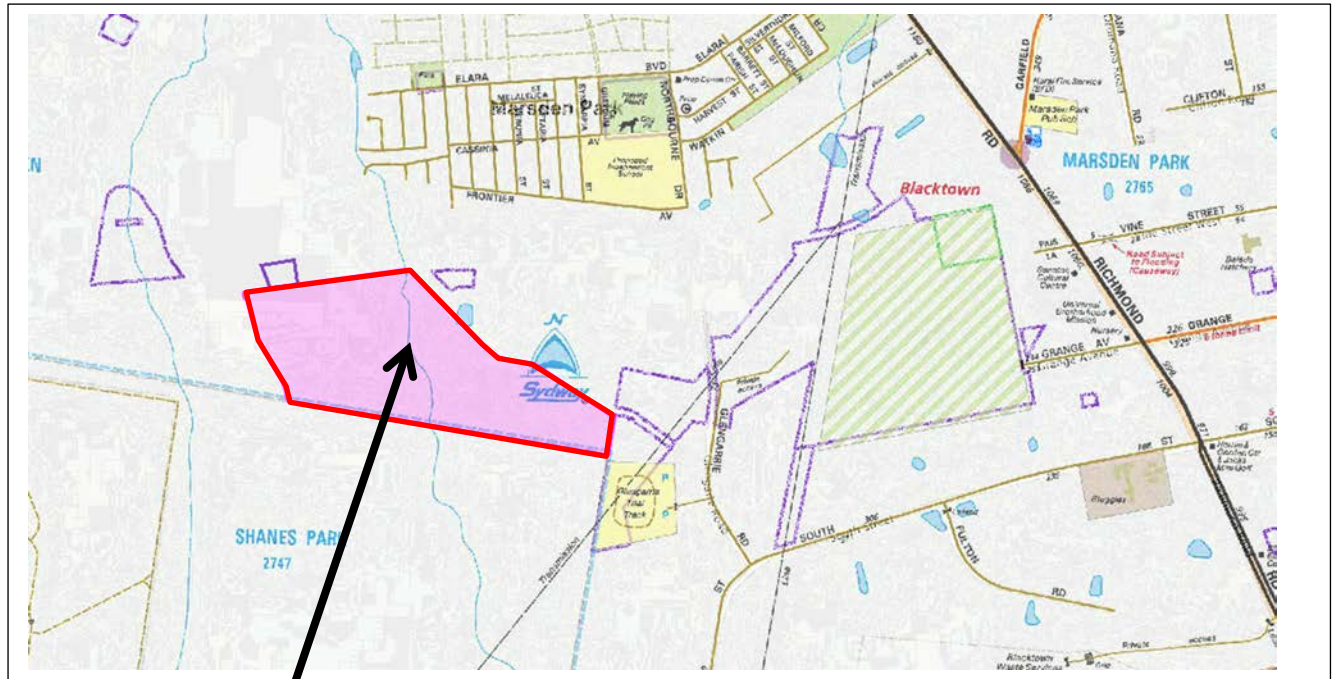


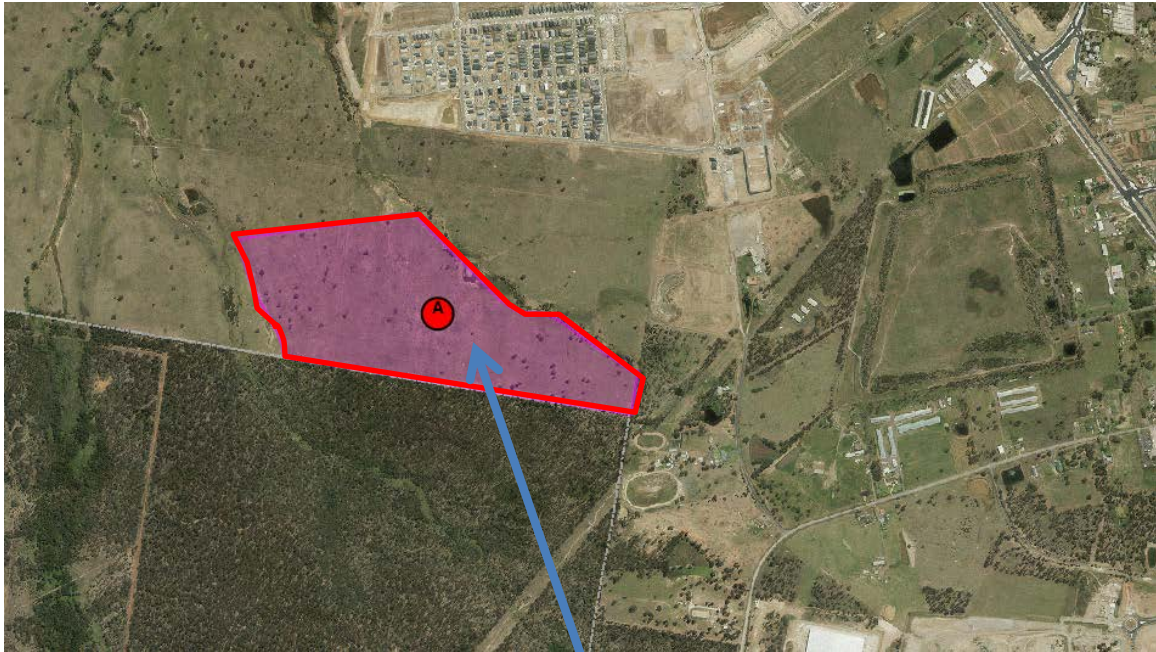
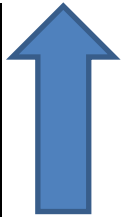
## Location map



Site

## Aerial image

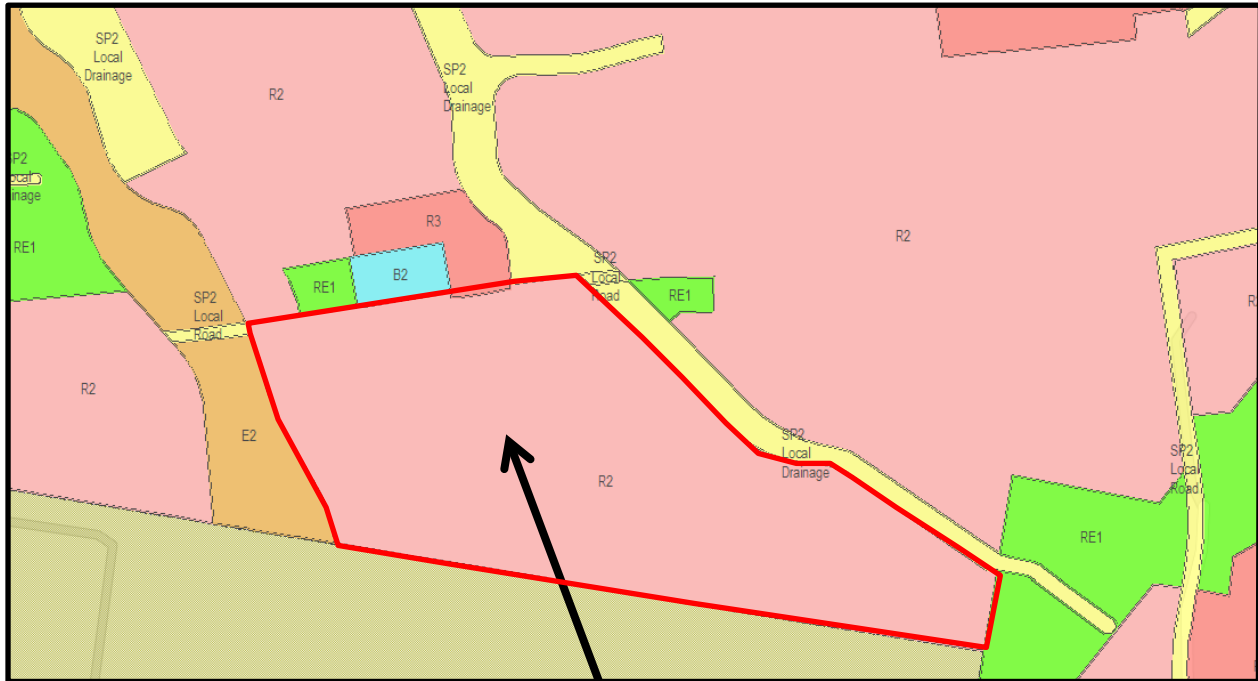
N



Site

## Zoning extract

### Lots 1, 2 and 3 DP 1225885 – Richmond Road, Marsden Park



#### LEGEND Zone

B1 Neighbourhood Centre	IN2 Light Industrial
B2 Local Centre	R1 General Residential
B4 Mixed Use	R2 Low Density Residential
B5 Business Development	R3 Medium Density Residential
B7 Business Park	RE1 Public Recreation
E2 Environmental Conservation	RE2 Private Recreation
E3 Environmental Management	RU6 Transition
E4 Environmental Living	SP2 Infrastructure
IN1 General Industrial	

SEPP (Sydney Region Growth Centres) 2006



## Detailed information about proposal and DA submission material

### 1 Concept Plan

The Development Application has been lodged by Stockland Development Pty Ltd seeking Concept Plan approval under section 4.21 of the Environmental Planning and Assessment Act 1979 to carry out the following works:

- Subdivision of Precinct 6 land to create 945 residential lots. The Concept Plan sets the site layout and dwelling density of 22.3 dwellings/ha for Precinct 6. Figure 1 below shows the subdivision layout. A full set of A3 sized Development Plans are at Attachment 5 to this report

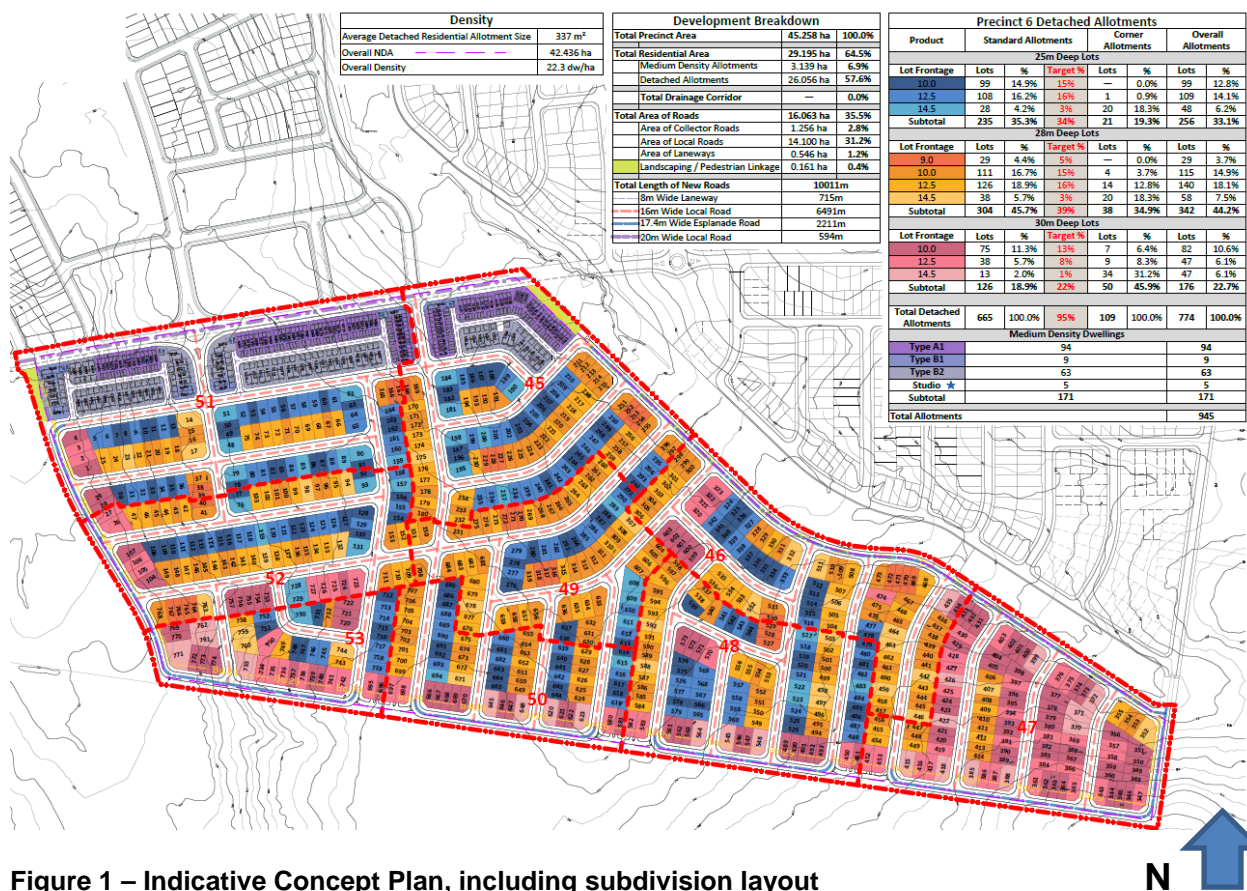


Figure 1 – Indicative Concept Plan, including subdivision layout

### 2 Stage 1 subdivision

Stage 1 of the Concept Plan involves subdivision including:

- 774 residential lots, 3 superlots and 2 residue lots. Figure 2 shows the location and distribution of these lots
- civil works, including roads, stormwater drainage and installation of services
- associated works, including contouring, landscaping and sediment and erosion control.

