

CONDITIONS

Standard Conditions

1 A001 – Approved plans that are architecturally drawn

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

Drawing Title	Plan No.	Prepared By	Date
Subdivision Plans	Project C212CP	RPS	6.11.2015
General Notes and Legends	89914020-ST01-1002 Revision 5	Cardno	20.3.2015
Context Plan	89914020-ST01-1003 Revision 9	Cardno	22.10.2015
Existing Services and Survey Plan – Sheet 1	89914020-ST01-1021 Revision 5	Cardno	20.3.2015
Existing Services and Survey Plan – Sheet 2	89914020-ST01-1022 Revision 5	Cardno	20.3.2015
Existing Services and Survey Plan – Sheet 3	89914020-ST01-1023 Revision 5	Cardno	20.3.2015
Road Typical Cross Sections	89914020-ST01-10511 281 Revision 8	Cardno	22.10.2015
Erosion and Sedimentation Control Plan Sheet 1	89914020-ST01-1131 Revision 6	Cardno	20.3.2015
Erosion and Sedimentation Control Plan Sheet 2	89914020-ST01-1132 Revision 6	Cardno	20.3.2015
Erosion and Sedimentation Control Plan Sheet 3	89914020-ST01-1133 Revision 6	Cardno	20.3.2015
Erosion and Sedimentation Control Plan Sheet 4	89914020-ST01-1134 Revision 6	Cardno	20.3.2015
Erosion and Sedimentation Control Details Sheet 1	89914020-ST01-1141 to 89914020-ST01- 1142 Revision 5	Cardno	20.3.2015
Road and Stormwater Plan Sheet 1 - 9	89914020-ST01-1201 Revision 12 to 89914020-ST01-1209	Cardno	23.10.2015

Drawing Title	Plan No.	Prepared By	Date
	Revision 12		
Road Longitudinal Sections Sheet 1 to Sheet 12	89914020-ST01-1251 Revision 9 to 89914020-ST01-1262 Revision 9	Cardno	22.10.14
Channel 001 Longitudinal Section	89914020-ST01-1271 Revision 8	Cardno	22.10.2015
Retaining Wall Locality and Typical Detail	89914020-ST01-1361 Revision 10	Cardno	22.10.2015
Stormwater Catchment Plan Sheet 1 – Sheet 3	89914020-ST01-14011 Revision 10 to 89914020-ST01-1403 Revision 10	Cardno	23.10.2015
Stormwater Catchment Plan External Catchments	89914020-ST01-1411 Revision 5	Cardno	20.3.2015
Stormwater Drainage Longitudinal Sections Sheet 1 – Sheet 27	89914020-ST01-1461 Revision 8 to 89914020-ST01-1487 Revision 8	Cardno	23.10.2015
Stormwater Drainage Details Sheet 1 – Sheet 5	89914020-ST01-1421 Revision 5 to 89914020-ST01-1425 Revision 5	Cardno	20.3.2015
Civil Engineering and Infrastructure Report	89914020	Cardno	26.3.2015
Statement of Environmental Effects	13070	JBA	March 2015
Landscape Masterplan	Revision A	JMD Design	March 2015
Bushfire Protection Assessment	14GOSBUS-0108	EcoLogical Australia	18.12.2014
Contamination Management Plan	43352/61064 Revision B	JBS&G	5.3.2015
Salinity Review	89914020	Cardno	9.12.2014
Traffic Impact Assessment	89910402	Cardno	27.3.2015
Road Safety Audit	89914020 Report 001	Cardno	8.12.2014
Ecological Assessment	-	Cumberland Ecology	16.12.2014
Aboriginal Heritage Assessment Statement	Ref 13-0393grc2	GML Heritage & Jo McDonald	10.12.2014

Drawing Title	Plan No.	Prepared By	Date
		CHM	
European Heritage Letter		Casey & Lowe	21.1.2015
Waste Management Plan 3	Job Reference 89914020	Cardno	September 2014

2 A005 – Approved Bodies Consent (For Integrated DA's)

A copy of the General Terms of Approval issued by NSW Office of Water (ref 10 ERM2015/0305) dated 7 May 2015 under the Water Management Act 2000 and Rural Fire Service (RFS) issued 19/05/2015 shall be submitted to the Principal Certifying Authority, before the Construction Certificate can be issued for the same development. A copy of the approval shall be submitted to Penrith City Council with the copy of the Construction Certificate, if Council is not the Principal Certifying Authority.

3 A008 – Works to BCA requirements

The work must be carried out in accordance with the requirements of the Building Code of Australia. If the work relates to a residential building and is valued in excess of \$12,000, then a contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.

4 A041 – Asset Protection Zone

An Asset Protection Zone protection from bushfire shall be provided and maintained for the subdivision approved herein in accordance with the recommendations outlined in Bushfire Protection Assessment – Proposed Subdivision St Marys Central Precinct Stage 1 (Project 14GOSBUS-0108) prepared by Ecological Australia dated 18 December 2014.

5 A044 – Rural Fire Service Conditions

The conditions imposed by the NSW Rural Fire Service in the Integrated Development consent and in the Bush Fire Safety authority for the said development are to be completed prior to the issue of an Occupation Certificate or in the case of subdivision, a Subdivision Certificate.

