written document certifying that the tree protection measures have been installed in accordance with the recommendations in the approved TMP. The Compliance Certificate or other suitable documentation shall be submitted to the Principal Certifying Authority a minimum 2 days prior to the commencement of site works. A copy of the Compliance Certificate or written documentation is to be submitted to Council with the "Notice of Commencement".

Unallocated

98 WW03 - Stormwater Management system operation and maintenance

The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.



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Nominated Architect: Robert Nigel Dickson
 Registration No. 5364

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PROJECT
 12 CARPONS LANE
 ST. MARYS, NSW 2760

CLIENT
 SAMWAY GROUP PTY LTD

DATE
 02-04-14

SCALE
 1:200

PROJECT NO
 13-079

DRAWING NO
 DA-401

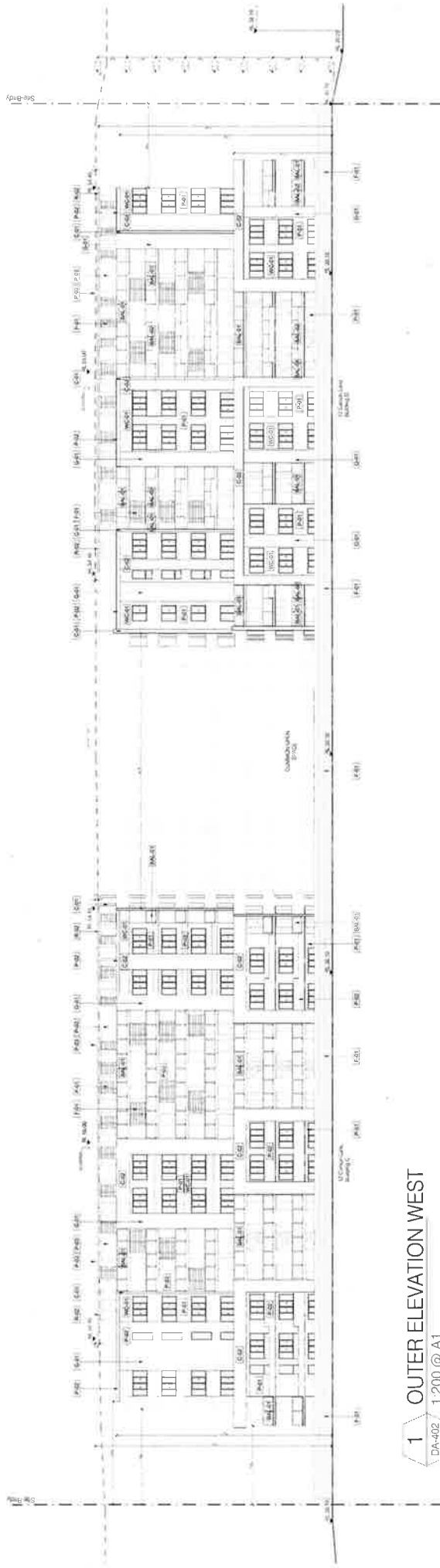
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 H

DESIGNER
 KRND

REVISIONS

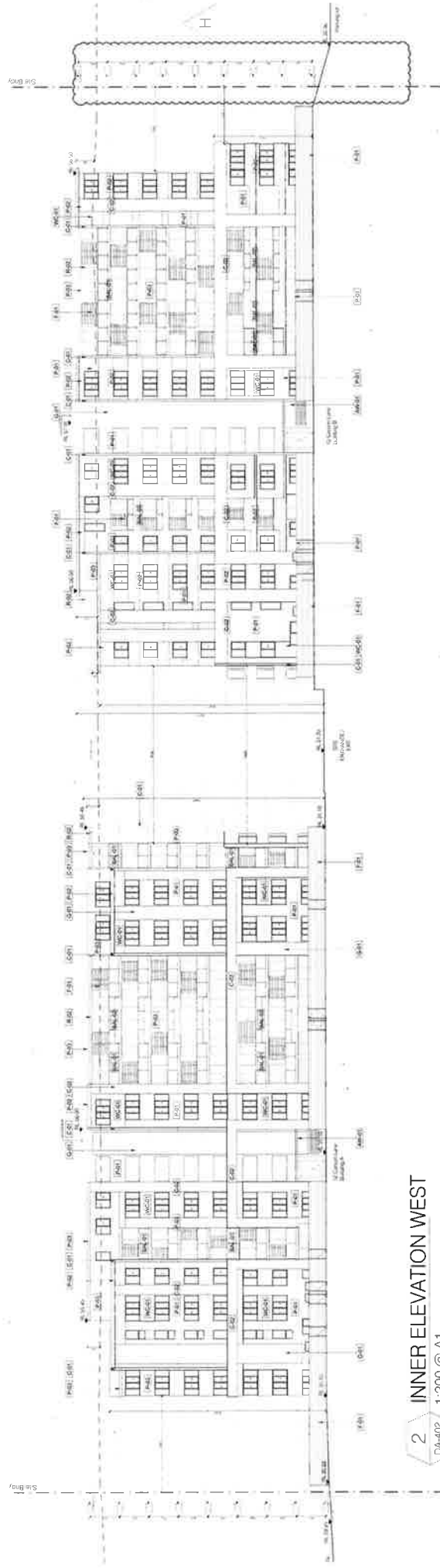
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B	22-01-14	ISSUED FOR LDRP MEETING	KRI	ND
C	31-03-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KRI	ND
D	16-05-14	ISSUED FOR DEVELOPMENT APPLICATION	KRI	ND
E	24-07-14	ISSUED FOR COUNCIL DISCUSSION	KRI	ND
F	19-09-14	ISSUED FOR COUNCIL	KRI	ND
G	19-01-15	ISSUED FOR COUNCIL	FC	ND
H	19-06-15	ISSUED FOR COUNCIL	KRI	ND

ELEVATIONS EAST



1 OUTER ELEVATION WEST

DA-402 1:200 @ A1



2 INNER ELEVATION WEST

DA-402 1:200 @ A1

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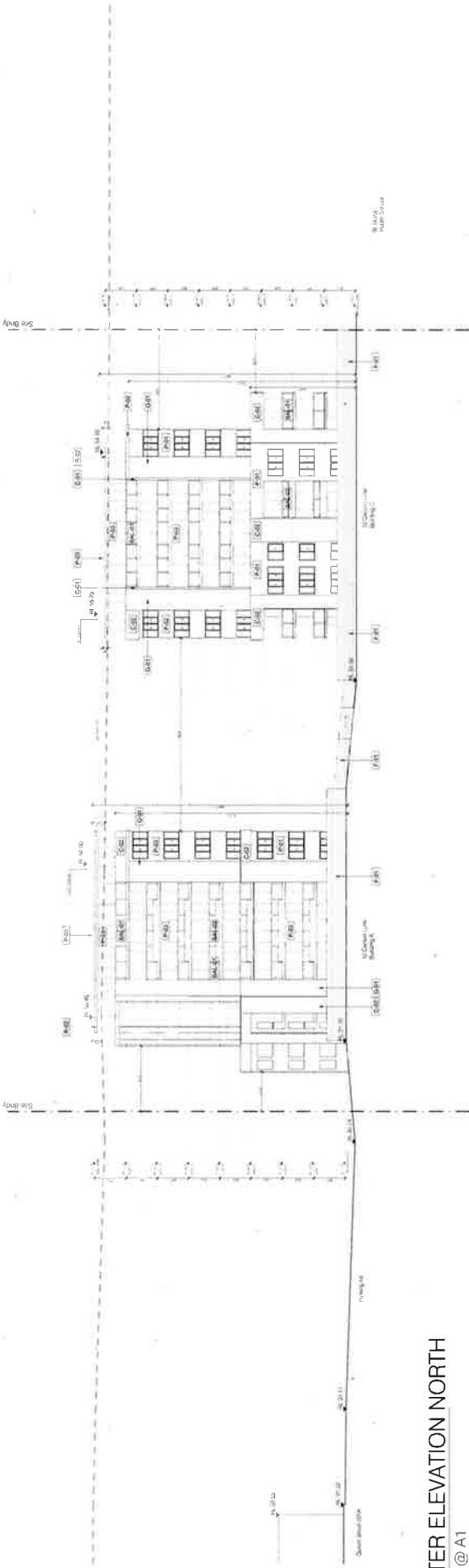
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B	22-01-14	ISSUED FOR UDAP MEETING	KR	ND
C	31-03-14	ISSUED FOR UDAP MEETING	KR	ND
D	19-07-14	ISSUED FOR UDAP MEETING	KR	ND
E	19-07-14	ISSUED FOR UDAP MEETING	KR	ND
F	19-09-14	ISSUED FOR COUNCIL DISCUSSION	KR	ND
G	30-01-15	ISSUED FOR COUNCIL	JT	ND
H	19-06-15	ISSUED FOR COUNCIL	KR	ND

12 CARPONS LANE
ST MARYS, NSW 2780

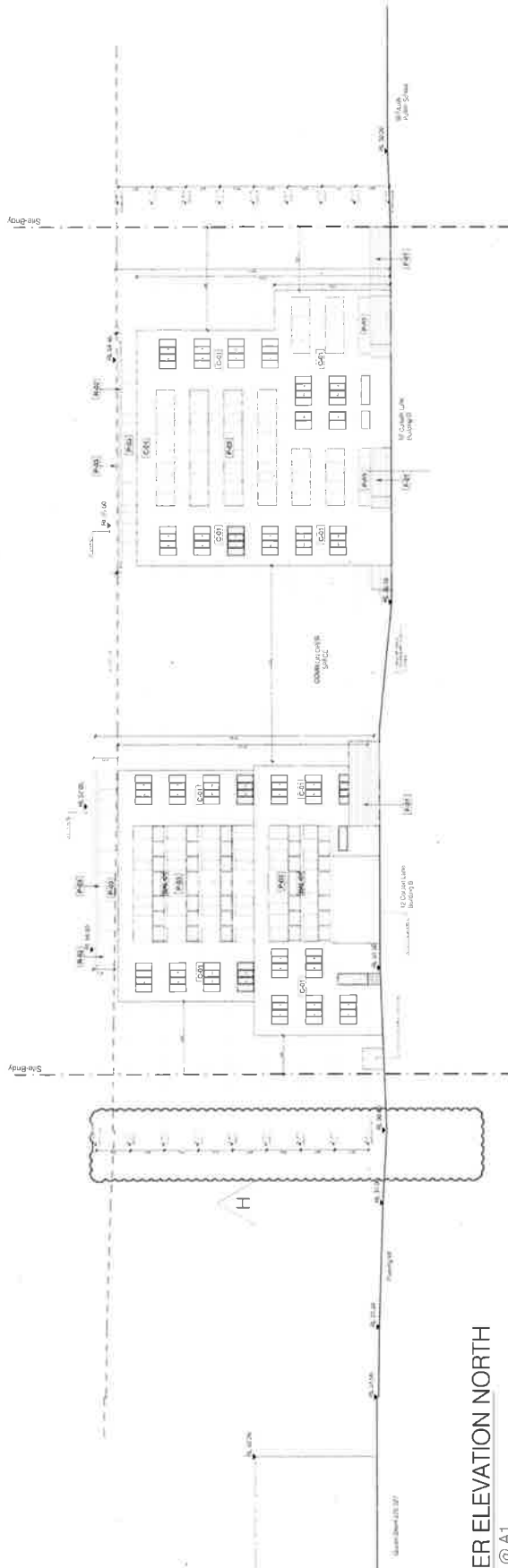
ELEVATIONS WEST

PROJECT NO: 13-079
DRAWING NO: DA-402
DATE: 02-04-14
SCALE: 1:200
CLIENT: SAMWAY GROUP PTY LTD
DESIGNER: DRND





1 OUTER ELEVATION NORTH
DA-403 1:200 @ A1



2 INNER ELEVATION NORTH
DA-403 1:200 @ A1

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Registration No. 5364

A	13-10-13	ISSUED FOR PRE-DA MEETING	KR ND
B	22-01-14	ISSUED FOR UDPP MEETING	KR ND
C	31-03-14	ISSUED FOR UDPP - ELECTRONIC REVIEW	KR ND
D	16-05-14	ISSUED FOR DEVELOPMENT APPLICATION	KR ND
E	24-07-14	ISSUED FOR COUNCIL DISCUSSION	KR ND
F	19-09-14	ISSUED FOR COUNCIL	KR ND
G	30-01-15	ISSUED FOR COUNCIL	JT ND
H	19-06-15	ISSUED FOR COUNCIL	KR ND