Separate applications will be lodged for the development of the superlots created in Stage 1.



**Figure 2 – Subdivision and staging layout**



The 774 residential lots in Stage 1 are to be developed in 9 further stages as follows:

Stage	No of lots	Cumulative total
Stage 45	97	97
Stage 46	92	189
Stage 47	99	288
Stage 48	100	388
Stage 49	81	469
Stage 50	72	541

Stage	No of lots	Cumulative total
Stage 51	88	629
Stage 52	98	727
Stage 53	47	774

The lot frontages range from 9 m to 28 m. A summary is shown in the table below:

Lot Type	No of Lots	Percentage %
Corner lots	112	14.5
<10 m	49	6.3
10 to <11 m	262	33.9
11 to <13 m	258	33.3
13 m +	93	12
Total	774	100%

The proposed subdivision would create residential lots ranging in area between 250 m<sup>2</sup> and 822.4 m<sup>2</sup>. A total of 147 lots have an area between 250 m<sup>2</sup> and 300 m<sup>2</sup>. The application documentation includes Building Envelope Plans (BEPs) for each lot less than 300 m<sup>2</sup>, to demonstrate that the lot can contain a sufficient building envelope to enable the erection of a dwelling on the lot.

It is proposed to create 3 superlots and 2 residue lots having the following site area:

- Superlot 4598      1.069 ha
- Superlot 5189      1.099 ha
- Superlot 5190      1.513 ha
- Residue Lot 4599    933 m<sup>2</sup>
- Residue Lot 5191    715 m<sup>2</sup>

The proposed superlots will be developed with a higher density form of housing under future stages under separate applications.

The Stage 1 works involve subdivision only and this Development Application does not seek approval for the construction of dwellings.

## 2.1. Stage 1 civil works

### a. Roads

Stage 1 includes the construction of all roads within Precinct 6. The road types and road widths are as follows:

- Collector road - 20 m road reserve
- Local road - 16 m road reserve
- Perimeter road adjacent to drainage channels and Air Services land - 17.4 m road reserve
- Access street - 17.4 m road reserve.

**b. Stormwater drainage**

Stage 1 involves the construction of stormwater drainage. The eastern portion of the site will discharge into the trunk drainage along the eastern boundary approved under JRPP-15-02324. The western portion of the site will discharge into the unnamed tributary of Little Creek with discharge points protected by rock scours. A Stormwater Strategy prepared by J Wyndam Prince dated 17 November 2017 has been submitted which further outlines the drainage strategy.

**c. Services**

Stage 1 works involve the provision of services throughout the site. Services will be located within the road reserve in accordance with service authority requirements. The services include:

- Waste water services
- Water services
- Electrical services
- Gas services
- Telecommunications services.

**d. Land contouring**

Land regrading and contouring involves a maximum of 0.5 m of cut or fill. Construction of retaining walls will be to a maximum height of 2 m along the southern boundary at the interface with the Air Services land.

**e. Landscaping**

A landscape plan showing the location and type of street trees has been submitted. The application seeks approval for these species.

### **3 Application documentation**

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

The application includes a Soil Salinity and Agressivity Assessment prepared by DLA Environmental Services dated May 2015. This report was submitted with DA-15-02273 for the bulk earthworks. The works relating to this DA are currently underway.

The NSW Office of Environment and Heritage (OEH) has issued an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the NPWS Act in relation to the earthworks approved under DA-15-02273. All works to be carried out under the current DA are required to comply with the conditions of this AHIP.

The application includes a detailed Site Contamination Investigation Report prepared by DLA Environmental Services dated May 2015. This report was submitted with DA-15-02273 for the bulk earthworks. The works relating to this DA are currently underway. However, it is proposed to ensure the subject site is validated to NEPM 2013 Guidelines for any imported fill material to strict residential standards prior to the issue of any Construction Certificate for any stage of this subdivision.

The application includes a Bushfire Protection Assessment prepared by Ecological Australia dated November 2017. The assessment concluded that the proposed development will provide compliance with *Planning for Bush Fire Protection 2006*.



Density	
Average Detached Residential Allotment Size	337 m <sup>2</sup>
Overall NDA	42.436 ha
Overall Density	22.3 dw/ha

Development Breakdown		
Total Precinct Area	45.258 ha	100.0%
Total Residential Area	29.195 ha	64.5%
Medium Density Allotments	3.139 ha	6.9%
Detached Allotments	26.056 ha	57.6%
Total Drainage Corridor	—	0.0%
Total Area of Roads	16.063 ha	35.5%
Area of Collector Roads	1.256 ha	2.8%
Area of Local Roads	14.100 ha	31.2%
Area of Laneways	0.546 ha	1.2%
Landscaping / Pedestrian Linkage	0.161 ha	0.4%
Total Length of New Roads	10011m	
8m Wide Laneway	715m	
16m Wide Local Road	6491m	
17.4m Wide Esplanade Road	2211m	
20m Wide Local Road	594m	

Precinct 6 Detached Allotments							
Product	Standard Allotments			Corner Allotments		Overall Allotments	
25m Deep Lots							
Lot Frontage	Lots	%	Target %	Lots	%	Lots	%
10.0	99	14.9%	15%	—	0.0%	99	12.8%
12.5	108	16.2%	16%	1	0.9%	109	14.1%
14.5	28	4.2%	3%	20	18.3%	48	6.2%
Subtotal	235	35.3%	34%	21	19.3%	256	33.1%
28m Deep Lots							
Lot Frontage	Lots	%	Target %	Lots	%	Lots	%
9.0	29	4.4%	5%	—	0.0%	29	3.7%
10.0	111	16.7%	15%	4	3.7%	115	14.9%
12.5	126	18.9%	16%	14	12.8%	140	18.1%
14.5	38	5.7%	3%	20	18.3%	58	7.5%
Subtotal	304	45.7%	39%	38	34.9%	342	44.2%
30m Deep Lots							
Lot Frontage	Lots	%	Target %	Lots	%	Lots	%
10.0	75	11.3%	13%	7	6.4%	82	10.6%
12.5	38	5.7%	8%	9	8.3%	47	6.1%
14.5	13	2.0%	1%	34	31.2%	47	6.1%
Subtotal	126	18.9%	22%	50	45.9%	176	22.7%
Total Detached Allotments	665	100.0%	95%	109	100.0%	774	100.0%
Medium Density Dwellings							
Type A1	94					94	
Type B1	9					9	
Type B2	63					63	
Studio ★	5					5	
Subtotal	171					171	
Total Allotments						945	



Scale 1 : 2500 @ A2  
 Plan Ref 123004 - 53J

Date: 28 November 2017  
 Client: Stockland  
 Dwg Name: 123004-53  
 Drawn By: WNW  
 Checked By: PHE



## CONCEPT PLAN – Precinct 6



**LEGEND**

- PRECINCT 6A
- PRECINCT 6B
- STAGE BOUNDARY



**DRAFT ISSUE ONLY**  
**PRELIMINARY DESIGNS SUBJECT TO CHANGE**



CLIENT:

**ADVANCE COPY ONLY**  
**NOT FOR CONSTRUCTION**

ELARA - PRECINCT 6

PRECINCT AND STAGING BOUNDARIES

PLAN No: 11035003/SK21 **1**

FILE No: 11035003/SK21

SHEET SIZE: A3 ORIGINAL

DESIGNER FOR INFORMATION					
NO	DATE	DES	CHK	APP	DATE
1	15/11/17				
AMENDMENT					

**J. WYNDHAM PRINCE** CONSULTING CIVIL INFRASTRUCTURE ENGINEERS & PROJECT MANAGERS

PO Box 4368 PERMETH WESTFIELD RD W 2750  
 P 02 4720 3396 F 02 4720 3399 W [www.jwyndhamprince.com.au](http://www.jwyndhamprince.com.au) E [jpr@jwyndhamprince.com.au](mailto:jpr@jwyndhamprince.com.au)

AS/DRUTH  
 DATUM  
 ORIGIN:

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION UNLESS ISSUED AS PART OF AN APPROVED CONSTRUCTION ESTIMATE.

Revised 15 November 2017 14:29 AM File Name: J11035003 - Elara - Newpark.Prx3D - Project 620260111035003002.dwg



DA LAYOUT PLAN

# OVERALL PRECINCT 6



OVERALL LAYOUT OF  
SUBDIVISION OF LOT 2 D.P. 1225885  
PRECINCT 5 ELARA ESTATE, MARSDEN PARK

## STOCKLAND

Scale	1:2000	Date	22/10/2019	Drawn By	
Check	A.T.	Check	P.G.	Project No.	A.T.



108-12G L25 [04]-ST45-53  
- OVERALL



108-12-P6  
108-12G L25 [04]-ST45-53  
- OVERALL











# STAGE 46



PLAN OF SUBDIVISION OF PROPOSED LOT 4500  
IN SUBDIVISION OF LOT 2 D.P. 1225885  
PRECINCT 5 ELARA ESTATE, MARSDEN PARK

Project STOCKLAND

Scale	1:3000	Date	20/10/2017	Drawn By	
State		Drawn		LSA	BLACKTOWN
City	N.S.W.	Project		City	N.S.W.
County		Project		County	



108-12-P8  
108-12G L25 [04]-ST45-53  
-ST46



108-12-P8  
108-12G L25 [04]-ST45-53  
-ST46

DA LAYOUT PLAN



- \*A1 - EASEMENT TO DRAIN WATER 1.5 WIDE (A1)
- \*A2 - EASEMENT TO DRAIN WATER 1 WIDE (A2)
- \*A3 - EASEMENT FOR PAYMENT SUBSTATION 2.75 WIDE (A3)
- \*A4 - RESTRICTION ON USE OF LAND
- \*A5 - RESTRICTION ON USE OF LAND
- \*A6 - EASEMENT FOR ACCESS & MAINTENANCE 8.9 WIDE (A6)
- \*A7 - RIGHT OF EASEMENT VARIABLE WIDTH (A7) - IN FAVOR OF BLACKTOWN CITY COUNCIL
- \*A8 - THAT PART OF LOT 4500 BENEFITED BY EASEMENT TO DRAIN WATER 1.5 WIDE (A8) & EASEMENT TO DRAIN WATER 1 WIDE (A9)
- \*A9 - THAT PART OF LOT 4500 BENEFITED BY EASEMENT FOR ACCESS & MAINTENANCE 8.9 WIDE (A9)
- \* - REFER TO BUILDING ENVELOPE PLANS

STAGE 46 DETAIL

	<b>Project</b> PLAN OF SUBDIVISION OF PROPOSED LOT 4500 IN SUBDIVISION OF LOT 2 D.P. 1225885 PRECINCT 6 ELARA ESTATE, MARSDEN PARK		<b>Project</b> STOCKLAND			108-12-P6 108-12G L25 (04)-ST45-53 - ST46 DETAIL
	Date: 20/08/2017 Drawn: L.S.A. BLACKTOWN		Date: 20/08/2017 Drawn: L.S.A. BLACKTOWN			
	Scale: 1:500 Color: A3		Scale: 1:500 Color: A3			
	Project: 108-12-P6 Client: STOCKLAND		Project: 108-12-P6 Client: STOCKLAND			

APPROVED FOR CONSTRUCTION

108-12-P6

108-12G L25 (04)-ST45-53

- ST46 DETAIL

90th ANNIVERSARY 1923 - 2013

DA LAYOUT PLAN



DAI LAVORI PIÙ AN







STAGE 48



PLAN OF SUBDIVISION OF PROPOSED LOT 4700  
IN SUBDIVISION OF LOT 2 D.P. 1225885  
PRECINCT 5 ELARA ESTATE, MARSDEN PARK

STOCKLAND					
Scale	1:1000	Date	27/10/2017	Drawn/Rev	L.A.A. BLACKTOWN
City	A.T.	State	N.S.W.	Proj. No.	A.T.
				Client Ref	



