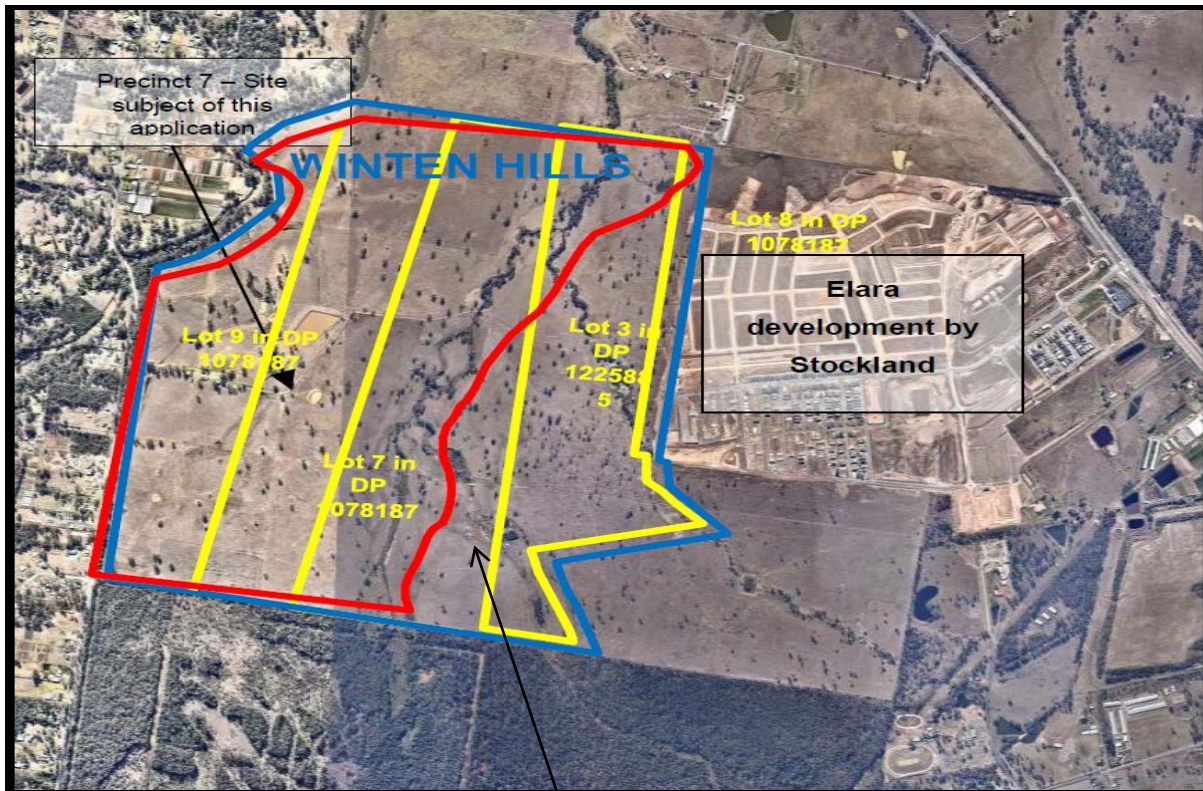
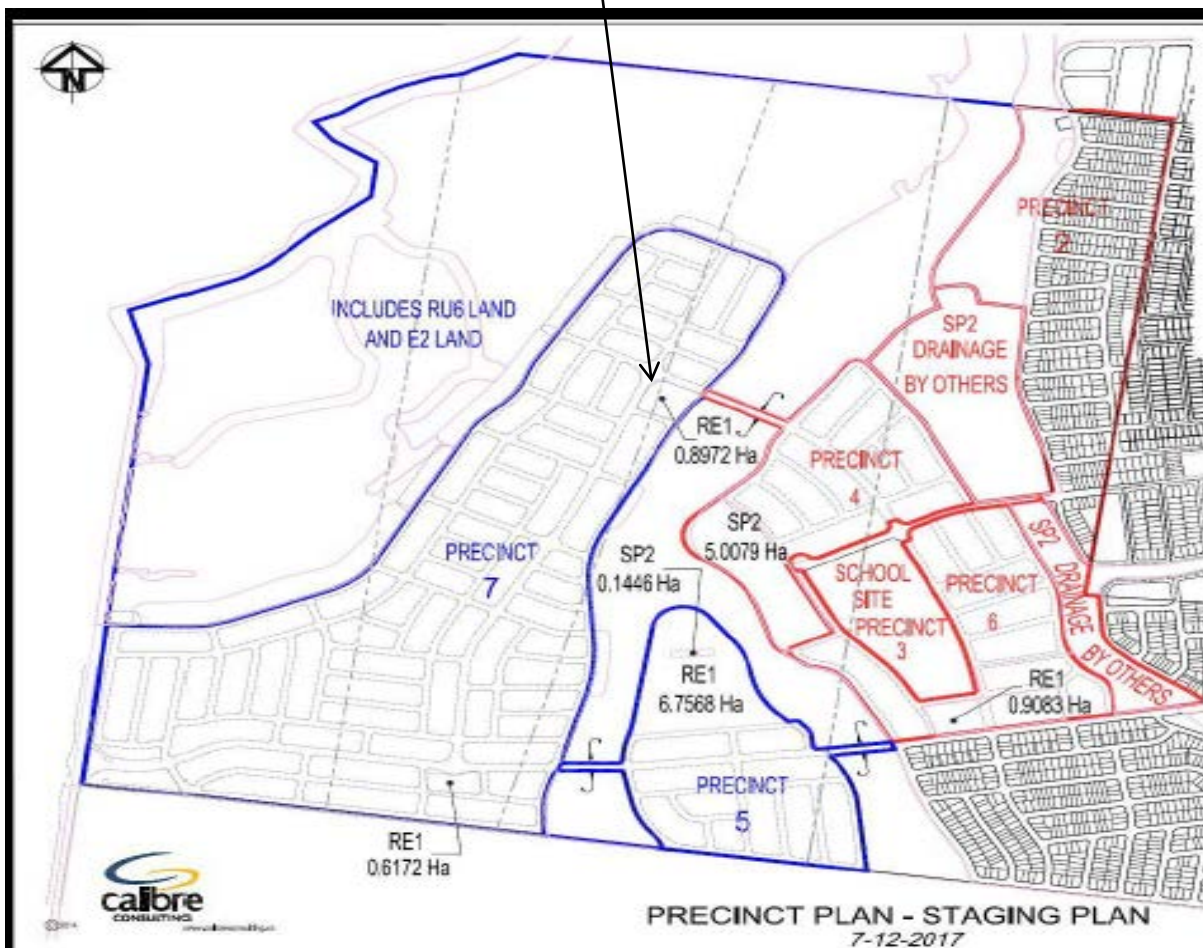


Location map



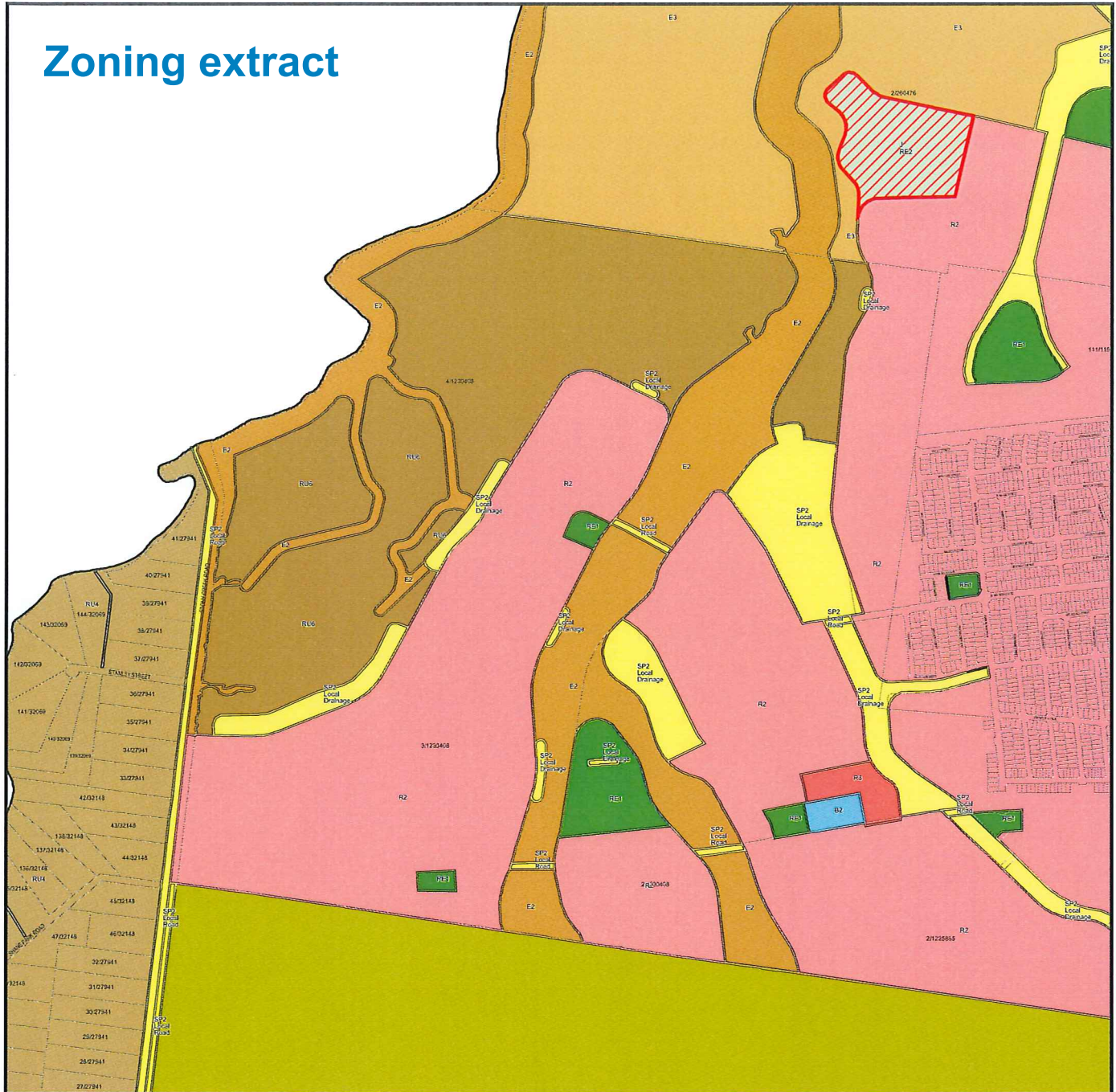
Location of Site



Aerial image (as at 7 June 2018)



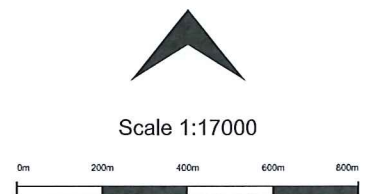
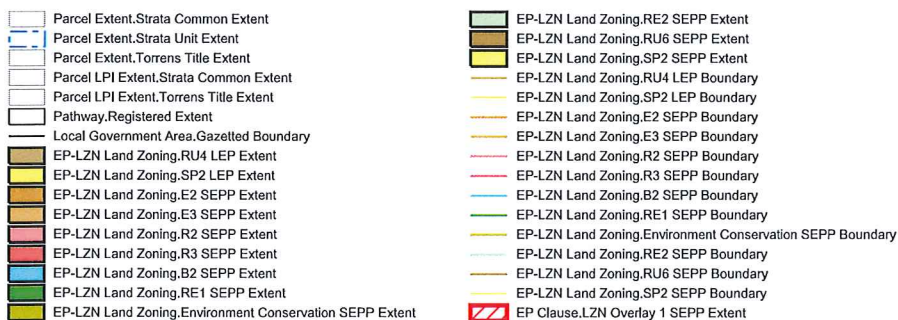
Zoning extract



Air Photo Date: 9/6/10 - 11/9/10

Plot Date: 07/06/2018

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Detailed information about proposal and DA submission material

1 The proposal

1.1 The Development Application has been lodged by Calibre Group, on behalf of Winten, seeking approval for the following works:

- Torrens title subdivision to create 1,842 residential lots across 17 stages. Figure 1 shows the location and distribution of these lots
- creation of 1 residue lot on RU6 land
- creation of 2 lots for future local parks
- tree removal and street tree planting
- construction and dedication of local roads and a collector road and ancillary subdivision works
- construction of 5 water quality devices on SP2 Infrastructure zoned land and subdivision of these lots for future acquisition by Council.

1.2 The subject site, Precinct 7, has an area of approximately 200 hectares (92.14 hectares zoned R2 Low Density Residential) and is located within the Marsden Park Precinct. The site is part of a larger development marketed as Newpark Estate. Bulk earthworks over Newpark were approved under DA 15-02273.