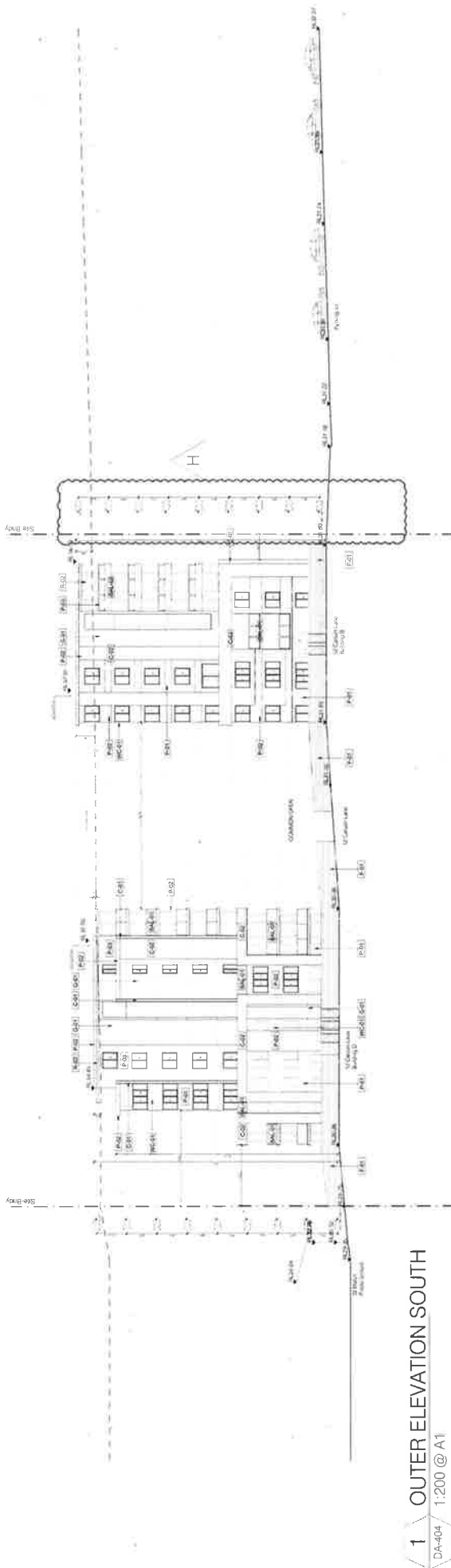
PROJECT
12 CARSONS LANE
ST. MATYS, NSW 2780

CLIENT
SAMWAY GROUP PTY LTD

ELEVATIONS NORTH

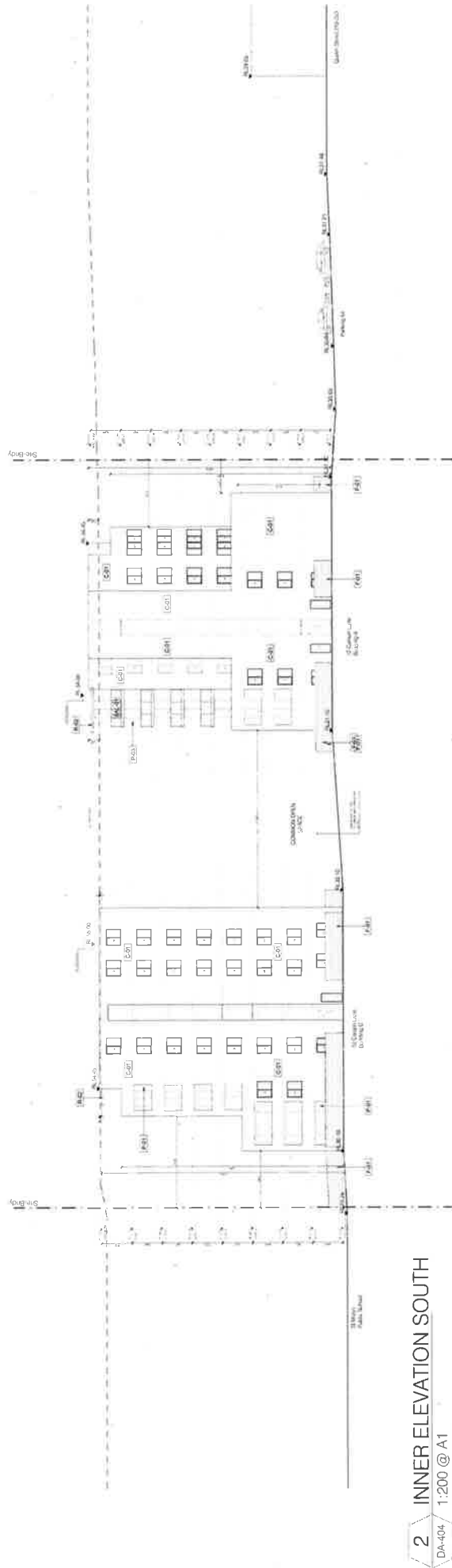
PROJECT NO
13-079
DRAWING NO
DA-403
SCALE
1:200
DATE
02-04-14
DRAWN
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CHECKED
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1 OUTER ELEVATION SOUTH

DA-404 1:200 @ A1



2 INNER ELEVATION SOUTH

DA-404 1:200 @ A1

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REF	DATE	DESCRIPTION	KR NO.	FC NO.
A	13-10-13	ISSUED FOR PRE-DA MEETING	KR NO.	
B	22-01-14	ISSUED FOR LDRP MEETING	KR NO.	
C	31-03-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR NO.	
D	16-06-14	ISSUED FOR LDRP - ELECTRONIC APPLICATION	KR NO.	
E	24-07-14	ISSUED FOR COUNCIL DISCUSSION	KR NO.	
F	19-09-14	ISSUED FOR COUNCIL	KR NO.	
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H	19-06-15	ISSUED FOR COUNCIL	KR NO.	