ALL RIGHTS RESERVED  
 100-12-P6  
 108-12G L25 (04)-ST45-53  
 - ST45



108-12-P6  
 108-12G L25 (04)-ST45-53  
 - ST45



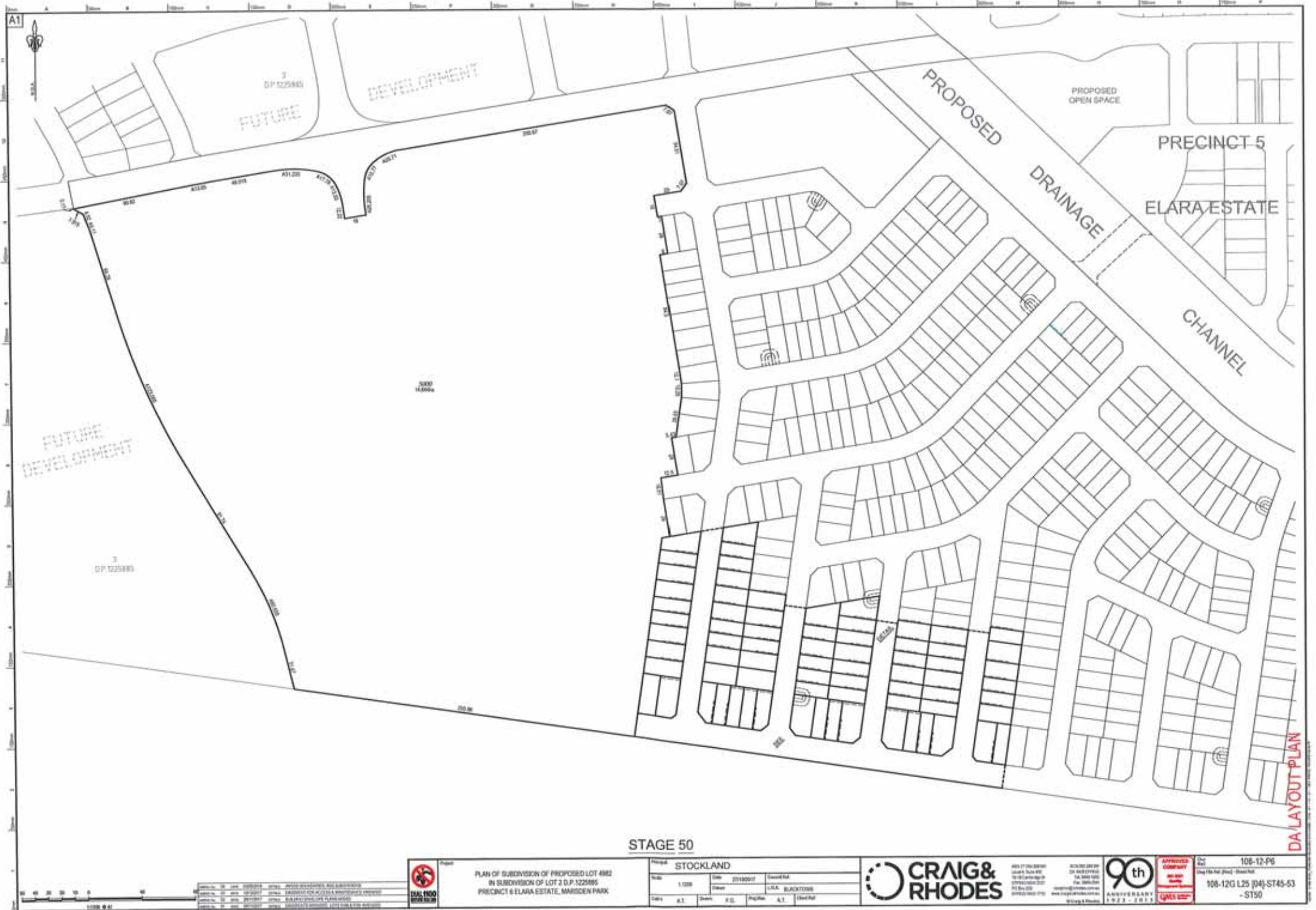




DAI AYOI TPI AN







STAGE 50



PLAN OF SUBDIVISION OF PROPOSED LOT 4882  
IN SUBDIVISION OF LOT 2 D.P. 1225885  
PRECINCT 5 ELARA ESTATE, MARSDEN PARK

STOCKLAND				
Scale	1:1000	Date	2019/09/17	Drawn By
Drawn	L.R.A. BLACKTOMBS	Checked		
Drawn	A.T.	Drawn	P.G.	Project
Drawn	A.T.	Drawn	A.T.	Drawn



108-12-P6  
108-12G L25 (04)-ST45-53  
-ST50



108-12-P6  
108-12G L25 (04)-ST45-53  
-ST50





\*1' = EASEMENT TO DRAIN WATER 1.5 WIDE (A)  
 \*2' = EASEMENT TO DRAIN WATER 1 WIDE (B)  
 \*3' = EASEMENT FOR PENDANT SUBSTATION 2.75 WIDE (C)  
 \*4' = RESTRICTION ON USE OF LAND  
 \*5' = RESTRICTION ON USE OF LAND  
 \*6' = EASEMENT FOR ACCESS & MAINTENANCE 5.9 WIDE (1)  
 \*7' = THAT PART OF LOT 5000 BENEFITTED BY EASEMENT TO DRAIN WATER 1.5 WIDE (A) & EASEMENT TO DRAIN WATER 1 WIDE (B)  
 \*8' = THAT PART OF LOT 5000 BENEFITTED BY EASEMENT FOR ACCESS & MAINTENANCE 5.9 WIDE (1)  
 \*9' = REFER TO BUILDING ENVELOPE PLANS

# STAGE 50 DETAIL



PLAN OF SUBDIVISION OF PROPOSED LOT 4802  
 IN SUBDIVISION OF LOT 2 D.P. 1225885  
 PRECINCT 6 ELARA ESTATE, MARSDEN PARK

STOCKLAND			
Block	1-400	Date	27/09/2017
Drawn		Checked	
Scale	1:100	Author	L.A. BLACKWOOD
Sheet	1 of 1	Proj. Plan	A.T. Clark



108-12-P0  
 108-12G L25 (04)-ST45-53  
 - ST50 DETAIL



APPROVED COMPANY  
 108-12-P0  
 108-12G L25 (04)-ST45-53  
 - ST50 DETAIL

DA LAYOUT PLAN





# STAGE 51

Project

PLAN OF SUBDIVISION OF PROPOSED LOT 5000  
IN SUBDIVISION OF LOT 2 D.P. 1225885  
PREDICT 6 ELARA ESTATE, MARGIDEN PARK

Client

STOCKLAND

Date: 20/10/2017

Drawn: LISA BLACKBURN

Check: A.T.

Scale: 1:1000

Project: A.T.

**CRAIG & RHODES**

100-120 (25) (04)-ST45-53  
- ST51

108-12-P6

108-12-P6

108-12-P6

DA LAYOUT PLAN











† = INTEREST FREE CREDIT + REPAYMENT

REVISED GARAGE  
REVISED ANTENNA AREA ZONE

NOTE: FULL-BEAR RAILWAY AGREEMENTS & SUE AGREEMENTS, OTHER THAN "F" - AGREEMENT FOR ACCESS & MAINTENANCE, REQUIRED FOR CLARITY. REFER DETAIL SHEETS FOR FULL AGREEMENT INFORMATION.  
LEVEL OF AGREEMENT "F" - AGREEMENT FOR ACCESS & MAINTENANCE VARIES, SUBJECTIVE LENGTH SHOWN.  
REFER DETAIL SHEETS FOR FULL AGREEMENT INFORMATION.  
ADDITIONAL INFORMATION SHOWN INDICATIVELY ONLY. REFER DETAIL SHEETS FOR FULL AGREEMENT INFORMATION.

**BUILDING ENVELOPE PLANS**  
**SHEET 1**

STOCKLAND
-----------

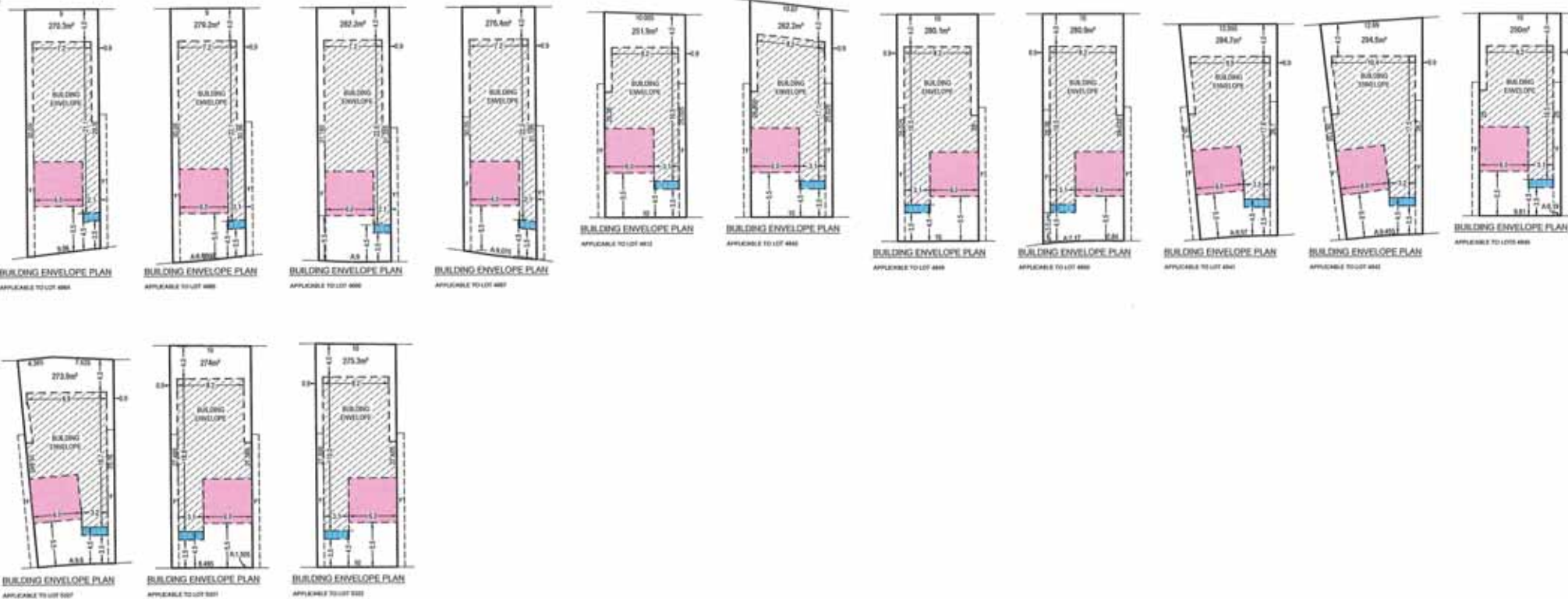
 **CRAIG &  
RHODES**

**90<sup>th</sup>**  
ANNIVERSARY

Dist. Ref.	108-12-P6
Emp. File Ref. (Proc.) - Dist. Ref.	
	108-12G L25 (04)-ST45-53 - BEP1



A1



"T" - DIMENSION FOR ACCESS & MAINTENANCE

□ DENOTES GARAGE  
□ DENOTES PARTICULATION ZONE

NOTE:  
ALL ROAD BOUNDARY EASEMENTS & SIDE EASEMENTS OTHER THAN "T" - DIMENSION FOR ACCESS & MAINTENANCE, REMOVED FOR CLARITY.  
NEVER DETAIL SHEETS FOR FULL EASEMENT INFORMATION.  
LENGTH OF EASEMENT "T" - DIMENSION FOR ACCESS & MAINTENANCE VARIED, INDICATING LENGTH SHOWN.  
NEVER DETAIL SHEETS FOR FULL EASEMENT INFORMATION.  
ADDITIONAL INFORMATION SHOWN INDICATIVELY ONLY. REFER TO ALL SHEETS FOR FULL EASEMENT INFORMATION.

## BUILDING ENVELOPE PLANS SHEET 2



BUILDING ENVELOPE PLANS SHEET 2 OF 2  
IN SUBDIVISION OF LOT 2 D.P. 125985  
PRECINCT 6 ELARA ESTATE, MARGEN PARK

STOCKLAND					
Scale	1:500	Date	20/10/2017	Drawn By	LIA BLACKBURN
Check	A.T.	Drawn	F.D.	Proj Mgr	A.T.
Check	A.T.	Drawn	F.D.	Proj Mgr	A.T.



108-12-P6  
108-12G L25 (04)-ST45-53  
- BEP 2



108-12-P6  
108-12G L25 (04)-ST45-53  
- BEP 2

DA LAYOUT PLAN



# ELARA PRECINCT 6

## STAGE 6 - LANDSCAPE STREETSCAPE DEVELOPMENT APPLICATION

### Landscape Drawing List

Drawing No.	Title
LA-000	COVER SHEET AND REFERENCE PLAN
LA-001	LANDSCAPE MASTERPLAN
LA-100	LANDSCAPE PLAN
LA-101	LANDSCAPE PLAN
LA-102	LANDSCAPE PLAN
LA-103	LANDSCAPE PLAN
LA-104	LANDSCAPE PLAN
LA-105	LANDSCAPE PLAN
LA-106	LANDSCAPE PLAN
LA-200	LANDSCAPE DETAILS & PLANTING SCHEDULE
LA-300	PLANTING SCHEDULE

### Precinct 6 Location Plan



NOTE: Co-ordination must be read in conjunction with JWP drawings

NOTE: Plans are designed to be read and printed in colour



 **REFERENCE PLAN**  
Not To Scale

NO.	DATE	DESCRIPTION	BY	CHKD	DATE
1	10/10/20	ISSUED FOR TENDERS	JWP	JWP	10/10/20



**PROJECT**  
ELARA PRECINCT 6  
STREETSCAPE DA

**DRAWING TITLE**  
COVER SHEET AND  
REFERENCE PLAN

DESIGNED BY	CHECKED BY	DATE
JWP	JWP	10/10/20
APPROVED BY	DATE	PROJECT NO.
JWP	10/10/20	E-0006

DA ISSUE	E-0006
LA-000	A







400000

Plant Schedule Symbol	Botanical Name
	Gla fer <i>Glochidion ferrandii</i>
	Wet flo <i>Waterhousea floribunda</i>
	Fli aus <i>Flindersia australis</i>
	Tri lau <i>Tritanopsis laurina</i>
	Ang flo <i>Angophora floribunda</i>
	Ang cin <i>Angophora costata</i>
	Cap ana <i>Cupressus anacardioides</i>
	Fra cin <i>Fraxinus pennsylvanica 'cinerea'</i>
	Lop cin <i>Lophocarpus confertus</i>
	Ulm per <i>Ulmus perrillata</i>
	Pyr uni <i>Pyrus ussuriensis</i>
	Turf in verge
	Riparian Zone