6 A046 – Obtain Construction Certificate before commencement of works

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

7 C003 – Uncovering relics

If any archaeological relics are uncovered during the course of the work no further work shall be undertaken until further directed by Penrith City Council or the NSW Heritage Office.

The applicant is advised that depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act, 1977 may be required before any further work can be recommenced in that area of the site.

8 D002 - Spraygrass

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

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

A Fill Importation Protocol is to be developed by a suitably qualified consultant and approved prior to the issue of the Construction Certificate. Should Council not be the Certifying Authority, then a copy of Council's written approval is to be provided to the Private Certifying Authority.

The Protocol is to detail the procedures that will be followed throughout all filling works, to ensure that only suitable fill material is imported onto the development site.

At minimum, an appropriately qualified person/s (as defined in the Penrith Development Control Plans) shall:

- (a) Supervise all filling works.
- (b) On completion of filling works, carry out an independent review of all documentation relating to the filling of the site, and submit a review findings report to Council and any Principal Certifying Authority. All fill material documentation is to (at minimum):
 - (i) be prepared by an appropriately qualified person (as defined in the Penrith Development Control Plans) with consideration of all relevant guidelines, standards, planning instruments and legislation (e.g. EPA, NEPM, ANZECC, NH&MRC),
 - (ii) clearly state the legal property description of the fill material source site and the total amount of fill tested,
 - (iii) provide details of the volume of fill material to be used in the filling operations,
 - (iv) provide a classification of the fill material to be imported to the site in accordance with the NSW Environment Protection Authority's "Waste Classification Guidelines" 2009, and
 - (v) (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.
 - (vi) 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 approved Fill Importation Protocol is to be adhered to throughout all stages of the development. 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 subdivision works shall not be carried out prior to any further approved site investigation or remediation works.

10 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.

11 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.

12 G001 – Installation of services and Service Clearances (subdivision)

All services (water, sewer, electricity, telephone and gas), including the provision of service conduits and stub mains, are to be installed within the proposed public roads before final inspection of the engineering works.

Prior to the release of the linen plan, the following service authority clearances shall be obtained:

- a Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. This is required prior to the issue of the Subdivision Certificate and
- a letter from Integral Energy stating that satisfactory arrangements have been made for electricity supply to all proposed allotments in the subdivision, including any necessary easements; and
- a letter from an approved telecommunications service provider that satisfactory arrangements have been made for underground telephone services to all proposed allotments in the subdivision, including any necessary easements.

These clearances are to be submitted to the Principal Certifying Authority.

13 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.

14 H002 – All forms of construction

Prior to the commencement of construction works:

- i. 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.
- ii. All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavation 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.
- iii. 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).
- iv. 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.

15 H006 - Submission of and implement waste management plan

A completed waste management plan shall be submitted to Penrith City Council for consideration and approval. Council must approve the plan before a Construction Certificate can be issued for the approved development.

The waste management plan shall be prepared in accordance with the Waste Planning Development Control Plan (2004), and shall address all waste materials likely to result from the proposed development, with details of the estimated waste volumes, onsite storage and management, proposed re-use of materials, designated waste contractors, recycling outlet and / or landfill site.

The approved waste management plan must be implemented on-site and adhered to throughout all stages of the development, with supporting documentation / receipts retained in order to verify the recycling and disposal of materials in accordance with the approved plan.

16 H041 – Hours of Operation

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

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

17 K101 – Works at no cost to Council

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

18 K202 – Section 138 Roads Act

Prior to the issue of any Construction Certificate a S138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council. Penrith City Council is the Roads Authority for any works required in a public road. These works may include but are not limited to the following:

1. Road opening for lead in public utilities and stormwater
2. 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, Guidelines and best engineering practice.

Contact Penrith City Council's City Works Department on telephone (02) 4732 7777 or visit Penrith City Council's website for more information.

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. Separate Approvals may also be required from the Roads and Maritime Service

- for classified roads.
3. All works associated with the Roads Act approval must be completed prior to the issue of an Occupation Certificate or Subdivision Certificate as applicable.
 4. On completion of any awning over the road reserve a certificate from a practising structural engineer certifying to the structural adequacy of the awning is to be submitted to Council before Council will inspect the works and issue its final approval under the Roads Act.

19 **K206 – Construction Certificate for Engineering Works**

An Engineering Construction Certificate for the provision of engineering works (roads and drainage) is to be approved by the certifying authority.

A construction Certificate shall be issued for any subdivision works. Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plan/s prepared by Cardno, reference number 89914020-ST01, revision 12, dated 23-10-2015 and that all subdivision works have been designed 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, Austroads Guidelines and best engineering practice

The subdivision works may include but are not limited to the following:

- Public and private roads
- Storm water management (quantity and quality)
- Interallotment drainage
- Private access driveways
- Sediment and erosion control measures
- Flood control measures
- Traffic facilities
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that:

- Salinity measures are incorporated into the construction certificate drawings in accordance with the recommendations of the Salinity Assessment Review by Cardno, reference 89914020, dated 9 December 2014 and the SKM Water, Soil and Infrastructure Central Precinct report.

Note:

1. Councils Development Engineering Department can provide this service. Contact Penrith City Council's Development Engineering Department on telephone (02) 4732 7777 or visit Penrith City Council's website for more information.