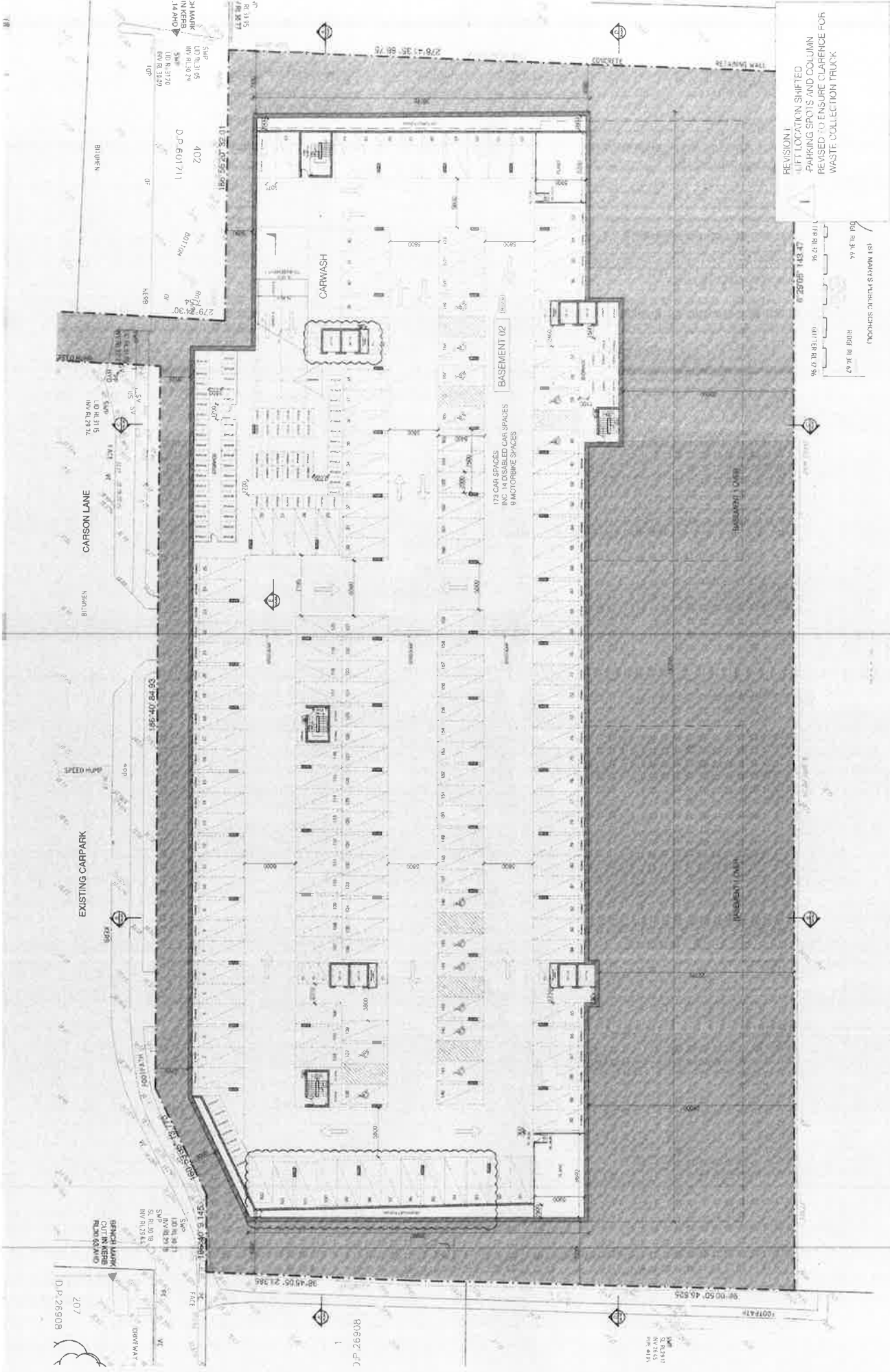
PROJECT
12 CARSONS LANE
ST. MARYS, NSW 2760

REVISIONS
ELEVATIONS SOUTH

PROJECT NO.	13-079	DRAWING NO.	DA-404	REVISION	H
SCALE	1:200	DATE	02-04-14	DRAWN BY	FCND

CLIENT
SAWMA GROUP PTY LTD





PROJECT
12 CARSONS LANE
ST. MARTYRS, NSW 2760

BASEMENT 2 PLAN

DATE
13.07.14

PROJECT NO.
DA 200

SCALE
1:200

DATE
02-04-14

DESIGNER
KRND

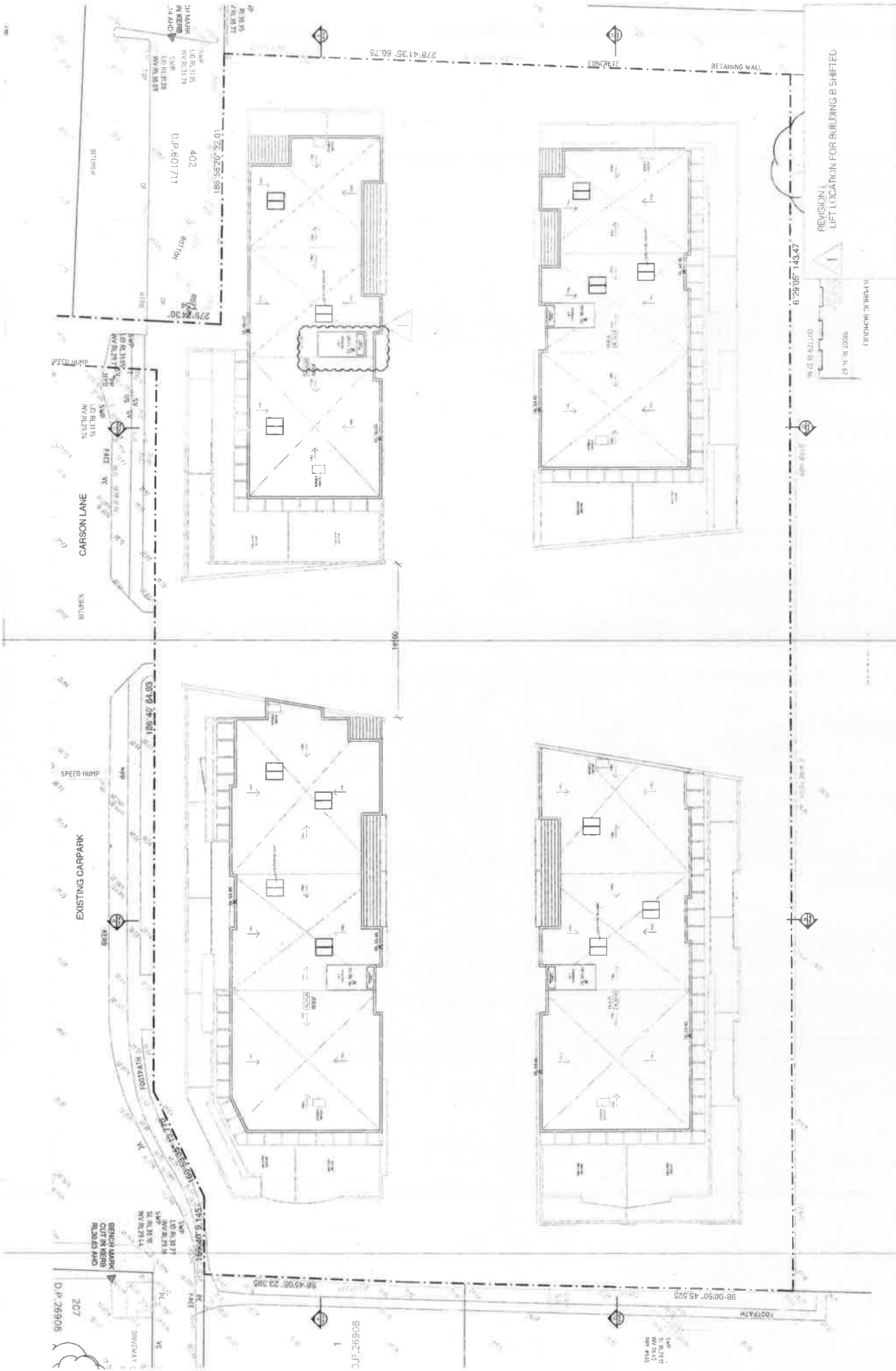


REV	NO	DATE	DESCRIPTION
B	22-01-14	ISSUED FOR LURP MEETING	REV NO
C	21-02-14	ISSUED FOR LURP - ELECTRONIC REVIEW	REV NO
D	14-05-14	ISSUED FOR DEVELOPMENT APPLICATION	REV NO
E	24-07-14	ISSUED FOR COUNCIL DISCUSSION	REV NO
F	19-09-14	ISSUED FOR COUNCIL	REV NO
G	30-01-15	ISSUED FOR COUNCIL	REV NO
H	11-06-15	ISSUED FOR COUNCIL	REV NO
I	09-07-15	ISSUED FOR COUNCIL	REV NO

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REVISION 1
-LIFT LOCATION FOR BUILDING B SHIFTED

LOOKING NORTH



PROJECT

12 CARSONS LANE
ST. MARYS, NSW 2760

CLIENT

SAMWAY GROUP PTY LTD

DATE

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PROJECT NO

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12 CARSONS LANE
ST. MARYS, NSW 2760

CLIENT

SAMWAY GROUP PTY LTD

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DATE

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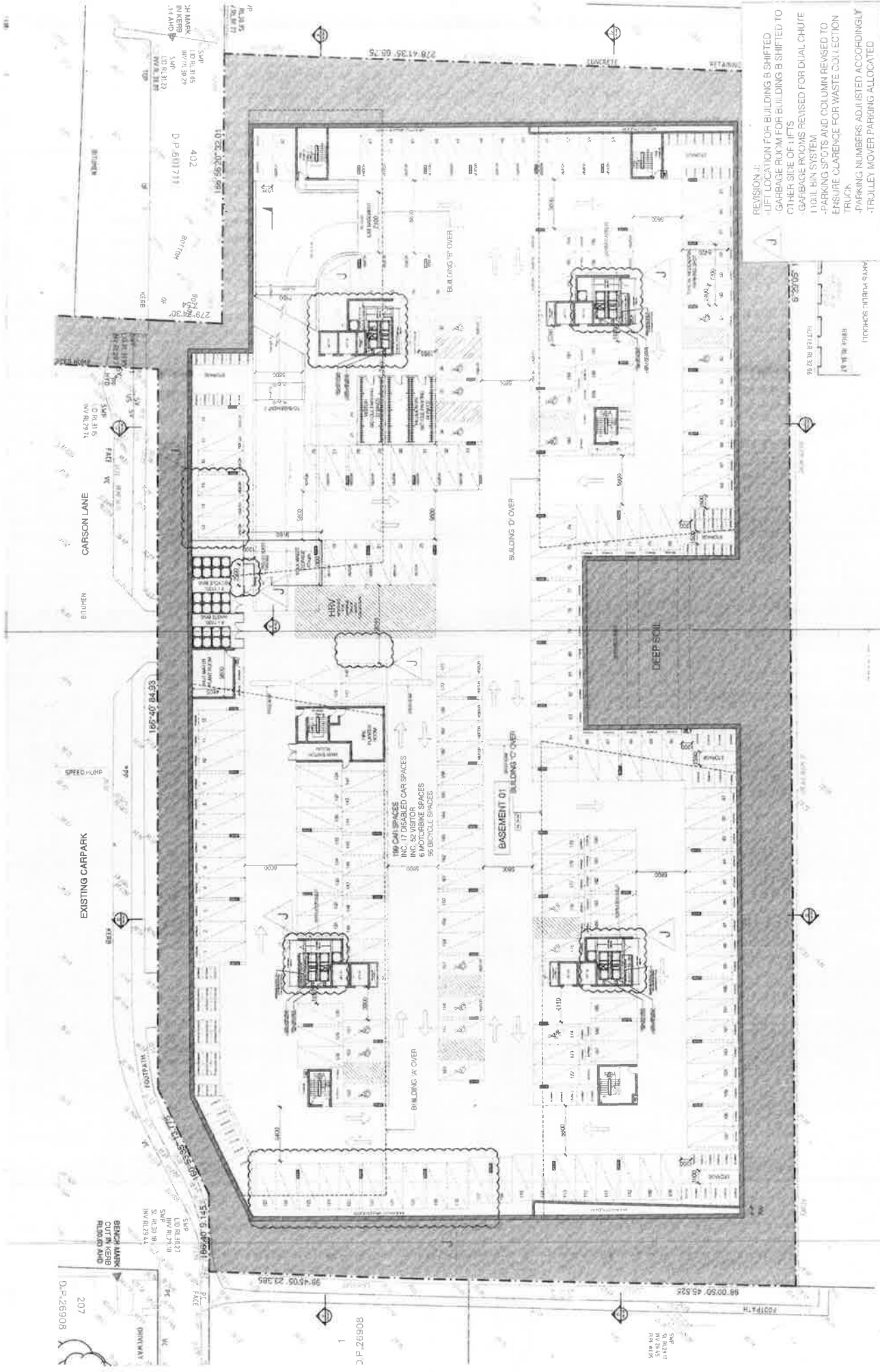
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Millers Point, NSW, 2000
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REVISION J

1. LIFT LOCATION FOR BUILDING B SHIFTED TO OTHER SIDE OF LIFTS

2. GARBAGE ROOMS REVISED FOR DUAL CHUTE 1100L BIN SYSTEM

3. PARKING SPOTS AND COLUMN REVISED TO ENSURE CLARENCE FOR WASTE COLLECTION TRUCK

4. PARKING NUMBERS ADJUSTED ACCORDINGLY

5. TROLLEY MOVER PARKING ALLOCATED



PROJECT: 12 CARSONS LANE
ST. MARYS, NSW 2780

CLIENT: SAMWAY GROUP PTY LTD

DATE: 02-04-14

SCALE: 1:200

PROJECT NO: 19-079

DATE: 02-04-14

PROJECT NO: 19-079

DATE: 02-04-14

PROJECT NO: 19-079

DATE: 02-04-14

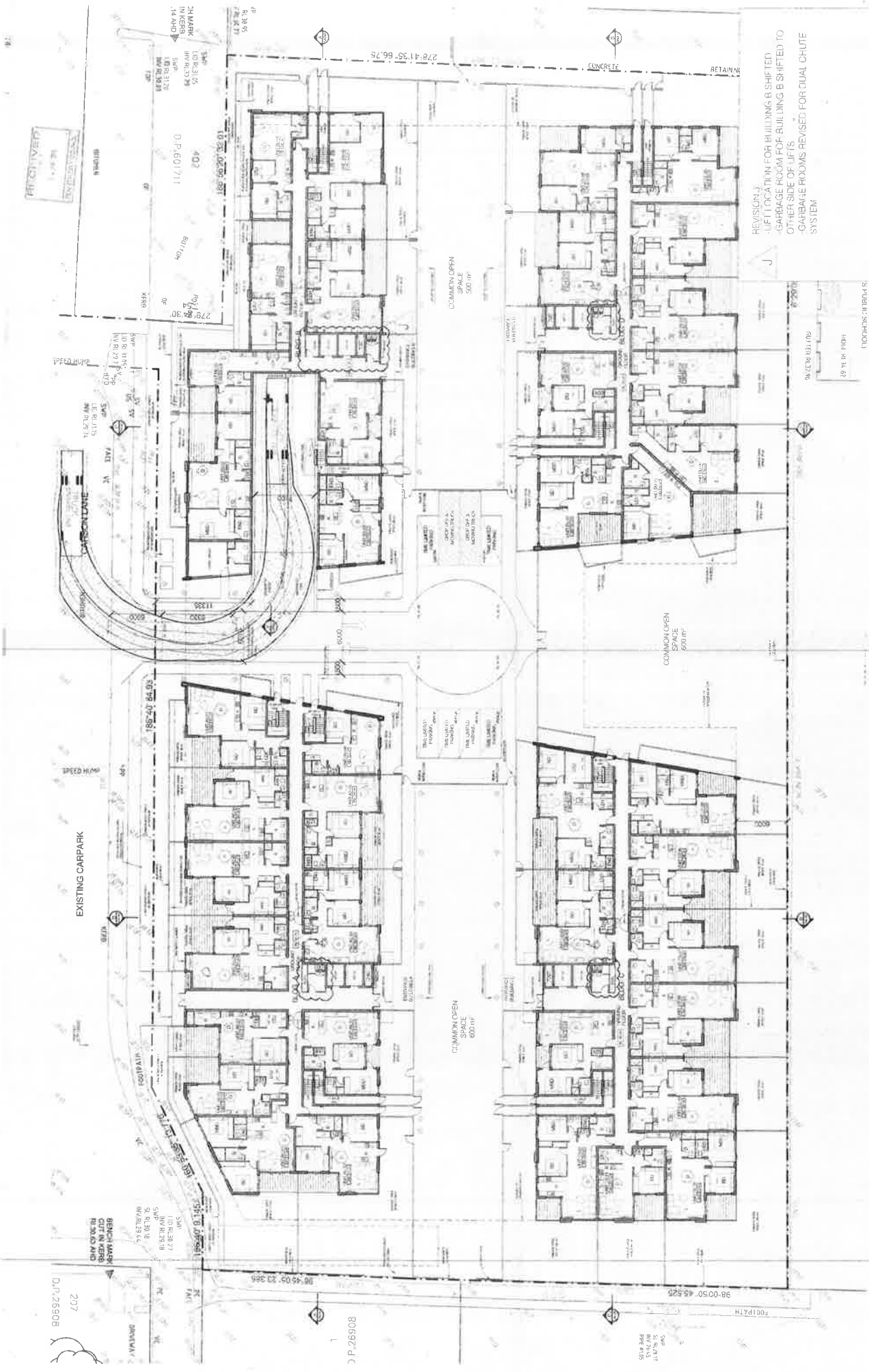


BASEMENT 1 PLAN

NO.	DATE	DESCRIPTION	BY	CHECKED
1	19-07-14	ISSUED FOR LUMP - ELECTRONIC REVIEW	KR ND	
2	19-07-14	ISSUED FOR DEVELOPMENT APPLICATION	KR ND	
3	19-07-14	ISSUED FOR COUNCIL DISCUSSION	KR ND	
4	19-07-14	ISSUED FOR COUNCIL	KR ND	
5	19-07-14	ISSUED FOR COUNCIL	KR ND	
6	19-07-14	ISSUED FOR COUNCIL	KR ND	
7	19-07-14	ISSUED FOR COUNCIL	KR ND	
8	19-07-14	ISSUED FOR COUNCIL	KR ND	
9	19-07-14	ISSUED FOR COUNCIL	KR ND	
10	19-07-14	ISSUED FOR COUNCIL	KR ND	
11	19-07-14	ISSUED FOR COUNCIL	KR ND	
12	19-07-14	ISSUED FOR COUNCIL	KR ND	