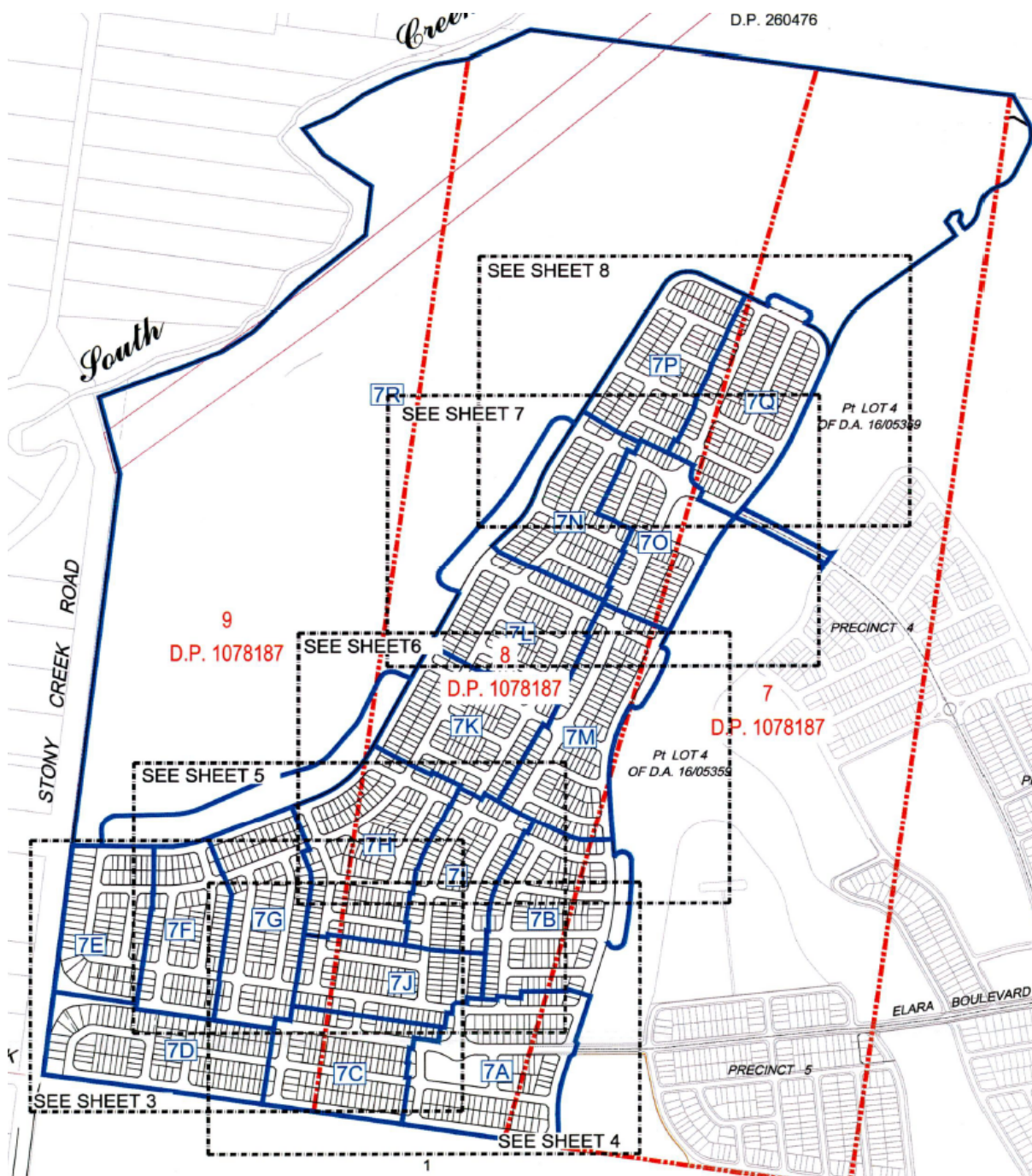


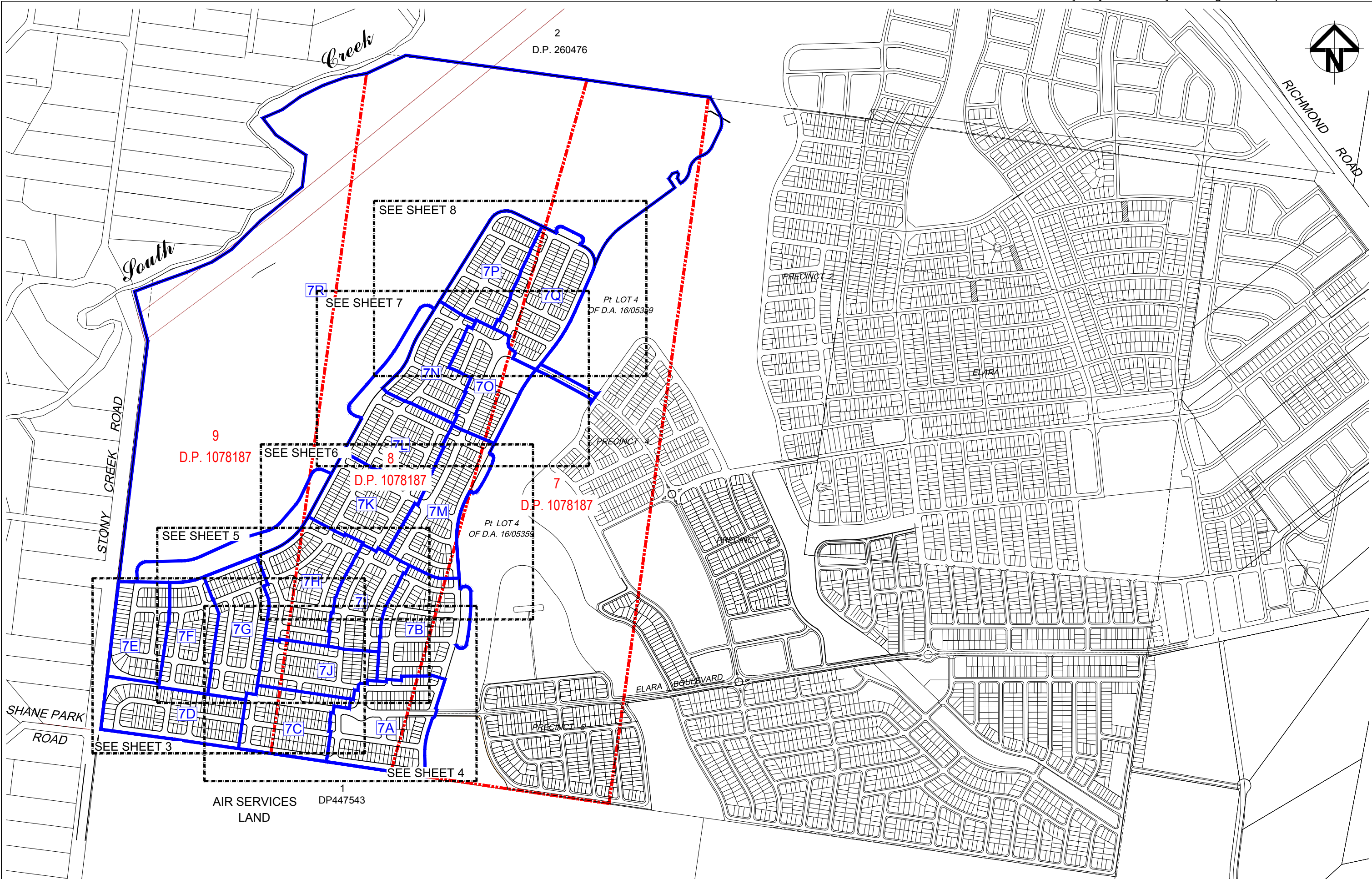
Figure 1 – Subdivision and staging plan



2 Application documentation

- 2.1 The applicant has submitted a Traffic Impact Assessment Report prepared by Transport and Urban Planning Pty Ltd dated 13 December 2017. The report provides a traffic impact assessment that includes a review of the surrounding road hierarchy, existing traffic controls, and impacts of the projected traffic generation from the development on the capacity of the surrounding road network.

- 2.2 The application includes a Soil Salinity and Agressivity Assessment prepared by DLA Environmental Services (DL3492-S0029172917) dated May 2015. This report was submitted with DA-15-02273 for bulk earthworks. The works relating to this DA are currently underway.
- 2.3 The application includes a detailed Site Investigation Report prepared by DLA Environmental Services (DL3492-S002906) dated May 2015. This report was submitted with DA-15-02273 for bulk earthworks. The works relating to this DA are currently underway.
- 2.4 The application includes a Bushfire Protection Assessment prepared by Ecological Australia dated December 2017. The assessment concluded that the proposed development will provide compliance with *Planning for Bush Fire Protection 2006*.
- 2.5 The application includes a Remediation Action Plan prepared by J Wyndham Prince dated March 2017. The report concluded that the site can be made suitable for the intended land use subject to appropriate remediation in accordance with this Remediation Action Plan and SEPP 55.
- 2.6 The application includes a Vegetation Management Plan prepared Ecological Australia dated December 2017. The plan has been prepared for the restoration of South Creek and tributaries riparian corridor within Woorong Park.
- 2.7 The application includes a Stormwater Management Strategy prepared J Wyndham Prince dated 14 December 2017. The report concluded that the proposed stormwater management strategy is consistent with the Marsden Park Residential Precinct Post Exhibition Water Cycle & Flood Management Strategy Report (J. Wyndham Prince 2013), and considers the objectives of Council's policies and provides best practice stormwater management for Newpark Precinct 7.



AMENDMENT DETAILS						STATUS		SCALE		CLIENT		PROJECT		DRAWING TITLE	
FIRST ISSUE	DESIGN	DRAWN	CHECK	APPD.	DATE			0 50 100 150 200 250 300 350 400		WINTEN PROPERTY GROUP www.winten.com.au		PRECINCT 7 WOORONG PARK RICHMOND ROAD, MARSDEN PARK		PROPOSED SUBDIVISION OF LOTS 7, 8 & 9 IN D.P. 1078187 LOCATION PLAN	
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3	PL	AC	PL		7/03/2018	REVISION								REVISION	
4	PL	AC	PL		12/04/2018	REVISION									
5	PL	AC	PL		18/05/2018	REVISION									
6	PL	AC	PL		22/05/2018	REVISION									

BY: PETER LEE
Business Unit Manager - Planning

SIGN: *P. Lee*

DATE: 22/05/2018

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PRECINCT 7 WOORONG PARK
RICHMOND ROAD, MARSDEN PARK

1 OF 11

FILE: H:\X14419-LOT 4 LAND TO RICHMOND RD, MARSDEN PARK\DRAWINGS\PRECINCT 7\X14419-PREC7-DA_1.DWG LAST SAVED BY: PENS WU



2
DP260476

TRANSMISSION
TOWER

Creek

South

Pt LOT 4
OF D.A. 16/05359

7R

RESIDUE
3001
113.227ha

7P

7Q

7N

7Q

7L

7K

7M

Pt LOT 4
OF D.A. 16/05359

PRECINCT 4

7H

7I

7J

7G

7F

7E

7D

7C

7B

7A

ABELL ROAD

PRECINCT 55

1
DP447543
AIR SERVICES
LAND

DENSITY CALCULATION

(R2) NET DEV. AREA = 92.1395ha
x15 = 1382 DWELLINGS (MIN)
x20 = 1842 DWELLINGS (MAX)

SUMMARY

	LOT NUMBERS	TOTAL LOTS
STAGE 7A	101-205 206	105 LOTS 1 PARK
STAGE 7B	301-428 429	128 LOTS 1 DRAINAGE BASIN
STAGE 7C	451-554	104 LOTS
STAGE 7D	601-715	115 LOTS
STAGE 7E	801-875 876	75 LOTS 1 DRAINAGE BASIN
STAGE 7F	1001-1085	85 LOTS
STAGE 7G	1101-1220	120 LOTS
STAGE 7H	1301-1443	143 LOTS
STAGE 7I	1501-1588	88 LOTS
STAGE 7J	1601-1701	101 LOTS
STAGE 7K	1801-1920	120 LOTS
STAGE 7L	2001-2117 2118	117 LOTS 1 DRAINAGE BASIN
STAGE 7M	2201-2322 2323	122 LOTS 1 DRAINAGE BASIN
STAGE 7N	2401-2499	99 LOTS
STAGE 7O	2501-2576 2577	76 LOTS 1 PARK
STAGE 7P	2601-2710	110 LOTS
STAGE 7Q	2801-2934 2935	134 LOTS 1 DRAINAGE BASIN
STAGE 7R	3001	1 RESIDUE LOT

LEGEND

- PBP APZ SETBACK
- REQUIRE BUILDING ENVELOPE PLAN
- DENOTED LAND ZONING BOUNDARY

NOTES

- AREAS AND DIMENSIONS CONTAINED WITHIN THIS PLAN ARE FOR D.A. PURPOSE ONLY & MAY VARY SUBJECT TO FINAL SURVEY.
- KERB AND ROUNDABOUT DESIGNS TO BE FINALISED ON ENGINEERING DESIGN.

FIRST ISSUE	DESIGN	DRAWN	CHECK	APPD.	DATE	
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4	PL	AC	PL		12/04/2018	REVISION
5	PL	AC	PL		18/05/2018	REVISION
6	PL	AC	PL		22/05/2018	REVISION

CLIENT: **WINTEN PROPERTY GROUP**
www.winten.com.au

AUTHORISED FOR ISSUE:
BY: PETER LEE
Business Unit Manager - Planning

SIGN: *P. Lee*
DATE: 22/5/2018

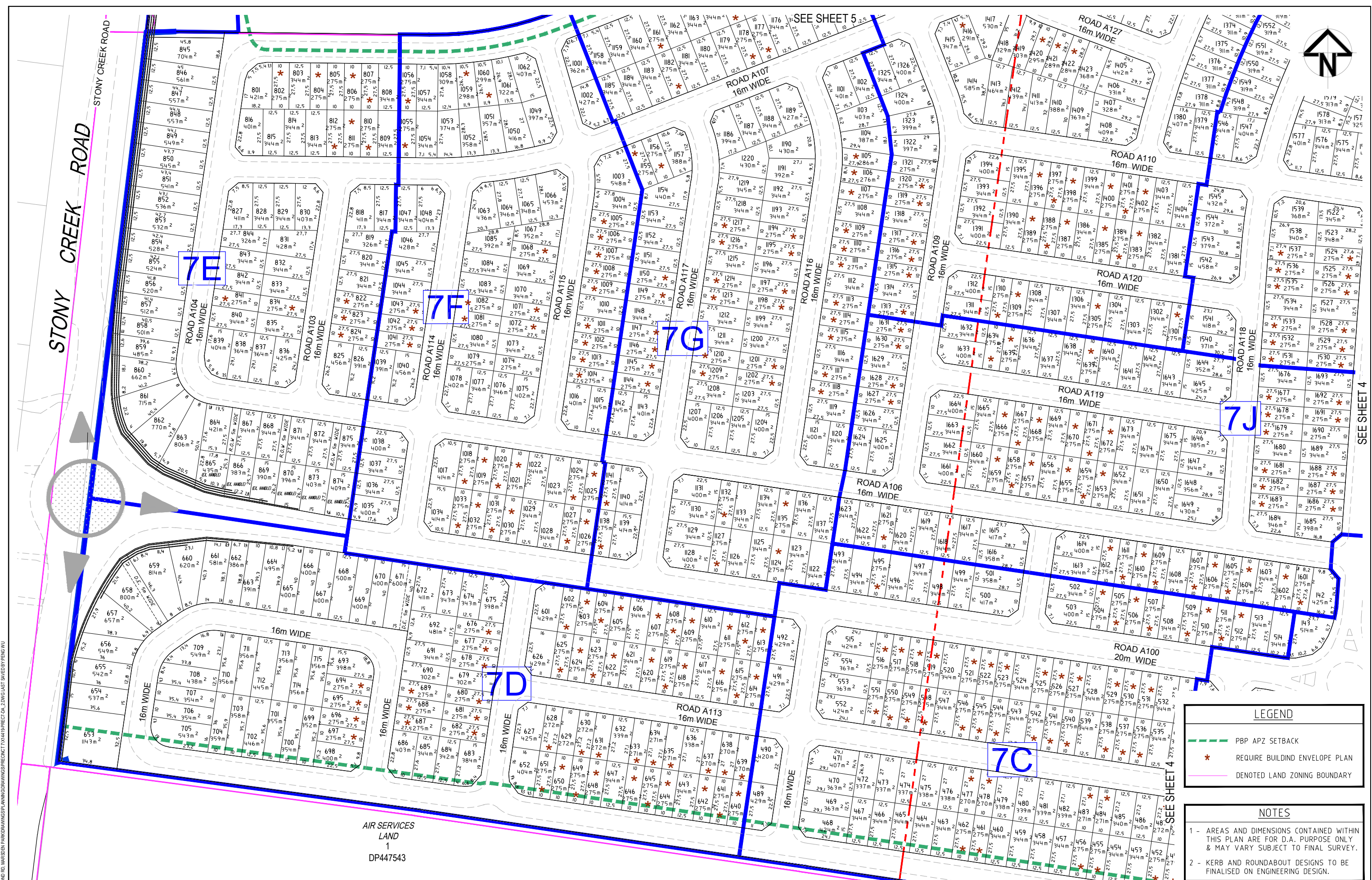
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PROJECT: **PRECINCT 7 WOORONG PARK
RICHMOND ROAD, MARSDEN PARK**

DRAWING TITLE: **PROPOSED SUBDIVISION OF
LOTS 7, 8 & 9 IN D.P. 1078187
OVERALL MASTERPLAN**

SCALE: 0 30 60 90 120 150 180 210 240
SCALE 1:3000 (A1) SCALE 1:6000 (A3)

PROJECT No. DRAWING No. STAGE REVISION
X14419-PREC7-DA_2 2 OF 11 5



LEGEND

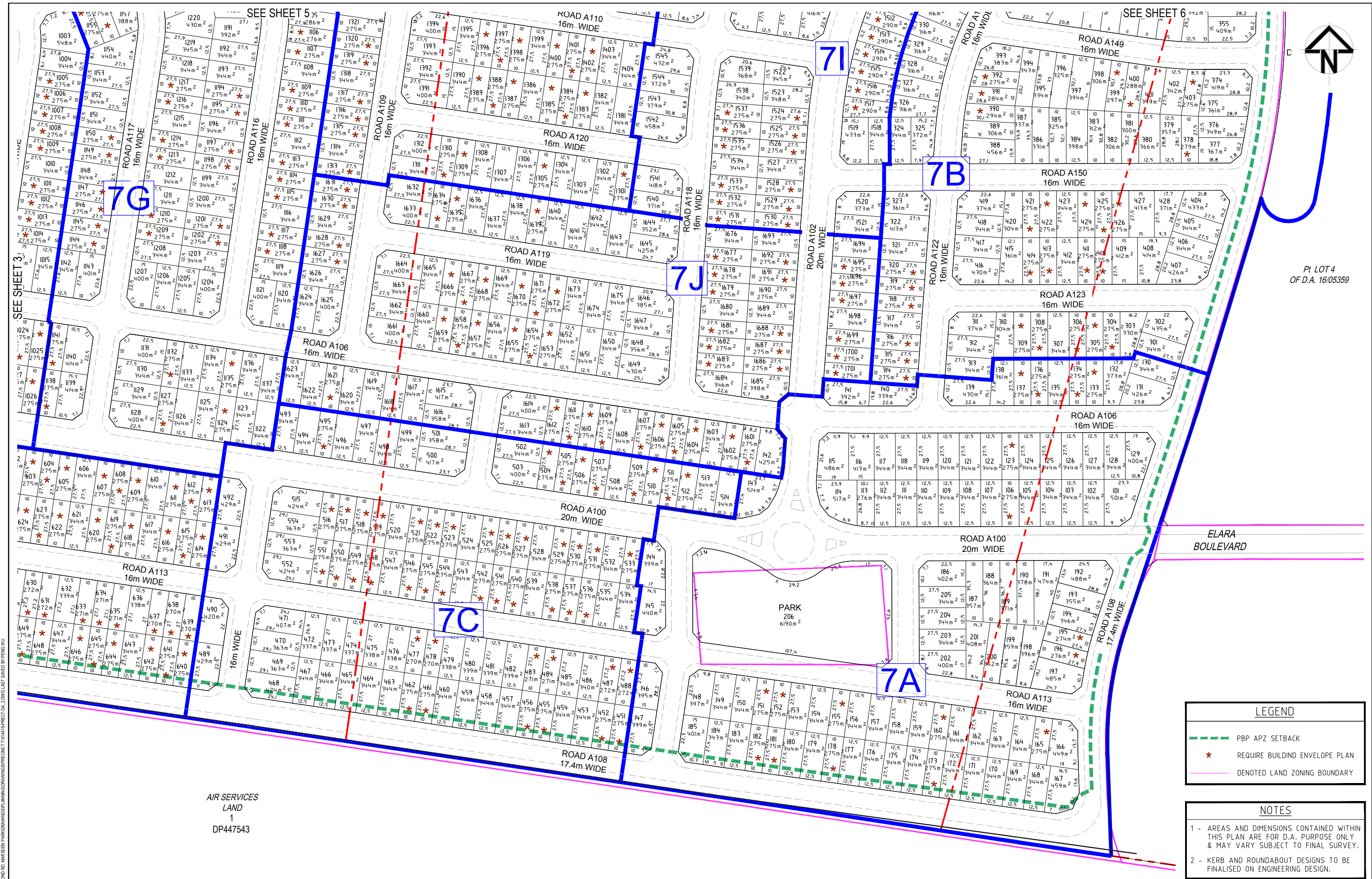
- PBP APZ SETBACK
- REQUIRE BUILDING ENVELOPE PLAN
- DENOTED LAND ZONING BOUNDARY

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FIRST DESIGN DRAWN CHECK APPRO. DATE						AMENDMENT DETAILS						STATUS		SCALE						CLIENT				PROJECT		DRAWING TITLE							
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22/05/2018						REVISION																											
														</																			

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6	22/05/2018	PL	AC	PL	REVISION

STATUS	SCALE	CUSTOMER	PROJECT	DRAWING TITLE
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DISCLAIMER	PROJECT No.	DRAWING No.	STAGE	REVISION
AREAS AND DIMENSIONS CONTAINED WITHIN THIS PLAN ARE FOR D.A. PURPOSES ONLY & MAY VARY SUBJECT TO FINAL SURVEY	X14419-PREC7-DA_2	4	OF 11	5