20 **K207 - Road design criteria table**

Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works and the following criteria:

Road No.	ESA
001	2 x 10 ⁶
002	1 x 10 ⁶

004, 005, 006, 007, 009, 010, 011, 060, 061, 062, 064, 065	5 x 10 ⁴
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A copy of the pavement design prepared by a suitably qualified geotechnical engineer must accompany the application for Construction Certificate. A copy of the pavement report is also to be submitted to Penrith City Council.

Road No 001 Chainage 0 - 979 shall be designed as a crowned road with 3% cross fall either side, sealed shoulders and table drains. The road shall incorporate a 2.5m off road shared path. The maximum batter slope back to existing surfaces shall be 1 in 5 (vertical to horizontal).

21 K208 – Road Safety Audit

A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken in accordance with Austroads Guide to Road Safety Part 6: Road Safety Audit; on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application.

The Road Safety audit shall specifically address sight distance requirements at intersections.

Prior to the issue of the Construction Certificate or S138 Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been considered in the final design, through review of the Road Safety Audit Checklist, including Findings, Recommendations and Corrective Actions.

A copy of the Road Safety Audit shall be submitted to Penrith City Council by the applicant or Certifying Authority for information purposes.

22 K210 – Stormwater Management

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Cardno, reference number 89914020-ST01, revision 12, dated 23.10.15.

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 any Construction Certificate the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Penrith City Council's Stormwater Drainage for Building Developments, Council's Water Sensitive Urban Design (WSUD) Policy, meets the objectives of the St Marys Central Precinct - Precinct Plan May 2009 - Part 4 Framework Plan and Environmental Management Strategies, Section 4.11 Water Cycle and Soils and complies with recommendations of the SKM Water, Soils and Infrastructure Central Precinct Report.

23 K213 – Flooding - Flood Report Recommendations

Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that all lots within the proposed development are located above the Flood Planning Level (FPL = 1% AEP adopted flood level + 0.5m freeboard). All roads within the development shall be located above the 1% AEP flood level for South Creek. 1% AEP flood levels are to be determined using the Final Flood Assessment Report (Project No. EN04189) prepared by Jacobs dated 20 July 2015 for South Creek approved under the Bulk

Earthworks Development Application for Central Precinct DA14/1228.

Full details are to be submitted with the Construction Certificate.

Prior to the release of the Subdivision Certificate for Stage 1 subdivision of the Central Precinct, the applicant shall submit to Penrith City Council the following information to facilitate assessment of future developments in the Central Precinct:

- (a) A flood map incorporating the 1:100 year flood extent for the Central Precinct;
- (b) The final land form; and
- (c) The data used for flood assessment.

24 K222 – Access, Car Parking and Manoeuvring – General

Prior to the issue of any 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, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

25 K224 – Construction Traffic Management Plan

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that a Construction Traffic Management Plan (CTMP) has been submitted and approved by Penrith City Council. Approval of the CTMP may require endorsement from the Local Traffic Committee. The CTMP shall include but not limited to the following, vehicle routes, number of construction vehicles, hours of operation, access arrangements, pedestrian management, parking management for patrons. The CTMP shall be certified by an appropriately accredited person and/or Roads and Traffic Authority Traffic Controller. The CTMP shall ensure that adequate parking is provided for the development and not severely impacted by the construction of this development.

26 K225 – Bus Stops

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that all bus stops have been designed in accordance with the requirements of the Disability Discrimination Act 2002 (DDA), Disability Standards for Accessible Public Transport (DSAPT) and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.

27 K301 – Sediment and Erosion Control

Prior to commencement of any works associated with the development 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 and Managing Urban Stormwater series from the office of Environment and Heritage.

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

28 K302 – Traffic Control Plan

Prior to commencement of any works associated with the development a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Maritime Service's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Maritime Services 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:

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

29 K304 – Matters to be addressed prior to commencement of Subdivision Works

Work on the subdivision shall not commence until:

- a Construction Certificate has been issued,
- a Principal Certifying Authority has been appointed for the project, and
- any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

A Notice of Commencement is to be submitted to Penrith City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.

30 K405 – Street Lighting

Street lighting is to be provided for all new and existing streets within the proposed subdivision to Penrith City Council's standards.

If non-standard street light columns are proposed a separate approval will be required from Council's Public Domain Department. A maintenance fee will be payable for non-standard lighting columns.

31 K407 – Major Filling/ Earthworks

All earthworks shall be undertaken in accordance with AS 3798 and Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

32 K408 – Soil Testing – Subdivisions

Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings".

33 K501A – Completion of Subdivision Works

Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Penrith City Council for any outstanding works.

34 K509 – Linemarking & Signage

Prior to the issue of a Subdivision Certificate and installation of regulatory / advisory linemarking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.

Notes:

1. Contact Penrith City Council's Engineering Services Department on telephone (02) 4732 7777 for further information on this process.

2. Allow eight (8) weeks for approval by the Local Traffic Committee.
3. Applicable fees are indicated in Council's fees and charges.

35 K512 – Outstanding Works Bond for Stormwater Management Systems

Prior to the issue of the Subdivision Certificate an Outstanding Works Bond for the construction, landscaping and implementation of the three bio retention basins is to be lodged with Penrith City Council.

