

Overview of recommended changes to conditions of consent for SPP-18-00002

Section	Amendments
Development Description	<p>To be amended to include staging of the development:</p> <p>A staged integrated housing development consisting of 41 attached dwellings, 26 semi-detached dwellings, 2 dwelling houses, 2 studio dwellings with associated community title and strata subdivisions within Stockland Precinct 6B (known as MD8) on proposed Lot 5190 approved under SPP-17-00044.</p>
Condition 1.1.2	<p>To be amended in accordance to the new Part 6 provision:</p> <p>1.1.2 Any reference in this consent to a Construction, Subdivision Works, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Part 6 —Subdivision 6.3 of the Environmental Planning and Assessment Act 1979.</p>
Condition 1.2.2	<p>To be amended to include early release of subdivision certificate provision:</p> <p>1.2.2 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. However, in the event that the subdivision precedes full completion of buildings and associated works in accordance with the approved plans on any of the lots, the Applicant shall comply with Council's "early release" criteria for subdivisions, including, but not limited to:</p> <ul style="list-style-type: none"> a) the outer main walls for all the dwellings including the party walls between the dwellings shall be constructed; b) a certificate from a registered surveyor shall be submitted confirming that the common party walls between the dwellings are located exactly on the approved subdivision lot boundaries; c) the lodgement of a Section 88b instrument creating a positive covenant on the title of the subject land that ensures the development proceeds only in accordance with this Consent; d) the payment of a monetary bond for covering the cost of outstanding works to Council's requirements; and e) the positive covenant is to contain a provision that it may not be extinguished or altered except with the consent of the Blacktown City Council.
Condition 1.7.1	<p>To be deleted (Advisory and not required)</p>
Condition 1.8.1	<p>To be amended in accordance to the new Part 6 provision:</p> <p>1.8.1 If the applicant wishes for Council to issue the Construction Certificate or Subdivision Works Certificate as nominated in the 'Prior to Construction Certificate/Subdivision Works Certificate please:</p> <ul style="list-style-type: none"> • Complete application form • Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

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Condition 1.8.2	To be deleted												
Condition 2.1.1	<p>To be amended as follows:</p> <table border="1"> <tr> <td>108-12-MD8-SP8</td><td>Subdivision of Lot 8 Plan Set in Stage 54 Strata Subdivision</td></tr> <tr> <td>108-12-MD8-SP12</td><td>Subdivision of Lot 12 Plan Set in Stage 64 Strata Subdivision</td></tr> <tr> <td>DA2-500/32</td><td>Shadow Diagrams</td></tr> </table> <table border="1"> <tr> <th>Document</th><th>Prepared By</th></tr> <tr> <td>Elara Medium Density P6 DA23 - Landscape Report Precinct 6 DA2 – Pages 8 to 16**</td><td>GroupGSA</td></tr> <tr> <td>Soil Salinity and Aggressivity Assessment</td><td>DLA Environmental Consultants Pty Ltd</td></tr> </table>	108-12-MD8-SP8	Subdivision of Lot 8 Plan Set in Stage 54 Strata Subdivision	108-12-MD8-SP12	Subdivision of Lot 12 Plan Set in Stage 64 Strata Subdivision	DA2-500/ 32	Shadow Diagrams	Document	Prepared By	Elara Medium Density P6 DA 23 - Landscape Report Precinct 6 DA2 – Pages 8 to 16**	GroupGSA	Soil Salinity and Aggressivity Assessment	DLA Environmental Consultants Pty Ltd
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Condition 2.1.2 (to be added)	<p>To be amended to include staging of the development:</p> <p>Staging</p> <p>2.1.2 This Consent grants approval for the integrated housing development to be constructed in stages as depicted on the approved subdivision plans. The order of stages may be varied, subject to Council being satisfied that relevant conditions of this Consent have been satisfied.</p>												
Condition 2.5.3.1	<p>To be amended to include early release of subdivision certificate provisions:</p> <p>2.5.3.1 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 or early release provisions of this consent.</p>												
Condition 4.1.2	<p>The wording of the condition is to be amended (as requested by the applicant) as follows to avoid any doubt:</p> <p>4.1.2 The following plan amendments shall be included on or addressed by any Construction Certificate relating to the approved development:</p> <p>a) The proposed attached dwellings on Lots 23-53 along northern boundary (- Abell Road) are to have a minimum front setback of 4.5m to the building facade line. To avoid doubt, all attached dwellings fronting Abell Road, shall have a minimum 4.5m building façade line setback to the northern boundary. (The dwellings are to be shifted towards the south for 0.5m)</p> <p>b) For consistency tThe landscape and engineering plans are to be amended to reflect (a) prior to a Part 6 Certificate being issued. to be consistent with the approved site plan.</p>												
Condition 4.9.1, 4.10.1 & 4.11.1 (VPA, SIC and S 7.11 contribution)	<p>To be deleted from prior to construction certificate section as these conditions are required to be satisfied prior to issue the subdivision certificate. The relevant conditions have already been imposed under the section 'Prior to Subdivision'. (see conditions 11.4.1, 11.5.1 and 11.6.1)</p>												