REV	NO	DESCRIPTION	DATE
1	1	FOR SUBMISSION	20/01/18



PROJECT  
**ELARA PRECINCT 6  
 STREETSCAPE DA**

SCOPE OF  
**LANDSCAPE PLAN**

DESIGNED	DRAWN	CHECKED	DATE
APPROVED	DATE	DATE	DATE
DA ISSUE		- E - 0006	
SCALE 1:500 @ A1 1:1000 @ A3		PROJECT NO	
DRAWING NO <b>LA-100</b>		REVISION <b>A</b>	









ELARA RIPARIAN PARKLANDS  
REFER DA BY PDS

ELARA BOULEVARDE

ADJOINS SHEET LA100 -

ADJOINING SHEET 1 A+104

Plant Schedule Symbol	Botanical Name
	Gla fir <i>Gladiolus fedinandi</i>
	Wat fo <i>Watershouse foribunda</i>
	Fl aut <i>Flindersia australis</i>
	Til lau <i>Tilianopsis laurina</i>
	Ang fls <i>Angophora foribunda</i>
	Ang cot <i>Angophora costata</i>
	Cup ara <i>Cupanopsis anacardioides</i>
	Fra den <i>Fraxinus pennsylvanica</i> 'denmanii'
	Lep con <i>Lophotasseron conertus</i>
	Ulm par <i>Ulmus parvifolia</i>
	Py uss <i>Pyrus ussuriensis</i>
	Tur fiv <i>Turpinia</i>
	Riparian Zone

A. 32	DESCRIPTION	DC. 3P. 3E. 32
W. 32	DESCRIPTION	2004/2005 SAT

ELARA PRECINCT 6  
STREETSCAPE DA

## LANDSCAPE PLAN

DATE	TIME	BY
APPROVAL	DATE	BY

ISSUED	DATE: 2009-10
BY: DA ISSUE	PROJECT NO: -E-0006

SCALE 1:500 @ A1 1:1000 @ A3



LA-102 A

ADJOINS SHEET LA103





LANDSCAPE PLAN

SCALE 1:500 @ A1 1:1000 @ A3

0 5 10 15 20 25(m)

SPREADING TO: LA-103

NOTATION: A

ADJOINS SHEET LA102

ADJOINS SHEET LA101

AD JOINING SHEET 1 A105

EXTREME CASE ANALYSIS

NEXT PAGE: 100 YEARS

SHANES PARK CONSERVATION LAND



Legend

Plant Schedule Symbol	Botanical Name
	Glo fer <i>Glochidion ferricola</i>
	Wat flo <i>Waterhousea floribunda</i>
	Fl aus <i>Floodoria australis</i>
	Tr lau <i>Tristaniopsis laurina</i>
	Ang flo <i>Angaphora floribunda</i>
	Ang cos <i>Angaphora costata</i>
	Cap ara <i>Cupaniopsis anacardioides</i>
	Fla cin <i>Fraxinus pennsylvanica 'Ulmomass'</i>
	Lop con <i>Lophortyx concoloratus</i>
	Ulm par <i>Ulmus parvifolia</i>
	Pyx uni <i>Pyrus ussuriensis</i>
	Turf in verge
	Riparian Zone

NO	DA SUBMISSION NO	DESCRIPTION	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			



**ELARA PRECINCT 6  
 STREETSCAPE DA**

**LANDSCAPE PLAN**

REVISION	DATE	BY	CHKD	APPD
1	11/02/18	JW	JP	JP

DA ISSUE - E - 0006

SCALE 1:500 @ A1 1:1000 @ A3

0 5 10 15 20 25m

LA-104

A











Legend

Plant Schedule Symbol	Botanical Name
	Gla fir <i>Glochidion forsterianum</i>
	Wet fir <i>Waterhousea forsteriana</i>
	Fil aui <i>Fimbristylis australis</i>
	Til lau <i>Tristanopsis laurina</i>
	Ang fir <i>Angophora forsteriana</i>
	Ang cos <i>Angophora costata</i>
	Cap ara <i>Cupressus anacardioides</i>
	Fra cin <i>Fraxinus pennsylvanica 'Vermont'</i>
	Lop con <i>Lophocarpus confertus</i>
	Ulm par <i>Ulmus parvifolia</i>
	Pyr uss <i>Pyrus ussuriensis</i>
	Turf in verge
	Riparian Zone

NO.	DATE	DESCRIPTION	BY	CHECKED
1	20/10/18	DA SUBMISSION	JWP	JWP
2	20/10/18	REVISION	JWP	JWP



**ELARA PRECINCT 6  
STREETSCAPE DA**

**LANDSCAPE PLAN**

DESIGNED BY JWP	CHECKED BY JWP	DATE 20/10/18
DRAWN BY JWP	PROJECT NO. - E - 0008	
DA ISSUE		
SCALE 1:500 @ A1 1:1000 @ A3		
0 5 10 15 20 25m		
N		
LA-106	A	





ELARA P6 STREET TREES

Code	Botanical Name	Common Name	Images	Height	Spread	Description	Seasonal/Special Feature	Preferred Soil Conditions	Drought/Frost Tolerance	Pest & Disease Susceptibility	Maintenance Requirement	Availability	Nuisance	Longevity/Growth Rate	Root Damage Potential	Branch Shedding	Solar Access
Ang fl	Anegaphora bartramia	Rough-barked Apple		18-24m	4m	Large tree with rough bark, contorted and twisting branches	The cream white flowers appear from November to March.	Prefers a moist, alluvial clay or deep sandy clay soil that is moderately fertile	It grows in an open to exposed sunny position and is drought and frost tolerant.	Susceptible to white stemmed gum moth.	Moderate dead wooding required at maturity.	Generally available in commercial nurseries.	Consistent foliage & debris (nuts & dead leaves) some bark shedding in small strips.	Long lived - 50 years plus in urban areas. Fast	Root system is not considered to be extensive or overly vigorous.	Moderate	Evergreen - not suitable where solar access in winter is required.
Ang co	Anegaphora costata	Spidery Red Gum*		20-25m	12m	This large spreading tree has a single trunk and contorted branches with contrasting bark colours of red and grey-brown.	It has lance-shaped dark green leaves with coppery red new growth and the creamy flowers appear in spring.	It prefers a well-drained, moderately fertile sandy to clay loam that is acidic to neutral but will tolerate alkaline soils.	It grows in an open sunny position and is tolerant of drought and salt spray but is frost tender and is fire resistant.	Few pest and disease problems associated with this species.	Once established it has a low water requirement.	Readily available from commercial nurseries. However high demand on East Coast.	Leaf fall in autumn, relatively small leaflets.	Long lived - 50 years plus in urban areas. Medium	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Fl au	Flindersia australis	Corn's Ash		20m	6m	Attractive large tree that has an erect short trunk with scaly grey bark. Branches that spread to form a compact rounded crown.	It has divided leaves with glossy green leaflets and the small white flowers appear in a cluster during spring.	It prefers a moist, well-drained fertile deep organic rich sandy clay to loamy soil.	It grows in a protected to open sunny position and is frost and drought tolerant.	No major insect problem, susceptible to lichens.	It has a medium water requirement, and responds to mulching and deep watering during dry periods.	Generally available from commercial nurseries.	Will drop large spiky seed pods in summer post-flowering.	Long lived - 50 years plus in urban areas. Medium	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Gl sh	Glochidion lindenianii	Cheese Tree		18-25m	4m	This is a medium to large tree has an erect greyish trunk with spreading branches that form a dense irregular rounded crown.	It has dark glossy green leaves and the small and greenish flowers appear in spring followed by capsular fruit.	It grows in light to medium or organic rich moist sandy to clay loam.	It prefers an open sunny to semi-shaded position and is light frost and drought tolerant.	Swift moth attack, or shoots after fire.	It has a low water requirement once established.	Readily available from commercial nurseries.	Leaf fall in autumn, relatively small leaflets.	Fast	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Lep co	Lophospermum confertus	Beach Box		12-15m	10-12m	Attractive shape, white flowers in summer. Leathery dark green leaves.	Dense green foliage, pale green to cream bark turning reddish brown, shedding to create an interesting patterned trunk.	Adaptable to a range of soil conditions, but performs best on deep, fertile moist clay loams with moderate drainage.	Prefers sheltered moist situation, tolerant of poor drainage & neglect. Hardy to minus 3°C.	No known susceptibility to any specific pests or diseases.	Regular watering during establishment.	Generally available in commercial nurseries.	Consistent foliage & debris (nuts & dead leaves) some bark shedding in small strips.	Long lived - 50 years plus in urban areas. Fast	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Ti la	Trochodendron laurina	Water Gum		10-12m	8-10m	Small compact tree with light smooth bark and yellow flowers in spring.	Dull green dense foliage, small yellow flowers during November to January.	Prefers moist fertile soils with good moisture levels in summer. Adaptable to a wide range of soil conditions.	Tolerant of low temperatures to minus 3°C. Prefers a sheltered spot.	No known susceptibility to any specific pests or diseases.	Regular watering during establishment. May require formative pruning to ensure development of a single trunk.	Generally available in commercial nurseries.	Consistent foliage & debris (nuts & dead leaves) some bark shedding in small strips.	Long lived - 50 years plus in urban areas. Fast	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Fr co	Fraxinus cymosa	Cinnamon Ash		13m	8m	A robust, low maintenance tree with an excellent branch structure.	Its foliage is lustrous, dark green, pinnate leaves with five to nine leaflets that have a distinctly lighter underside.	Prefers moist, well-drained soil.	Full sun, tolerates heat and frost.	Sensitive to insect/disease pests.	Once established it has a low water requirement.	Readily available from commercial nurseries.	Leaf fall in autumn, relatively small leaflets.	Moderate	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Deciduous - suitable where solar access in winter is required.
Co pa	Cupressus anacardifolia	Tuckeroo		7-12m	10m	This small tree has an upright greyish trunk with ascending spreading branches that form a dense crown.	It has glossy dark green leaflets and tiny green yellow, cone-shaped flowers appear in a cluster during late summer.	Tolerates most well-drained, fertile sandy to light clay loam soils.	Tolerates salt spray in an open sunny position and is drought and frost tolerant but frost tender.	Leaf miners, caterpillars.	It has a low water requirement once established.	Readily available from commercial nurseries.	Leaf fall in autumn, relatively small leaflets.	Fast	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Wa fl	Waterhousea floribunda	Weeping Lily Pilly		8m	5-6m	This erect large tree has a brown trunk with drooping branches that form a dense rounded crown.	fully cup-shaped white flowers are arranged in clusters and appear from late spring to mid summer.	Well-drained sandy to clay loam, tolerates most soil types	Full sun, protected position, moderately frost and drought tolerant.	Chinese & white mist scale, single pyralid, brown hopper.	It has a medium water requirement.	Readily available from most commercial nurseries.	No specific nuisance issues known.	Establishes in 2 to 3 years and is long lived	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Evergreen - not suitable where solar access in winter is required.
Py sm	Pyrus ussuriensis	Manchurian Pear		8-12m	8m	This tree has an erect slender trunk and spreading branches forming a broad pyramidal habit.	It has broad oval leaves that are dark green turning bronze in winter and has scented white saucer-shaped flowers during mid spring.	It prefers a well-drained sandy loam that is suitable moist.	It grows in an open sunny position and is drought tender and frost resistant.	Susceptible to powdery mildew, aphids, caterpillars, firelight, canker.	Once established it has a high water requirement, depending to much and an occasional deep watering during dry periods.	Generally available from commercial nurseries.	Late winter flower drop.	Medium	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Deciduous - suitable where solar access in winter is required.
Ulm pa	Ulmus parvifolia	Chinese Weeping Elm		8-12m	12m	This long lived deciduous tree has an erect stem and arching branches with pendulous tips and forms a broad spreading crown.	Bark sheds in small platelets leaving mottled irregular patterned trunk.	Adaptable - Prefers moderately fertile soils with good moisture levels in summer. Drought sensitive	Tolerant of cold temperatures to minus 5°C.	Susceptible to aphids and thrips which may lead to sooty mould.	Regular watering during establishment. Relatively low branching. May require periodic crown lifting to provide vehicular clearance.	Generally available from commercial nurseries. Superior clonal material should be selected for propagation.	Leaf fall in autumn, leaves are relatively small.	Long lived - 50 years plus in urban areas. Moderate	Root system is not considered to be extensive or overly vigorous.	No known susceptibility to branch shedding.	Deciduous - suitable where solar access in winter is required.