The Outstanding Works bond will be refunded once the stormwater management system works have been completed to Council's satisfaction and a separate Maintenance Bond has been lodged with Penrith City Council.

The value of the bonds 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 telephone (02) 4732 7777 for further information relating to bond requirements.

36 K512 – Street Naming

Prior to the issue of a Subdivision Certificate an application for proposed street names must be lodged with and approved by Penrith City Council and the signs erected on-site.

The proposed names must be in accordance with Penrith City Council's Street Naming Policy.

Notes:

1. Contact Penrith City Council's Engineering Services Department on telephone (02) 4732 7777 for advice regarding the application process and applicable fees.
2. Allow eight (8) weeks for notification, advertising and approval.

37 K513 – Bond for final wearing course

Prior to the issue of the Subdivision Certificate a bond for the final layer of outstanding asphalt works (AC Bond) is to be lodged with Penrith City Council.

The final layer of asphalt on all roads shall not to be placed without the written consent of Penrith City Council (Consent will generally be provided when 80% of the housing within the subdivision has been completed).

The value of the bond shall be determined in accordance with Penrith City Council's adopted fees and charges.

Note:

1. Contact Penrith City Council's Engineering Services Department on telephone (02) 4732 7777 for further information relating to bond requirements.

38 K515 – Maintenance Bond

Prior to the issue of a Subdivision Certificate a maintenance bond is to be lodged with Penrith City Council for all subdivision works.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note:

1. Contact Penrith City Council's Engineering Services Department on telephone (02) 4732 7777 for further information relating to bond requirements.

39 K516 – Subdivision Compliance Documentation

Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Penrith City Council where Penrith City Council is not the Principal Certifying Authority:

- (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 Penrith City 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) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges.
- (d) CCTV footage in DVD format to Penrith City Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Any damage that is identified is to be rectified in consultation with Penrith City Council.
- (e) A copy of all documentation, reports and manuals required by Section 2.6 of Penrith City Council's WSUD Technical Guidelines for handover of stormwater management facilities to Penrith City Council.
- (f) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
- (g) Documentation for all road pavement materials used demonstrating compliance with Penrith City Council's Engineering Construction Specification for Civil Works.
- (h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Penrith City Council's Design Guidelines and Construction specifications. The report shall include:
 - (i) Compaction reports for road pavement construction
 - (ii) Compaction reports for bulk earthworks and lot regrading.
 - (iii) Soil classification for all residential lots
 - (iv) Statement of Compliance.
- (i) Structural Engineer's construction certification of all structures.
- (j) A slope junction plan for interallotment drainage lines indicating distances to boundaries and depths.
- (k) Soil Testing for each lot to be classified according to AS2870 "Residential Slabs and Footings".

40 K601 – Stormwater Management system operation and maintenance

The stormwater management systems, including temporary on-site stormwater detention and erosion and sediment control systems, and flow paths from the basin outlets shall continue to be operated and maintained for the life of the development in accordance with the final operation and maintenance management plan. Maintenance shall continue until such times as stormwater runoff from the development site has stabilised and conveyed to the ultimate water quality treatment / stormwater detention system and the temporary system has been decommissioned. A minimum maintenance period of 36 months shall apply to the ultimate water quality treatment / stormwater

detention system and shall be maintained in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

41 L005 – Planting of plant material

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

42 L006 - Australian Standard for landscaping

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.

43 L007 – Tree Protection Measures

No fill, machinery, or materials are to be placed or stored within the drip line of any tree that is to be retained. Tree protection measures are to be implemented as outlined in Australian Standard AS 4970-2009 'Protection of trees on development sites'.

44 L008 – Tree Preservation Order

No trees are to be removed, ringbarked, cut, topped or lopped or willfully 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.

45 L009 – Tree Preservation Order (Subdivision)

No trees are to be removed from within the subdivision without the prior consent of Penrith City Council. Any trees to be removed as part of the engineering work are to be shown on engineering plans submitted for Council's consideration and subsequent approval.

46 L010 – Replacement street trees

The following street trees are to be replaced with species from the approved Street Tree List that are native to western Sydney:

- *Platanus "Digitata"*
- *Corymbia citriodora*

Street trees are to be planted prior to the issue of the Subdivision Certificate.

47 M001- Prior to subdivision work

Work on the subdivision is not to commence until:

- a Construction Certificate has been issued,
- a Principal Certifying Authority has been appointed for the project, and
- any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

Penrith City Council is to be notified 48 hours prior to commencement of engineering works or clearing associated with the subdivision.

48 M008- Linen plan

Submission of the original Linen Plan and ten (10) copies. The Linen Plan must indicate that:

- a) "It is intended to dedicate all new roads to the public as road"
- b) "It is intended to create Lot 6148 as a public reserve".

All drainage easements, rights of way, restrictions and covenants are to be included on the linen plan.

All dedications of roads/drainage are to be undertaken at no cost to Penrith City Council.

The following information is to be shown on one (1) copy of the plan.

- The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council's resolutions.
- All existing services are wholly contained within the lot served and/or covered by an appropriate easement.

49 M009 - 88B Instrument

The linen plan of subdivision is to be supported by an 88B instrument creating a Restriction as to User or easement regarding the following:

- a) Easement for support-the provision of an easement of support to cover all embankments that extend into the lots if the batters are steeper than 5:1.
- b) Residue Allotment - no development or building shall be allowed or be permitted to remain on the named lot unless satisfactory arrangements have been made with Penrith City Council for services (water, sewer, electricity and telephone), any outstanding contributions or consolidation with adjoining lots.