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Nominated: Robert Nigel Dickson
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PROJECT
12 CARBONS LANE
ST. MARYS, NSW 2760

CLIENT
SAWMAWAY GROUP PTY LTD

DATE
13-07-14

REVISION
13-07-14

SCALE
1:200

DATE
02-04-14

PROJECT NO.
KRND



NO.	DATE	REVISION	REVIEW	NO.
1	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
2	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
3	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
4	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
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8	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
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17	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
18	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
19	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND
20	11-05-14	ISSUED FOR LDRP - ELECTRONIC REVIEW	KR	ND

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PROJECT NO. DA-203
DRAWING NO. 13-079
DATE 02/04/14
SCALE 1:200
DRAWN BY KRIND

12 CARSONS LANE
ST. MARYS, NSW 2780

SAMWAY GROUP PTY LTD



REV	DATE	DESCRIPTION
B	22/01/14	ISSUED FOR LODG MEETING
C	31/03/14	ISSUED FOR LODG MEETING
D	11/05/14	ISSUED FOR LODG MEETING
E	19/09/14	ISSUED FOR COUNCIL DISCUSSION
F	30/01/15	ISSUED FOR COUNCIL
G	30/01/15	ISSUED FOR COUNCIL
H	19/06/15	ISSUED FOR COUNCIL
I	09/07/15	ISSUED FOR COUNCIL

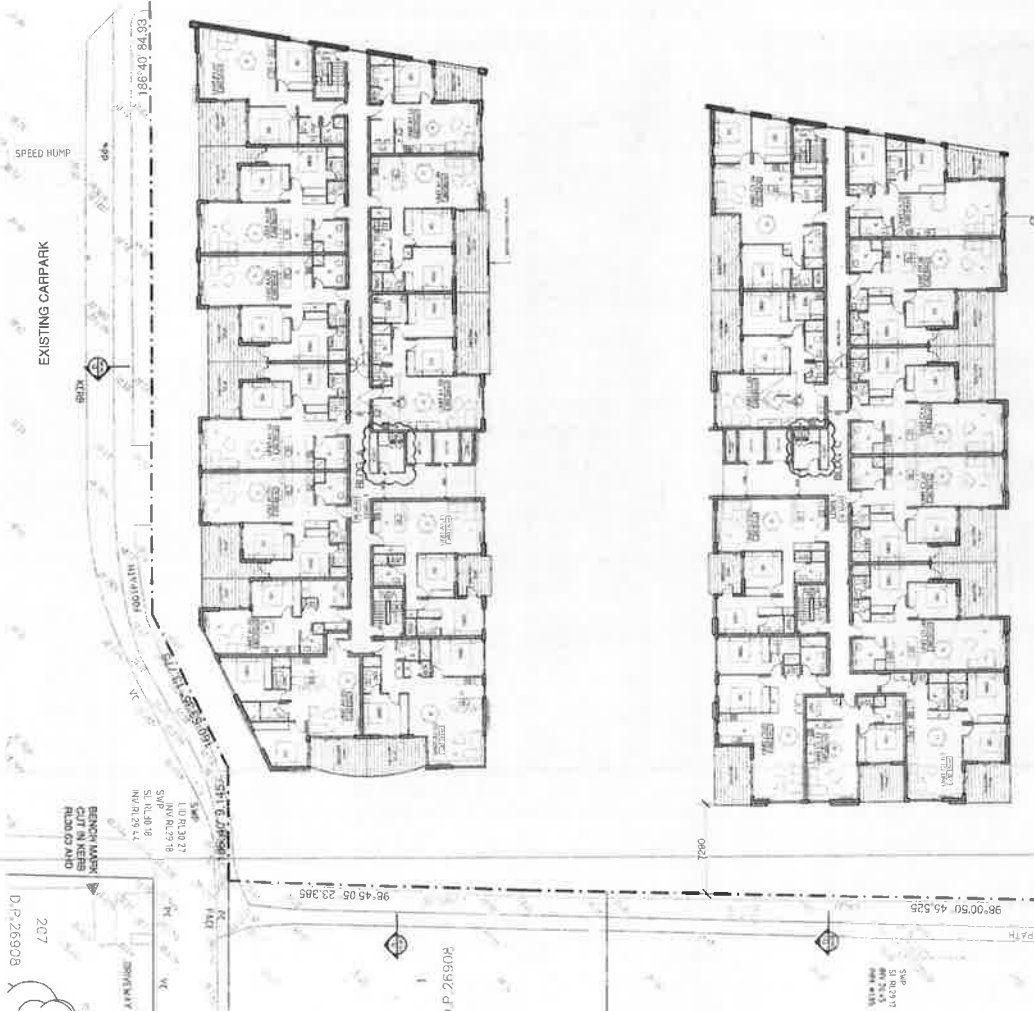
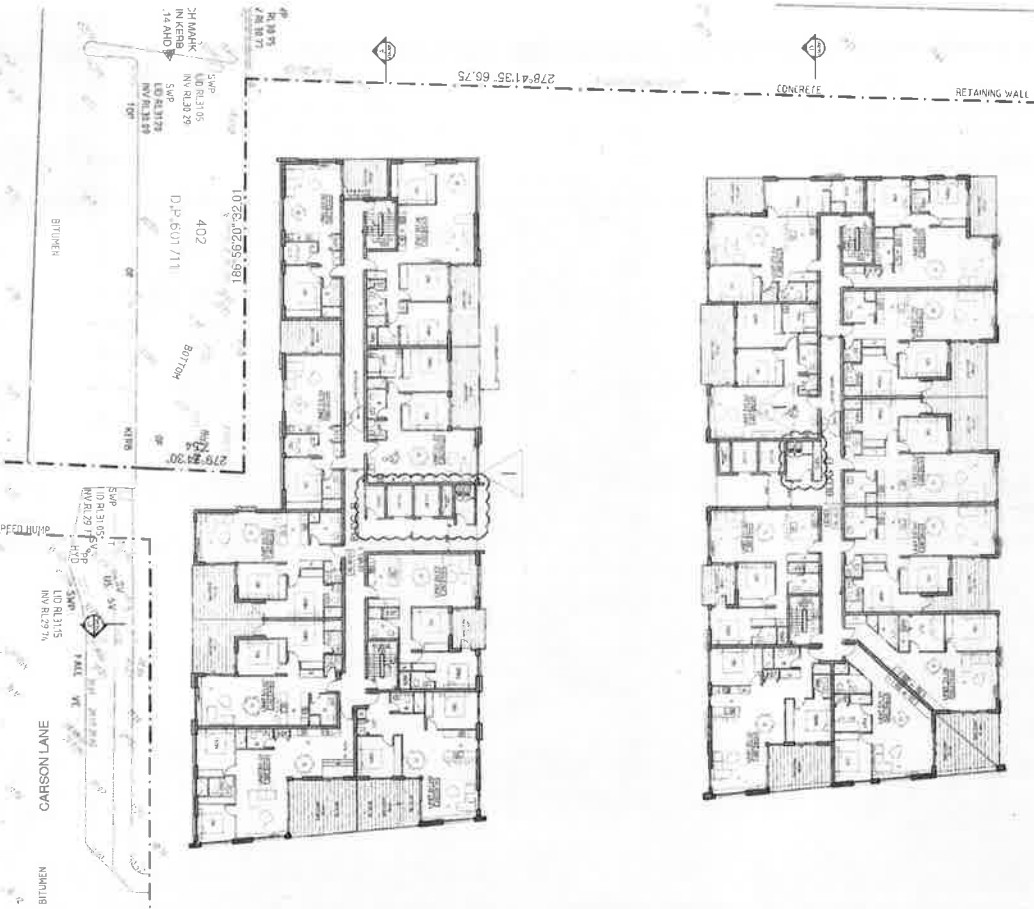
Phone: +61 2 9552 2215
Email: info@rothschild.com.au
Website: www.rothschild.com.au
Registered Architect: Robert Nigel Dickson
Registration No. 5394
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REVISION 1
LIFT LOCATION FOR BUILDING B SHIFTED TO
GARBAGE ROOM FOR BUILDING B SHIFTED TO
OTHER SIDE OF LIFTS
GARBAGE ROOMS REVISED FOR DUAL CHUTE

ETAL ROOF
S (SHOULD SHOW ON)

ROOM 13.1.4.2
GUTTER R. 17.96

D.P. 216092





REVISION I:
 -LIFT LOCATION FOR BUILDING B SHIFED
 -GARAGE ROOM FOR BUILDING B SHIFED TO
 OTHER SIDE OF LIFTS
 -GARAGE ROOMS REVISED FOR DUAL WHITE
 SYSTEM



PROJECT
 12 CARSONS LANE
 ST. MARYS, NSW 2760

CLIENT
 SAMWAY GROUP PTY LTD

LEVEL 02 PLAN

DATE
 02-04-14

BY
 KRND

NO.	DESCRIPTION	DATE	BY
B	22-01-14 ISSUED FOR LURIP MEETING	22-01-14	ND
C	31-03-14 ISSUED FOR LURIP - ELECTRONIC REVIEW	31-03-14	ND
D	19-06-14 ISSUED FOR DEVELOPMENT APPLICATION	19-06-14	ND
E	24-07-14 ISSUED FOR COUNCIL DISCUSSION	24-07-14	ND
F	18-08-14 ISSUED FOR COUNCIL	18-08-14	ND
G	30-01-15 ISSUED FOR COUNCIL	30-01-15	ND
H	19-06-15 ISSUED FOR COUNCIL	19-06-15	ND
I	09-02-16 ISSUED FOR COUNCIL	09-02-16	ND

Phone +61 2 9552 2215
Email NDickson@DicksonRottschild.com.au
Website www.dicksonrotschild.com.au
Nominated Architect Robert Nigel Dickson
Registration No. 5364

Do not scale off this drawing. Use figured dimensions only. Resolve discrepancies with The Architect before proceeding. Copyright of this drawing and designs executed remains vested in Dickson Rottschild.





REVISION 1
 - LIFT LOCATION FOR BUILDING B SHIFTED
 - GARBAGE ROOM FOR BUILDING B SHIFTED TO
 OTHER SIDE OF LIFTS
 - GARBAGE ROOMS REVISED FOR DUAL CHUTE
 SYSTEM

NO.	DATE	DESCRIPTION	KRI NO.
B	22-01-14	ISSUED FOR LURP MEETING	KRI NO.
C	31-03-14	ISSUED FOR LURP - ELECTRONIC REVIEW	KRI NO.
D	10-05-14	ISSUED FOR DEVELOPMENT APPLICATION	KRI NO.
E	24-07-14	ISSUED FOR COUNCIL DISCUSSION	KRI NO.
F	10-08-14	ISSUED FOR COUNCIL	KRI NO.
G	30-01-15	ISSUED FOR COUNCIL	KRI NO.
H	19-05-15	ISSUED FOR COUNCIL	KRI NO.
I	09-07-15	ISSUED FOR COUNCIL	KRI NO.