LEGEND

— PBP APZ SETBACK

* REQUIRE BUILDING ENVELOPE PLAN

— DENOTED LAND ZONING BOUNDARY

LEGEND

— PBP APZ SETBACK

* REQUIRE BUILDING ENVELOPE PLAN

— DENOTED LAND ZONING BOUNDARY

NOTES	
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876
3 795 ha

7H

7

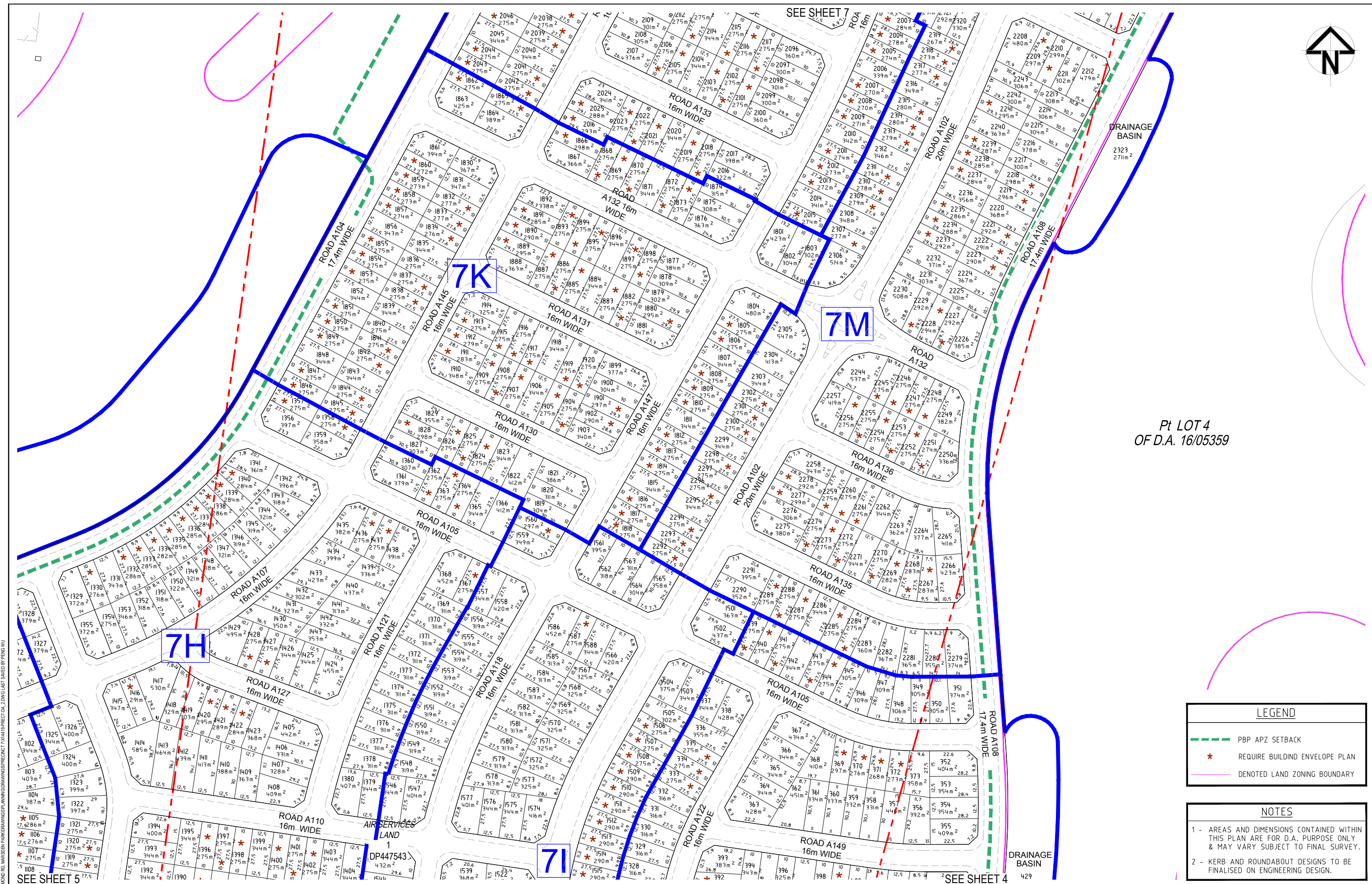
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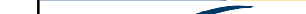
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SEE SHEET 3

SEE SHEET

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AUTHORISED FOR ISSUE:						BY: PETER LEE		SIGN:								
						Business Unit Manager - Planning		DATE:	22/05/2018							



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	18/12/2017	REVISION								
	7/03/2018	LOTS 636-638 REVISED								
	12/04/2018	REVISION								
	18/05/2018	REVISION								
	22/05/2018	REVISION								

RESIDUE
3001
113.227ha

DRAINAGE BASIN
2118
1,612.9ha

Pt LOT 4
OF D.A. 16/05359

Pt LOT 4
OF D.A. 16/05359

LEGEND

- PBP APZ SETBACK
- REQUIRE BUILDING ENVELOPE PLAN
- DENOTED LAND ZONING BOUNDARY

NOTES

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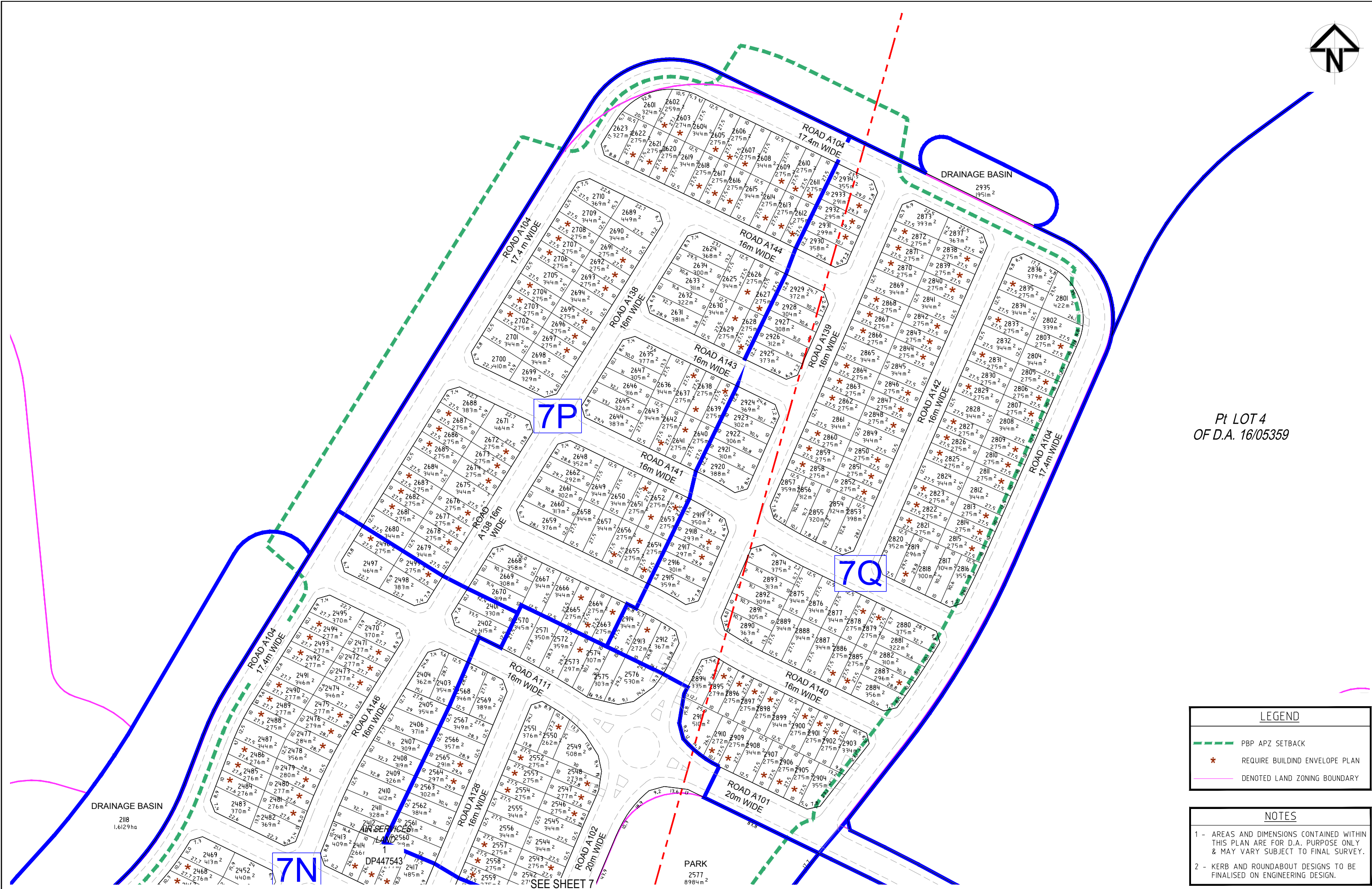
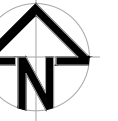
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CLIENT	
	WINTEN PROPERTY GROUP www.winten.com.au

PROJECT	
	calibre calibregroup.com

DRAWING TITLE	
PRECINCT 7 WOORONG PARK RICHMOND ROAD, MARSDEN PARK	

DRAWING TITLE	
PROPOSED SUBDIVISION OF LOTS 7, 8 & 9 IN D.P. 1078187	
PROJECT No. X1419-PREC7-DA_2	DRAWING No. 2 OF 11
STAGE	REVISION



Pt LOT 4
OF D.A. 16/05359

LEGEND

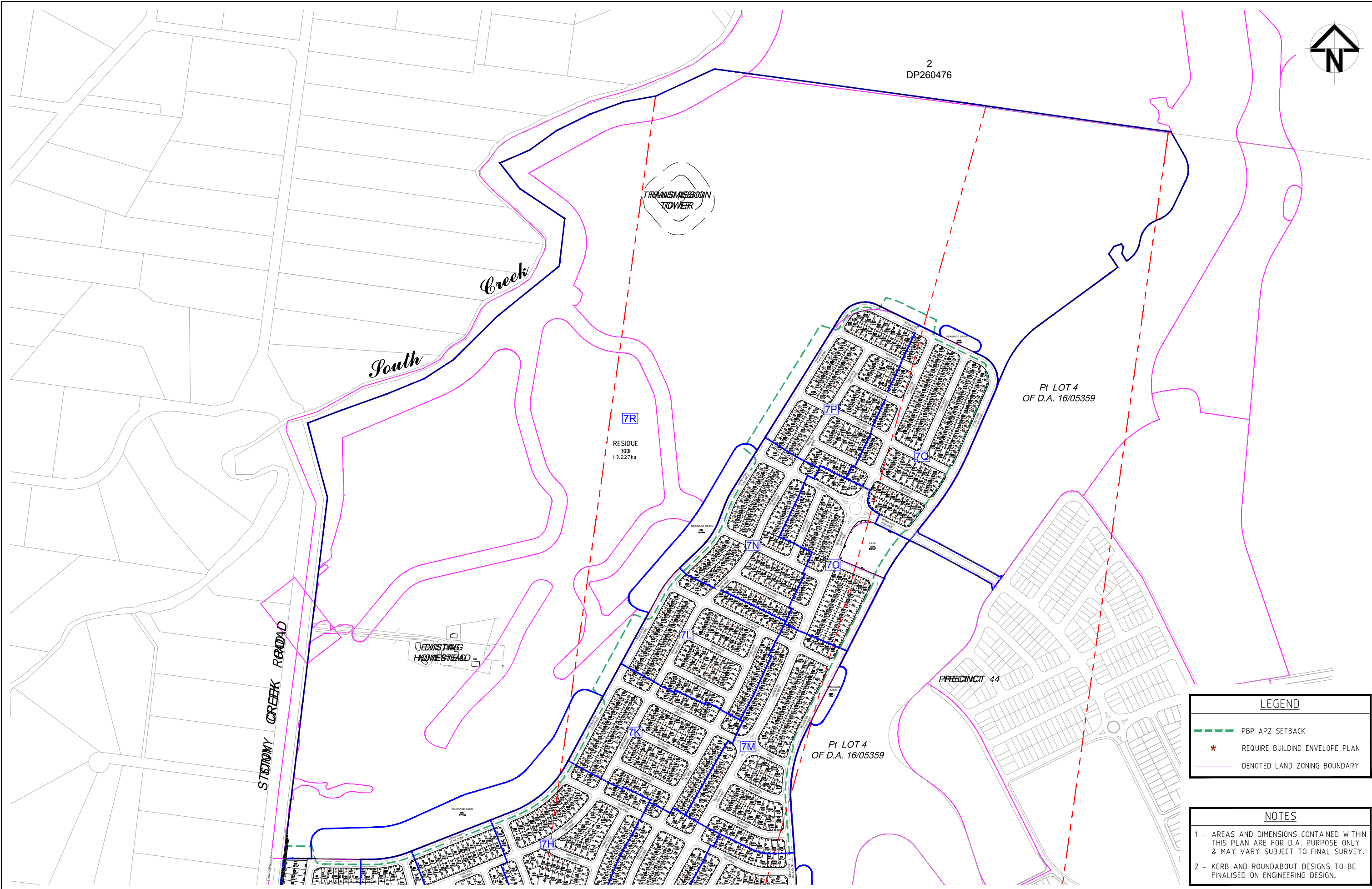
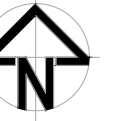
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AMENDMENTS	DESIGN	DRAWN	CHECK	APPD.	DATE	AMENDMENT DETAILS	STATUS	SCALE	CLIENT	 WINTEN PROPERTY GROUP www.winten.com.au	 © 2018 calibregroup.com	PROJECT	PRECINCT 7 WOORONG PARK RICHMOND ROAD, MARSDEN PARK	DRAWING TITLE	PROPOSED SUBDIVISION OF LOTS 7, 8 & 9 IN D.P. 1078187		
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LEGEND

- PBP APZ SETBACK
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						22/05/2018	REVISION

STATUS

AUTHORISED FOR ISSUE:

BY: PETER LEE
Business Unit Manager - Planning

SIGN: *P. Lee*

DATE: 22/05/2018

SCALE

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SCALE 1:1500 (A1) SCALE 1:3000 (A3)

CLIENT

WINTEN
PROPERTY GROUP
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PROJECT

PRECINCT 7 WOORONG PARK
RICHMOND ROAD, MARSDEN PARK

DISCLAIMER
AREAS AND DIMENSIONS CONTAINED WITHIN THIS PLAN ARE FOR D.A. PURPOSES ONLY & MAY VARY SUBJECT TO FINAL SURVEY

DRAWING TITLE

PROPOSED SUBDIVISION OF
LOTS 7, 8 & 9 IN D.P. 1078187

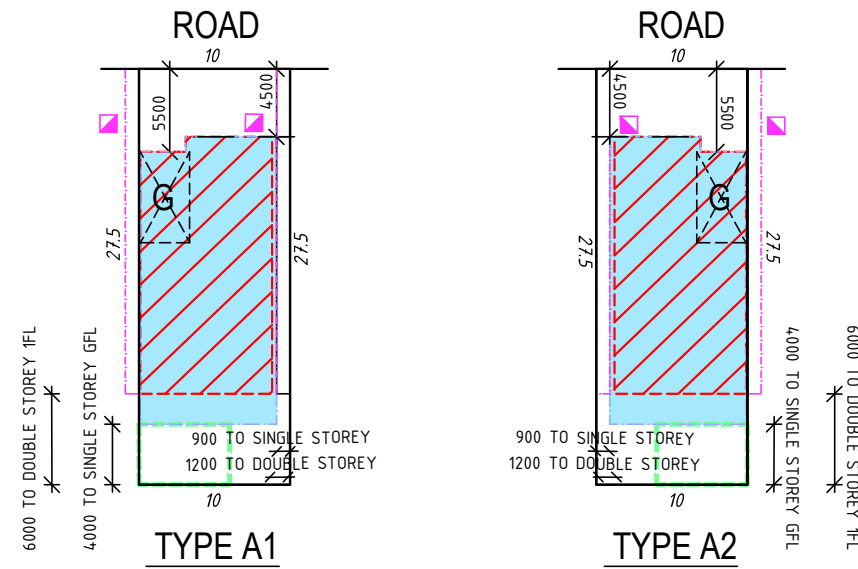
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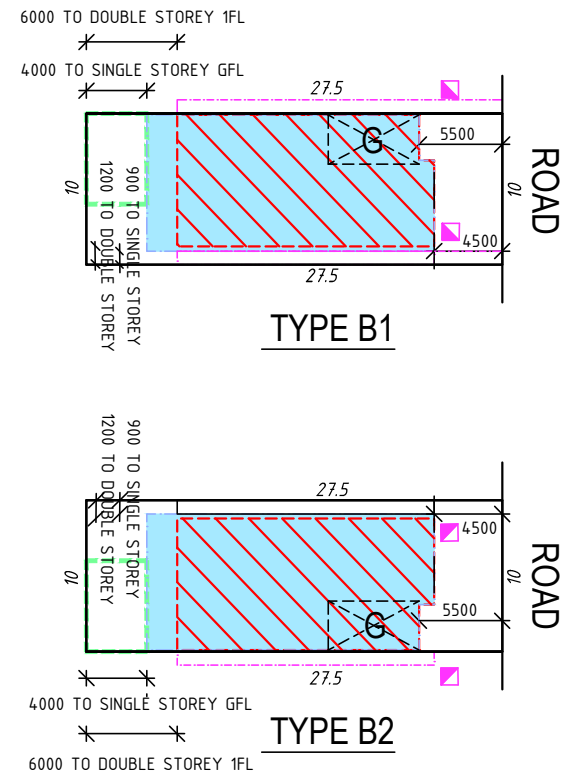
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DATE: 22/05/2018
LAST SAVED BY: PETER LEE