Council shall be nominated as the only authority permitted to modify, vary or rescind such restriction as to user.

50 M014 - Surveyors certificate

A Surveyors Certificate is to be lodged with the application for a Subdivision Certificate that certifies that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.

51 Q01F – Notice of Commencement and Appointment of PCA

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.

52 Q008 - Subdivision Certificate

A Subdivision Certificate is to be obtained prior to the release of the linen plan of subdivision. The Subdivision Certificate will not be issued if any of the conditions in this consent are outstanding.

Special Conditions

53 A Special – Rural Fire Service

The development is required to comply with the General Terms of Approval (GTA) dated 19 May 2015, issued by the NSW Rural Fire Service as outlined below:

- At the issue of subdivision certificate in perpetuity the entire property, excluding the riparian corridor, shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standard for asset protection zones'.
- Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bushfire Protection 2006'.
- Public road access shall comply with section 4.1.3(1) of 'Planning for Bushfire Protection 2006'.

54 A Special – Office of Water

The development is required to comply with the General Terms of Approval (GTA) dated 16 January 2015, issued by the NSW Office of Water as outlined below:

- (a) These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA2015/0299 and provided by Council:
 - (i) Site plan, map and/ or surveys

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.

- (b) Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
- (c) The consent holder must prepare or commission the preparation of:
 - (i) Vegetation Management Plan
 - (ii) Erosion and Sediment Control Plan
 - (iii) Soil and Water Management Plan
 - (iv) Amendments to Plans – any online detention basins must be fully vegetated.
- (d) All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/approvals/default.aspx
 - (i) Vegetation Management Plan

- (ii) Riparian Corridors
 - (iii) In-stream works
 - (iv) Outlet structures
 - (v) Watercourse crossings.
- (e) The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.
 - (f) The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.
 - (g) The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.
 - (h) The consent holder must provide a security deposit (bank guarantee or cash bond) – equal to the sum of cost of complying with the obligations under any approval – to the NSW Office of Water as and when required.
 - (i) The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by the NSW Office of Water.
 - (j) The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by the NSW Office of Water.
 - (k) The consent holder must ensure that no
 - (l) The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow (ii) wash into the water body or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
 - (m) The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.
 - (n) The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
 - (o) The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
 - (p) The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
 - (q) The consent holder must ensure that (i) river diversion, realignment or alterations does not result from any controlled activity work and (ii) bank control or protection works maintain the existing river hydraulic and geomorphic functions and (iii) bed control structures do not result in river degradation other than in accordance with a plan approved by the NSW Office of Water.
 - (r) The consent holder must ensure that the surfaces of river banks are graded to enable the unstructured flow of water and bank retaining structures result in a stable river bank in accordance with a plan approved by the NSW Office of Water.
 - (s) The consent holder must establish a riparian corridor along the tributary of South

Creek in accordance with a plan approved by the NSW Office of Water.

55 A Special – Transgrid Requirements

The applicant shall, at all times, comply with all the conditions stated in TransGrid's letter to Penrith City Council dated 23 October 2015.

56 A Special – National Parks and Wildlife Requirements

The development is to comply with the requirements of the National Park and Wildlife Service dated 3 September 2015 as revised on 19 October 2015 being:

- (a) Consultation regarding the design and location boundary fencing interfacing with the Regional Park
- (b) No works encroaching of the Regional Park, except those outlined in correspondence dated 19 October 2015.

57 A Special – Stockpile Location

No subdivision works (including earthworks or fill importation) are to occur in those areas marked as building footprint or hardstand areas on the "Stockpile Locations" plan prepared by Cardno Limited dated 15 September 2015 (Drawing No. 89914020-SK1006 Revision 2) until such time as they have been confirmed as suitable for the intended residential and employment uses, with the issue of a Site Audit Statement from a NSW Accredited Site Auditor.

The contamination status of these areas is to be investigated in accordance with the 'Sampling Analysis and Quality Plan: Central Precinct, Llandilo NSW' (Ref. 43352-57348 Rev 2 FINAL) prepared by JBS&G Australia Pty Ltd dated 9 April 2015, relevant NSW Environment Protection Authority Guidelines and State Planning Policies. The investigation report is to be submitted to and approved by Council. If Penrith City Council is not the certifying authority, the assessment is still required to be submitted to Council for approval.

The development shall also be carried out in accordance with the procedures set out in the 'Contamination Management Plan: Central Precinct, Llandilo NSW' (Ref. 43352/61064 Rev B) prepared by JBS&G Australia Pty Ltd dated 5 March 2015 and the conditions and procedures set out in the Site Audit Statements relating to the Central Precinct.

58 A Special – Specific Remedial Action Plan

Prior to the commencement of any remediation works, a Specific Remedial Action Plan (SRAP) is to be developed for those works and approved by a NSW Accredited Site Auditor, and a copy of the SRAP and the Site Auditor's Advice is to be submitted to Council and the Principal Certifying Authority for approval.