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conditions)	
Condition 6, 6.1.1, 6.1.3& 6.2.1	<p>To be amended in accordance to the new Part 6 provision:</p> <p>6 Prior to Construction Certificate/Subdivision works Certificate (Engineering)</p> <p>6.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate or Subdivision Works Certificate can be issued.</p> <p>6.1.13 Construction Certificate/Subdivision Works Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:</p> <p>6.2.1 Under the <i>Environmental Planning and Assessment Act 1979</i> a Subdivision Works/Construction Certificate is required. These works include but are not limited to the following:</p>
Condition 6.4.2, 6.4.3	<p>The community title lot is not a public road and therefore the word 'road' in the following conditions are to be replaced with the word 'accessway':</p> <p>6.4.2 Any approved design drawings must show a 1m x 1m splay for the community title accessway road at each street intersection.</p> <p>6.4.3 All community title accessway roads shall be designed as a rigid pavement. A suitably qualified engineer (NER registered) must certify that the pavement has been structurally designed in accordance with "Austroads Guide to pavement Technology Part 2: Pavement Structural Design" and "Austroads Guide to Pavement Technology Part 4C: Materials for Concrete Road Pavements".</p>
Condition 10.5.1	<p>To be amended to include early release of subdivision certificate provision:</p> <p>10.5.1 An Occupation Certificate shall not be issued until such time as all conditions or early release provisions of this consent, other than conditions agreed to by Council and "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.</p>
Condition 11.3.1	<p>To be amended to include early release of subdivision certificate provision:</p> <p>11.3.1 A Subdivision Certificate shall not be issued until all conditions unless agreed to by Council or allowed by other conditions of this consent, have been satisfied. However, in the event that the subdivision precedes full completion of buildings and associated works in accordance with the approved plans on any of the lots, the Applicant shall comply with Council's "early release" criteria for subdivisions, including, but not limited to:</p> <ul style="list-style-type: none"> a) the outer main walls for all the dwellings including the party walls between the dwellings shall be constructed; b) a certificate from a registered surveyor shall be submitted confirming that the common party walls between the dwellings are located exactly on the approved subdivision lot boundaries; c) the lodgement of a Section 88b instrument creating a positive covenant on the title of the subject land that ensures the development proceeds only in accordance with this Consent; d) the payment of a monetary bond for covering the cost of

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	<p>outstanding works to Council's requirements; and</p> <p>e) the positive covenant is to contain a provision that it may not be extinguished or altered except with the consent of the Blacktown City Council.</p>
Condition 11.9.1	To be deleted (Double up)
Condition 11.12.2	<p>The community title lot is not a public road and therefore the word 'road' in the following condition is to be replaced with the word 'accessway':</p> <p>11.12.2 The Community Title accessway Road is to be appropriately named and signposted in accordance with Council's Policy. In this regard, the Community Title driveway Road name is to be confirmed with Council's Land Information Unit and use the suffix "Glade".</p>