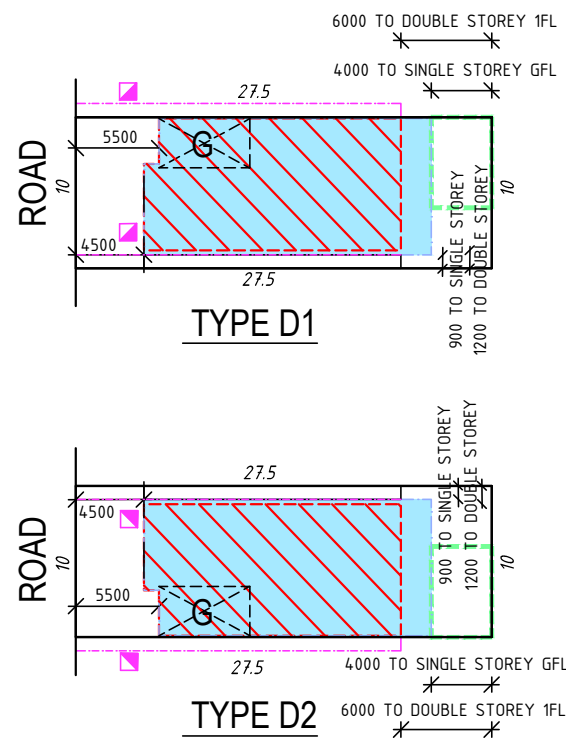
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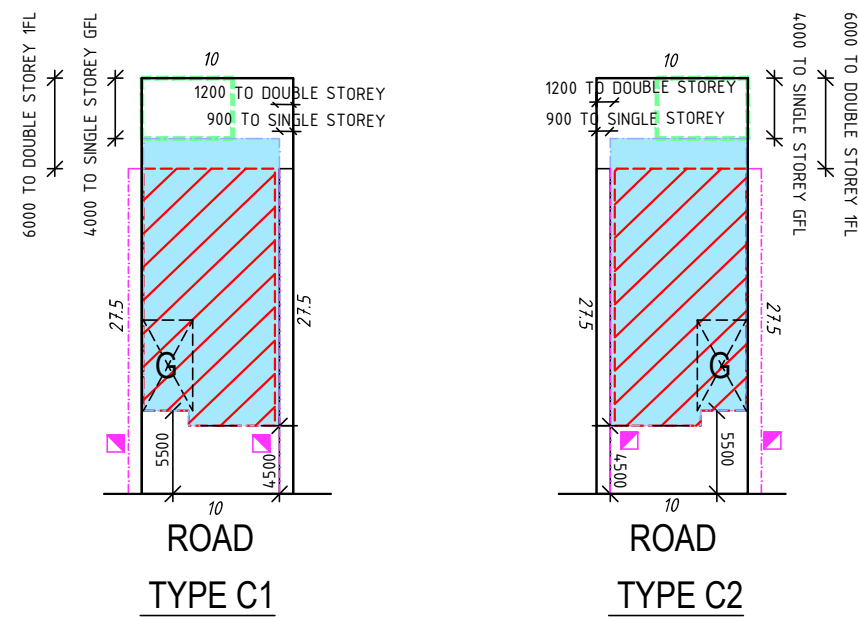
TYPE B - EAST FACING LOTS



TYPE D - WESTERN FACING LOTS



TYPE C - SOUTH FACING LOTS



NOTES

- 1 - BUILDING ENVELOPES PLAN DENOTES TREATMENT FOR ZERO LOT LINE MAINTENANCE EASEMENTS
- 2 - SETBACKS IN ACCORDANCE WITH DCP
- 3 - NOMINAL AREA FOR PRIVATE OPEN SPACE
- 4 - SEE SHEET No. 8 FOR LISTING OF LOTS FOR EACH BUILDING ENVELOPE PLAN TYPE

LEGEND

- GFL SINGLE STOREY PROPOSED FOOTPRINTS
- GFL DOUBLE STOREY PROPOSED FOOTPRINTS
- DENOTES PRIVATE OPEN SPACE
- DENOTES GARAGE
- 900mm EASEMENT FOR MAINTENANCE, ACCESS AND OTHER PURPOSES.

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FIRST ISSUE	DESIGN	DRAWN	CHECK	APPD.	DATE	AMENDMENT DETAILS
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AUTHORISED FOR ISSUE:	
BY: PETER LEE	SIGN:
Business Unit Manager - Planning	DATE: 22/05/2018

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CLIENT	
	WINTEN PROPERTY GROUP www.winten.com.au

PROJECT	
	calibregroup.com

DRAWING TITLE	
PRECINCT 7 WOORONG PARK RICHMOND ROAD, MARSDEN PARK	
DISCLAIMER AREAS AND DIMENSIONS CONTAINED WITHIN THIS PLAN ARE FOR D.A. PURPOSES ONLY & MAY VARY SUBJECT TO FINAL SURVEY	

DRAWING TITLE	
TYPICAL TREATMENT FOR BUILDING ENVELOPE PLAN LOTS LESS THAN 300m ²	
PROJECT No. X1419-PREC7-DA_3	STAGE 10 OF 11
REVISION	5

STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED
7A	106	C1	106	107	7B	334	B1	334	335	7C	523	A1	523	522	7D	630	A1	630	629	7F	1055	C1	1055	809	7G	1124	C1	1124	1125
7A	173	C2	173	172	7B	335	B1	335	336	7C	525	A1	525	524	7D	631	A1	631	630	7F	1043	B1	1043	1044	7G	1105	D1	1105	1104
7A	123	A2	123	124	7B	369	A2	369	370	7C	526	A1	526	525	7D	633	A1	633	632	7F	1042	B1	1042	1043	7G	1106	D1	1106	1105
7A	182	C2	182	181	7B	370	A2	370	371	7C	527	A1	527	526	7D	634	A1	634	633	7F	1041	B1	1041	1042	7G	1107	D1	1107	1106
7A	195	B1	195	194	7B	371	A2	371	372	7C	529	A1	529	528	7D	635	A1	635	634	7F	1081	D1	1081	1082	7G	1109	D1	1109	1108
7A	196	B1	196	195	7B	372	A2	372	373	7C	530	A1	530	529	7D	637	A1	637	636	7F	1082	D1	1082	1083	7G	1110	D1	1110	1109
7A	181	C2	181	180	7B	344	C2	344	345	7C	531	A1	531	530	7D	638	A1	638	637	7F	1068	B1	1068	1067	7G	1111	D1	1111	1110
7A	165	A2	165	166	7B	343	C2	343	344	7C	533	A1	533	532	7D	639	A1	639	638	7F	1071	B1	1071	1070	7G	1113	D1	1113	1112
7A	160	A2	160	161	7B	341	C2	341	342	7C	517	A1	517	516	7D	625	C1	625	626	7F	1072	B1	1072	1071	7G	1114	D1	1114	1113
7A	155	A2	155	156	7B	340	C2	340	341	7C	504	C1	504	502	7D	624	C1	624	625	7F	1018	A1	1018	1017	7G	1115	D1	1115	1114
7A	152	A2	152	153	7B	339	C2	339	340				503	7D	623	C1	623	624	7F	1019	A1	1019	1018	7G	1117	D1	1117	1116	
7A	151	A2	151	152	7C	462	C1	462	463	7C	506	C1	506	505	7D	620	C1	620	621	7F	1020	A1	1020	1019	7G	1118	D1	1118	1117
7A	178	C2	178	177	7C	461	C1	461	462	7C	507	C1	507	506	7D	619	C1	619	620	7F	1021	A1	1021	1020	7G	1217	D1	1217	1218
7B	309	A2	309	308	7C	456	C2	456	455	7C	509	C1	509	508	7D	618	C1	618	619	7F	1024	A1	1024	1023	7G	1216	D1	1216	1217
7B	309	A2	309	307	7C	455	C2	455	454	7C	510	C1	510	509	7D	616	C1	616	617	7F	1025	A1	1025	1024	7G	1214	D1	1214	1215
7B	306	A2	306	305	7C	452	C2	452	451	7C	511	C1	511	510	7D	615	C1	615	616	7F	1033	C1	1033	1034	7G	1213	D1	1213	1214
7B	305	A2	305	304	7C	451	C2	451	147	7C	512	C1	512	511	7D	614	C1	614	615	7F	1032	C1	1032	1033	7G	1210	D1	1210	121
7B	304	A2	304	303	7C	477	A1	477	476	7C	505	C1	505	504	7D	622	C1	622	623	7F	1031	C1	1031	1032	7G	1209	D1	1209	1210
7B	314	B1	314	315	7C	478	A1	478	477	7D	694	B1	694	693	7D	602	A1	602	601	7F	1030	C1	1030	1031	7G	1155	A1	1155	1003
7B	315	B1	315	316	7C	483	A1	483	482	7D	695	B1	695	694	7D	603	A1	603	602	7F	1027	C1	1027	1028	7G	1156	A1	1156	1155
7B	316	B1	316	317	7C	484	A1	484	483	7D	696	B1	696	695	7D	604	A1	604	603	7F	1026	C1	1026	1027	7G	1150	B1	1150	1151
7B	318	B1	318	319	7C	487	A1	487	486	7D	697	B1	697	696	7D	605	A1	605	604	7F	1005	D1	1005	1004	7G	1149	B1	1149	1150
7B	319	B1	319	320	7C	488	A1	488	487	7D	689	D1	689	690	7D	607	A1	607	606	7F	1006	D1	1006	1005	7G	1147	B1	1147	1148
7B	320	B1	320	321	7C	551	C1	551	553	7D	688	D1	688	689	7D	608	A1	608	607	7F	1007	D1	1007	1006	7G	1146	B1	1146	1147
7B	414	C2	414	413		687	D1	687	688	7D	609	A1	609	608	7D	611	A1	611	610	7F	1008	D1	1008	1007	7G	1145	B1	1145	1146
7B	413	C2	413	412	7C	549	C1	549	550	7D	676	B1	676	674	7D	612	A1	612	611	7F	1009	D1	1009	1008	7G	1144	B1	1144	1145
7B	411	C2	411	410	7C	546	C1	546	547		677	B1	677	678	7D	613	A1	613	612	7F	1011	D1	1011	1010	7G	1161	A2	1161	1162
7B	410	C2	410	409	7C	545	C1	545	546	7D	678	B1	678	677	7E	841	D1	841	842	7F	1012	D1	1012	1011	7G	1165	A2	1165	1166
7B	421	A2	421	422	7C	544	C1	544	545	7D	678	B1	678	677	7E	834	B1	834	833	7F	1013	D1	1013	1012	7G	1166	A2	1166	1167
7B	422	A2	422	423	7C	542	C1	542	543	7D	680	B1	680	679	7E	822	D1	822	821	7G	1014	D1	1014	1013	7G	1170	A2	1170	1171
7B	424	A2	424	425	7C	541	C1	541	542	7D	681	B1	681	680	7E	823	D1	823	822	7G	1141	A1	1141	1025	7G	1182	C1	1182	1183
7B	425	A2	425	426	7C	540	C1	540	541	7D	682	B1	682	681	7E	823	D1	823	822	7G	1138	C1	1138	1026	7G	1178	C1	1178	1179
7B	426	A2	426	427	7C	538	C1	538	539	7D	651	C1	651	652	7E	824	D1	824	823	7G	1132	A1	1132	1131	7G	1177	C1	1177	1178
7B	378	C2	378	376	7C	537	C1	537	538	7D	650	C1	650	651	7E	812	A1	812	813	7G			1130	7G	1173	C1	1173	1174	
				377	7C	536	C1	536	537	7D	649	C1	649	650	7E	811	A1	811	812	7G	1135	A1	1135	1134	7H	1313	B1	1313	1314
7B	403	A2	403	374	7C	548	C1	548	549	7D	648	C1	648	649	7E	810	A1	810	811	7G	1127	C1	1127	1129	7H	1315	B1	1315	1316
				375	7C	550	C1	550	551	7D	646	C1	646	647	7E	807	A1	807	806	7G			1128	7H	1316	B1	1316	1317	
7B	400	A2	400	401	7C	516	A1	516	515	7D	645	C1	645	646	7E	806	A1	806	805	7G	1194	B1	1194	1193	7H	1317	B1	1317	1318
7B	399	A2	399	400					554	7D	644	C1	644	645	7E	804	A2	804	804	7G	1195	B1	1195	1194	7H	1319	B1	1319	1320
7B	392	D1	392	393	7C	518	A1	518	517	7D	642	C1	642	643	7E	802	A2	802	803	7G	1197	B1	1197	1196	7H	1320	B1	1320	1321
7B	391	D1	391	392	7C	519	A1	519	518	7D	641	C1	641	642	7F	1056	A1	1056	808	7G	1198	B1	1198	1197	7H	1310	A1	1310	1312
7B	390	D1	390	391	7C	521	A1	521	520	7D	640	C1	640	641	7F	1059	A1	1059	1058	7G	1201	B1	1201	1200				1311	1311
7B	333	B1	333	334	7C	522	A1	522	521	7D	628	A1	628	627	7F	1060	A1	1060	1059	7G	1202	B1	1202	1201	7H	1309	A1	1309	1310
STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED	STAGE	LOT NUMBER	BUILDING TYPE	ZERO LOT BENEFIT	EASEMENT BURDENED
7H	1305	A1	1305	1306	7I	1507	D1	1507	1506	7J	1604	A2	1604	1603	7K	1825	A1	1825	1826	7K	1868	C1	1868	1866	7L	2033	B1	2033	2032
7H	1301	A1	1301	1302	7I	1506	D1	1507	1505	7J	1605	A2	1605	1604	7K	1824	A1	1824	1825				1867	7L	2034	B1	2034	2033	
7H	1396	A1	1396	1395	7I	1530	B1	1530	1529	7J	1606	A2	1606	1605	7K	1828	D2	1828	1827	7K	1866	D2	1866	1867	7L	2035	B1	2035	2034
7H	1397	A1	1397	1396	7I	1529	B1	1529	1528	7J	1607	A2	1607	1606	7K	1901	B2	1901	1902				7L	2037	B1	2037	2036		
7H	1398	A1	1398	1397	7I	1528	B1	1528	1527	7J	1609	A2	1609	1608	7K	1902	B2	1902	1903	7K	1865	B2	1865	1864	7L	2038	B1	2038	2037
7H	1400	A1	1400	1399	7I	1526	B1	1526	1525	7J	1610	A2	1610	1609	7K	1880	B2	1880	1881	7K	1862	D2	1862	1863	7L	2039	B1	2039	2038
7H	1401	A1	1401	1400	7I	1525	B1	1525	1524	7J	1611	A2	1611	1610	7K	1904	C1	1904	1905	7K	1832	B1	1832	1831	7L	2041	B1	2041	2040
7H	1402	A1	1402	1401	7I	1524	B1	1524	1523	7J	1612	A2	1612	1611	7K	1905	C1	1905	1906	7K	1834	B1	1834	1833					

Assessment against planning controls

1 Environmental Planning and Assessment Act 1979

The development satisfies the matters for consideration under section 4.15 of the Act as detailed below.

Heads of Consideration s4.15	Comment	Complies
a. The provisions of:		
(i) any environmental planning instrument (EPI)	The proposal is considered to be consistent with the EP & A Act, Sydney Region Growth Centres SEPP 2006, SEPP No. 55, SEPP Infrastructure 2007, SEPP State and Regional Development 2011, SEPP (State and Regional Development) 2011 and Blacktown City Council Growth Centre Precincts Development Control Plan 2018. The proposed development is a permissible land use within the R2 Low Density Residential zone and satisfies the zone objectives outlined under the Growth Centres SEPP. Clause 4.47(2) of the EPA Act 1979 states that the consent authority must obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body in relation to the development. Accordingly, the DA was sent to RFS and DPI Water. General Terms of Approval have been received from both concurrence bodies.	Yes
(ii) any proposed instrument that is or has been the subject of public consultation under this Act	The exhibited North West Draft Exhibition Package (SEPP amendment) aims to establish maximum densities for all residential areas that have been rezoned under the Growth Centres SEPP 2006. At the present time under the SEPP there is only a mandatory minimum density control, which for this site is 15 dwellings/ha. The draft SEPP was on exhibition from 15 May to 4 July 2017 but has not progressed to be adopted by Government. Considerable objection was received to the proposed density caps. The proposed dwelling density range for this site is 15 – 20 dwellings/ha. This site would be compliant with the draft SEPP's proposed range. Regardless, as the changes remain a draft proposal, the SEPP is neither imminent nor certain. The DA is being assessed on current applicable densities.	
(iii) any development control plan (DCP)	The Growth Centres DCP applies to the site. The proposed development is compliant with the relevant controls established under the DCP, with the exception of a minor variation to some road widths. The proposed variations are considered minor and are acceptable.	No – but acceptable
(v) The regulations	There are no regulations to be considered.	N/A

Heads of Consideration s4.15	Comment	Complies
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	It is considered that the likely impacts of the development, including traffic and access, design, flora and fauna, salinity, contamination and stormwater management have been satisfactorily addressed. A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties. In view of the above it is believed that the proposed development will not have any unfavourable social, economic or environmental impacts.	Yes
c. The suitability of the site for the development	The site has been identified by the NSW Government for residential and associated development. The subject site is suitably zoned to permit the proposed subdivision and construction of associated civil and stormwater drainage works which will support future residential development. The site is considered suitable for the proposal and there will be no adverse impacts on the natural and built environment as demonstrated by various submitted technical reports. The site is deemed suitable for the development as its attributes and character can support the proposed residential density, and the stormwater and traffic impacts generated by the development.	Yes
d. Any submissions made in accordance with this Act, or the regulations	No submissions were received following notification of the application.	Yes
e. The public interest	It is considered that no adverse matters relating to the public interest arise from the proposal. The proposal will facilitate future residential development in accordance with the objectives of the Growth Centres SEPP.	Yes

2 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

Clause 4 of SREP 20 states that a consent authority must take into consideration the general planning considerations set out in clause 5 of SREP 20 and the specific planning policies and recommended strategies in clause 6 of SREP 20.