The SRAP is to be prepared with consideration of the 'Conceptual Remedial Strategy: Stage 1 and 2, Central Precinct, Llandilo, NSW' (Ref. 50539 - 60934 (Rev 1 FINAL) prepared by JBS&G Australia Pty Ltd dated 26 March 2015.

59 A Special – Remedial Action Plan

Remediation works shall be carried out in accordance with the approved Specific Remedial Action Plan, as well as the Penrith Development Control Plan and applicable NSW Environment Protection Authority Guidelines.

On completion of the site remediation works, the following documentation is to be submitted for approval to the Principal Certifying Authority and Penrith City Council, if Council is not the Principal Certifying Authority:

- Written notification that the remediation works have been completed is to be submitted within 30 days of the said works having been completed.
- A Validation Report, prepared by an appropriately qualified person as defined in Penrith Contaminated Land Development Control Plan, is to be submitted before any subdivision works can commence on the remediated land. The report shall certify that the remediation works have been carried out in accordance with the approved Specific Remedial Action Plan, the conditions of this consent, and the relevant NSW Environment Protection Authority requirements and Penrith Contaminated Land Development Control Plan. The Report is to confirm that the site will not pose an unacceptable risk to human health or the environment.
- The Site Audit Statement(s) and associated Site Audit Report(s), as prepared by the NSW Accredited Site Auditor and confirming that the land is suitable for the proposed residential and open space uses, are to be submitted before any subdivision works can commence on the remediated land.

60 A Special – Site Audit Statement

Upon the completion of fill importation works (including works the subject of DA14/1228 and DA15/0299), a Site Audit Statement is to be issued by a NSW Accredited Site Auditor. Prior to the issue of the Subdivision Certificate, the Site Audit Statement and the associated Site Audit Report is to be submitted to and approved by Penrith City Council.

This Site Audit Statement is to confirm that all land subject to development as a part of the subdivision works is suitable for the proposed residential and open space uses.

Note: The staging of Subdivision Certificate release may require the submission of multiple Site Audit Statements relating to the relevant land.

61 A Special – MUSIC Modelling

Prior to issue of Construction Certificate, MUSIC modelling and concept drainage plans for the collector road aspect of the development are to be submitted to Council for review. This additional information must satisfy all of Council's WSUD Policy requirements regarding the quality of the stormwater runoff coming off the road and adequate evidence is to be provided to demonstrate this compliance. Operation and Maintenance requirements for the additional treatment measures located along the collector road is also to be submitted.

62 A Special – Soil Salinity Management

The soil salinity management measures outlined in the Water, Soils and Infrastructure Report prepared by SKM dated May 2009 for the Central Precinct Plan and the Central Precinct, St Marys - Salinity Assessment Review prepared by Cardno dated 9 December 2014 shall be considered and implemented.

63 D Special – Fauna Movement

Prior to the issue of a Construction Certificate, a detailed plan that clearly outlines measures that will be implemented by the applicant to facilitate fauna movement across the 'Link Road' is to be submitted to Penrith City Council for approval. If Council is not the certifying authority, a copy of Council's approval for the plan is to be provided to the Principal Certifying Authority. The plan is to consider the following and must include detailed engineering designs as required:

- The use of traffic calming devices to slow traffic such as speed humps, chicanes

- and signage.
- The use of a specifically designed or modified fauna underpass (such as a culvert) to allow safe fauna movement under the 'Link Road'. These may be existing bridges/culverts that are upgraded or modified to provide improved fauna movement.
- The use of rope canopy bridges and glider poles in suitable locations to allow safe crossing of arboreal mammals the 'Link Road'.
- The use of fauna sensitive lighting along the road to minimize the impact of artificial light on nocturnal fauna such as birds, bats and mammals.
- The use of landscaping elements to improve habitat connectivity.
- The Plan should consider the locations of connectivity in relation to key elements within the Regional Park, such as conservation zones and riparian zones.

The location and use of particular measures are to be fully detailed and outlined in the report with justifications for their use.

Once approved by Penrith Council, all activities outlined in the plan are to be implemented and carried out in accordance with the plan. Council may request a review and if necessary updating of the plan to reflect current environmental standards and legislation. Council must be satisfied with any changes prior to the amendment of the plan.

64 D Special - Mud/Soil

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

65 D Special - Dust

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

66 D Special – Construction Environmental Management Plan

Prior to the issue of the Construction Certificate, a Construction Environmental Management Plan (CEMP) addressing all subdivision works is to be prepared by a suitably qualified person and submitted to Council for approval. If Council is not the certifying authority, a copy of Council's approval is to be provided to the Principal Certifying Authority.

The CEMP is to address the environmental aspects of the development and is to include details on the environmental management practices and controls to be implemented on the site. The CEMP is to address, but is not limited to the following:

- Noise control and hours of operation - with particular consideration given to the recommendations included in Section 4.3, 4.4 and 4.5 of the 'Central Precinct - Bulk Earthworks: Project Application Noise & Vibration Assessment' prepared by Wilkinson Murray dated September 2014 (Report No. 14145-N, Version B) and the correspondence prepared by Cardno Limited dated 9 February 2015 titled "Central Precinct, St Marys - DA14/1228 Response to Council Concerns Regarding Noise and Air Quality (Ref. 89914020)".
- Air quality management (including dust suppression) - with particular consideration given to the recommendations included in Section 9 of the 'Central Precinct Fill Placement: Air Quality Impact Assessment' prepared by Wilkinson Murray dated September 2014 (Report No. 14145-A, Version C) and the correspondence prepared by Cardno Limited dated 9 February 2015 titled "Central Precinct, St Marys - DA14/1228 Response to Council Concerns Regarding Noise and Air Quality (Ref. 89914020)".