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**J. WYNDRHAM PRINCE**  
 CONSULTING CIVIL INFRASTRUCTURE ENGINEERS  
 & PROJECT MANAGERS

REVISION

NO.	DATE	BY	DESCRIPTION	NO.	DATE	BY	DESCRIPTION
1	01/04/2019	CH	ISSUED FOR TENDERS	2	02/04/2019	CH	REVISED



ELARA PRECINCT 6  
STREETSCAPE DA

PLANTING SCHEDULE

DESIGNED BY	CH	DATE	01/04/2019	SCALE	AS SHOWN
APPROVED BY	CH	DATE	02/04/2019	PROJECT NO.	ELARA PRECINCT 6
ISSUED BY	CH	DATE	01/04/2019	PROJECT NO.	ELARA PRECINCT 6
REVISION		DATE		PROJECT NO.	ELARA PRECINCT 6

DA ISSUE  
 LA 300  
 A

## 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)	<p>The proposal is considered to be generally consistent with the relevant EPIs, including SREP No. 20 – Hawkesbury-Nepean River, SEPP (State and Regional Development) 2011, SEPP (Infrastructure) 2007 and the Growth Centres SEPP 2006.</p> <p>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.</p>	Satisfactory
(ii) any proposed instrument that is or has been the subject of public consultation under this Act	<p>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.</p> <p>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.</p> <p>The proposed dwelling density range for this site is 15 - 25 dwellings/ha. This site would therefore 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.</p>	Satisfactory
(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 some variations to the Indicative Layout Plan (ILP). The proposed variations are acceptable and result in a safe and legible internal road network.	Satisfactory
(v) The regulations	There are no regulations to be considered.	NA



<b>Heads of Consideration s4.15</b>	<b>Comment</b>	<b>Complies</b>
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 subject site is predominantly zoned R2 Low Density Residential. The proposal is considered to have minimal environmental impacts on the natural and built environment and will not impact on the amenity of surrounding 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 provide subdivided land for future housing stock and provides for housing diversity within the Marsden Park Precinct.	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 the REP.

Council's Engineers reviewed the information submitted and consider that the information has satisfactorily addressed clause 6 of the REP 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 DA has a CIV of \$35.15 million. The Development Application was lodged on 15 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 this 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 SCCPP.

#### **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, who raised no objection 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 road pattern variations to the ILP.

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

- a. It is noted that the ILP road pattern has been varied. However, the impact of the changes to the road pattern is not considered significant and therefore no objection is raised to the changes.
- b. New roads will be constructed as part of the proposed development, which also provides access to the proposed development. The roads should be designed and constructed to Council's requirements.
- c. Additional traffic generated by the proposed development is likely to be accommodated within the existing and new road network capacity.
- d. Priority at all 4-way intersections is to be defined by some form of intersection control.
- e. It is noted that a new cross junction intersection is proposed with the main collector road (Road 100). This intersection (Road 602/Road 100/Road C3) is proposed to be controlled by Give Way signs. Our view is that this new intersection should be controlled by a roundabout as Road 602 is expected to function as the main feeder road. Our view is that roads west of Roads 602, such as 611, 612, 603, 613, 615, 619, 620, 621, 617, 616 and 614, will be feeding traffic to this intersection.
- f. No trees are to be planted in the carriageway.
- g. Provision for adequate sight distance needs to be made for both pedestrian and vehicular movements along the road network in accordance with AS 2890.1, to ensure the safety of all users.

Based on the above assessment, no objection is raised to the proposal provided the proposed new intersection (Road 602/Road 100/Road C3) is controlled by a roundabout at no cost to Council.

The applicant has now amended the plans to include a roundabout at this intersection, therefore now satisfying our Engineers.

Based on the above, no objection is raised from traffic a management point of view and compliance with SEPP (Infrastructure) 2007 is achieved.

#### **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 the bulk earthworks in Precincts 5 and 6. The investigation concluded that the site is suitable for the intended use subject to the removal of fill material and a subsequent asbestos clearance/validation report.



Council's Environmental Health Unit (EHU) did not object to DA-15-02273 and 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 EPA accredited site auditor. The site audit statement is to ensure that the land is validated to strict residential standards in the NEPM 2013 Guidelines. A similar condition is to be included on this consent to ensure that the site is suitable for the intended use prior to release of the Subdivision Certificate for each stage.

## 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.

### General controls within main body of the SEPP

SEPP requirement		Complies
<b>2 Aims of Policy</b>		
<ul style="list-style-type: none"> <li>a. to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre</li> <li>b. to enable the Minister from time to time to designate land in growth centres as ready for release for development</li> <li>c. to provide for comprehensive planning for growth centres</li> <li>d. to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity</li> <li>e. to provide controls for the sustainability of land in growth centres that has conservation value</li> <li>f. to provide for the orderly and economic provision of infrastructure in and to growth centres</li> <li>g. to provide development controls in order to protect the health of the waterways in growth centres</li> <li>h. to protect and enhance land with natural and cultural heritage value</li> <li>i. to provide land use and development controls that will contribute to the conservation of biodiversity.</li> </ul>		The proposal is consistent with these aims.
<b>Part 4 Development controls – general</b>		
<b>Cl. 18 Water recycling and conservation</b>	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
<b>Part 5 Development controls – flood prone and major creek land</b> <b>Part 6 Development controls – vegetation</b> <b>Part 7 Development controls – cultural heritage landscape area</b>		

SEPP requirement		Complies
<b>CI.19 Development on flood prone and major creeks land - additional heads of consideration</b>	Bulk earthworks and civil works are being carried out as part of DA-15-02273. The site has been approved to accept fill to achieve RL 17.3 AHD which is above the 1 in 100 flood event in accordance with the SEPP requirements. The clause is therefore satisfied.	N/A
<b>CI. 21-24 Vegetation</b>	The site is not identified on the Native Vegetation Protection Map or on the Riparian Protection Area Map.	N/A
<b>CI. 25-26 Cultural heritage landscape area</b>	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. The applicant will be required to continue to comply with the AHIP issued by OEH.	Yes - subject to conditions of consent.

## 6.1. Controls within Appendix 12

SEPP requirement		Complies
<b>1.2 Aims of Precinct Plan</b>		
<ul style="list-style-type: none"> <li>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</li> <li>b. to deliver housing choice and affordability by accommodating a wide range of residential dwelling types that cater for housing diversity</li> <li>c. to guide the bulk and scale of future development within the Precinct</li> <li>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</li> <li>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</li> <li>f. to rezone land to allow for retail and commercial uses to meet the needs of future residents of the Marsden Park Precinct and surrounding areas</li> <li>g. to identify a transport corridor within the Marsden Park Precinct.</li> </ul>		The proposal is consistent with the Aims of the Precinct Plan.

## Part 2 Permitted or prohibited development

<b>Objectives of zone R2 Low Density Residential</b>	<ul style="list-style-type: none"> <li>a. to provide for the housing needs of the community within a low density residential environment</li> <li>b. to enable other land uses that provide facilities or services to meet the day to day needs of residents</li> <li>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</li> </ul>	The proposal is consistent with the objectives of the zone.
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SEPP requirement		Complies
	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.	
<b>2.2 Zoning of land to which Precinct Plan applies</b>	The site is zoned R2 Low Density Residential, RE1 Public Recreation, SP2 Infrastructure - Local Road, SP2 Infrastructure - Local Drainage, E2 Environmental Conservation and R3 Medium Density Residential. The proposed subdivision is permitted under this clause.	Yes
<b>2.3 Zone objectives and land use table</b>	The site comprises 3 lots. Lot 2 where all the residential subdivision is to take place on land zoned R2 Low Density Residential. The proposed subdivision and associated works are permissible in this zone.  The works relating to roads and minor regrading are permissible with consent in the zones.	Yes
<b>Part 4 Principal development standards</b>		
<b>4.1 Minimum subdivision lot size</b>	The applicant has provided letters confirming that Stockland has contacted Sydney Water and Endeavour Energy regarding the provision of water supply, waste water and electricity to the site. These agencies have issued their requirements for servicing the site. The requirements of this clause have therefore been met. The provision of services will also be conditioned appropriately.	Yes
<b>4.1AA Subdivision resulting in lots between 225 m<sup>2</sup> - 300 m<sup>2</sup></b>	There are 147 lots which are between 250 m <sup>2</sup> and 300 m <sup>2</sup> 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 on these lots.	Yes
<b>4.1AB(b) Minimum lot sizes for residential development in Zone R2 Low Density</b>	The site is subject to a minimum Residential Density of 15 dwellings/ha. Therefore a minimum lot size of 300m <sup>2</sup> applies. The proposed lot size ranges from 250 m <sup>2</sup> to 822 m <sup>2</sup> . Building Envelope Plans have been submitted for the lots less than 300 m <sup>2</sup> in accordance with Clause 4.1AA, confirming that there is sufficient building envelope to build a dwelling house.	Yes
<b>4.1B Residential density</b>	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.	Yes
<b>4.3 Height of building</b>	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.	Yes
<b>4.4 Floor space ratio</b>	The Floor Space Ratio Map does not show any FSR standards applicable to the subject site.	N/A

SEPP requirement		Complies
<b>5.3 Development near zone boundaries</b>	<p>With the exception of the construction of future attached dwellings on the superlots located along the northern boundary of the site, the proposed subdivision and associated development is permissible in the R2 Low Density Residential zone. The applicant is invoking the provisions of Clause 5.3 which allows flexibility between the R2 and R3 zones of up to 100 m.</p> <p>As the proposed superlots are located within 100 m of the zones, the use of Clause 5.3 is permitted.</p>	Yes
<b>5.9 Preservation of trees</b>	The proposal does not seek to remove any trees as part of this application. A detailed Flora and Fauna study was submitted as part of the previous DA which approved the earthworks and so this proposal will work with the finished ground levels.	N/A
<b>5.10 Heritage conservation</b>	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 engineering 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
<b>Part 6 Additional local provisions</b>		
<b>6.1 Public utility infrastructure</b>	The applicant has provided letters confirming that Stockland has contacted Sydney Water and Endeavour Energy regarding the provision of water supply, waste water and electricity to the site. Both agencies have issued their requirements for servicing the site. The requirements of this clause have therefore been met. The provision of services will also be conditioned appropriately.	Yes
<b>6.3 Development controls - native vegetation retention areas</b>	Matters relating to tree removal were considered as part of the previous DA for bulk earthworks. Whilst this application proposes battering works along the western boundary, no additional trees are proposed to be removed.	Yes
<b>6.4 Existing native vegetation</b>	No additional trees are proposed to be removed as part of this Development Application. The extent of the earthworks proposed is consistent with the previous DA for bulk earthworks.	Yes
<b>6.5 Development in Zone E2 Environmental Conservation</b>	No additional impacts are envisaged with this application as the extent of the earthworks is consistent with the bulk earthworks already approved. No development is proposed in the E2 zone in this application.	Yes
<b>6.11 Attached dwellings and multi dwelling housing in Zone R2 Low Density Residential</b>	The Concept Plan identifies 3 superlots which will be developed for attached dwellings in future stages under separate Development Applications. These superlots meet the minimum 15 dwellings/ha and locational criteria. Land directly opposite the RE1 and B2 zones, as well as that land opposite the SP2 zone AND within 400 m of the B2 zone is permitted to have attached dwellings or multi dwelling housing under clause 6.11 of Appendix 12 of the SEPP. The remaining land within these superlots will be reliant on the provisions of Clause 5.3 of the SEPP (development near zone boundaries).	Yes



## 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.

### 7.1. Part 2.0 – Precinct Planning Outcomes (from main body of DCP)

Control	DCP requirement	Proposal	Complies
<b>2.2 Indicative Layout Plan</b>	DA is to be generally in accordance with ILP.	<p>The applicant seeks variations to the ILP road layout, which are generally in accordance with the road design principles of the ILP.</p> <p>No objection is raised considering the following:</p> <ul style="list-style-type: none"> <li>• Council's Access and Traffic Management Section has raised no objection to the amended road pattern subject to certain additional intersection control measures.</li> <li>• 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.</li> <li>• The proposed road pattern would achieve a permeable layout to facilitate vehicle and pedestrian movement, maximise surveillance over the drainage corridors and does not include culs-de-sac.</li> <li>• The proposal includes changes to the Southern Perimeter Road that adjoins the Air Services land, aiming to prevent this road to be used as a long through road.</li> <li>• The locations and alignments of all the proposed roads will not impede connectivity and accessibility with surrounding development, particularly to the north, west and east</li> <li>• The variations 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.</li> </ul>	Yes, as considered generally in accordance with ILP.

Control	DCP requirement	Proposal	Complies
<b>2.3 Subdivision site analysis</b>	The following clauses must be addressed:		
<b>2.3.1 Flooding and water cycle management</b>	<p>The objectives of this clause are:</p> <ol style="list-style-type: none"> <li>to manage the flow of stormwater from urban parts of the Precinct to replicate, as closely as possible, pre-development flows</li> <li>to define the flood constraints and standards applicable to urban development in the Precinct</li> <li>To minimise the potential of flooding impacts on development.</li> </ol>	<p>The subject site is flood prone. However DA-15-02273 approved bulk earthworks and filling of the land above the 1 in 100 year flood event of RL17.3.</p> <p>Water cycle management was also considered as part of the previous DA. A Stormwater Management Strategy was submitted with the DA which indicates that stormwater will be discharged into the drainage corridors to the east and west of this precinct.</p>	NA
<b>2.3.2 Salinity and soil management</b>	<p>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.</p> <p>The Salinity Management Plan is to be in accordance with Appendix C of the DCP. All works are to comply with the plan.</p>	<p>A Soil Salinity and Aggressivity Assessment prepared by DLA Environmental was submitted with the DA. The report has identified the topsoil 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.</p>	Yes - subject to conditions of consent.
<b>2.3.3 Aboriginal and European heritage</b>	<p>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.</p>	<p>There are no heritage items identified within the vicinity of the site. An AHIP under section 9 of the National Parks &amp; Wildlife Act from the NSW Office of Environment and Heritage in relation to the bulk earthworks was approved under DA-15-02273. Whilst the requirements of the AHIP were addressed during the bulk earthworks, continued compliance with the AHIP and relevant conditions will be included in the consent.</p>	Yes - subject to conditions of consent
<b>2.3.4 Native vegetation and ecology</b>	<p>Native trees/vegetation to be retained where possible.</p> <p>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.</p>	<p>The information submitted with the application confirms that Lot 2 is not located within an area that was part of certified lands in accordance with the 2007 Biodiversity Certification Order and therefore is not affected by protected native vegetation or threatened species.</p>	Yes - subject to conditions of consent.