The applicant has submitted stormwater drainage plans and hydraulic calculations to address the relevant planning policies of SREP 20.

Council's Engineers reviewed the information submitted and consider that the information has satisfactorily addressed clause 6 of the SREP with regard to total catchment management, water quality, water quantity, urban development and their relevant strategies. In this regard, they are satisfied that the proposal will have minimal impact on the environment of the Hawkesbury-Nepean River system and therefore the requirements of clause 4 have been met.

3 State Environmental Planning Policy (State and Regional Development) 2011

The development has a Capital Investment Value of \$65.160 million. The development application was lodged on 20 December 2017 and despite the change in the threshold for Capital Investment Value upon amendments to the SEPP on 1 March 2018 from more than \$20 to \$30 million, the proposed development remains a regional development for the purpose of the SEPP. Being a regional development, Council is responsible for the assessment of the DA and determination of the application is to be made by the Sydney Central City Planning Panel.

4 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of the SEPP requires that Roads and Maritime Services (RMS) be given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP. The development was referred to RMS and no objections were raised to the proposed development provided that the proposed dwelling density and road layout design is consistent with the Marsden Park Precinct Plan.

The proposal achieves the minimum dwelling density required under the Growth Centres SEPP, but seeks variations to the road layout under the Indicative Layout Plan and some road widths under the DCP.

Council's Traffic Management Section (TMS) has assessed the revised drawings and the supported traffic assessment submitted by the applicant in support of the development and made the following comments:

- (a) *It is noted that the staggered intersection appears to be satisfactory based on the increased offset distance between Shane Park Road and Road A100.*
- (b) *Noted extended 2 lane southern approach in Stony Creek Road to the roundabout which will extend south of Shane Park Road.*
- (c) *Noted a separate right turn bay in Stony Creek Road for right turning traffic into Shane Park Road.*
- (d) *Noted the No right turn out of Shane Park Road which requires a separate approval under Section 116 of the Roads Act.*
- (e) *Noted that the existing residential accesses are retained on Stony Creek Road.*
- (f) *Noted that 2 lanes in each direction on both legs of the roundabout along Stony Creek Road.*

Council's Traffic Section requested that the following amendments should be included as conditions of consent:

- (a) *Splitter island on the southern approach in Stony Creek Road to the roundabout be extended up to Shane Park Road to physically prevent right turn out of Shane Park Road.*
- (b) *Detailed design of the roundabout should include opening for pedestrians in splitter islands and ramps on the footpaths.*
- (c) *Kerb and gutter be provided to the south-west side of Shane Park Road, the same as on the north-west side.*
- (d) *A road safety audit be undertaken of the proposed option.*

Based on the above, no objection is raised subject to conditions.

5 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to “provide a State wide planning approach to the remediation of contaminated land”. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to granting of development consent.

A detailed site investigation, prepared by DLA Environmental dated May 2015, was submitted with the approved bulk earthworks for ‘Woorong Park’, being the site. The investigation concluded that the site is suitable for residential development subject to the removal of fill materials and a subsequent asbestos clearance/validation report.

Earthworks were approved under DA-15-02273 for bulk earthwork over Newpark. No further earthworks are proposed under this application. The proposal includes minor lot regrading only. DA-15-02273 was reviewed by Council’s Environmental Health Unit (EHU) and it recommended appropriate conditions for the handling and disposal of asbestos. EHU also recommended that a validation report be prepared upon completion of remediation and be reviewed by an accredited auditor. A similar condition is to be included on this application to ensure that the site becomes suitable for the intended use.

6 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Appendix 12 of the SEPP applies to the site. The tables below provide a summary assessment of the general and precinct-specific development standards established within the Growth Centres SEPP and the proposal’s compliance with these standards.

The development complies with the development standards contained within the SEPP.

1.1 General controls within main body of the SEPP

SEPP requirement	Complies
2 Aims of Policy	
a. to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre b. to enable the Minister from time to time to designate land in growth centres as ready for release for development c. to provide for comprehensive planning for growth centres d. to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity e. to provide controls for the sustainability of land in growth centres that has conservation value f. to provide for the orderly and economic provision of infrastructure in and to growth centres g. to provide development controls in order to protect the health of the waterways in growth centres h. to protect and enhance land with natural and cultural heritage value i. to provide land use and development controls that will contribute to the conservation of biodiversity.	The proposal is consistent with these aims.

SEPP requirement	Complies
Part 4 Development controls – general	
Cl. 18 Water recycling and conservation	Sydney Water's <i>Growth Servicing Plan July 2014 to June 2019</i> indicates that developers are responsible for funding and delivering all reticulation works as part of the Section 73 compliance certificate process. This includes any recycled water reticulation works for schemes regulated by the Independent Pricing and Regulatory Tribunal (IPART). Recycled water will therefore be dealt with at the Section 73 certificate stage. Yes
Part 5 Development controls – flood prone and major creek land Part 6 Development controls – vegetation Part 7 Development controls – cultural heritage landscape area	
Cl.19 Development on flood prone and major creeks land - additional heads of consideration	Bulk earthworks and civil works were carried out as part of DA-15-02273. The clause is therefore not applicable. N/A
Cl. 21-24 Vegetation	The site is not identified on the Native Vegetation Protection Map or on the Riparian Protection Area Map. N/A
Cl. 25-26 Cultural heritage landscape area	An Aboriginal Heritage Impact Assessment letter was submitted under Section 90 of the NP&W Act by the NSW Office of Environment and Heritage as part of DA-15-02273 for bulk earthworks. No further consideration of Aboriginal heritage is therefore required as part of this application. Yes - subject to conditions of consent.

1.1 Controls within Appendix 12

SEPP requirement	Complies
1.2 Aims of Precinct Plan	
a. to rezone land to allow for development to occur in the manner envisaged by the growth centre structure plan and the indicative layout for the land to which this Precinct Plan applies b. to deliver housing choice and affordability by accommodating a wide range of residential dwelling types that cater for housing diversity c. to guide the bulk and scale of future development within the Precinct d. to protect and enhance riparian corridors and areas of significant native vegetation by establishing development controls that prevent the clearing of existing native vegetation within the Marsden Park Precinct e. to protect and enhance areas of local heritage significance by establishing development controls in order to maintain and respect the relationships between heritage sites and uses of adjacent sites f. to rezone land to allow for retail and commercial uses to meet the needs of future residents of the Marsden Park Precinct g. to identify a transport corridor within the Marsden Park Precinct.	The proposal is consistent with the aims of the Precinct Plan.

SEPP requirement		Complies
Part 2 - Permitted or prohibited development		
Objectives of zone R2 Low Density Residential	a. to provide for the housing needs of the community within a low density residential environment b. to enable other land uses that provide facilities or services to meet the day to day needs of residents c. to allow residents to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours d. to support the well-being of the community, by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.	The proposal is consistent with the objectives of the zone.
2.2 Zoning of land to which Precinct Plan applies	The site is zoned R2 Low Density Residential, RE1 Public Recreation, SP2 Infrastructure – Local Road, SP2 Infrastructure - Local Drainage, E2 Environmental Conservation and RU6 Transition. The proposed subdivision is permitted under this clause.	Yes
2.3 Zone objectives and land use table	The site comprises 3 lots. All the residential subdivision is to take place on land zoned R2 Low Density Residential. The proposed subdivision and associated works are permissible in the zone. The works relating to roads and minor regrading are permissible with consent in the zones.	Yes
Part 4 - Principal development standards		
4.1 Minimum subdivision lot size	The proposal complies with the objectives of this clause.	Yes
4.1AA Subdivision resulting in lots between 225 m² and 300 m²	The proposal includes lots which are greater than 250 m ² but less than 300 m ² in area and therefore in accordance with this clause the application includes Building Envelope Plans demonstrating that there is sufficient building envelope to enable construction of a dwelling house on these lots.	Yes
4.1AB(b) Minimum lot sizes for residential development in Zone R2 Low Density	The site is subject to a minimum Residential Density of 15 dwellings/ha. Therefore a minimum lot size of 300 m ² applies but subject to exceptions allowing development on lots of 250 m ² . The proposed lot size ranges from 262 m ² to 1,143 m ² . Building Envelope Plans have been submitted for the lots less than 300 m ² in accordance with Clause 4.1AA, confirming that there is sufficient building envelope to build a dwelling house.	Yes
4.1B Residential density	A minimum dwelling density of 15 dwellings/ha applies to the site. The proposed dwelling density is 20 dwellings/ha and is therefore compliant.	Yes
4.3 Height of building	The height of building map shows a maximum height limit of 9 m, However, the control is not applicable as the proposal is for subdivision only.	N/A
4.4 Floor space ratio	The development site is not subject to an FSR.	N/A
4.6 Exceptions to development	None are proposed.	N/A

SEPP requirement		Complies
standard		
5.1 Relevant acquisition authority	The RE1 Public Recreation and SP2 Local Drainage land will be acquired by Council in the future for open space and drainage purposes.	Yes
5.3 Development near zone boundaries	The proposed subdivision is permitted under clause 2.6 and the DA is not reliant on the use of Clause 5.3.	Yes
5.9 Preservation of trees	The proposal does not seek to remove any trees as part of this application as tree and vegetation removal was approved under DA-15-02273 for bulk earthworks over the Newpark development site including Precinct 7. The conservation and management of the E2 Environmental Conservation land and riparian corridor will be in accordance with the Vegetation Management Plan dated October 2017 submitted with this application.	Yes
5.10 Heritage conservation	The site does not include any European heritage items. Matters relating to Aboriginal Heritage were dealt with as part of the previous DA-15-02273 for bulk earthworks. The earthworks and filling of the site have commenced. Appropriate conditions are included in the recommended conditions requiring compliance with the relevant conditions of the previous consent.	Yes
5.11 Bush fire hazard reduction	The DA was referred to the Rural Fire Service which provided conditions which will be incorporated into the draft conditions of consent.	Compliance subject to conditions.
Part 6 - Additional local provisions		
6.1 Public utility infrastructure	It is stated in the Statement of Environmental Effects that arrangements will be made for the provision of public utility infrastructure prior to the issue of the Subdivision Certificate. Appropriate conditions have been recommended to ensure services and infrastructure will be available to support the development.	Yes
6.3 Development controls - native vegetation retention areas	Matters relating to tree removal were considered as part of the previous DA-15-02273 for bulk earthworks. No additional trees are proposed to be removed.	Yes
6.4 Existing native vegetation	The subject site contains some land that includes existing native vegetation and native retention areas within the E2 Environmental Conservation zone. This application does not propose any work in these areas.	Yes
6.5 Development in Zone E2 Environmental Conservation	No additional impacts are envisaged with this application as the extent of the minor regrading under this DA is consistent with the bulk earthworks approved under DA-15-02273.	Yes

SEPP requirement		Complies
6.11 Attached dwellings and multi dwelling housing in Zone R2 Low Density Residential	The proposed development is for subdivision and does not include the construction of dwellings.	N/A

7 Blacktown City Council Growth Centre Precincts Development Control Plan 2018 (Growth Centres DCP)

The Growth Centres DCP applies to the site. The table below outlines the proposal's compliance with the controls established in the DCP.

1.2 Part 2.0 – Precinct Planning Outcomes (from main body of DCP)

Control	DCP requirement	Proposal	Complies
2.2 Indicative Layout Plan (ILP)	DA is to be generally in accordance with ILP.	The applicant seeks variations to the ILP road layout which are generally in accordance with the road design principles of the ILP. No objection is raised considering the following: - Council's Traffic Management Section has raised no objection to the amended road pattern subject to certain additional control measures. - The changes principally involve local roads and therefore are not considered to have any significant adverse impacts on the internal road network in terms of traffic efficiency or road safety. - The variation to the ILP road layout does not have any impact on adjoining developments and is contained within the Newpark site. - The proposed subdivision road layout departs from the ILP. However, it is in line with the controls related to intersections and block sizes, providing a legible and navigable grid with no culs-de-sac.	Yes, as considered generally in accordance with ILP.

Control	DCP requirement	Proposal	Complies
		- The road pattern will achieve a better urban streetscape and subdivision layout plan without adversely affecting the future planning and traffic movements in the surrounding area. This includes the shifting of the collector road where it joins Stony Creek Road. - The variation to the road layout will not impact on the minimum residential density required. The proposed subdivision will achieve the minimum dwelling density as required under the SEPP.	
2.3 Subdivision site analysis	The following clauses must be addressed:		
2.3.1 Flooding and water cycle management	The objectives of this clause are: - to manage the flow of stormwater from urban parts of the Precinct to replicate, as closely as possible, pre-development flows - to define the flood constraints and standards applicable to urban development in the Precinct - to minimise the potential of flooding impacts on development.	A Stormwater Management Strategy and stormwater drainage plans were submitted with the DA. To address the water management requirements of the DCP, detention basins and associated channels and rain gardens are proposed. The proposed infrastructure will provide appropriate stormwater quantity and quality management to meet the objectives of Council's policies. Water cycle management was also considered as part of the previous DA. A Stormwater Management Strategy report has been submitted with the DA and was used in the assessment of this application.	Complies subject to conditions.
2.3.2 Salinity and soil management	Land within areas of potential salinity and soil aggressivity risk must be accompanied by a salinity report. A qualified person is to certify the project upon completion of the works. The Salinity Management Plan is to be in accordance with Appendix C of the DCP. All works are to comply with the plan.	A Soil Salinity and Aggressivity Assessment prepared by DLA Environmental was submitted with the DA. The report has identified the top soil is non-saline and the underlying alluvium soil is slightly saline to moderately saline. The report concluded that there is low potential for salinity impacts and recommended that a Soil Salinity Management Plan be implemented. The recommendations will be conditioned.	Yes - subject to conditions of consent.

Control	DCP requirement	Proposal	Complies
2.3.3 Aboriginal and European heritage	Are there any areas of Aboriginal heritage value within or adjoining the site, and is the site identified on the European cultural heritage sites figure? If so, a report is required from a qualified consultant.	There are no heritage items identified within the vicinity of the site. An AHIP under section 9 of the National Parks & Wildlife Act from NSW Office of Environment and Heritage in relation to the bulk earthworks was approved under DA-15-02273. Since the requirements of the AHIP were satisfied during the bulk earthworks, no further assessment of Aboriginal heritage is warranted.	Yes - subject to continued compliance through conditions.
2.3.4 Native vegetation and ecology	Native trees/vegetation to be retained where possible. Is the site identified on the Riparian Protection Area figure. If so, native vegetation to be managed in accordance with Appendix B of the DCP. Does the site adjoin land zoned E2? A landscape plan is to be submitted with the DA. Trees to be selected from Appendix D of the DCP.	The Precinct 7 subdivision area is covered by biodiversity certification with the exception of land zoned E2 Environmental Conservation. Clearing works were carried out under DA15-02273 for bulk earthworks and roadworks. A condition is to be included on the consent to ensure that any works in the vicinity of the native vegetation area are to be consistent with the conditions of DA-15-02273.	Yes - subject to conditions of consent.
2.3.5 Bushfire hazard management	Development is to be consistent with Planning for Bushfire Protection 2006	The site is identified as bushfire prone land. A Bushfire Protection Assessment Report was submitted with the DA. RFS has issued its General Terms of Approval and a Bush Fire Safety Authority subject to conditions.	Yes - subject to conditions of consent.
2.3.6 Site contamination	All subdivision DAs to be accompanied by a Stage 1 Preliminary Site Investigation. Where required a Stage 2 investigation is to be carried out.	A Detailed Site Investigation (DSI) report was prepared by DLA as part of DA-15-02273. The DSI investigated the overall site of Newpark, including Precinct 7, for contaminated areas and concludes that the subject site is suitable for residential development.	Yes
2.3.7 Odour assessment and control	Is the site adjacent to odour generating activities and is a buffer or additional supporting information required.	N/A	N/A

SECTION 3 – Neighbourhood and Subdivision Design

Control	DCP requirement	Proposal	Complies
3.1.1 Residential density and subdivision	15 dwellings/ha	The proposed residential density is 20 dwellings/ha and therefore complies.	Yes

Control	DCP requirement	Proposal	Complies
3.1.2 Block and lot layout	Block dimensions should be 250 m long and 70 m deep.	The block dimensions are within the specified range of 250 m long and 70 m deep.	Yes
	Minimum lot frontage should be 9 m.	The proposed lot frontages range from 10 m and over and therefore comply.	Yes
	In density bands 20 dwellings/ha or less, the maximum number of lots in a street with a frontage less than 10 should be no more than 40%.	The majority of the lots have a frontage greater than 10 m and therefore this requirement is achieved.	Yes
	Location of zero lot lines to be determined and shown on the subdivision plan.	Zero lot lines have been identified on the plans.	Yes
3.1.3 Battle-axe lots		There are no battle-axe lots.	N/A
3.1.4 Corner lots	- Corner lots including splays and driveway locations are to be designed in accordance with AS 2890 and Council's Engineering Specifications. - Design to allow dwellings addressing both streets. - Encourage garages to be accessed from the secondary street or a rear lane. - Plan of subdivision should show the location of proposed or existing substations, kiosks, sewer manholes etc.	The proposed subdivision meets the requirements of the DCP and will be conditioned to comply with all the requirements of the DCP in the design and construction of future dwellings.	Yes - Conditions of consent.
3.2 Subdivision approval process	Subdivision involving lots less than 225 m² should include a dwelling design.	No lots are less than 225 m².	N/A
	Subdivision involving lots between 225 m² and 300 m² must be accompanied by Building Envelope Plans	The proposal is for the subdivision of land without the built form under approval Pathway A2. Building Envelope Plans and zero lot lines are provided with the application.	Yes

Control	DCP requirement	Proposal	Complies
3.3 Construction environmental management	A Construction Environmental Management Plan (CEMP) is to be submitted prior to the issue of the Construction Certificate.	A CEMP is recommended to be required as a condition of consent prior to issue of any Construction Certificate.	Yes with condition
3.4.1 Street layout and design	The design should be consistent with the Indicative Layout Plan (ILP).	The proposal is seeking a variation to the ILP. Council's Traffic Management Section has raised no objection to the proposed changes. Further details are provided in the preceding sections of this table.	Variation proposed and acceptable.