- The CEMP is to specify noise and air quality performance criteria; any expected exceedance margins and their frequencies.
- The CEMP is to provide for weekly reporting to Council of monitoring results, identification of any exceedance and performance criteria and responsive measures where needed. Provision is also to be made for a complaints hotline.
- Water quality management
- Waste management
- Community consultation and liaison
- Incorporate a program for regular monitoring at sensitive receivers (particularly noise and air monitoring) throughout the development works, along with a review of procedures with consideration of the findings of this monitoring.

The approved CEMP is to be implemented and adhered to during all development stages.

67 D Special - Implementation of existing plans

The following existing plans and impact mitigation strategies prepared as part of the Central Precinct Plan 2009 are to be implemented:

- (a) Central Precinct Weed Management Plan (Cumberland Ecology, 2008);
- (b) Central Precinct Feral and Domestic Animal Management Strategy (Cumberland Ecology, 2008);
- (c) Central Precinct Bushfire Management Plan (BES, 2008); and
- (d) St Mary's Macrofauna Management Plan (Cumberland Ecology, 2005).

68 K Special – Stormwater Management Sediment Basin

The bio-retention basin is to be maintained by the proponent as a sediment basin until 80% of housing construction is completed and retain in the ownership of the proponent. After 80% of housing has been constructed the sediment basin is to be decommissioned and the bio-retention basin completed. After completion of the bio-retention basin has occurred, the proponent is to maintain the bio-retention basin for a period of 3 years after which time handover is permitted (see separate conditions relating to handover).

69 K Special – Waterways (Stormwater Management)

Prior to the issue of a Construction Certificate, the following information is to be submitted to Council for review and approval:

- Details of the proposed GPT so that considerations of the life cycle costs can be made. The proponent should provide Council with a detailed operation and maintenance manual which includes estimated costing;
- Detailed construction plans including all calculations, drawings and designs which are consistent with the design parameters used in the modelling and approved concept designs from the Development Application.

70 K Special – Vegetated Stormwater Management Systems

Handover of assets to Council will not occur until Council is satisfied that they are constructed in with the approved plans, conditions of approval and all certification requirements have been complied with:

- (a) Vegetated systems (e.g. bioretention measure/s) are required to remain 'on maintenance' for a minimum period of three (3) years or as otherwise approved and a performance-based inspection has been undertaken with Council.
- (b) The on-maintenance period for all vegetated systems can be considered as on-maintenance once 80% of dwellings are substantially completed within the development sub-catchment associated with the relevant treatment measure.
- (c) Certification is required to be provided for the installation of the filter media to demonstrate that the media complies with the approved specifications. At a

minimum compliance is required with the “Guidelines for Soil Filter Media in Bioretention Systems” (Facility for Advancing Water Biofiltration).

- (d) Photographs of the construction of the vegetated system are required as part of certification. A minimum of one labelled, date stamped photograph is required to be provided following each of the following construction phases:
- (i) Installation of the overflow pit and bulking out / trimming profiling
 - (ii) Installation of under drainage
 - (iii) Installation of cleanout points
 - (iv) Installation of drainage layer
 - (v) Installation of transition layer
 - (vi) Installation of filtration media
 - (vii) Laying of geofabric protection for build-out phase
 - (viii) Laying of turf temporary protection layer
 - (ix) Final planting.

A licensed surveyor is required to undertake an ‘as constructed’ survey of the bioretention device elements. The survey data is to demonstrate that design grades and levels have been achieved to the required tolerances. A copy of the survey is required to be lodged as part of the certification.

71 K Special - Commissioning and Handover

Prior to the handover of the assets, Council requires all of the following conditions to be met:

- (a) The WSUD assets / measures are constructed and operate in accordance with the approved design specifications / parameters and any other specific design agreements previously entered into with Council
- (b) The performance of the WSUD measure(s) has been validated, which must include the provision of a Performance Validation Report supporting the performance of the WSUD measure
- (c) Where applicable, the build up of sediment has resulted in no more than a 10% reduction of operational volume. Asset inspections for defects has been completed and, if any defects are found, rectified to the satisfaction of Council
- (d) The WSUD infrastructure is to the satisfaction of Council, structurally and geotechnically sound (this will require the submission of documents demonstrating that such infrastructure has been certified by suitably qualified persons)
- (e) Design drawings have been supplied in a format acceptable to Council
- (f) Works as Executed (WAE) drawings have been supplied for all infrastructure in a format and level of accuracy acceptable to Council
- (g) Other relevant digital files have been provided (e.g. design drawings, surveys, bathymetry, models etc)
- (h) Landscape designs have been supplied, particularly those detailing the distribution of functional vegetation, i.e. vegetation that plays a role in water quality improvement (clearance certificates from the landscape architect will need to be supplied)
- (i) The condition of the infrastructure associated with the land complies with the approved design specification
- (j) Filter media infiltration rates are within 10% of the rates of the design parameters for the filtration system concerned
- (k) Comprehensive operation and maintenance manuals (including indicative costs) have been provided. The plan should include details on the following:
 - (i) Site description (area, imperviousness, land use, annual rainfall, topography etc)
 - (ii) Site access description
 - (iii) Likely pollutant types, sources and estimated loads

- (iv) Locations, types and descriptions of measures proposed
- (v) Operation and maintenance responsibility
- (vi) Inspection methods (including inspection checklists)
- (vii) Maintenance methods (frequency, equipment and personnel requirements);
- (viii) Landscape and weed control requirements
- (ix) Operation and maintenance costs;
- (x) Waste management and disposal options; and
- (xi) Reporting.