Control	DCP requirement	Proposal	Complies
	<p>Does the site adjoin land zoned E2?</p> <p>A landscape plan is to be submitted with the DA. Trees to be selected from Appendix D of the DCP.</p>	<p>A small area of battering is proposed along the western boundary of the site which is identified as native vegetation. However, no removal of trees is proposed as part of this application and no trees are located along this boundary.</p> <p>A condition is to be included on the consent to ensure that any works in the vicinity of the native vegetation are to be consistent with the conditions of DA-15-02273.</p>	
<b>2.3.5 Bushfire hazard management</b>	Development is to be consistent with Planning for Bushfire Protection 2006.	<p>The site is identified as bushfire prone land.</p> <p>A Bushfire Protection Assessment Report was submitted with the DA. The report recommended the following:</p> <ul style="list-style-type: none"> <li>• a maximum construction standard of Bushfire Attack Level (BAL) 29 to dwellings directly adjoining the bushfire source</li> <li>• Asset Protection Zones around the perimeter of the site measuring between 10 m and up to 20 m along the southern boundary</li> <li>• location of electrical services to be placed underground</li> <li>• provision of hydrants for water supply within 90 m of any dwelling</li> <li>• construction of roads to facilitate access in accordance with Planning for Bushfire Protection.</li> </ul> <p>The RFS has issued its General Terms of Approval and a Bush Fire Safety Authority subject to conditions.</p>	Yes - subject to conditions of consent for relevant lots.
<b>2.3.6 Site contamination</b>	All subdivision DAs to be accompanied by a Stage 1 Preliminary Site Investigation. Where required a Stage 2 investigation is to be carried out.	<p>A Detailed Site Investigation report was prepared by DLA as part of DA-15-02273. This report covered a larger area beyond the subject site. The part of the study area where contamination was found was outside the subject site. No remediation works were required for Precinct 6. The report concludes that the site is considered suitable for the intended use consistent with NEPM 2013 Residential A - Residential with Garden/Accessible soil.</p>	Yes, subject to conditions of consent.

Control	DCP requirement	Proposal	Complies
<b>2.3.7 Odour assessment and control</b>	Is the site adjacent to odour generating activities and is a buffer or additional supporting information required.	N/A	N/A

## 7.2. SECTION 3 – Neighbourhood and Subdivision Design

Control	DCP Requirement	Proposal	Complies
<b>3.1.1 Residential density and subdivision</b>	15 dwellings/ha	The proposed residential density is 22.3 dwellings/ha and therefore complies.	Yes
<b>3.1.2 Block and lot layout</b>	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 between 9 and 14.5 m 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
<b>3.1.3 Corner lots</b>	<p>Corner lots including splays and driveway locations are to be designed in accordance with AS 2890 and Council's Engineering Specifications.</p> <p>Design to allow dwellings addressing both streets.</p> <p>Encourage garages to be accessed from the secondary street or a rear lane.</p> <p>Plan of subdivision should show the location of proposed or existing substations, kiosks, sewer manholes etc.</p>	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
<b>3.2 Subdivision Approval Process</b>	Subdivision involving lots less than 225 m <sup>2</sup> should include a dwelling design.	No lots are less than 225 m <sup>2</sup> .	N/A



Control	DCP Requirement	Proposal	Complies
	Subdivision involving lots between 225 m <sup>2</sup> and 300 m <sup>2</sup> must be accompanied by Building Envelope Plans.	The proposal is for the subdivision of land without the built form under the Growth Centres DCP approval pathways A1 and A2. Building Envelope Plans are provided with the application.	Yes
<b>3.3 Construction environmental management</b>	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
<b>3.4.1 Street layout and design</b>	The design should be consistent with the Indicative Layout Plan (ILP).	<p>The proposal is seeking variations 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.</p> <p>The ILP included 4 vehicle bridge connections between Precinct 5 and Precinct 6. The proposal seeks to reduce the vehicle bridge connections to 3 and convert one of the vehicle bridges to a pedestrian bridge. Council has accepted this variation during discussions prior to lodgement of the DA.</p>	Variation proposed and acceptable.

### 7.3. Development in the Residential Zones

Control	DCP requirement	Proposal	Complies
<b>Site Responsive Design (Section 4.1)</b>			
<b>4.1.1 Site analysis plan</b>	Required	Provided	Yes
<b>Development in Residential Zones</b>			
<b>4.1.2 Cut and fill</b>	Maximum cut or fill is 500 mm		Yes
<b>4.1.3 Sustainable Building Design</b>	The proposal is for subdivision only.		N/A
<b>4.1.4 Salinity, sodicity and aggressivity</b>	A condition requiring the submission of a Soil Salinity Management Plan is recommended.		Yes, subject to condition

## 7.4. Schedule 6 – Marsden Park Precinct

Relevant controls (Section 3)		
Figure	Control Comment	Complies
<b>2.11 Subdivision planning and design</b>	<p>The proposed subdivision includes a range of lot sizes to provide a mix of housing type. It allows greater choice for different household types in a low density setting. Some medium density is proposed along the collector roads and open space areas to provide further choice in housing types.</p> <p>The dwelling density, block configuration and dimensions, and lot width and depth are consistent with the DCP controls.</p>	Yes
<b>4.2 Street network and design</b>	There is some variation to 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 and maximises surveillance over the drainage corridor. No concern is raised to the proposed changes to the ILP.	No but Acceptable
<b>4.3 Information technology</b>	An appropriate condition is included for suitable arrangements to be made with a telecommunications provider to ensure today's technology needs for high speed internet mobile phone networks are available within the locality.	Yes - subject to conditions
<b>4.4 Riparian protection area</b>	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 continue to comply with the GTA to ensure no damage to the riparian zone.	Yes - subject to conditions
<b>3.14.5 Aboriginal heritage</b>	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, but continued compliance with OEH AHIP requirements.	Yes - subject to conditions
<b>6.3 Development along Richmond Road and South Street</b>	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

### Part 1

#### 1 Deferred Commencement Matters

- 1.1 Under section 4.16(1)(3) of the *Environmental Planning and Assessment Act 1979*, this development consent is not to operate until such time as the requirements set out in Conditions 1.1.1 through to Condition 1.1.3 are satisfied.
- 1.1.1 Owner's consent shall be provided from the neighbouring site to the north-West known as Stockland Precinct 5 to enable any encroachment of any civil infrastructure and adjustment to the land required to facilitate a roundabout at the Road 100 (Abell Road), Road 602 and Road C3.
- 1.1.2 Updated engineering civil drawings are to be provided that include the in principle design of the roundabout at the intersection of Road 100 (Abell Road), Road 602 and Road C3.
- 1.1.3 An updated subdivision plan for both Precinct 5 and the current Precinct 6, shall be provided that show appropriate splays to be dedicated to Council.
- 1.2 **Compliance Timeframe**
- 1.2.1 All of the requirements listed in the above condition must be completed within 12 months of the date of this "deferred commencement" consent. Should these matters not be completed to Council's satisfaction within this time period, this "deferred commencement" consent will lapse.

### Part 2

#### ADVISORY NOTES

##### 1.3 Terminology

- 1.3.1 Any reference in this document to a "consent" means a "development consent" defined in the *Environmental Planning and Assessment Act 1979*.
- 1.3.2 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*.

##### 1.4 Scope of Consent

- 1.4.1 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.

1.4.2 Separate development consent is 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.

1.4.3 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 all of the conditions of consent, to Council's satisfaction.

## 1.5 Other Approvals

1.5.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.5.2 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.

## 1.6 Tree planting and service locations

1.6.1 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.

## 1.7 Other Matters.

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:

Council's File Enclosure . No	Drawing No.	Prepared by	Revision
	Concept Plan – Precinct 6	RPS	-
11035003/SK21	Precinct and staging boundaries 5	J Wyndham Prince	1



<b>Subdivision Plans</b>			
108-12G L25 [04]-ST45-53 - Overall	Overall Precinct 6	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST45	Stage 45	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST45 detail	Stage 45 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST46	Stage 46	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST46 detail	Stage 46 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST47	Stage 47	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST47 detail	Stage 47 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST48	Stage 48	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST48 detail	Stage 48 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST49	Stage 49	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST49 detail	Stage 49 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST50	Stage 50	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST50 detail	Stage 50 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST51	Stage 51	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST51 detail	Stage 51 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST52	Stage 52	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST52 detail	Stage 52 detail	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST53	Stage 53	Craig and Rhodes	04
108-12G L25 [04]-ST45-53 – ST53 detail	Stage 53 detail	Craig and Rhodes	04
108-12G L25 [04] – ST45-53 – BEP1	Building Envelope Plans (Sheet 1)	Craig and Rhodes	04
108-12G L25 [04] – ST45-53 – BEP1	Building Envelope Plans (Sheet 2)	Craig and Rhodes	04
LA-001	Landscape Masterplan	PdS	A
LA-100 to LA-106	Landscape Plan	PdS	A
LA-200	Landscape details and planting schedule	PdS	A
DA-300	Planting Schedule	PdS	A

Subject to any other conditions of this consent.

## 2.2 Bushfire Protection

- 2.2.1 The recommendations for Asset Protection, fuel management specification, installation for water supply, electrical services and gas services and public roads as outlined in Bushfire Protection Assessment Proposed subdivision – Elara – Precincts 6 (Project No. 17SYD\_6434) prepared by Ecological dated 15 November 2015 and amendments dated 19 March 2018 are to be implemented.

## 2.3 **Services**

- 2.3.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.
- 2.3.2 The main information technology infrastructure must be provided in all streets and meet NBN Co. requirements.

## 2.4 **Suburb Name**

- 2.4.1 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

- 2.4.2 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: Marsden Park

## 2.5 **Engineering Matters**

### 2.5.1 **Design and Works Specification**

- 2.5.1.1 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 Private Certifiers must also be accompanied by the above documents.



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

2.5.1.2 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

## **2.5.2 Subdivision**

2.5.2.1 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 Other Matters**

2.6.1 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.

2.6.2 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 DCP 2016**

3.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in the Blacktown City Council Priority Growth Area Precincts Development Control Plan 2016.

## **3.3 Lot Registration**

3.3.1 The land to which this approval relates is to be identifiable with a Lot and Deposited Plan number and registered with NSW Land Registry Services.

# **4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

## **4.1 NSW Department of Primary Industries – DPI Water**

- 4.1.1 The applicant shall comply with all the conditions outlined in the General Terms of Approval (ref No IDAS1104401 issued by Department of Primary Industries - Water (DPI Water) dated 15 May 2018. A copy of the General Terms of Approval is attached to this consent and a copy is held on file SPP-17-00044 at Encl. No. 24A.

**4.2 Aboriginal Archaeology**

- 4.2.1 The applicant shall comply with the requirements of the Aboriginal Heritage Impact Permit (AHIP) issued by the Office of Environment & Heritage dated 17 May 2016.

**4.3 Bush Fire Prone Land**

- 4.3.1 The applicant shall comply with all the requirements of the Bush Fire Safety Authority (ref D18/138) dated 29 May 2018 issued by NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997. A copy of the General Terms of Approval is attached to this consent and a copy is held on file SPP-17-00044 at Encl. No. 28A.

**4.4 Site Contamination**

- 4.4.1 The recommendations outlined in the Detailed Site Investigation (Ref. DL3492\_S002906 Revision 01.01) prepared by DLA Environmental dated May 2015 and held on SPP-17-00044 including but not limited to retention of fill materials and site contamination matters and excavation, disposal and further assessment of fill materials for potential ACM should be undertaken by the applicant.

**4.5 Salinity**

- 4.5.1 Consideration shall be given to the guidelines in Building In Saline Environment 2008, Western Sydney Salinity Code of Practice 2003 and the design of structures in contact with the soils in accordance with AS 2159-1995 'Piling –Design and Installation'.

A Salinity Management Plan (SMP) prepared by a suitably qualified consultant for the proposal shall be submitted to Council for approval prior to the release of the Construction Certificate. The SMP shall, as a minimum, consider the soil salinity, soil aggressivity, soil sodicity and ground water and include recommendations regarding re-use of excavated materials and erosion and sediment control measures.

At the completion of site works, a post earthworks salinity assessment shall be carried out and provide appropriate recommendations on construction materials for floor slab, footings and internal beams in accordance with AS2870-2011 'Residential Slabs and Footings'.

**4.6 Landscape Plan**

- 4.6.1 An amended landscape incorporating the following street tree species is to be submitted prior to the release of the Construction certificate:

- a) Lophostemon confertus
- b) Pyrus calleryana Chanticleer

**4.7 Street tree planting**

- 4.7.1 The applicant must submit a Street Tree Plan detailing the proposed street tree planting and landscaping for the approved subdivision. The Street Tree Plan is to reflect the species palette in our Street Tree Guidelines and must include:
- a) cross-sections showing dimensions of tree pits
  - b) species
  - c) details of root protection barriers
  - d) soil specifications
  - e) location of tree pits in relation to services, intersections and future driveways, light poles, stormwater pits sewerage infrastructure and utilities

NOTE: Any tree planting to be undertaken as part of the approved development shall be available to Council for inclusion in future carbon sequestration programs.

