

MOTT MACDONALD AUSTRALIA PTY LTD
LEVEL 10, 383 KENT ST
SYDNEY NSW 2000

Dear Sir/Madam,

**230 SIXTH AVENUE, AUSTRAL NSW 2179, 50 EDMONDSON AVENUE,
AUSTRAL NSW 2179, 60-80 EDMONDSON AVENUE, AUSTRAL NSW 2179,
(LOT 1067 DP 2475, LOT B DP 416093, DP 416093 Cnr Lot A),
SECTION 4.55(2) MODIFICATION TO DEVELOPMENT CONSENT No. DA-
1053/2016**

I refer to your Section 4.55(2) Application lodged on 04 October 2017 seeking to amend Development Consent No. DA-1053/2016 which granted approval for and *Integrated development over 2 stages - Subdivision of three lots creating 124 Torrens title residential lots 1 residue lot, construction of 149 dwellings, construction of three roads and three laneways, construction of drainage and stormwater management system, installation of temporary on-site stormwater detention on lot 1, construction of public utility infrastructure, site remediation works with bulk earthworks involving cut and fill, landscaping works and demolition of existing structures, with vegetation removal.*

It is noted the modification seeks the following:

- Amendments to the lot sizes and housing typologies of 32 individual lots.
- Amendments to several of the semi-attached dwelling lots and two of the manor homes lots (i.e. Lot 2 and 23) to a mix of detached double storey dwellings and rear loaded terraces.
- Amendments to the lot sizes and width of the modified lots to suit the proposed modifications.
- As a consequence of the modification the total number of lots are proposed to change from the approved 124 Torrens title lots and 1 residue lot to 130 Torrens title lots with 1 residue.

Pursuant to Section 4.55 (2) of the *Environmental Planning and Assessment Act 1979*, Council grants approval for such modification. Accordingly, Development Consent (DC No. DA-1053/2016/A) is amended as follows: - ***(Amendments to conditions are in bold and italics)***



The description of development is amended to read as follows:

Integrated development over 2 stages - Subdivision of three lots creating **130** Torrens title residential lots 1 residue lot, construction of 149 dwellings, construction of three roads and three laneways, construction of drainage and stormwater management system, installation of temporary on-site stormwater detention on lot 1, construction of public utility infrastructure, site remediation works with bulk earthworks involving cut and fill, landscaping works and demolition of existing structures, with vegetation removal.

Conditions 1, 10 and 12 of Development Consent No. DA-1053/2016 is amended to read as follows:

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows:

Plan Name	Plan Number	Date	Revision	Prepared By
Architectural Plans	DA03-DA-888	8 September 2017	A	MPS Architects
Indicative Dwelling Types	N/A	8 November 2016	A	MPS Architects
Landscape Plan	L/00	08/09/17	C	ATC
Landscape Plan	L/01	08/09/17	D	ATC
Landscape Plan	L/02	08/09/17	D	ATC
Landscape Plan	L/03	08/09/17	D	ATC
Landscape Plans	TP/00	20/10/2016	A	ATC
Landscape Plans	TP/01	20/10/2016	A	ATC
Landscape Plans	TP/02	20/10/2016	A	ATC
Landscape Plans	TP/03	20/10/2016	A	ATC
Landscape Plans	TP/04	20/10/2016	A	ATC
Landscape Plans	TP/05	21/10/2016	A	ATC
Landscape Plans	TP/06	21/10/2016	A	ATC
Landscape Plans	TP/07	21/10/2016	A	ATC
Landscape Plans	TP/08	24/10/2016	A	ATC
Landscape Plans	TP/09	25/10/2016	A	ATC
Landscape Plans	TP/10	25/10/2016	A	ATC
Landscape Plans	TP/11	25/10/2016	A	ATC
Landscape Plans	TP/12	25/10/2016	A	ATC
Landscape Plans	TP/13	26/10/2016	A	ATC
Landscape Plans	TP/14	26/10/2016	A	ATC
Civil Plans	MMD-369954-C-DR-AB-S96-0001 to MMD-369954-C-DR-AB-S96-0003	18.09.17	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-S96-	18.09.17	P4	Mott Macdonald

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Civil Plans	MMD-369954-C-DR-AB-S96-0020_	18.09.17	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-S96-0030	18.09.17	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-S96-0031	18.09.17	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0040_P4	10/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0050_P4	08/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0051_P5	10/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0060_P3 to MMD-369954-C-DR-AB-XX-0064_P3	08/05/2017	P3	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-S96-0070 to MMD-369954-C-DR-AB-S96-0071	18.09.17	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-S96-0072 to MMD-369954-C-DR-AB-S96-0073	18.09.17	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0075_P3	10/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0080_P4	10/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0090_P2 to MMD-369954-C-DR-AB-XX-0091_P2	08/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0100_P3 & MMD-369954-C-DR-AB-XX-0111_P3 &	08/05/2017	P3	Mott Macdonald

	MMD-369954-C-DR-AB-XX-0112_P3			
Civil Plans	MMD-369954-C-DR-AB-XX-0120_P4	08/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0130_P6	10/05/2017	P6	Mott Macdonald