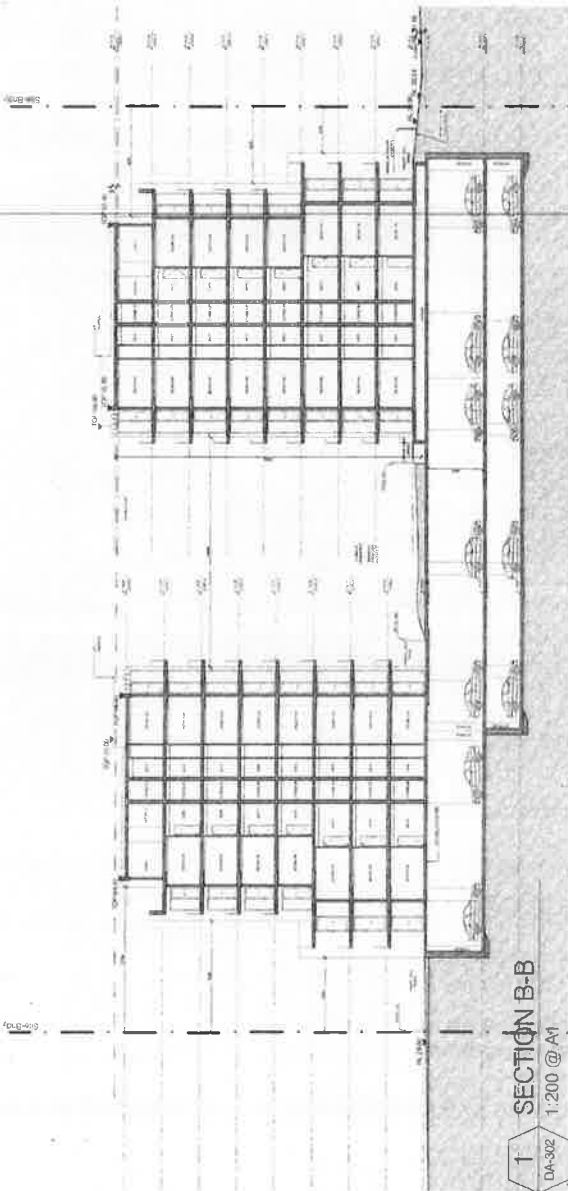
Dickson Rohschild
 DR Design(NSW) Pty Ltd
 9 Argyle Place
 Millers Point, NSW, 2000
 Australia
 Phone +61 2 9552 2215
 NDickson@dicksonrohschild.com.au
 www.dicksonrohschild.com.au
 Nominated Architect: Robert Nigel Dickson
 Registration No. 3364
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PROJECT
 12 CARSONS LANE
 ST. MARYS, NSW 2760

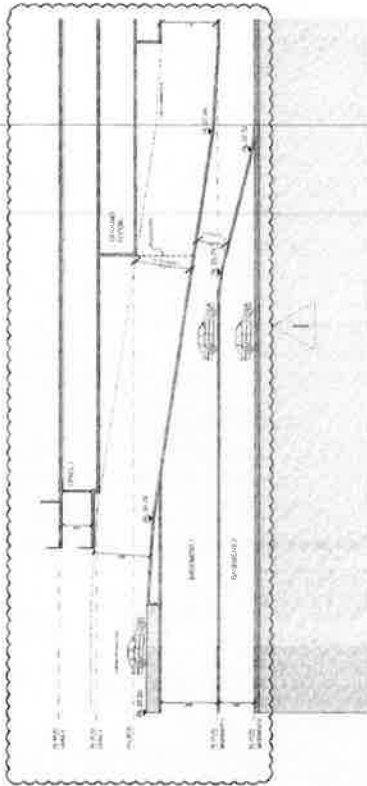
LEVEL 07 PLAN

NO.	DATE	DESCRIPTION	KRI NO.
1	12-07-14	ISSUED FOR LURP MEETING	KRI NO.
2	02-04-14	ISSUED FOR LURP MEETING	KRI NO.

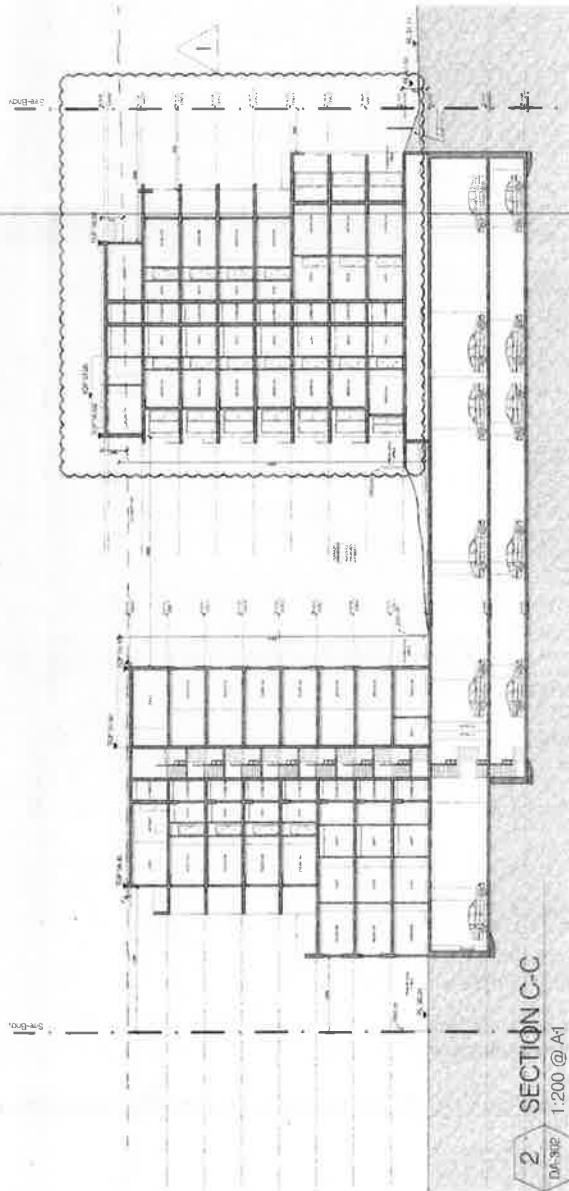




1 SECTION B-B
DA-302 1:200 @ A1



3 SECTION E
DA-302 1:200 @ A1



2 SECTION C-C
DA-302 1:200 @ A1

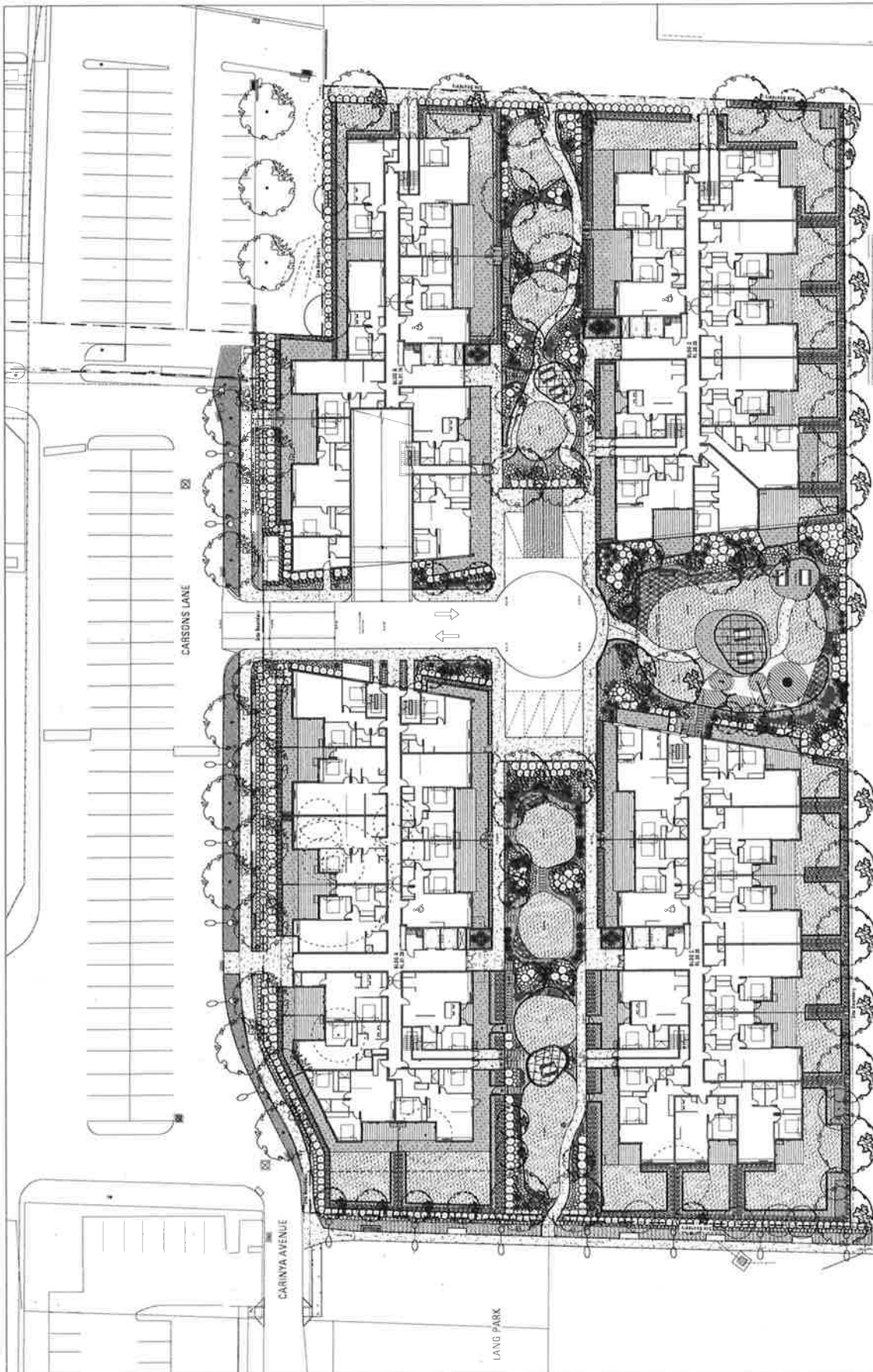
REVISION 1
-BASEMENT HEIGHT DIMENSION CORRECTED
-LEVELS IN BUILDING B REVISED FOR RAMP
CLEARANCE

REV	NO	DATE	DESCRIPTION
B	26-01-14	ISSUED FOR LURPS MEETING	KRI NO
C	31-03-14	ISSUED FOR LURPS - ELECTRONIC REVIEW	KRI NO
D	16-05-14	ISSUED FOR DEVELOPMENT APPLICATION	KRI NO
E	24-07-14	ISSUED FOR COUNCIL DISCUSSION	KRI NO
F	10-09-14	ISSUED FOR COUNCIL	KRI NO
G	30-01-15	ISSUED FOR COUNCIL	DA NO
H	02-04-15	ISSUED FOR COUNCIL	DA NO
I	19-06-15	ISSUED FOR COUNCIL	KRI NO

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Nominated Architect: Robert Nigel Dickson
Registration No: 5364
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PROJECT
12 CARSONS LANE
ST. MARYS, NSW 2760
SECTION B-B & C-C & E & F
DATE
13/07/14
DRAWN
DA-302
SCALE
1:200
CHECKED
02/04/14
APPROVED
KRIND





Notes	Symbol	Notes	Symbol
1. All trees to be removed	(Tree symbol)	2. All trees to be retained	(Tree symbol)
3. All trees to be removed	(Tree symbol)	4. All trees to be retained	(Tree symbol)
5. All trees to be removed	(Tree symbol)	6. All trees to be retained	(Tree symbol)
7. All trees to be removed	(Tree symbol)	8. All trees to be retained	(Tree symbol)
9. All trees to be removed	(Tree symbol)	10. All trees to be retained	(Tree symbol)
11. All trees to be removed	(Tree symbol)	12. All trees to be retained	(Tree symbol)
13. All trees to be removed	(Tree symbol)	14. All trees to be retained	(Tree symbol)
15. All trees to be removed	(Tree symbol)	16. All trees to be retained	(Tree symbol)
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25. All trees to be removed	(Tree symbol)	26. All trees to be retained	(Tree symbol)
27. All trees to be removed	(Tree symbol)	28. All trees to be retained	(Tree symbol)
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97. All trees to be removed	(Tree symbol)	98. All trees to be retained	(Tree symbol)
99. All trees to be removed	(Tree symbol)	100. All trees to be retained	(Tree symbol)

LEGEND

Hardworks

- PROPOSED CONCRETE PAVING
- PROPOSED UNIT PAVING
- PROPOSED DECOMPOSED GRANITE PAVING
- PROPOSED STIPPLE PAVING
- RETAINING WALL
- PROPOSED TIMBER EDGING
- PROPOSED BENCH SEATING
- PROPOSED PERGOLA
- PROPOSED LIGHTING

Softworks

- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- PROPOSED FEATURE TREE PLANTING
- PROPOSED STREET TREE PLANTING
- PROPOSED SHRUB AND ACENT PLANTING
- PROPOSED GROUNDCOVER PLANTING
- PROPOSED TURF



SAMWAY GROUP PTY LTD

Arcadia
LANDSCAPE ARCHITECTURE
Lower deck units bay wharf / suite 68 / 26/32 Argenta rd
PO BOX 111111 MELBOURNE VIC 3000