The Street Tree Plan must show how the developer can decommission any median feature and road verge landscaping, and reinstate landscaping suitable to Blacktown City at handover.

Landscaping to lot boundaries is to be wholly located within private property and not encroach upon the road reserve.

Street tree planting must not interfere with the street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting.

This information must be received before a construction certificate can be issued.

## 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 J Wyndham Prince:

Prepared By	Drawing No.	Sheet No.	Dated	Rev
11035003/DA01	COVERSHEET			B
11035003/DA02	LEGEND, NOTES & INDEX		16/05/18	C
11035003/DA03	SITE LAYOUT & FLOOD EVACUATION PLAN		11/12/17	C
11035003/DA04	ROAD LAYOUT		16/05/18	C
11035003/DA05	TYPICAL ROAD SECTIONS		16/05/18	B
11035003/DA06	SITE GRADING PLAN		16/05/18	D
11035003/DA07	ENGINEERING PLAN	SHEET 1	16/05/18	C
11035003/DA08	ENGINEERING PLAN	SHEET 2	16/05/18	D
11035003/DA09	ENGINEERING PLAN	SHEET 3	16/05/18	C
11035003/DA10	ENGINEERING PLAN	SHEET 4	16/05/18	C



11035003/DA11	ENGINEERING PLAN	SHEET 5	16/05/18	C
11035003/DA12	ENGINEERING PLAN	SHEET 6	16/05/18	C
11035003/DA13	ENGINEERING PLAN	SHEET 7	16/05/18	B
11035003/DA14	ENGINEERING PLAN	SHEET 8	16/05/18	C
11035003/DA15	ENGINEERING PLAN	SHEET 9	16/05/18	C
11035003/DA16	ENGINEERING PLAN	SHEET 10	16/05/18	C
11035003/DA20	ROAD LONGITUDINAL SECTIONS	SHEET 1	16/05/18	B
11035003/DA21	ROAD LONGITUDINAL SECTIONS	SHEET 2	16/05/18	B
11035003/DA22	ROAD LONGITUDINAL SECTIONS	SHEET 3	16/05/18	B
11035003/DA23	ROAD LONGITUDINAL SECTIONS	SHEET 4	16/05/18	C
11035003/DA24	ROAD LONGITUDINAL SECTIONS	SHEET 5	16/05/18	B
11035003/DA25	ROAD LONGITUDINAL SECTIONS	SHEET 6	16/05/18	B
11035003/DA26	ROAD LONGITUDINAL SECTIONS	SHEET 7	16/05/18	B
11035003/DA27	ROAD LONGITUDINAL SECTIONS	SHEET 8	16/05/18	B
11035003/DA28	ROAD LONGITUDINAL SECTIONS	SHEET 9	16/05/18	B
11035003/DA29	ROAD LONGITUDINAL SECTIONS	SHEET 10	16/05/18	B
11035003/DA30	ROAD LONGITUDINAL SECTIONS	SHEET 11	16/05/18	B
11035003/DA31	ROAD LONGITUDINAL SECTIONS	SHEET 12	16/05/18	B
11035003/DA32	ROAD LONGITUDINAL SECTIONS	SHEET 13	16/05/18	B
11035003/DA33	ROAD LONGITUDINAL SECTIONS	SHEET 14	16/05/18	B
11035003/DA34	ROAD LONGITUDINAL SECTIONS	SHEET 15	16/05/18	B
11035003/DA35	ROAD LONGITUDINAL SECTIONS	SHEET 16	16/05/18	B
11035003/DA36	ROAD LONGITUDINAL SECTIONS	SHEET 17	16/05/18	C
11035003/DA37	ROAD LONGITUDINAL SECTIONS	SHEET 18	16/05/18	B
11035003/DA40	CATCHMENT PLAN	SHEET 1	16/05/18	B
11035003/DA41	CATCHMENT PLAN	SHEET 2	16/05/18	B
11035003/DA42	CATCHMENT PLAN	SHEET 3	16/05/18	B
11035003/DA43	CATCHMENT PLAN	SHEET 4	16/05/18	B
11035003/DA44	GPT CATCHMENT PLAN		16/05/18	A
11035003/DA45	DRAINAGE LONGITUDINAL SECTIONS	SHEET 1	16/05/18	B
11035003/DA46	DRAINAGE LONGITUDINAL SECTIONS	SHEET 2	16/05/18	B
11035003/DA47	DRAINAGE LONGITUDINAL SECTIONS	SHEET 3	16/05/18	B
11035003/DA48	DRAINAGE LONGITUDINAL SECTIONS	SHEET 4	16/05/18	B
11035003/DA49	DRAINAGE LONGITUDINAL	SHEET 5	16/05/18	B

	SECTIONS			
11035003/DA50	DRAINAGE LONGITUDINAL SECTIONS	SHEET 6	16/05/18	B
11035003/DA51	DRAINAGE LONGITUDINAL SECTIONS	SHEET 7	16/05/18	B
11035003/DA52	DRAINAGE LONGITUDINAL SECTIONS	SHEET 8	16/05/18	B
11035003/DA53	DRAINAGE LONGITUDINAL SECTIONS	SHEET 9	16/05/18	B
11035003/DA54	DRAINAGE LONGITUDINAL SECTIONS	SHEET 10	16/05/18	B
11035003/DA55	DRAINAGE LONGITUDINAL SECTIONS	SHEET 11	16/05/18	B
11035003/DA56	DRAINAGE LONGITUDINAL SECTIONS	SHEET 12	16/05/18	B
11035003/DA57	DRAINAGE LONGITUDINAL SECTIONS	SHEET 13	16/05/18	B
11035003/DA58	SHEET NOT USED		16/05/18	B
11035003/DA59	SHEET NOT USED		16/05/18	B
11035003/DA60	DRAINAGE LONGITUDINAL SECTIONS	SHEET 14	16/05/18	B
11035003/DA61	DRAINAGE LONGITUDINAL SECTIONS	SHEET 15	16/05/18	B
11035003/DA62	DRAINAGE LONGITUDINAL SECTIONS	SHEET 16	16/05/18	B
11035003/DA63	DRAINAGE LONGITUDINAL SECTIONS	SHEET 17	16/05/18	B
11035003/DA64	DRAINAGE LONGITUDINAL SECTIONS	SHEET 18	16/05/18	B
11035003/DA65	DRAINAGE LONGITUDINAL SECTIONS	SHEET 19	16/05/18	B
11035003/DA66	DRAINAGE LONGITUDINAL SECTIONS	SHEET 20	16/05/18	B
11035003/DA67	DRAINAGE LONGITUDINAL SECTIONS	SHEET 21	16/05/18	B
11035003/DA68	DRAINAGE LONGITUDINAL SECTIONS	SHEET 22	16/05/18	B
11035003/DA69	DRAINAGE LONGITUDINAL SECTIONS	SHEET 23	16/05/18	B
11035003/DA70	DRAINAGE LONGITUDINAL SECTIONS	SHEET 24	16/05/18	B
11035003/DA71	DRAINAGE LONGITUDINAL SECTIONS	SHEET 25	16/05/18	B
11035003/DA72	DRAINAGE LONGITUDINAL SECTIONS	SHEET 26	16/05/18	B
11035003/DA73	DRAINAGE LONGITUDINAL SECTIONS	SHEET 27	16/05/18	B
11035003/DA74	DRAINAGE LONGITUDINAL SECTIONS	SHEET 28	16/05/18	B
11035003/DA75	DRAINAGE LONGITUDINAL SECTIONS	SHEET 29	16/05/18	B
11035003/DA76	DRAINAGE LONGITUDINAL SECTIONS	SHEET 30	16/05/18	B
11035003/DA77	DRAINAGE LONGITUDINAL SECTIONS	SHEET 31	16/05/18	B
11035003/DA78	DRAINAGE LONGITUDINAL SECTIONS	SHEET 32	16/05/18	B

	SECTIONS			
11035003/DA79	DRAINAGE LONGITUDINAL SECTIONS	SHEET 33	16/05/18	B
11035003/DA80	DRAINAGE LONGITUDINAL SECTIONS	SHEET 34	16/05/18	B
11035003/DA81	DRAINAGE LONGITUDINAL SECTIONS	SHEET 35	16/05/18	B
11035003/DA82	DRAINAGE LONGITUDINAL SECTIONS	SHEET 36	16/05/18	B
11035003/DA83	DRAINAGE LONGITUDINAL SECTIONS	SHEET 37	16/05/18	B
11035003/DA84	DRAINAGE LONGITUDINAL SECTIONS	SHEET 38	16/05/18	B
11035003/DA85	DRAINAGE LONGITUDINAL SECTIONS	SHEET 39	16/05/18	B
11035003/DA86	DRAINAGE LONGITUDINAL SECTIONS	SHEET 40	16/05/18	B
11035003/DA87	DRAINAGE LONGITUDINAL SECTIONS	SHEET 41	16/05/18	B
11035003/DA88	DRAINAGE LONGITUDINAL SECTIONS	SHEET 42	16/05/18	B
11035003/DA89	DRAINAGE LONGITUDINAL SECTIONS	SHEET 43	16/05/18	B
11035003/DA90	DRAINAGE LONGITUDINAL SECTIONS	SHEET 44	16/05/18	B
11035003/DA95	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM A 10yr - SHEET 1	16/05/18	B
11035003/DA96	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM A 10yr - SHEET 2	16/05/18	B
11035003/DA97	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM A 10yr - SHEET 3	16/05/18	B
11035003/DA98	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM A 20yr	16/05/18	B
11035003/DA99	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr - SHEET 1	16/05/18	B
11035003/DA100	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr - SHEET 2	16/05/18	B
11035003/DA101	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr - SHEET 3	16/05/18	B
11035003/DA102	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr - SHEET 4	16/05/18	B
11035003/DA103	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr - SHEET 5	16/05/18	B
11035003/DA104	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr - SHEET 6	16/05/18	B
11035003/DA105	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 10yr	16/05/18	B



		- SHEET 7		
11035003/DA106	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 20yr - SHEET 1	16/05/18	B
11035003/DA107	DRAINAGE CALCULATIONS	HYDROLOGY SYSTEM B 20yr - SHEET 2	16/05/18	B
11035003/DA108	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM A 10YR SHEET 1	16/05/18	B
11035003/DA109	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM A 10YR SHEET 2	16/05/18	B
11035003/DA110	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM A 10YR SHEET 3	16/05/18	B
11035003/DA111	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM A 20YR	16/05/18	B
11035003/DA112	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 10YR SHEET 1	16/05/18	B
11035003/DA113	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 10YR SHEET 2	16/05/18	B
11035003/DA114	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 10YR SHEET 3	16/05/18	B
11035003/DA115	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 10YR SHEET 4	16/05/18	B
11035003/DA116	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 10YR SHEET 5	16/05/18	B
11035003/DA117	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 10YR SHEET 6	16/05/18	B
11035003/DA118	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 20YR SHEET 1	16/05/18	B
11035003/DA119	DRAINAGE CALCULATIONS	HYDRAULIC SYSTEM B 20YR SHEET 2	16/05/18	B
11035003/DA120	SOIL & WATER MANAGEMENT PLAN	SHEET 1	16/05/18	B
11035003/DA121	SOIL & WATER MANAGEMENT PLAN	SHEET 2	16/05/18	B
11035003/DA122	SOIL & WATER MANAGEMENT PLAN	SHEET 3	16/05/18	B
11035003/DA125	SITE SECTIONS	SHEET 1	16/05/18	B
11035003/DA126	SITE SECTIONS	SHEET 2	16/05/18	B
11035003/DA127	SITE SECTIONS	SHEET 3	16/05/18	B
11035003/DA130	ROCK SCOUR PROTECTION DETAILS		16/05/18	B
11035003/DA131	EMERGENCY ACCESS AND BARRIER WALL SECTIONS		16/05/18	A

11035003/DA132	RETAINING SECTION	LONGITUDINAL	SHEET 1	16/05/18	A
11035003/DA133	RETAINING SECTION	LONGITUDINAL	SHEET 2	16/05/18	A
11035003/DA134	RETAINING SECTION	LONGITUDINAL	SHEET 3	16/05/18	A

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

1. Updated Engineering plans shall be consistent with the deferred commencement requirements.
2. The design of the drainage outlets to proposed channel ML 1.7-18 need to be reviewed.
3. The inverts of the outlets are below the 0.5EY flow in the channel. This may cause water to flow from the channel into the piped drainage system and impact the capacity of the piped drainage system.
4. The starting HGL level at the outlets is not consistent with the hydraulic modelling of the channel. The stormwater modelling is to be updated to reflect the correct starting level.
5. The 100 Year rainfall event is to be modelled for the subdivision drainage.
6. Drainage line A70 is not compliant with Council's *Engineering Guide for Development*.
7. Construct a roundabout in accordance with Austroads "Guide to Traffic Engineering Practice - Roundabouts Part 6" and to Council's standard. The roundabout shall be constructed at the intersection of the Road 100 (Abell Road), Road 602 and Road C3

## 5.2 Regional Infrastructure

- 5.2.1 Prior to the issue of a Construction Certificate for the proposed subdivision, with respect to the design of the proposed basin and channel and culvert works (i.e. Contribution Plan No.21, items basin ML 1.0; channel ML 1.7, 1.121 .15 & 1.18; culverts ML 1.9, ML 1.13, ML1.16 ML & 1.19 and GPTs ML 1.1 0, ML 1.14 respectively) the Applicant is to prepare and submit to Council's Asset Design Services Team for its concurrence and approval in writing, 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 acknowledges the applicant's proposal to construct Section 94 infrastructure which may include but not be limited to the gross pollutant traps (i.e. Contribution Plan No.21, items ML 1.1 0, ML 1.14). It is noted that these items may be constructed under a separate Work In Kind (WIK) agreement in order to facilitate Section 94 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.
- 5.2.3 No works within future Council land are to be undertaken without approval from Council's S94 Finance Committee.