Development in the Residential Zones

Control	DCP requirement	Proposal	Complies
Site Responsive Design (Section 4.1)			
4.1.1 Site analysis plan	Required	Provided	Yes

Development in Residential Zones

4.1.2 Cut and fill	Earthworks are proposed under DA-15-02273 for bulk earthworks over Newpark. No further earthworks are proposed under this application.	N/A
4.1.3 Sustainable building design	The proposal is for subdivision only.	N/A
4.1.4 Salinity, sodicity and aggressivity	A condition requiring the submission of a soil salinity management plan is recommended.	Yes – subject to condition

Schedule 6 – Marsden Park Precinct

Relevant controls (Section 3)		
Figure	Control Comment	Complies
2.11 Subdivision planning and design	The proposed subdivision includes a range of lot sizes to provide a mix of housing types. It allows greater choice for different household types in a low density setting. The dwelling density, block configuration and dimensions, and lot width and depth, are consistent with the DCP controls.	Yes
3.14.5 Aboriginal heritage	An Aboriginal Heritage Impact Permit was issued for the bulk earthworks Development Application. The works associated with the requirements of the permit have already been carried out. No further investigations are considered necessary with the current application.	Yes
4.2 Street network and design	There are variations from the ILP. These variations are acceptable as the road pattern still maintains an adequate level of connectivity, and achieves a permeable layout to facilitate vehicle and pedestrian movements. The proposal also includes minor variations to road reserve width which are considered acceptable.	No - but acceptable

4.3 Information technology	Appropriate conditions are included in the recommendation to ensure today's technology needs for high speed internet mobile phone networks are available within the locality.	Yes - condition of consent
4.4 Riparian protection area	The site is adjacent to a riparian protection area. A Vegetation Management Plan was submitted with the previous application for the bulk earthworks. Appropriate conditions were included on that consent and the works are currently being carried out. DPI Water has provided its General Terms of Approval (GTA) that includes conditions relating to management of the riparian area in accordance with the VMP. The applicant will be required to comply with the GTA to ensure no damage to the riparian zone.	Yes
6.3 Development along Richmond Road and South Street	The subject site is part of residential development more than 1 km at its closest point from Richmond Road and is therefore unlikely to be subject to the likely noise impact from that source.	Yes

Draft conditions of consent

1. ADVISORY NOTES

1.1 Terminology

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

1.2 Scope of Consent

- 1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.
- 1.2.2 Separate development consent may be required from Council prior to the use of any created residue allotment. In this regard, the applicant shall be required to submit a development application for any intended lot usage and/or further subdivision.
- 1.2.3 The applicant is advised that Council will not release the subdivision certificate for the approved development until such time as the development has been completed in accordance with the conditions of consent, to Council's satisfaction.

1.3 Other Approvals

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
 - (a) The installation of a caravan, temporary structure, stormwater drainage in a public place, amusement device or other activity not being an exempt activity under Council's Local Approvals Policy adopted under the provisions of the Local Government Act 1993,
 - (b) The installation of a vehicular footway crossing servicing the development, and
 - (c) Demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- 1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

- 1.3.4 If any Aboriginal objects are found during construction, work is to cease immediately. The Office of Environment and Heritage (OEH) is to be notified and the site, the objects, are to be assessed by a suitably qualified Aboriginal Heritage Consultant in accordance with the requirements of OEH. No further works are to be under taken on the site without the written consent of OEH.

1.4 **Services**

- 1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

Regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 1.4.2 Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.
- 1.4.3 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.4 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.

1.5 **Tree Planting and Service Locations (After all other services)**

- 1.5.1 Street tree planting must not impact on public utilities. The applicant should liaise with the relevant service authorities on the location and use of services within the public road reserve. These authorities may be able to lay their services on the opposite side of the road, thereby providing larger areas for tree planting.

Street tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

1.6 **Identification Survey**

- 1.6.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.7 **Other Matters Engineering**

- 1.7.1 This plan of subdivision is not to be released until public road access is provided. This may require the registration of the adjoining subdivision.

2 **GENERAL**

2.1 **Scope of Consent**

- 2.1.1 The proposed subdivision is to be in accordance with the following drawings/details, subject to compliance with any other conditions of this consent:

Title	Drawing No.	Prepared by	Date
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 1 of 12	X14419-PREC7-DA_1 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 2 of 12	X14419-PREC7-DA_2 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 3 of 12	X14419-PREC7-DA_2 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 4 of 12	X14419-PREC7-DA_2 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9	X14419-PREC7-DA_2 Revision 5	Calibre	22/05/2018

in DP 1078187 Sheet 5 of 12			
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 6 of 12	X14419- PREC7-DA_2 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 7 of 12	X14419- PREC7-DA_2 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 8 of 12	X14419- PREC7-DA_2 Revision 5	Calibre	22/05/2018
Plan of Subdivision of Lots 7, 8 & 9 in DP 1078187 Sheet 9 of 12	X14419- PREC7-DA_2 Revision 5	Calibre	22/05/2018
Typical Treatment For Building Envelope Plan Lots Less Than 300m ² Sheet 10 of 12	X14419- PREC7-DA_3 Revision 5	Calibre	22/05/2018
Typical Treatment For Building Envelope Plan Lots Less Than 300m ² Sheet 11 of 12	X14419- PREC7-DA_4 Revision 5	Calibre	22/05/2018
Typical Treatment For Building Envelope Plan Lots Less Than 300m ² Sheet 12 of 12	X14419- PREC7-DA_4 Revision 5	Calibre	22/05/2018
Newpark - Precinct 7 Overall Site Plan - Sheet 1	998512/DA04 Revision D	J. Wyndham Prince	29/05/2018
Newpark - Precinct 7 Overall Site Plan - Sheet 2	998512/DA05 Revision C	J. Wyndham Prince	2/05/2018
Newpark - Precinct 7 Road Hierarchy Plan - Sheet 1	998512/DA06 Revision D	J. Wyndham Prince	29/05/2018

Newpark - Precinct 7 Road Hierarchy Plan - Sheet 2	998512/DA07 Revision C	J. Wyndham Prince	2/05/2018
Newpark - Precinct 7 Typical Road Sections	998512/DA08 Revision A	J. Wyndham Prince	13/12/2017
Newpark - Precinct 7 Typical Road Sections	998512/DA09 Revision C	J. Wyndham Prince	29/05/2018
Newpark - Precinct 7 Cut & Fill Plan - Sheet 1	998512/DA10 Revision D	J. Wyndham Prince	29/05/2018
Newpark - Precinct 7 Cut & Fill Plan - Sheet 2	998512/DA11 Revision C	J. Wyndham Prince	2/05/2018
Woorong Park - Precinct 7 Overall Plan 1	L03 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Overall Plan 2	L04 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Path Arrangement 1	L05 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Path Arrangement 2	L06 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Species Strategy	L07 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Planting Plan 1	L08 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Planting Plan 2	L09 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Planting Plan 3	L10 Issue A	JMD Design	4/12/2017

Woorong Park - Precinct 7 Street Tree Planting Plan 4	L11 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Planting Plan 5	L12 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Planting Plan 6	L13 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Typical Cross Sections	L14 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Schedule 1	L15 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Street Tree Schedule 2	L16 Issue A	JMD Design	4/12/2017
Woorong Park - Precinct 7 Typical Landscape Details	L17 Issue A	JMD Design	4/12/2017

* Subject to any conditions of this consent.

2.2 Services

- 2.2.1 Low voltage electricity and telecommunications service for the approved development shall be reticulated underground.

2.3 Suburb Name

- 2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: Marsden Park

- 2.3.2 Any advertising of land sales in association with the approved development shall clearly indicate that the development is located in the following suburb. No other estate names shall be used in any advertisements or other promotional information:

Suburb: Marden Park

2.4 NSW Department of Primary Industries –Water

- 2.4.1 The applicant shall comply with all the conditions of the General Terms of Approval (ref IDAS110485) issued by Department of Primary Industries – Water dated 26 March 2018. A copy of the General Terms of Approval is attached to this consent.

2.5 NSW Rural Fire Services

- 2.5.1 The applicant must comply with the following conditions stated in the Bush Fire Safety Authority (ref D18/245 DA18011811393AS) issued by the NSW Rural Fire Services dated 6 April 2018 under Section 100B of the Rural Fires Act 1997 in the following terms:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- (a) At the issue of a subdivision certificate, and in perpetuity, the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for Asset Protection Zones'.
- (b) At the issue of subdivision certificate, a 4.5 metre Asset Protection Zone (APZ) is to be provided from the southern boundaries of proposed Lots 147, 167-185, 501-518, 603-617, 628-638 (inclusive) of the development. The APZ shall be managed as an inner protection area (IPA) as outlined in 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. A suitably worded instrument(s) under section 88 of the 'Conveyancing Act 1919' shall be placed on these lots requiring the provision of this APZ and which prohibits the construction of buildings other than class 10b structures within the APZ. The name of the authority empowered to release, vary or modify the instrument shall be Blacktown City Council.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

- (a) The provision of water, electricity and gas shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

- (a) Public road access shall comply with section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.
- (b) Design of 'Road Type 8 (Access Road)' to comply with the amended submission plans by J.Wyndham Prince (Plan reference:998512/DA09), including a 7.5

metre carriageway, 2 metre verge and no trees along the hazard side of the roadway.

Note: The approval is for the subdivision of land only. Any future development application for class 1, 2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under Section 4.41 of the Environmental Planning & Assessment Act 1979 and address the requirements of 'Planning for Bush Fire Protection'.

The required APZs for the lots listed is based on NSW Rural Fire Service modelling of the sites and the determined effective downslope of the vegetation, rather than the effective slope stated by Eco Logical Australia (ELA) in their Bushfire Assessment Report. This is due to the more effective slope being assessed as to not be directly parallel to the site as shown by ELA, rather the slope direction where a fire front is more likely to spread

2.6 Engineering Matters

2.6.1 Design and Works Specification

2.6.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council Growth Centre Precincts Development Control Plan
- (e) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (f) Blacktown City Council On Site Detention General Guidelines and Checklist

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by an accredited Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.6.1.2 The Applicant is required to submit to Council, Bonds and/or Contributions for works associated with the development in conjunction with the civil engineering works required to be constructed as part of this development. Works may include:

- Path Paving construction
- Final Layer Asphaltic Concrete (AC) construction
- Maintenance of the construction works

These matters will be individually addressed within the consent

2.6.2 Subdivision

- 2.6.2.1 Principal Certifying Authority - Blacktown City Council shall be the Principal Certifying Authority for the proposed subdivision and shall issue the Subdivision Certificate upon compliance with all conditions of this consent.

2.6.3 Other Matters

- 2.6.3.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.
- 2.6.3.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

- 3.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

3.2 Services/Utilities

- 3.2.1 Separate documentary evidence for Endeavour Energy shall be provided stating that the requirements of that Authority have been met with regard to the nearby high voltage transmission line.

3.3 Street Tree Planting Plan

- 3.3.1 The applicant is to submit a revised street tree planting plan incorporating the following:
- (a) That the species on proposed Road A134, Drawing No. L09 be changed to *Nyssa sylvatica*.
 - (b) That the species *Acmena smithii* not be used and replaced with *Waterhousia floribunda* on Road A122, Drawing No. L10 & L11 and the street adjoining the open space by others on Drawing L11.
 - (c) That the species *Acer freemanii* 'Jeffersred' not be used and replaced with *Zelkova serrate* on Road A110, Drawing L10.
 - (d) That the species *Pistacia chinensis* not be used and be replaced with *Nyssa sylvatica* on Roads A127 & A149, Drawing No. L10
 - (e) That the species on Roads A131 and A136 Drawing Number L10 be changed to *Nyssa sylvatica*.
 - (f) That the species *Pistacia chinensis* not be used and be replaced with *Pyrus calleryana* 'Bradford' on Roads A120 & A150 Drawing Number L11.

- (g) That the species *Elaeocarpus reticulatus* not be used and replaced with *Glochidion ferdinandii* on Drawing No. L11.
- (h) That the species *Platanus orientalis* 'Digitata' only be planted between the Stony Creek Road entrance and the roundabout at the open space by others, *Lophostemon confertus* is to be planted from the roundabout to the development boundary at the E2 zoned land to the east on Road A100 Drawing No.L11 & L12.
- (i) That the species on Road A103, Drawing No. L13 be changed to *Glochidion ferdinandii*.
- (j) That the species on Road A114, Drawing No. L13 be changed to *Waterhousia floribunda*.
- (k) That the species on Road A115 Drawing No. L13 be changed to *Tristaniopsis laurina* 'Luscious'.
- (l) That the species on Road A117 Drawing No. L13 be changed to *Glochidion ferdinandii*.
- (m) That the species on Road A116, Drawing No. L13 be changed to *Waterhousia floribunda*.
- (n) That street trees be installed on the southern side of the cul-de-sac section of Road A108, Drawing No. L13
- (o) A revised streetscape planting plan is required.
- (p) Bonds and fees to be applied as per Council's schedule of goods and services.
- (q) The Project Officer for Civil and Open Space infrastructure must be notified when street trees have been planted so practical completion can be given on the street tree planting and the 12 month maintenance period can commence.

4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

4.1 Zero Lot Boundary

- 4.1.1 The Principal certifying authority must be satisfied that for any lots having a zero lot line, the zero lot line must be higher than the opposing maintenance easement. The principal certifying authority must be satisfied that the zero lot setback will not be located on the side of the lot that is lower than the adjacent lot.

4.2 NSW Department of Primary Industries – Water

- 4.2.1 The applicant must apply to DPI Water for a Controlled Activity Approval prior to commencement of any works or activities on waterfront land.
- 4.2.2 The Construction Certificate will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Controlled Activity Approval issued by Department of Primary Industries – Water is provided to Council.

4.3 Unexpected Finds - Contamination

- 4.3.1 In the events of any unexpected finds, all works shall cease and the applicant and/or site foreman shall contact the Certifying Authority and a suitably qualified Environmental Consultant to conduct an assessment. Appropriate measures shall be implemented on the basis of the assessment including but not limited to isolation of the site, further investigation and environmental controls to minimise the potential migration of

contaminants from the impacted area. Affected areas can only be reopened subject to a clearance of the location and issuance of a report by the Environmental Consultant.

Any suspected asbestos containing should be left in place and not disturbed. The Environmental Consultant shall organise for further investigation purposes and subsequent removal by an appropriate licensed contractor.

Any unexpected finds encountered should be listed on a UFP register, which should include the action taken and the status of the unexpected find. Prior to closing out an unexpected find it will be important to ensure the appropriate documentation is obtained such as photographs, the UFP form, waste classification letter(s) and validation report or letter.

4.4 Construction Environmental Management Plan

- 4.4.1 Prior to the release of a Construction Certificate, an appropriately qualified person is to prepare a comprehensive Environmental Management Plan (EMP). The final, approved EMP shall be submitted to Council for its records.

The operational measures at a minimum should include the following:-

- (a) Proposed schedule of works
- (b) Proposed hours of work
- (c) Noise and vibration controls
 - Location of noise sensitive receivers nearest to the site
 - The predicted level of noise likely to affect the nearest noise sensitive receivers
 - List plant and equipment to be used on site including the level of sound mitigation to be undertaken in each case.
 - Traffic noise associated with the bulk earthworks
 - Statement outlining whether or not predicted noises levels will comply with the noise criteria outlined in the NSW Industrial Noise Policy.
 - Where resultant site noise levels are likely to exceed the noise criteria, a proposal is to be submitted outlining the duration and frequency of respite periods afforded to the occupiers of neighbouring property.
 - Community complaints response and management procedures outlining the course of action to be undertaken following receipt of a complaint concerning offensive noise.
- (d) Erosion and Sediment Control Strategy
- (e) Dust control strategy noting that any stockpiled soil is to be stored on plastic sheeting in an area that is securely bunded with a slit fence and hay bales to prevent surface-water run-off. Plastic sheeting must be placed over the stockpile to minimise wind-blown dust.
- (f) Truck route for the delivery of plant and equipment
- (g) Truck and staff parking area, site office and amenity facilities.