ST MARYS

DEVELOPMENT APPLICATION

LANDSCAPE MASTERPLAN

Scale 1:500 @ A1

13/156

101

H

Item	Quantity	Unit	Price
1.000	1.000	m	100.00
2.000	2.000	m	200.00
3.000	3.000	m	300.00
4.000	4.000	m	400.00
5.000	5.000	m	500.00
6.000	6.000	m	600.00
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96.000	96.000	m	9600.00
97.000	97.000	m	9700.00
98.000	98.000	m	9800.00
99.000	99.000	m	9900.00
100.000	100.000	m	10000.00

LEGEND

Hardworks

PROPOSED CONCRETE PAVING

PROPOSED UNIT PAVING

PROPOSED DECOMPOSED GRANITE PAVING

PROPOSED STEPPING PAVES

RETAINING WALL

PROPOSED TIMBER FENCING

PROPOSED TIMBER FENCING

PROPOSED BENCH SEATING

PROPOSED PERGOLA

PROPOSED LIGHTING

Structures

EXISTING TREES TO BE REMOVED

EXISTING TREES TO BE RETAINED

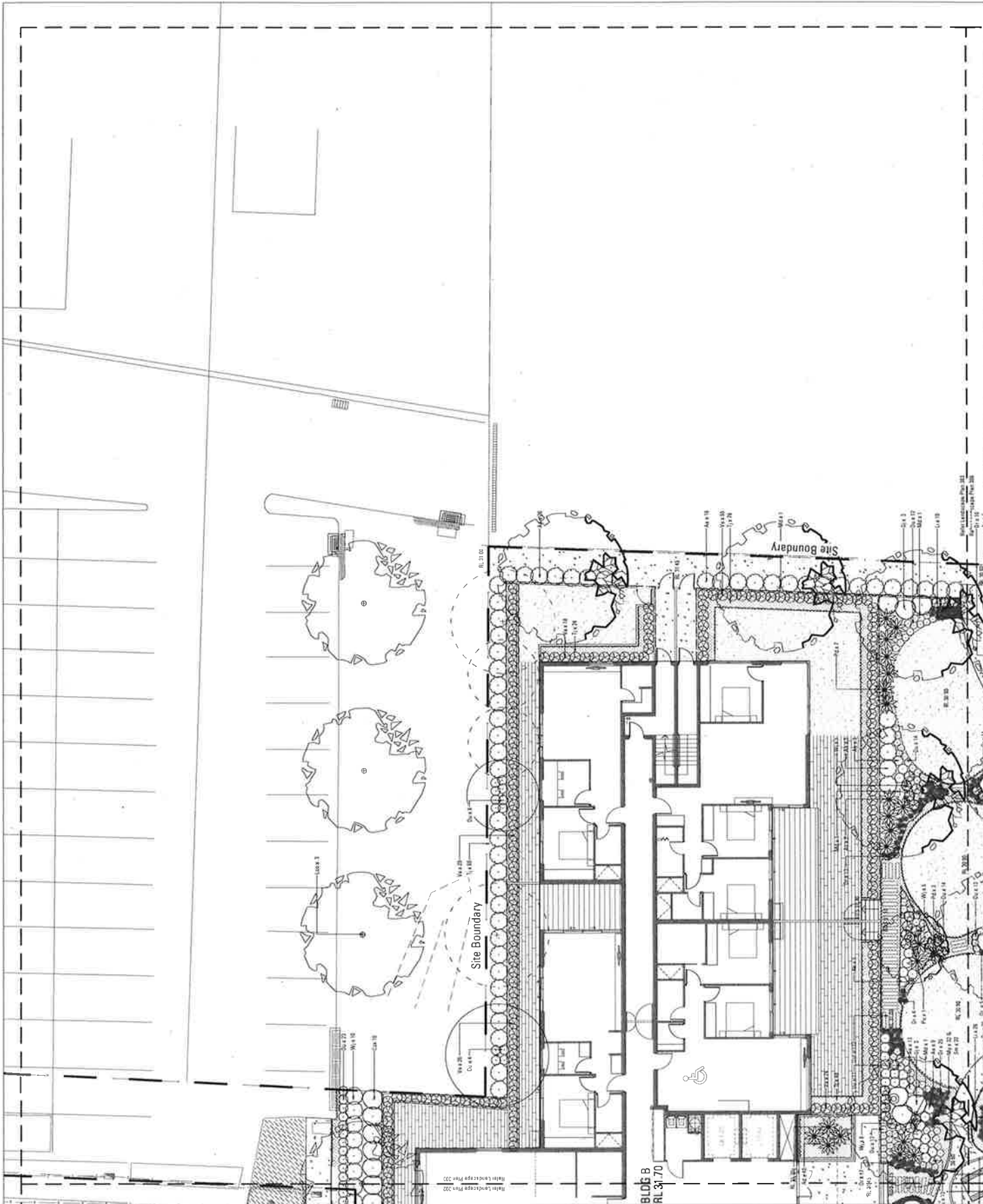
PROPOSED FEATURE TREE PLANTING

PROPOSED STREET TREE PLANTING

PROPOSED SHRUB AND ACCENT PLANTING

PROPOSED BOUNDARY PLANTING

PROPOSED TURF



Item	Description	Unit	Quantity	Rate	Total
1	Excavate & Backfill	m ³	100	10.00	1000.00
2	Concrete Paving	m ²	500	20.00	10000.00
3	Gravel Paving	m ²	200	10.00	2000.00
4	Grass Paving	m ²	100	5.00	500.00
5	Retaining Wall	m	10	100.00	1000.00
6	Planting	unit	100	10.00	1000.00
7	Lighting	unit	10	100.00	1000.00
8	Drainage	m	10	100.00	1000.00
9	Site Works	unit	10	100.00	1000.00
10	Landscaping	unit	10	100.00	1000.00
11	Survey	unit	10	100.00	1000.00
12	Design	unit	10	100.00	1000.00
13	Construction	unit	10	100.00	1000.00
14	Management	unit	10	100.00	1000.00
15	Monitoring	unit	10	100.00	1000.00
16	Reporting	unit	10	100.00	1000.00
17	Review	unit	10	100.00	1000.00
18	Approval	unit	10	100.00	1000.00
19	Implementation	unit	10	100.00	1000.00
20	Completion	unit	10	100.00	1000.00

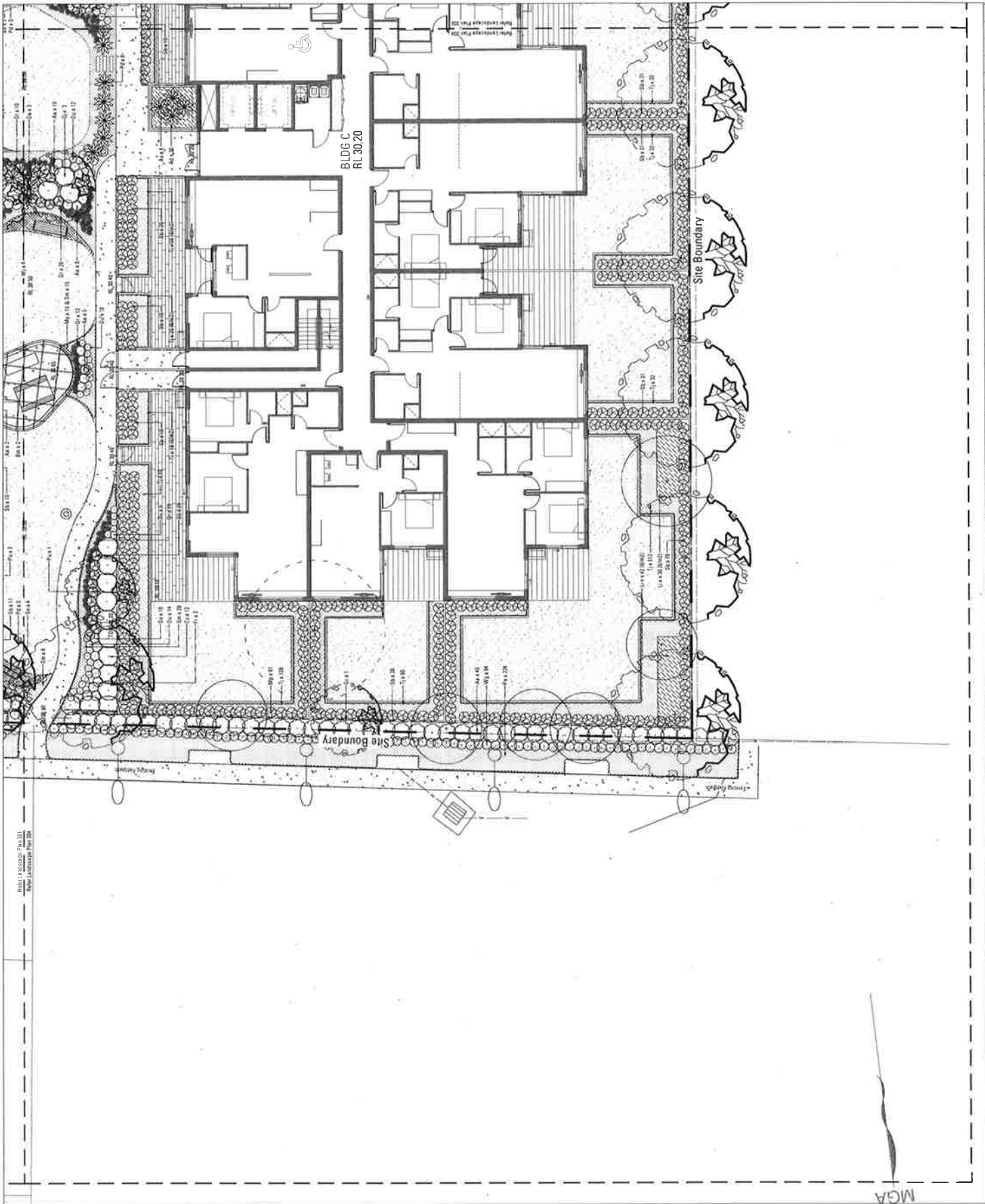
LEGEND

Hardworks

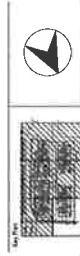
- PROPOSED CONCRETE PAVING
- PROPOSED UNIT PAVING
- PROPOSED DISCOMPOSED CHALKY PAVING
- PROPOSED STEPPING PAVING
- RETAINING WALL
- Blue Architect Drawings
- PROPOSED TIMBER FENCING
- PROPOSED BENCH-SKATING
- PROPOSED PERICOLA
- PROPOSED LIGHTING

Softworks

- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- PROPOSED FEATURE TREE PLANTING
- PROPOSED STREET TREE PLANTING
- PROPOSED SHRUB AND ACCENT PLANTING
- PROPOSED GROUNDCOVER PLANTING
- PROPOSED TURF



Notes:
1. All dimensions are in meters unless otherwise stated.
2. All levels are in meters above sea level unless otherwise stated.
3. All materials and methods of construction shall be as approved by the relevant authorities.
4. All work shall be completed within the specified time frame.
5. All work shall be carried out in accordance with the relevant standards and codes of practice.