## 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 Other Engineering Requirements

- 5.4.1 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.
- 5.4.2 Any ancillary works undertaken shall be at no cost to Council.
- 5.4.3 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.
- 5.4.4 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

#### 5.5 Roads

- 5.5.1 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.
- 5.5.2 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.
- 5.5.3 Proposed new roads shall be designed and constructed as shown on the plans by j Wyndham prince reference 11035003/DA04 and 11035003/DA05, revision 16/05/18 as follows :

Name	Width (m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Local Road	16	Full Length	3.5-9-3.5	5 x 10 <sup>5</sup>
Collector Road	20	Full Length		1 x 10 <sup>6</sup>
Southern Perimeter Road	17.4 + Variable up to 2.7m	Full Length	3.5-9-4	5 x 10 <sup>5</sup>
Corridor adjacent road	17.4	Full Length	3.5-9-4	5 x 10 <sup>5</sup>
Southern Perimeter Road	17.4	Full Length	3.5-9-4	5 x 10 <sup>5</sup>
Access Street	17.4	Full Length	3.5-6.5-7.4	5 x 10 <sup>5</sup>

- 5.5.4 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.

#### 5.6 Drainage

- 5.6.1 Drainage from the site must be connected into Council's existing drainage system.



- 5.6.2 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.

#### **5.7 Erosion and Sediment Control**

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

#### **5.8 Earthworks**

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

#### **5.9 Temporary Stormwater Quality Control**

- 5.9.1 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.
- 5.9.2 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.
- 5.9.3 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.

#### **5.10 Footpaths**

- 5.10.1 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
- 5.10.2 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 2010.
- 5.10.3 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.

#### **5.11 Notification to Council**

- 5.11.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to

commence.

- 5.11.2 At least five (5) full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$10,000,000.

## 5.12 **Sydney Water Authorisation**

- 5.12.1 Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a 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 must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: [www.sydneywater.com.au](http://www.sydneywater.com.au), or telephone 1300 082 746 for assistance.

## 6 **DURING CONSTRUCTION (BUILDING)**

### 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) (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.

## **6.2 Nuisance Control**

- 6.2.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 6.2.2 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 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

## **6.3 Waste Control**

- 6.3.1 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 DURING CONSTRUCTION (ENGINEERING)**

## **7.1 Notification of Works**

- 7.1.1 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.

## **7.2 Service Authority Approvals**

- 7.2.1 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.

### **7.3 Boundary Levels**

- 7.3.1 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.

### **7.4 Soil Erosion and Sediment Control Measures**

- 7.4.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 7.4.2 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.
- 7.4.3 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.

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

- 7.5.1 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.

### **7.6 Inspection of Engineering Works - Roads Act 1993**

- 7.6.1 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).

### **7.7 Public Safety**

- 7.7.1 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.

## **7.8 Tree protection**

- 7.8.1 Existing vegetation must be left undisturbed except where roads, drainage lines and filling and/or building works are proposed.
- 7.8.2 Before the start of any earthworks, but after the road centrelines have been pegged and/or permanently marked, a Blacktown City representative (or appointed private certifier) and the applicant must identify and mark:
- a. The trees to be retained.
  - b. All areas to be left undisturbed and cordoned off.
- 7.8.3 Storage of materials, stockpiling of excavated material or parking of machinery must not occur within the drip-line of the crown of any trees to be retained.
- 7.8.4 If branches need to be removed from any of the trees to be retained, Blacktown City must be given at least 24 hours' notice, and the work is to be done by a qualified Arborist to Australian Standard 4373:2007 Pruning of Amenity Trees.

## **7.9 Site Security**

- 7.9.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

## **7.10 Powder Coated Furniture**

- 7.10.1 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.

# **8 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**

## **8.1 Environmental Management**

- 8.1.1 A wheel wash bay shall be installed at the vehicular exit from the land and drained or graded to ensure that all washed material is contained upon the land.
- 8.1.2 In accordance with the NSW Environmental Protection Authority, 1998, *Guidelines for Consultants Reporting on Contaminated Sites*, NSW EPA, Chatswood, at the completion of any required remediation works under a remediation action plan, a validation report prepared by an Environmental Protection Authority accredited site auditor is to be submitted to Council for consideration.

# **9 PRIOR TO SUBDIVISION CERTIFICATE**

## 9.1 Voluntary Planning Agreement

- 9.1.1 Prior to the issue of a subdivision certificate for any subdivision works within **Precinct 6** as referenced in Plan Ref 123004-53J, prepared by RPS dated 28 November 2018, the planning agreement for Precinct 6 being the subject of the offer made by the applicant to Blacktown City Council, by letter No CLC/JBSTOC12984-9119236 from CORRS CHAMBERS WESGARTH Lawyers dated 1 June 2018 (TRIM Reference D18/209966) and agreed by Blacktown City Council, shall be executed by the applicant and delivered to Blacktown City Council.

## 9.2 Voluntary Planning Agreement

- 9.2.1 Prior to the issue of any subdivision certificate, any relevant obligation required by the applicant in the planning agreements for **Precincts 6**, the subject of the offer made by the applicant to the Council by letter No CLC/JBSTOC12984-9119236 from CORRS CHAMBERS WESGARTH Lawyers dated 1 June 2018 (TRIM Reference D18/209966) must be completed.

The applicant shall provide evidence of its compliance to this condition when applying for the subdivision certificate. This condition will not be satisfied until Council has given its written certification to this effect.

## 9.3 Special Infrastructure Contribution

- 9.3.1 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/quage/en-US/Default.aspx>

Prior to the issue of any Subdivision Certificates, evidence that the special infrastructure contribution payment has been made for each stage of the subdivision is to be submitted to Council.

Please contact the Department of Environment and Planning regarding arrangements for the making of a payment.

## 9.4 Section 7.11 Contributions under Section 94E Directions

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

Under the Section 94E 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) or 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:

Stage 45



No. of intended lots: 97  
Contribution: \$35,000 x 97 = \$3,395,000

Stage 46  
No. of intended lots: 92  
Contribution: \$35,000 x 92 = \$3,220,000

Stage 47  
No. of intended lots: 99  
Contribution: \$35,000 x 99 = \$3,465,000

Stage 48  
No. of intended lots: 100  
Contribution: \$35,000 x 100 = \$3,500,000

Stage 49  
No. of intended lots: 81  
Contribution: \$35,000 x 81 = \$2,835,000

Stage 50  
No. of intended lots: 72  
Contribution: \$35,000 x 72 = \$2,520,000

Stage 51  
No. of intended lots: 88  
Contribution: \$35,000 x 88 = \$3,080,000

Stage 52  
No. of intended lots: 98  
Contribution: \$35,000 x 98 = \$3,430,000

Stage 53  
No. of intended lots: 47  
Contribution: \$35,000 x 47 = \$1,645,000

Payment of the amount for each stage must be made prior to the issue of a 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. However, payments by credit card or EFTPOS over \$10,000.00 are levied a 3% surcharge on the whole amount and cannot be split between different credit or EFTPOS cards.

Notes In complying with the Minister's Section 94E 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 Item	Amount	Relevant C.P
Stormwater Quantity	\$15,322,692.00	CP21
Stormwater Quality	\$2,065,515.00	CP21
Traffic Management	\$6,980,315.00	CP21

Open Space	\$22,521,869.00	CP21
Community Facilities	\$289,280.00	CP21
E2 Conservation Zone	\$716,202.00	CP21
Aquatic Facility	\$471,247.00	CP21
Total contributions	\$48,367,120.00	

These contributions are based upon the following parameters as specified in the Contributions Plan.

Developable Area: 41.56900 hectares

Additional Population: 2244.6 persons

Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Customer Information Centre. Alternatively, Contributions Plans may be downloaded from Council's website:

## 9.5 Site Access

- 9.5.1 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.

## 9.6 Road Damage

- 9.6.1 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.

## 9.7 Road Damage

- 9.7.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall 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 Subdivision Configuration

- 9.8.1 The boundaries and configuration of the subdivision shall be generally consistent with the corresponding zone boundaries of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

## 9.9 Service Authority Approvals

- 9.9.1 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to the release of the Subdivision Certificate:

- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Please refer to the "Building Plumbing and Developing" Section of the website [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of the plan of subdivision.
- (b) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.
- (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

#### **9.10 Consent Compliance**

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

#### **9.11 Final Plans**

9.11.1 The submission of a final plan of subdivision, together with 7 exact copies and the appropriate fee. The final plan of subdivision will not be released until all conditions of this determination have been complied with.

9.11.2 Where any permanent control marks are placed in accordance with the Survey Practice Regulation 1990 in the preparation of the plan, 2 copies of the locality sketch plans of the marks placed are to be forwarded to Council with the final plan of subdivision.

#### **9.12 Site Contamination**

9.12.1 Prior to the issue of any Subdivision Certificate, a final site contamination Validation Report confirming the suitability of the site for the proposed development is to be provided to Council for any imported fill used in the subdivision. The Validation Report shall be prepared by a consultant engaged under the terms of Council's Contaminated Lands Policy and in accordance with National Environmental Protection (Assessment of Site Contamination Measure).

#### **9.13 Salinity**

9.13.1 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.

9.13.2 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.

9.14 Prior to the issue of the Subdivision Certificate, the applicant must submit the following reports to Council:

- a) a final Aboriginal Heritage Report - An Aboriginal Cultural Heritage Assessment and Archaeological Report, and
- b) an extensive search site record for the area covered by the AHIP in spread sheet and map format.

#### 9.15 **General**

9.15.1 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".

#### 9.16 **Street tree planting**

9.16.1 Any tree planting (and maintenance) along the frontage of the development site to improve the amenity of the streetscape must be approved before a Subdivision Certificate is issued.

The number of trees should equal the number lots/dwellings with street frontage. However, corner lots require 1 tree for the primary frontage and 2 trees on the side frontage. In the case of medium and high density residential developments.

Trees will be planted at a minimum spacing of 8 metres.

Additional trees may be requested following assessment of the subdivision configuration.

Trees must be of a minimum container size of 45 litres with root directors.

The applicant must obtain clearances from relevant service authorities.

The applicant will be required to pay a bond of \$330 per tree to ensure the health and vigour of the tree(s). The bond will be returned 12 months after the completion of the development (i.e. on issue of final occupation/subdivision certificate), to council if the trees are maturing satisfactorily. The applicant is responsible for notifying Council when the works are completed.

The applicant will also be required to pay a \$136 inspection fee. A Blacktown City representative will inspect all street tree and public landscaping during the establishment period (i.e. between the practical date of completion and formal handover). Elements deemed to be not adequately performing are to be removed, substituted or repaired by the developer within 60 days of written notification

#### 9.17 **Relationship to Other Approvals**

9.17.1 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) 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 linen 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.

## **9.18 Consent Compliance**

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

## **9.19 Additional Inspections**

- 9.19.1 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.

## **9.20 Engineering Matters**

### **9.20.1 Surveys/Certificates/Works As Executed plans**

- 10.18.1.1A 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.
- 9.20.1.1 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.
- 9.20.1.2 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.

## **9.21 Regional Infrastructure**

*NOTE: The site drains to detention basins ML 1.0 (Basin 3) and ML 5.0 (Basin 2). The DA relies on the approval of the DA for Precinct 1 (JRPP-15-2324) which will construct basin ML 1.0, channel ML 1.7, 1.121.15 & 1.18 and culverts ML 1.9, ML 1.13, ML 1.16 ML & 1.19. The site also relies on the approval of the DA for Precinct 4(DA-16-05360) which will construct basin ML 5.0.*

10.19.1. The subdivision certificate for the site is not to be issued until satisfactory road access, via the proposed culverts ML 1.9, ML 1.13, ML 1.16 ML & 1.19, is constructed.

9.21.1 . The subdivision certificate for the site is not to be issued until satisfactory stormwater management facilities, via the proposed basin ML 1.0 and channel ML 1.7, 1.121 .15 & 1.18, is provided. Where temporary facilities are provided WAE drawings and calculation are to be provided to support the size of the temporary works.

9.21.2 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)

9.21.3 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 Councils Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

## 9.22 **Easements/Restrictions/Positive Covenants**

9.22.1 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 the NSW Land Registry Services

9.22.2 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 LPI lodgement shall be submitted to Council.

9.22.3 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.

9.22.4 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.

## 9.23 **Dedications**



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

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

- 9.24.1 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.

- 9.24.2 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.

- 9.24.3 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.

- 9.24.4 Where Council's 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

**9.25 Inspections**

- 9.25.1 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.

**9.26 Inspection of Work**

- 9.26.1 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.