5 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

5.1 General

- 5.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
- 5.1.2 All fees for Construction, *Roads Act 1993* and *Local Government Act 1993* approvals must be paid to Council prior to the issue of any of the above certificates or approvals.

All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.

5.1.3 Construction certificate plans shall be generally in accordance with the following drawings:

Prepared By	Drawing No.	Sheet name and number		Revision	Dated
998512DA00	DA00	COVER SHEET		C	29/05/2018
998512DA01	DA01	LEGEND, INDEX & GENERAL NOTES		D	29/05/2018
998512DA02	DA02	ANTICIPATED CONSTRUCTION STAGING PLAN		D	29/05/2018
998512DA03	DA03	FLOOD EVACUATION ROUTE		D	29/05/2018
998512DA04	DA04	OVERALL SITE PLAN	SHEET 1	D	29/05/2018
998512DA05	DA05	OVERALL SITE PLAN	SHEET 2	C	02/05/18
998512DA06	DA06	ROAD HIERARCHY PLAN	SHEET 1	D	29/05/2018
998512DA07	DA07	ROAD HIERARCHY PLAN	SHEET 2	C	02/05/18
998512DA08	DA08	TYPICAL ROAD SECTIONS		A	13/12/17
998512DA09	DA09	TYPICAL ROAD SECTIONS		C	29/05/2018
998512DA10	DA10	CUT & FILL PLAN	SHEET 1	D	29/05/2018
998512DA11	DA11	CUT & FILL PLAN	SHEET 2	C	02/05/18
998512DA12	DA12	CONCEPT POTABLE WATER LOCATION		C	29/05/2018
998512DA20	DA20	ENGINEERING PLAN	SHEET 1	D	29/05/2018
998512DA21	DA21	ENGINEERING PLAN	SHEET 2	C	29/05/2018
998512DA22	DA22	ENGINEERING PLAN	SHEET 3	C	29/05/2018
998512DA23	DA23	ENGINEERING PLAN	SHEET 4	D	29/05/2018
998512DA24	DA24	ENGINEERING PLAN	SHEET 5	B	29/05/2018
998512DA25	DA25	ENGINEERING PLAN	SHEET 6	C	29/05/2018
998512DA26	DA26	ENGINEERING PLAN	SHEET 7	D	29/05/2018
998512DA27	DA27	ENGINEERING PLAN	SHEET 8	D	29/05/2018
998512DA28	DA28	ENGINEERING PLAN	SHEET 9	D	29/05/2018
998512DA29	DA29	ENGINEERING PLAN	SHEET 10	D	29/05/2018
998512DA30	DA30	ENGINEERING PLAN	SHEET 11	D	29/05/2018
998512DA31	DA31	ENGINEERING PLAN	SHEET 12	D	29/05/2018
998512DA32	DA32	ENGINEERING PLAN	SHEET 13	D	29/05/2018
998512DA33	DA33	ENGINEERING PLAN	SHEET 14	D	29/05/2018
998512DA34	DA34	ENGINEERING PLAN	SHEET 15	D	29/05/2018
998512DA35	DA35	ENGINEERING PLAN	SHEET 16	D	29/05/2018
998512DA36	DA36	ENGINEERING PLAN	SHEET 17	C	29/05/2018
998512DA37	DA37	ENGINEERING PLAN	SHEET 18	D	29/05/2018
998512DA38	DA38	ENGINEERING PLAN	SHEET 19	D	29/05/2018
998512DA39	DA39	ENGINEERING PLAN	SHEET 20	C	02/05/18
998512DA40	DA40	STONY CREEK ROAD TREE REMOVAL PLAN		D	29/05/2018
998512DA50	DA50	ROAD LONGITUDINAL SECTIONS	SHEET 1	B	29/05/2018
998512DA51	DA51	ROAD LONGITUDINAL SECTIONS	SHEET 2	A	13/12/17
998512DA52	DA52	ROAD LONGITUDINAL SECTIONS	SHEET 3	B	29/05/2018
998512DA53	DA53	ROAD LONGITUDINAL SECTIONS	SHEET 4	A	13/12/17
998512DA54	DA54	ROAD LONGITUDINAL SECTIONS	SHEET 5	A	13/12/17
998512DA55	DA55	ROAD LONGITUDINAL SECTIONS	SHEET 6	B	29/05/2018
998512DA56	DA56	ROAD LONGITUDINAL SECTIONS	SHEET 7	B	29/05/2018

998512DA57	DA57	ROAD LONGITUDINAL SECTIONS	SHEET 8	B	29/05/2018
998512DA58	DA58	ROAD LONGITUDINAL SECTIONS	SHEET 9	B	29/05/2018
998512DA59	DA59	ROAD LONGITUDINAL SECTIONS	SHEET 10	B	29/05/2018
998512DA60	DA60	ROAD LONGITUDINAL SECTIONS	SHEET 11	A	13/12/17
998512DA61	DA61	ROAD LONGITUDINAL SECTIONS	SHEET 12	B	29/05/2018
998512DA62	DA62	ROAD LONGITUDINAL SECTIONS	SHEET 13	B	29/05/2018
998512DA63	DA63	ROAD LONGITUDINAL SECTIONS	SHEET 14	A	13/12/17
998512DA64	DA64	ROAD LONGITUDINAL SECTIONS	SHEET 15	B	29/05/2018
998512DA65	DA65	ROAD LONGITUDINAL SECTIONS	SHEET 16	B	29/05/2018
998512DA66	DA66	ROAD LONGITUDINAL SECTIONS	SHEET 17	B	29/05/2018
998512DA67	DA67	ROAD LONGITUDINAL SECTIONS	SHEET 18	A	13/12/17
998512DA68	DA68	ROAD LONGITUDINAL SECTIONS	SHEET 19	B	29/05/2018
998512DA69	DA69	ROAD LONGITUDINAL SECTIONS	SHEET 20	B	29/05/2018
998512DA70	DA70	ROAD LONGITUDINAL SECTIONS	SHEET 21	B	29/05/2018
998512DA71	DA71	ROAD LONGITUDINAL SECTIONS	SHEET 22	B	29/05/2018
998512DA72	DA72	ROAD LONGITUDINAL SECTIONS	SHEET 23	A	13/12/17
998512DA73	DA73	ROAD LONGITUDINAL SECTIONS	SHEET 24	A	13/12/17
998512DA74	DA74	ROAD LONGITUDINAL SECTIONS	SHEET 25	A	13/12/17
998512DA75	DA75	ROAD LONGITUDINAL SECTIONS	SHEET 26	A	13/12/17
998512DA76	DA76	ROAD LONGITUDINAL SECTIONS	SHEET 27	A	13/12/17
998512DA77	DA77	ROAD LONGITUDINAL SECTIONS	SHEET 28	A	13/12/17
998512DA78	DA78	ROAD LONGITUDINAL SECTIONS	SHEET 29	A	13/12/17
998512DA79	DA79	ROAD LONGITUDINAL SECTIONS	SHEET 30	A	13/12/17
998512DA80	DA80	ROAD LONGITUDINAL SECTIONS	SHEET 31	A	13/12/17
998512DA81	DA81	ROAD LONGITUDINAL SECTIONS	SHEET 32	A	13/12/17
998512DA82	DA82	ROAD LONGITUDINAL SECTIONS	SHEET 33	A	13/12/17
998512DA83	DA83	ROAD LONGITUDINAL SECTIONS	SHEET 34	A	13/12/17
998512DA84	DA84	ROAD LONGITUDINAL SECTIONS	SHEET 35	A	13/12/17
998512DA85	DA85	ROAD LONGITUDINAL SECTIONS	SHEET 36	A	13/12/17
998512DA86	DA86	ROAD LONGITUDINAL SECTIONS	SHEET 37	A	13/12/17
998512DA87	DA87	ROAD LONGITUDINAL SECTIONS	SHEET 38	A	13/12/17
998512DA88	DA88	ROAD LONGITUDINAL SECTIONS	SHEET 39	C	29/05/2018
998512DA90	DA90	SITE SECTIONS	SHEET 1	C	29/05/2018
998512DA91	DA91	SITE SECTIONS	SHEET 2	B	09/04/18
998512DA92	DA92	SITE SECTIONS	SHEET 3	A	13/12/17
998512DA93	DA93	SITE SECTIONS	SHEET 4	A	13/12/17
998512DA94	DA94	SITE SECTIONS	SHEET 5	A	13/12/17
998512DA95	DA95	SITE SECTIONS	SHEET 6	A	13/12/17
998512DA96	DA96	SITE SECTIONS	SHEET 7	B	29/05/2018
998512DA97	DA97	SITE SECTIONS	SHEET 8	B	09/04/18
998512DA98	DA98	SITE SECTIONS	SHEET 9	B	09/04/18
998512DA99	DA99	SITE SECTIONS	SHEET 10	B	09/04/18
998512DA100	DA100	SITE SECTIONS	SHEET 11	B	09/04/18
998512DA110	DA110	ROUNDAABOUT 1 - STONY CREEK ROAD AND ROAD A100	DETAIL PLAN SHEET 1	D	29/05/2018
998512DA110A	DA110A	ROUNDAABOUT 1 - STONY CREEK ROAD AND ROAD A100	DETAIL PLAN SHEET 2	A	29/05/2018
998512DA111	DA111	ROUNDAABOUT 1 - STONY CREEK ROAD AND ROAD A100	TURNING PATHS	C	29/05/2018
998512DA112	DA112	ROUNDAABOUT 2 - ROAD A100 & A102	DETAIL	B	09/04/18

			PLAN		
998512DA113	DA113	ROUNDBOUT 2 - ROAD A100 & A102	TURNING PATHS	A	13/12/17
998512DA114	DA114	ROUNDBOUT 3 - ROAD A102 & A132	DETAIL PLAN	A	13/12/17
998512DA115	DA115	ROUNDBOUT 3 - ROAD A102 & A132	TURNING PATHS	A	13/12/17
998512DA116	DA116	ROUNDBOUT 4 - ROAD A102, 101, 111 & 139	DETAIL PLAN	B	09/04/18
998512DA117	DA117	ROUNDBOUT 4 - ROAD A102, 101, 111 & 139	TURNING PATHS	A	13/12/17
998512DA118	DA118	TURNING PATHS	SHEET 1	B	29/05/2018
998512DA119	DA119	TURNING PATHS	SHEET 2	B	29/05/2018
998512DA120	DA120	TURNING PATHS	SHEET 3	B	29/05/2018
998512DA121	DA121	TURNING PATHS	SHEET 4	B	29/05/2018
998512DA130	DA130	RETAINING WALL 1 DETAIL PLAN		D	29/05/2018
998512DA131	DA131	RETAINING WALL 1 LONGITUDINAL SECTIONS		C	29/05/2018
998512DA132	DA132	RETAINING WALL 2 DETAIL PLAN		D	29/05/2018
998512DA133	DA133	RETAINING WALL 2 LONGITUDINAL SECTIONS		C	29/05/2018
998512DA134	DA134	RETAINING WALL 3 DETAIL PLAN		C	29/05/2018
998512DA135	DA135	RETAINING WALL 3 LONGITUDINAL SECTIONS		B	09/04/18
998512DA136	DA136	RETAINING WALL 4 DETAIL PLAN		B	09/04/18
998512DA137	DA137	RETAINING WALL 4 LONGITUDINAL SECTIONS		A	13/12/2017
998512DA138	DA138	RETAINING WALL 5 DETAIL PLAN		B	09/04/18
998512DA139	DA139	RETAINING WALL 5 LONGITUDINAL SECTIONS		B	09/04/18
998512DA150	DA150	OVERALL CATCHMENT PLAN - SHEET 1		D	29/05/2018
998512DA151	DA151	OVERALL CATCHMENT PLAN - SHEET 2		C	2/05/2018
998512DA160	DA160	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	DETAIL PLAN - 1	C	2/05/2018
998512DA161	DA161	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	DETAIL PLAN - 2	C	2/05/2018
998512DA162	DA162	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	DETAIL PLAN - 3	C	2/05/2018
998512DA163	DA163	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	DETAILS	C	2/05/2018
998512DA164	DA164	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	CHANNEL SECTIONS	B	
998512DA165	DA165	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	SITE SECTIONS-1	C	2/05/2018
998512DA166	DA166	DETENTION BASIN (MS3.0), RAINGARDEN (MS3.1)	SITE SECTIONS-2	C	2/05/2018
998512DA170	DA170	DETENTION BASIN (MS2.0), RAINGARDEN (MS2.1)	DETAIL PLAN	C	2/05/2018
998512DA171	DA171	DETENTION BASIN (MS2.0), RAINGARDEN (MS2.1)	DETAILS	C	2/05/2018
998512DA172	DA172	DETENTION BASIN (MS2.0), RAINGARDEN (MS2.1)	SITE SECTIONS-	C	2/05/2018

			1		
998512DA175	DA175	RAINGARDEN (ML3.0)	DETAIL PLAN	C	2/05/2018
998512DA180	DA180	RAINGARDEN (ML6.0)	DETAIL PLAN	D	29/05/2018
998512DA181	DA181	RAINGARDEN (ML6.0)	SECTIONS	A	2/05/2018
998512DA185	DA185	RAINGARDEN (ML7.0)	DETAIL PLAN	D	29/05/2018
998512DA186	DA186	RAINGARDEN (ML7.0)	SECTIONS	C	2/05/2018
998512DA190	DA190	RAINGARDEN DETAILS		C	2/05/2018
998512DA195	DA195	BRIDGE DETAIL PLAN		B	9/04/2018

The following items are required to be addressed on the Construction Certificate plans:

- i. Any temporary on site detention / stormwater treatment measures required by this consent.
- ii. Adjustment will be required for the works along Shanes Park Road and Stony Creek Road. Please refer to Roads Act requirement under condition 5.4.1. Any amendment required under the roads Act shall be reflected on the Construction Certificate plans.
- iii. Council will consider the design of the trunk drainage pipelines to be flatter than the 0.5% minimum grade in the Engineering Guide. Note, trunk drainage is defined as a single pipe with a diameter of 900mm or greater. This will also apply to box culverts with an equivalent cross sectional area or greater. Also note that it does not apply to multiple pipes with a diameter less than 900mm.
- iv. With the flatter drainage, a minimum velocity of 0.6 m/s in the 1 Yr. ARI event is to be achieved to provide self-cleansing.
- v. The long filters shown in the water quality basins as shown are not practicable to operate and maintain. The rain garden designs and in particular how the water is going to be evenly distributed over the filters shall be revised. A filter length in the order of 60m will be required, due to the flat water distribution system. This applies to basins 3.1A, 3.1 B, 3.1 C, 2.1A and 2.1 B.
- vi. Headwall B99/2 is to be combined with HW RG062/2.
- vii. No outlet structure is shown for Basin MS 2.0.
- viii. Headwall RG03/2 is to be combined with HW 007/2
- ix. Filter level shall be shown for Basin ML 6.0.
- x. Minimise the height and bulk of headwalls. The height of headwalls should be kept to under 900mm, wherever feasible.
- xi. Demonstrate how the local 100 Year ARI flow will be safely conveyed to South Creek from basin MS 3.0.
- xii. Show the water surface levels on the basin sections for the 100, 10 and 2 Year ARI events
- xiii. The following amendments shall be made with respect to the intersection works along Stony Creek Road:
 - a. Splitter island on the southern approach in Stony Creek Road to the roundabout be extended up to Shane Park Road to physically prevent right turn out of Shane Park Road.
 - b. Detail design of the roundabout should include opening for pedestrian in splitter islands and ramps on the footpaths.
 - c. Kerb and gutter be provided to the south-west side of Shane Park Road same as on the north-west side.
 - d. A road safety audit be undertaken of the proposed option.
 - e. The reconstruction of Stony Creek road shall extend by at least 40 metres beyond the limit of construction as shown on the referenced plans.

5.2 Regional Infrastructure

- 5.2.1 Prior to the issue of a Construction Certificate for the proposed development, with respect to the design and construction of the proposed future s7.11 items for detentionbasins MS 2.0 and MS 3.0, Bridge ML 4.0, raingardens MS 2.1, MS 3.1, ML 3.0, ML6.0 and ML 7.0 and GPTs MS 2.2, MS 3.2, MS 3.3, ML 3.1, ML 6.1 and ML 7.1, road works in Stoney Creek Road, MP 4.2 and 2 roundabouts, the applicant is to prepare and submit to Council's Asset Design Services Team, all investigation and concept design requirements as set out in Sections 3.1 (Pre DA Stage- Data Collection and review) and 3.2 (DA Stage Concept Design Verification, Optimisation & Risk Management), respectively, of Council's document "Guidelines for the Investigation and Design of Section 94 Stormwater Works".
- 5.2.2 Council acknowledge the Applicant's proposal to construct Section 94 infrastructure (i.e. Contribution Plan No.21, detention basin MS 2.0 and MS 3.0, Bridge ML 4.0, raingardens MS 2.1, MS 3.1, ML 3.0, ML6.0 and ML 7.0 and GPTs MS 2.2, MS 3.2, MS 3.3, ML 3.1, ML 6.1 and ML 7.1 and road works, MP4.2 and two roundabouts). It is noted that these items may be constructed under a separate Works In Kind (WIK) agreement in order to facilitate Section 7.11 credits to the developer. However, if the works are constructed prior to the execution of a WIK agreement then Council reserves the right not to award Section 94 credits.