SAWYER GROUP PTY LTD

Arcadia
LANDSCAPE ARCHITECTURE
Level 10, 100 George Street, Sydney NSW 2000
Phone: (02) 9231 1234
Email: info@arcadia.com.au

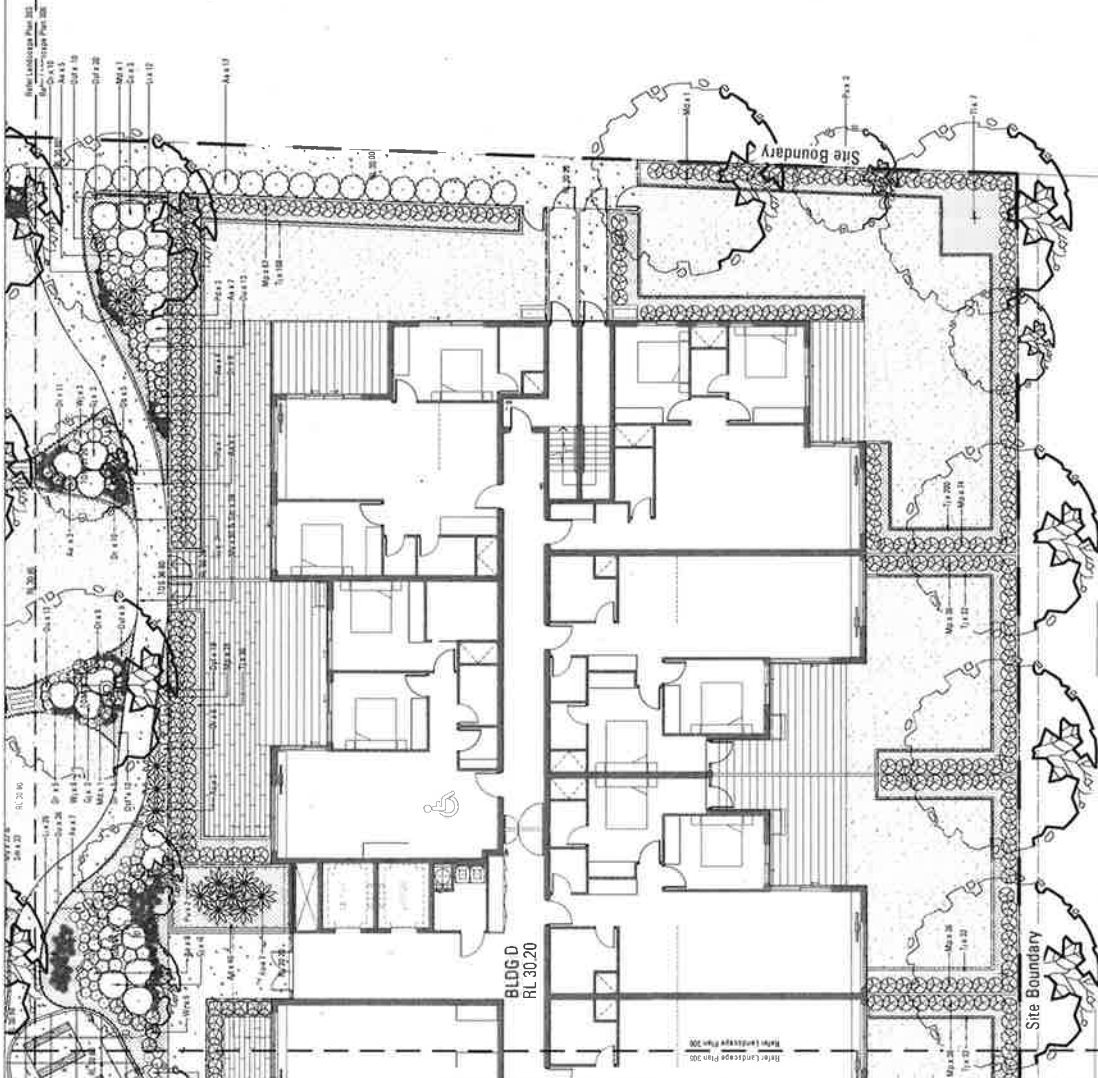
ST MARYS

DEVELOPMENT APPLICATION

LANDSCAPE PLAN

Scale	1:100 @ A1
Sheet Number	13-158
Project Number	304
Date	

MGA



Sheet	Revision	Description	Date
1	1	Issue for Development Application	10/10/2018
2	1	Issue for Development Application	10/10/2018
3	1	Issue for Development Application	10/10/2018
4	1	Issue for Development Application	10/10/2018
5	1	Issue for Development Application	10/10/2018
6	1	Issue for Development Application	10/10/2018
7	1	Issue for Development Application	10/10/2018
8	1	Issue for Development Application	10/10/2018
9	1	Issue for Development Application	10/10/2018
10	1	Issue for Development Application	10/10/2018
11	1	Issue for Development Application	10/10/2018
12	1	Issue for Development Application	10/10/2018
13	1	Issue for Development Application	10/10/2018
14	1	Issue for Development Application	10/10/2018
15	1	Issue for Development Application	10/10/2018
16	1	Issue for Development Application	10/10/2018
17	1	Issue for Development Application	10/10/2018
18	1	Issue for Development Application	10/10/2018
19	1	Issue for Development Application	10/10/2018
20	1	Issue for Development Application	10/10/2018

- LEGEND**
- Hardworks**
- PROPOSED CONCRETE PAVING
 - PROPOSED UNIT PAVING
 - PROPOSED DECOMPOSED GRANITE PAVING
 - PROPOSED STEPPING PAVERS
 - RETAINING WALL
 - PROPOSED TIMBER FENCING
 - PROPOSED BENCH SEATING
 - PROPOSED PERGOLA
 - PROPOSED LIGHTING
- Softworks**
- EXISTING TREES TO BE MAINTAINED
 - EXISTING TREES TO BE REMOVED
 - PROPOSED FEATURE TREE PLANTING
 - PROPOSED STREET TREE PLANTING
 - PROPOSED SHRUB AND ACCENT PLANTING
 - PROPOSED GROUND COVER PLANTING
 - PROPOSED TURF

SAMWAY GROUP PTY LTD

Arcadia
LANDSCAPE ARCHITECTURE
Level deck zones bay wharf suite 85 / 25-32 permits id

ST MARYS

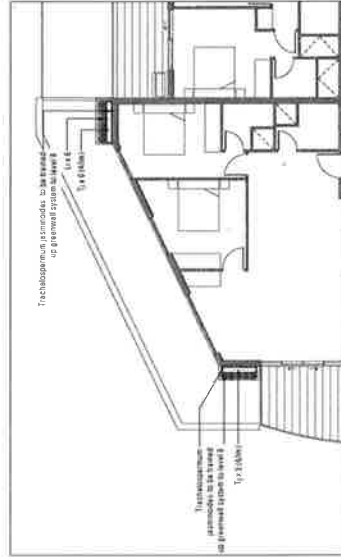
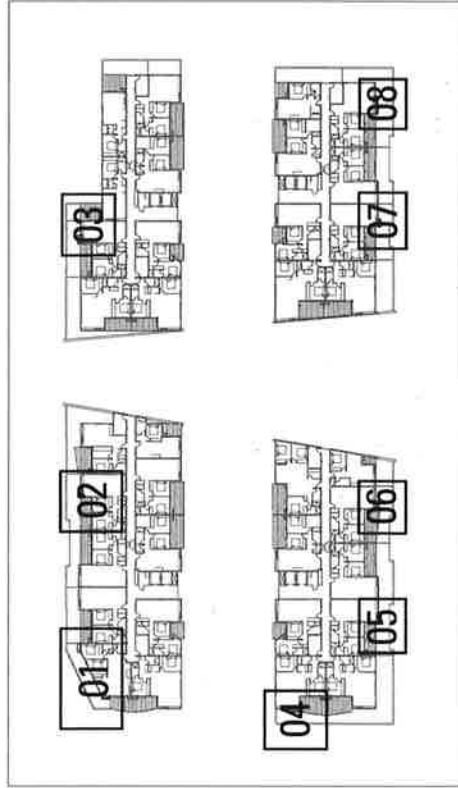
DEVELOPMENT APPLICATION

LANDSCAPE PLAN

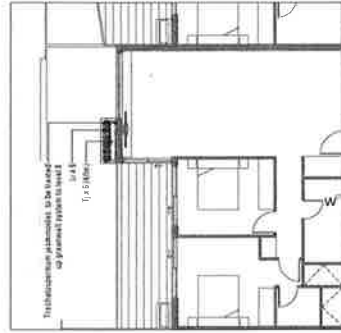
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Drawing Number: 306
13-156

KEY PLAN

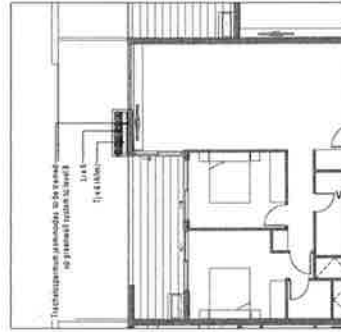
SCALE: 1:500



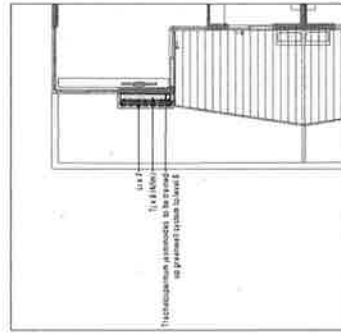
01 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



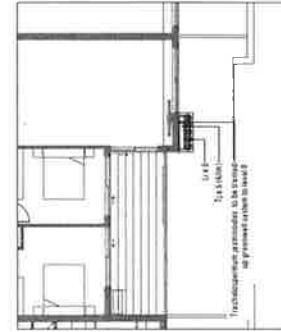
02 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



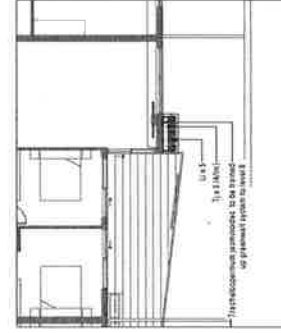
03 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



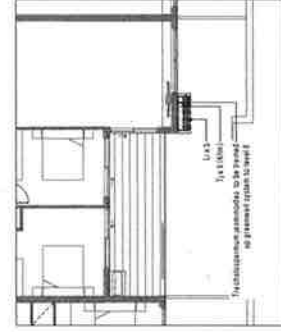
04 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



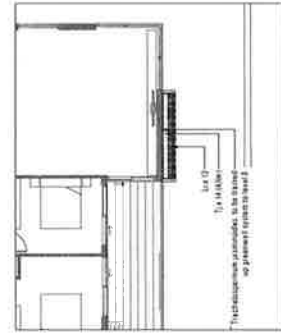
05 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



06 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



07 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200



08 LEVEL 4 PLANTER GREENWALL TO LEVEL B
Scale 1:200

Item	Description	Quantity	Unit
1	Proposed Concrete Paving	100	m ²
2	Proposed Unit Paving	100	m ²
3	Proposed Decomposed Granite Paving	100	m ²
4	Proposed Stepping Pavers	100	m ²
5	Proposed Retaining Wall	100	m
6	Proposed Timber Decking	100	m ²
7	Proposed Timber Fencing	100	m
8	Proposed Bench Seating	100	m
9	Proposed Pergola	100	m ²
10	Proposed Lighting	100	m

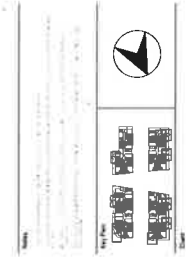
LEGEND

Hardscapes

- PROPOSED CONCRETE PAVING
- PROPOSED UNIT PAVING
- PROPOSED DECOMPOSED GRANITE PAVING
- PROPOSED STEPPING PAVERS
- PROPOSED RETAINING WALL
- PROPOSED TIMBER DECKING
- PROPOSED TIMBER FENCING
- PROPOSED BENCH SEATING
- PROPOSED PERGOLA
- PROPOSED LIGHTING

Softscapes

- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REPLACED
- PROPOSED PLANTING TREE PLANTING
- PROPOSED STREET TREE PLANTING
- PROPOSED SHrub AND ACENT PLANTING
- PROPOSED GROUND COVER PLANTING
- PROPOSED TURF



SAMWAY GROUP PTY LTD



ST MARYS

DEVELOPMENT APPLICATION

LANDSCAPE PLANS


Figure 1: Typical Details of Concrete Pavement Construction. This technical drawing shows three cross-sectional views of concrete pavement construction. The left view shows a concrete slab on a prepared subgrade, with a callout 'FALLS AS PER PLAN'. The middle view shows a concrete slab on a prepared subgrade, with a callout 'FALLS AS PER PLAN'. The right view shows a concrete slab on a prepared subgrade, with a callout 'FALLS AS PER PLAN'. The drawing includes various dimensions and labels for materials and construction details.

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<p>  SAMWAY GROUP PTY LTD </p>	<p>  SAMWAY GROUP PTY LTD </p>
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ACCORIO
 LANDSCAPE ARCHITECTURE
 lower deck bay wharf 5 mile 69 76 32 pirrama rd

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2025-01-01 DEVELOPMENT APPLICATION	
2025-01-01 LANDSCAPE DETAILS	
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WEEP EXCAVATION
WEEP EXCAVATION SHALL BE CONSIDERED AN ACCEPTABLE METHOD USING A NON-RESOLVING CYPRESS/STYVEB CIDE BEECH PULP IN PLACE OF THE REGISTERED FORMULAE. AT THE RECOMMENDED MAXIMUM RATE, A RESIN/FAIRY REMOVED BY HAND. WEEP GROWTH THAT MAY OCCUR BY RECUR THROUGHOUT GRASSSED, PLANTED AND MULCHED AREAS. REMOVE WEEP GROWTH FROM AN AREA 50MM DIAMETER AROUND THE BASE OF TREES IN GRASSSED AREAS. CONTINUE EXCAVATION THROUGHOUT THE COURSE OF THE WORKS AND DURING THE MAINTENANCE PERIOD.