72 K Special – Turf to Verge

Upon completion of all works in the road reserve all verge areas fronting and within the development are to be turfed. The turf shall extend from back of kerb to the property boundary with the exception of concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.

73 K Special – Kerb Inlet Pits

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that:

- All kerb inlet pits are not located within kerb returns and are located at a minimum distance of 1m from the tangent points of kerb returns.
- All drainage pits, including junction pits, shall be kerb inlet pits located within the kerb and gutter.

74 K Special – Gross Pollutant Traps

Prior to the issue of a Construction Certificate the certifying authority shall ensure that vehicular access to all gross pollutant traps (GPT's) is provided in the following manner:

- (a) All GPT's shall be located within a 'bus lay-by' type arrangement
- (b) All maintenance vehicles shall enter and leave the lay-by in a forward direction
- (c) The GPT access lids shall be located at the rear of the lay-by
- (d) The lay-by shall be constructed of reinforced heavy duty concrete with a dish crossing, reverse cross fall and kerb only around the perimeter.

Full details demonstrating compliance are to be submitted with the Construction Certificate.

75 K Special – Stormwater Management Systems

The stormwater management systems, including temporary on-site stormwater detention and erosion and sediment control systems, and flow paths from the basin outlets shall continue to be operated and maintained for the life of the development in accordance with the final operation and maintenance management plan. Maintenance shall continue until such times as stormwater runoff from the development site has stabilised and conveyed to the ultimate water quality treatment / stormwater detention system and the temporary system has been decommissioned. A minimum maintenance period of 36 months shall apply to the ultimate water quality treatment / stormwater detention system and shall be maintained in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

76 K Special – Vehicular and Pedestrian Safety Treatment

Prior to the issue of a Construction Certificate details of vehicular and pedestrian safety treatments to all retaining walls shall be submitted to Penrith City Council for approval. All vehicular barriers and pedestrian fencing treatments shall comply with Austroads Guidelines.

77 K Special – Drainage works within the Regional Park

Prior to the issue of a Construction Certificate full details of any drainage works required within the proposed Regional Park shall be submitted to the Office of Heritage and Environment for approval.

78 K Special – Roundabout Design

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure satisfactory manoeuvring clearances have been provided for the following vehicles at the following locations:

- Proposed roundabout at the intersection of Road No's 001 & 060 / 064 to accommodate a 14m bus.
- Proposed roundabout at the intersection of Road No's 001 & 002 to accommodate a 26m B-Double vehicle that enters and exits the roundabout from the eastern and northern legs only.
- Proposed roundabout at the intersection of Road No's 002 & 009 to accommodate a 14m bus.

All turn paths and clearances shall be in accordance with current Austroads Guidelines, Roads and Maritime Services Guidelines and Technical Directions and Council requirements. Full details shall be submitted with the Construction Certificate.

79 K Special - Road Design

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure the following:

- Splitter islands at roundabouts have been designed as pedestrian refuges and cyclist refuges in accordance with Austroads Guidelines and Roads and Maritime Services Guidelines and Technical Directions.
- The shared path on Road No 001 continues to Chainage 1600
- The location of all bus stops and associated infrastructure has been indicated on construction certificate drawings.
- All bicycle facilities are in accordance with relevant provisions of Austroads Guidelines and Roads and Maritime Services Guidelines and Technical Directions.
- The type of Gross Pollutant trap has been approved by Penrith City Council
- Laybacks are to be provided to service each lot. All laybacks are to be located a minimum distance of 6m from the tangent point of any kerb return at intersections. Laybacks are also to be located a minimum distance of 1m from the edge of the lintel of any stormwater kerb inlet pit.

Full details shall be shown on construction certificate drawings.

80 K Special – Stormwater Flow Report

Prior to the issue of a Construction Certificate, a detailed report is to be prepared and submitted to Penrith Council for approval that demonstrates stormwater flows for all events up to and including the 1% ARI from the development site will have no adverse impact upon the downstream properties and existing waterbodies.

81 M Special – Amended Urban Design Plans

Prior to the release of a Construction Certificate, amended Urban Design Plans (Building Envelope Plan, Lot Type Plan and Street Tree Plan) are to be submitted to Penrith Council for approval. The Urban Design Plans are to respond to the amended subdivision layout.

Advisory Note: The site is subject to the provisions of the St Marys Penrith Planning Agreement, as amended. The applicant is reminded of the obligations under the Planning Agreement with regard to the delivery of certain infrastructure and services as part of the development of the Western Precinct. All works shall be carried out in accordance with the requirements of the St Marys Penrith Planning Agreement, as amended.