5.3 Construction Certificate Requirements

- 5.3.1 Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate for engineering work is required. These works include but are not limited to the following:

- Road and drainage construction
- On-site stormwater detention
- Water quality treatment
- Earthworks
- Path Paving (within a subdivision)

The above requirements are further outlined in this section of the consent.

5.4 Roads Act Requirements

- 5.4.1 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:

- Road, drainage and associated works at the interface of proposed Shanes Park Road/Stony Creek Road

5.5 Other Engineering Requirements

- 5.5.1 Submit a detailed estimate of costs for the engineering works. If this detailed estimate is \$25,000 or greater then a long service levy payment is required. Provide proof of this payment to Council.
- 5.5.2 Any ancillary works undertaken shall be at no cost to Council.
- 5.5.3 All street name poles, light poles and bus shelters shall be black powder coated in accordance with Blacktown City Council's Engineering Guide for Development. Ensure this is noted on the construction plans.
- 5.5.4 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

5.6 Roads

- 5.6.1 Submit a pavement report prepared and designed by a professional civil engineer with soil tests carried out by a registered NATA soils laboratory. The pavement design shall withstand the traffic loadings listed in this consent.
- 5.6.2 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer.
- 5.6.3 Proposed new roads shall be designed and constructed as follows as shown on the typical section on the plans by J Wyndham Prince drawing number 998512DA08 & 09 as reference in this consent.

Name	Width (m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Road Type 1-Collector Road A100 and A101	20m	Full length	5-11-4	1 X 10 ⁶
Road Type 1-Collector Road A102	20m	Full length	4-11-5	1 X 10 ⁶
Road Type 4-Local road	16m	Full length	3.5-9-3.5	5 x 10 ⁵
Road Type 2-A104	17.4m	Full length	4.9-9-3.5	5 x 10 ⁵
Road Type 4-A106	17.4m	Full length	4.9-9-3.5	5 x 10 ⁵
Road Type 5-Road Adjoining Park	16m	Full length	3.5-9-3.5	5 x 10 ⁵
Road Type 7-Road Adjoining Air Services lanes- A108 and A151	17.4 and Variable	Full length	3.5-9-4.9+ variable	5 x 10 ⁵

Note: Road Type 2 along RE1 and the riparian corridor shall be updated to provide 2.5m shared path

- 5.6.4 Staging of road construction will be permitted where suitable traffic circulation or temporary turning areas in dead end roads are evident in accordance with Council's Engineering Guide for Development.

5.7 Drainage

- 5.7.1 Drainage from the site must be connected into Council's existing drainage system.
- 5.7.2 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.

5.8 Erosion and Sediment Control

- 5.8.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

5.9 Earthworks

- 5.9.1 Batters are not to exceed a grade of 1V:4H and are to be stabilised with topsoil, turf and vegetation.
- 5.9.2 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.

5.10 Temporary Stormwater Quality Control

- 5.10.1 Provide a temporary stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management. This shall be provided for developed area, specifically the collector road (extension of Elara Boulevard). This may be satisfied when the downstream regional stormwater treatment measures, constructed as part of a voluntary planning/work in kind agreement.
- 5.10.2 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.
- 5.10.3 Bio-retention basins to be designed in accordance with "Stormwater Biofiltration Systems. Adoption Guidelines. Planning, design and implementation. Version 1 June 2009. Facility for Advancing Water Bio-filtration", as a lined, standard biofiltration system.

5.11 Temporary On-Site Detention

- 5.11.1 Provide a temporary on-site detention system in accordance with Council's Engineering Guide for Development. This design shall limit the post-developed flows to the pre-developed flows for the 2 to 100 year ARI storm events. This shall be provided for developed area, specifically the collector road (extension of Elara Boulevard). This may be satisfied when the downstream regional detention basin, constructed as part of a voluntary planning/work in kind agreement.
- 5.11.2 Submit the following certificates which are to be prepared by a registered engineer (NER):
- Certification that the structures associated with the temporary on-site detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
 - Certification that the temporary on-site detention system will perform to meet the temporary on-site detention requirements.
- 5.11.3 The following documents shall be submitted to accompany the temporary on-site detention design:
- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
 - OSD detailed design submission and calculation summary sheet

- A maintenance schedule that is signed and dated by the designer

5.12 **Footpaths**

- 5.12.1 Prior to the issue of any construction certificated, all Path Paving shall be provided in accordance with the plans as referenced in condition 5.1.3

Note: Road Type 2 along RE1 and the riparian corridor shall be updated to provide 2.5m shared path.

The construction of path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2018.

Proposed locations and widths are to be approved by Blacktown City Council's Co-ordinator Engineering Approvals. Cycleways/ shared pathways are to include line marking and signposting in accordance with the requirements of Austroads "Guide to Road Design" Part 6A and the Roads and Maritime Services NSW Bicycle Guidelines November 2003.

6 **Prior to Development Works**

6.1 **Safety/Health/Amenity**

- 6.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

- 6.1.2 A sign is to be erected and maintained in a prominent position on the indicating:

- (a) the name, address and telephone number of Blacktown Council, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

- 6.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

(b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 6.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 6.1.5 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
- 6.1.6 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.

7 During Construction (Building)

7.1 Safety/Health/Amenity

- 7.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 7.1.2 A sign is to be erected and maintained in a prominent position on the site indicating:
 - a) the name, address and telephone number of the Council, and
 - b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited.
- 7.1.3 Should the development work:
 - (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

- 7.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

- 7.1.5 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.

7.2 Nuisance Control

- 7.2.1 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1.00pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

7.3 Waste Control

- 7.3.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

7.4 Construction Inspections

- 7.4.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) After excavation for, and prior to placement of, any footings; and

- (b) The tie downs; and

- (c) Prior to covering any stormwater drainage connections; and

- (d) After the building work has been completed.

8 DURING CONSTRUCTION (ENGINEERING)

8.1 Notification of Works

- 8.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.

8.2 Service Authority Approvals

- 8.2.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

8.3 **Boundary Levels**

- 8.3.1 Any construction at the property boundary, including but not limited to fences, retaining walls and driveways shall not be carried out until boundary alignment levels have been fixed.

8.4 **Tree Protection and Preservation**

- 8.4.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
- 8.4.2 There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.

8.5 **Soil Erosion and Sediment Control Measures**

- 8.5.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 8.5.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- 8.5.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

8.6 **Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.**

- 8.6.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Where Council is appointed as the Principal Certifying Authority for the development, only compliance certificates issued by accredited certifiers will be accepted. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

8.7 **Inspection of Engineering Works - Roads Act 1993**

- 8.7.1 All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum twenty-four (24) hours notice. Councils Development Overseers may be contacted on 02 9839 6586 between 7am - 8am and 12.30pm - 1.30pm, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

8.8 Public Safety

- 8.8.1 The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

8.9 Powder Coated Furniture

- 8.9.1 Where the conditions of this consent permit the installation of powder coated furniture (i.e. street lighting poles, bus shelters, rubbish bins, seats or any other items of street furniture), a certificate from the manufacturers shall be provided to Council confirming that the nominated powder coated items have been prepared and coated in accordance with Australian Standard AS/NZ 4506-2005 (service condition category 3). This certificate must be no more than 3 months old and shall be provided to Council prior to the installation of the relevant items of the street furniture. Any items of street furniture not so certified shall be removed and replaced at no cost to Council with items appropriately certified.

9 PRIOR TO SUBDIVISION CERTIFICATE

9.1 Section 7.11 Contributions

- 9.1.1 Contributions under Section 7.11 of the *Environmental Planning & Assessment Act 1979* must be paid.

Under the Section 7.11 Direction issued by the Minister for Planning on 4 March 2011, Council must not impose a condition of development consent under Sections 7.11 (1) of 7.11 (3) or the Act requiring the payment of a monetary contribution exceeding \$35,000 for each dwelling authorised by the development consent, or in the case of a development consent that authorises the subdivision of land into residential lots, exceeding \$35,000 for each residential lot authorised to be created by the development consent. The Section 7.11 contributions payable below have been assessed in accordance with this Direction:

No. of intended dwellings: 1,842
Total Contribution: \$64,470,000

Payment of this amount must be made prior to the issue of the Subdivision Certificate.

PLEASE NOTE: Payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED. Payments of the full amount by credit card or EFTPOS are accepted up to \$10,000.00 only. Any payments above \$10,000.00 must be made by cheque. Payments above \$10,000.00 cannot be split between different credit or EFTPOS cards.

Note: In complying with the Minister's Section 7.11 Direction, the applicant is advised that Council may not be in a position to provide all of the facilities listed in

the applicable contributions plan due to the potential shortfall of contributions to be received as a result of the \$35,000 per dwelling/lot limit.

The amounts below are the indexed contributions as at the date of this consent which, if not for the Ministerial Direction, would have applied to this consent. These amounts have been supplied for your information.

Contribution	Indexed Amount	Plan No.
Stormwater Quantity – Little Creek Catchment	\$12,721,642	21
Stormwater Quantity – South Creek Catchment	\$16,563,176	21
Stormwater Quality – Little Creek Catchment	\$1,714,891	21
Stormwater Quality – South Creek Catchment	\$1,640,597	21
Traffic Management	\$15,408,883	21
Open Space	\$53,598,556	21
Community Facilities	\$688,442	21
E2 Conservation Zone	\$1,704,450	21
Aquatic Facility	\$1,121,495	21

Copies of the following relevant Contributions Plan may be inspected/purchased from Council's Information Centre, or viewed/downloaded at www.blacktown.nsw.gov.au:

S.7.11 CP No. 21 – Marsden Park Precinct

The Section 7.11 Contributions have been based on the potential additional population and developable area nominated below. Should the final plan of survey indicate any change to the potential additional population and/or developable area, the Section 7.11 Contributions will be adjusted accordingly.

Additional population: 5,341.8 persons
Developable area: 91.7626 hectares

9.2 **Special Infrastructure Contribution**

- 9.2.1 A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

More information

Information about the special infrastructure contribution can be found on the Department of Planning's website:

<http://www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/language/en-US/Default.aspx>

Please contact the Department of Planning & Environment regarding arrangements for the making of a payment. Written evidence of these arrangements is to be submitted to Council.

9.3 General

- 9.3.1 A report from a geotechnical engineer is to be submitted to Council certifying the site classification for the reactivity of the lots in the subdivision after identification of the soil characteristics in accordance with the provisions of AS 2870, "Residential Slabs and Footings".

9.4 Site Contamination

- 9.4.1 Prior to the issue of the Subdivision Certificate, an EPA recognised accredited geoscientist is to validate the site as suitable for residential development in accordance with the strict residential use criteria as set out in the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 as amended 2013.

9.5 Salinity

- 9.5.1 Prior to the issue of the Subdivision Certificate, certification from a suitably qualified consultant is to be provided to Council confirming the relevant salinity management measures were implemented during the subdivision works.
- 9.5.2 Prior to the issue of the Subdivision Certificate, a post earthworks salinity investigation report is to be prepared in accordance with the Department of Land and Water Conservation's (DLWC) publication 'Site Investigations for Urban Salinity' and WSROC Western Sydney Salinity Code of Practice.

The report must nominate measures to mitigate the impact of salinity and soil aggressivity on the site.

In particular, the report is to provide lot specific construction measures for earthworks and building construction to form the basis of Section 88B restrictions as to user for any lots affected by saline or aggressive soils.

9.6 Site Access

- 9.6.1 All lots shall have access from a dedicated public road. In this regard, all proposed roads shall be dedicated as public road free of cost to Council.

NOTE: Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on a future public road. Any proposal to locate a proposed substation or other utility installation on a future public road shall be negotiated with and fully endorsed by the relevant Council Directorates.

9.7 Road Damage

- 9.7.1 The cost of repairing any damage caused to Council's assets in the vicinity of the

subject site as a result of the development works be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

9.8 Relationship to Other Approvals

9.8.1 Compliance with the requirements of the following nominated approvals:

- (a). Development Consent No. DA-15-02273 dated 09/09/2016 issued by Blacktown City Council.
- (b). Development Consent No. DA-17-01165 dated 22/12/2017 issued by Blacktown City Council.
- (c) Relevant requirements of any other Development Consent and/or Construction Certificate issued under the Environmental Planning and Assessment Act 1979 and/or Building Approval issued under the Local Government Act 1993.

The conditions contained within the above approvals must be fully complied with in order to obtain release of the final plan of subdivision.

The authorised person signing the subdivision plan shall ascertain whether any Compliance Certificate(s) for the development is/are required to be issued in relation to any element, component or system incorporated in the development. A copy of each required Compliance Certificate shall be lodged with Council.

9.9 Consent Compliance

9.9.1 A Subdivision Certificate shall not be issued until all conditions of this consent have been satisfied.

9.10 Additional Inspections

9.10.1 Any additional Council inspection services provided beyond the scope of any Compliance Certificate or inspection package and required to verify full compliance with the terms of this consent, will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule and shall be paid to Council.

9.11 Engineering Matters

9.11.1 Surveys/Certificates/Works As Executed plans

9.11.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A hardcopy (A1 size) and softcopy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.

9.11.1.2 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the temporary On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.

- 9.11.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed temporary Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 9.11.1.4 Applicant to submit the following in accordance with Council's Works Specification - Civil (Current Version):
- a) Compaction certificates for fill within road reserves.
 - b) Compaction certificates for road sub-grade.
 - c) Compaction certificates for road pavement materials (sub-base and base courses).
 - d) Two (2) contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
 - e) Compliance Certificates from road material suppliers (the relevant certified stockpile number shall be digitally shown from supplier)
- 9.11.1.5 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

When Council has been nominated or defaulted as the nominee for engineering compliance. Final inspections can be arranged through Council's Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

9.12 **Easements/Restrictions/Positive Covenants**

- 9.12.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
 - (b) The standard format for easements and restrictions as accepted by NSW Land Registry Services.

- 9.12.2 A Restriction as to User under Section 88B of the Conveyancing Act 1919 must be registered with NSW Land Registry Services over the Building Envelope for the following lots.

All development shall only be carried out within the specified Building Envelope.

The endorsed Building Envelope Plans are held on File SPP-17-00046.

Nominated Lot(s) Burdened: Proposed are listed in drawing No.X14419-PREC7-DA_4 11 of 12 Revision 5 and X14419-PREC7-DA_4 12 of 12 Revision 5.

NOTE: The final wording of the recital of the Restriction as to User is to be Council's satisfaction.

9.12.3 An appropriate easement/covenant/restriction for access, maintenance and repair under Section 88B of the Conveyancing Act 1919 shall be created for any zero lot line walls benefiting and burdening the subject lots accordingly.

9.12.4 An appropriate restriction on the use of the land/covenant shall be created under Section 88B of the Conveyancing Act 1919 as follows:

“The wall of any dwelling erected on the lot hereby burdened, is not to be located within 900mm of the side boundary unless there is a registered maintenance easement on the adjoining property, extending the length of the wall.”

9.12.5 Any zero lot shall not be located on the side of the lot which is lower than the adjacent lot, namely the lower side of the boundary line. The zero lot line must be higher than the opposing maintenance easement.

NOTE: The location of street trees must not interfere with future driveways. The applicant must therefore take into consideration the likely driveway location for any lot burdened by a zero lot line maintenance easement.

9.12.6 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the temporary on-site detention storage areas and outlet works. Documentary evidence of this lodgement shall be submitted to Council.

9.12.7 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the temporary Stormwater Quality Control devices/system and outlet works. Documentary evidence of this lodgement shall be submitted to Council.

9.12.8 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

9.13 **Dedications**

9.13.1 Dedication at no cost to Council of 5m x 5m splay corners on allotments at each street intersection.

9.14 **Bonds/Securities/Payments in Lieu of Works**

9.14.1 The payment to Blacktown City Council of a monetary contribution in lieu of works for the placement of the final layer of asphaltic concrete (a.c.) on the new road works. The amount will be calculated at Council's approved rate upon request and following issue of a Construction Certificate for the work.

9.14.2 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

(a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)

(b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

9.14.3 Concrete path paving must not be placed until about 75% of the lots have been built upon or until approved in writing by Council. The applicant has the option of lodging a security deposit for the works, or paying a monetary payment in lieu of works based upon Council's Goods and Services Pricing Schedule. The Security will be released upon satisfactory completion of the works.

9.14.4 Where Council has granted approval of providing security in lieu of outstanding works. A security, in the form of a bank guarantee or a cash deposit, shall be lodged with Council to cover outstanding works required by this consent. The security amount will be calculated at Council's approved rate upon request

9.15 **Inspections**

9.15.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

9.16 **Inspection of Work**

9.16.1 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV on completion of the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection, a hard copy printout of the SEWRAT (or equivalent) report and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

9.17 **Bonds and Services and Charges**

9.17.1 The Applicant is to undertake the planting and maintenance of street tree/s to Council's satisfaction at no cost to Council (making any necessary Applications with Council or obtaining any necessary clearances from relevant Service Authorities), the Applicant is, subject to any alternative arrangements satisfactory to the Council, to lodge a tree bond of \$330.00 per tree and \$136.00 Inspection fee with Council to ensure the health and vigour of the tree/s. The bond shall be returned 12 months after the completion of the development (i.e. issue of final Occupation/Subdivision Certificate) if the trees are in a state of good health and vigour to Council's satisfaction.

9.18 **Tree Bond**

9.18.1 Street tree bond amounts will be calculated following review and approval of the revised Streetscape plan.

Furthermore, in accordance with Council's Good and Services schedule further assessment of plans and future site inspection shall be levied by DSU against the Developer for this purpose at a rate of \$195/hr + GST

Investigation of submitted plans

Parks and Tree Maintenance assessment = 2 hours @ \$195/hr = \$390.00.