Report Name	Date	Reference	Prepared By
Aboriginal Cultural heritage due diligence assessment	24 October 2016	22801	Biosis
Road Traffic Noise Assessment	7 September 2017	TH526-02F02	Renzo Tonin & Associates
Phase 1 Environmental Site Assessment Report – 60-80 Edmondson Avenue	September 2016	1601067-Rpt02FinalV01-22Sept16	Geo-Logix
Phase 1 Environmental Site Assessment Report – 230 Sixth Avenue	July 2016	1601067-Rpt01FinalV01-12July2016	Geo-Logix
Phase 1 Environmental Site Assessment Report – 155 Fifth Avenue and 50 Edmondson Avenue	September 2016	1601067-Rpt03FinalV01-22Sept16	Geo-Logix
Soil Salinity Report	October 2016	1601112Rpt01FinalV01-12Oct16	Geo-Logix
Phase 2 Environmental Site Assessment Report – 60-80 Edmondson Avenue	February 2017	1601114Rpt01FinalV02-28Feb17	Geo-Logix
Phase 2 Environmental Site Assessment Report – 155 Fifth Avenue and 50 Edmondson Avenue	February 2017	1601114Rpt02FinalV02-28Feb17	Geo-Logix
Phase 2 Environmental Site Assessment Report – 230 Sixth Avenue	February 2017	1601114Rpt03FinalV02-28Feb17	Geo-Logix
Soil Delineation Sampling – 60-80 Edmondson Avenue	27 February 2017	1701011Ltr01FinalV01-27Feb17	Geo-Logix
Soil Delineation Sampling – 155 Fifth Avenue and 50 Edmondson Avenue	27 February 2017	1701012Ltr01FinalV01-27Feb17	Geo-Logix

Soil Delineation Sampling – 230 Sixth Avenue	28 February 2017	1701010Ltr01FinalV01-28Feb17	Geo-Logix
Remediation Action Plan	February 2017	1701013Rpt01FinalV01-28Feb17	Geo Logix
Traffic Impact Assessment	November 2016	16140	Transport and Traffic Planning Associates
Demolition Statement	02 November 2016	Revision A	Mott Macdonald
Infrastructure Report	04 November 2016	Revision B	Mott Macdonald
Water Cycle Management Report	04 November 2016	Revision C	Mott Macdonald
Arboricultural Impact Assessment	11 May 2017	N/A	Eco Logical
BASIX Certificate	09 August 2017	772538M_02	Frys Energywise

except where modified by the undermentioned conditions.

S138 Roads Act – roadworks requiring approval of civil drawings.

10. Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council (being the Roads Authority under the Roads Act), for provision of ***half width road works in Fifth and Sixth Avenue and 2.0m wide construction in Edmondson Avenue***

Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

Note:

1. Where Liverpool 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.

Construction Certificate Drawings

12. The drawings submitted for CC approval are to make allowance for and document:
 - Minimum kerb return radii of 9.0m
 - Standard kerb and gutter installation except in laneways
 - Details of all works required to effect the conversion of the sediment basin to a bio retention function

- Details of all works required to decommission the temporary bio retention basin.
- Details of existing overhead services to be undergrounded in Sixth Avenue, Fifth Avenue and Edmondson Avenue
- Construction of 2.0m width road and associated drainage construction in Edmondson Avenue.
- Construction of half width road and drainage construction in Fifth and Sixth Avenues
- Road drainage systems in Edmondson Avenue are to be designed and installed to accommodate flows from a fully developed upstream catchment for the 1 in 5 year ARI event
- The finished bulk earthworks surface levels are to be generally 400mm below future finished floor levels to facilitate the house construction during next stage
- The temporary stormwater tail out in Edmondson Avenue must be designed and constructed in accordance with the requirements of Council
- Positioning of footpath and landscaping elements in Edmondson Avenue are to correspond to that shown in Typical Transit Boulevard LGCDP
- Staging of works and dwelling construction sequencing.
- ***Stormwater drainage proposed to the additional new lots***

All other conditions of Development Consent No. DA-1053/2016 remain unchanged.

If you have any further enquiries please contact George Nehme on the abovementioned contact details.

ADVISORY NOTES:

- (a) *Section 4.55 of the Environmental Planning and Assessment Act, 1979 gives you the right to request the Council to review this determination within six months of the date of determination.*
- (b) *Section 8.7 & 8.10 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the NSW Land and Environment Court within six (6) months after:*
 - (a) *the date on which the applicant received notice, given in accordance with the regulations, of the determination of that application or, if an application for review under section 96AB has been decided, the date on which the applicant received notice, in accordance with the regulations, of the decision, or*
 - (b) *the date on which the applicant's application is taken to have been determined in accordance with regulations made under section 8.5 (3), 4.55 (6) or 4.55AA (3).*
- (c) *The Section 4.55 Modification Application does not extend the timeframe of the development consent initially granted by Council.*

- (d) *Modification of the development consent in accordance with Section 4.55 of the Environmental Planning and Assessment Act, 1979 shall not be construed as the granting of development consent, but reference to a development consent, is a reference to a development consent so modified.*
- (e) *Modification of the development consent does not remove the need to obtain any other statutory consent necessary under the Act.*