SOIL SUBSIDENCE
ANY SOIL SUBSIDENCE OR EROSION WHICH MAY OCCUR DURING THE TREE KILNING AND PREPARATION OPERATIONS SHALL BE MADE GOOD BY THE LANDSCAPE CONTRACTOR AT COST TO THE CLIENT.

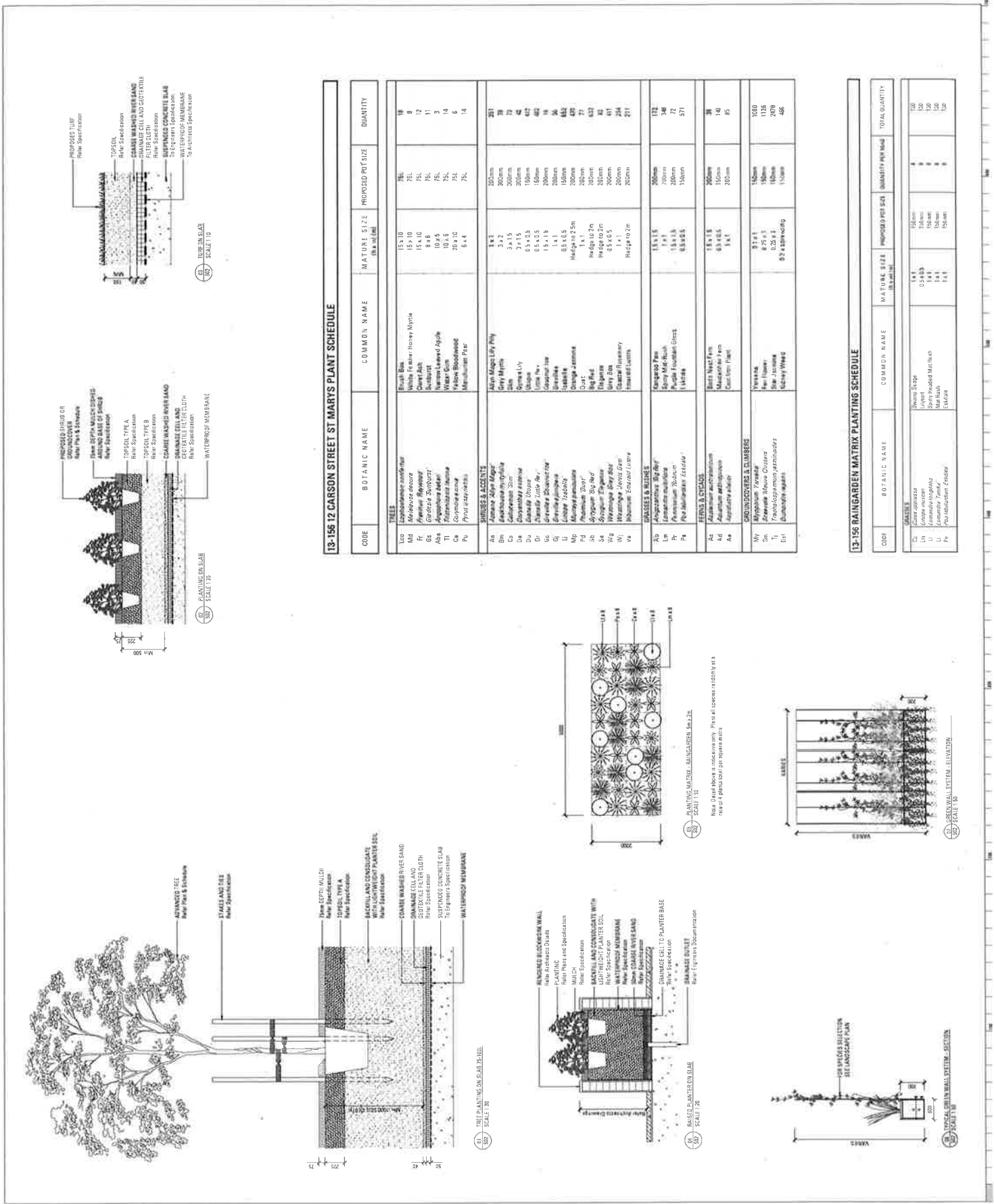
LAY THE TURP ALONG THE LINE CONTIGUOUS WITH STAGGERED, CLOSE BUTTED JOINTS, SO THAT THE FINISHED TURP SURFACE IS FLUSH WITH ADJACENT FINISHED SURFACES. THE JOINTS SHALL BE STAGGERED, NOT LAYING, NOT THE TURP WITH JOINTS BEING LESS THAN 100MM, AND NO JOINTS BEING LESS THAN 50MM FOR SANDY OR LIGHT SOILS.

WATER AS NECESSARY TO KEEP THE SOIL MOIST TO A DEPTH OF 100MM. PROTECT TWENTY TURED AREAS AGAINST TRAFFIC UNTIL GRASS IS ESTABLISHED. FERTILISE TWO WEEKS AFTER LAYING FOR USE AS A B.

"TOP DRESS" THE TURP WHEN IT IS ESTABLISHED TO A DEPTH OF 100MM WITH COURSE WASHED RIVER SAND. RUB THE DRESSING WELL INTO THE JOINTS AND CORRECT ANY UNEVENNESS IN THE TURP SURFACES.

STAKES SHALL BE 5 STRAIGHT HAZARDWOOD, FREE FROM KNOTS AND TWISTS, POINTED AT ONE END AND

Plant	Species	Quantity	Notes
1	1	1	1
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ARCADIA
LANDSCAPE ARCHITECTURE
13-156 CARSON STREET ST MARY'S

SAMWAY GROUP PTY LTD

ST MARY'S

DEVELOPMENT APPLICATION

LANDSCAPE DETAILS

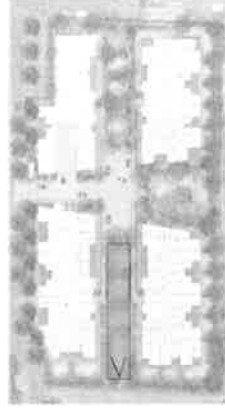
AS SHOWN @ A1

502

13-156

PHOTO MONTAGE 11

CONCEPT MASTERPLAN



12 CARSONS LANE ST MARYS
LANDSCAPE CONCEPT

Arcadia
LANDSCAPE ARCHITECTURE

Prepared by: Arcadia Landscape Architecture
Architect: Dickson Rothschild
Date: 27/05/2015
Issue: H
Scale:
Page No:
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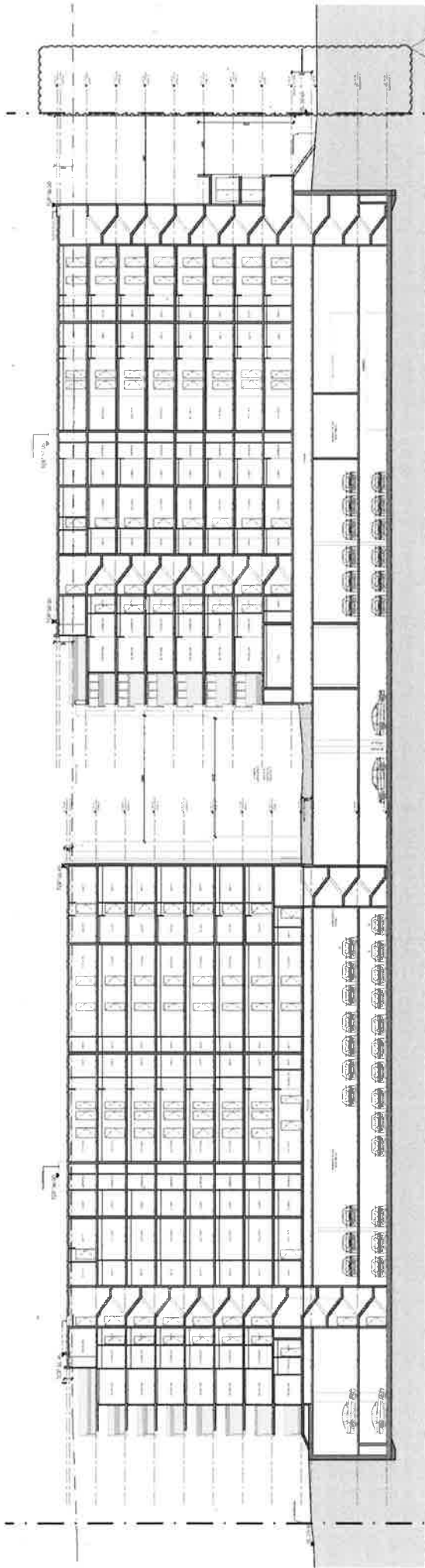
PHOTOMONTAGE E
12 CARSONS LANE
ST. MARYS, NSW 2760

PROJECT NO.	13-079	DATE	03-10-14
REVISION	04-016	DATE	03-10-14
QUANTITY	00000	DATE	03-10-14

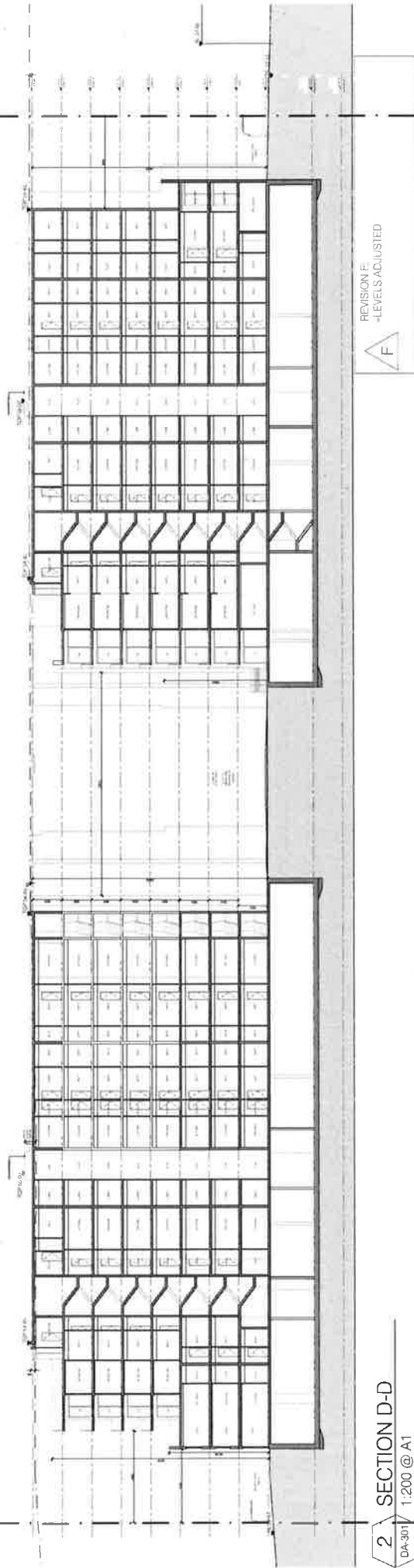
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B	04-01-15	ISSUED FOR COUNCIL	KRIND
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 Nominated Architect: Robert Nigel Dickson
 Registration No. 5364

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1 SECTION A-A
DA-301 / 1:200 @ A1



2 SECTION D-D
DA-301 / 1:200 @ A1

REVISION F
4 LEVELS ADJUSTED



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Registration No. 5364

A	13-10-13	ISSUED FOR PRE-DA MEETING	NR NO
B	22-01-14	ISSUED FOR LURP MEETING	NR NO
C	10-06-14	ISSUED FOR LURP MEETING REVIEW	NR NO
D	10-06-14	ISSUED FOR DEVELOPMENT APPLICATION	NR NO
E	30-01-15	ISSUED FOR COUNCIL	DA NO
F	19-06-15	ISSUED FOR COUNCIL	NR NO

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PROJECT NO
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DA-301
DATE
02-04-14
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