



Natural Resources  
Access Regulator

Contact: Gina Potter  
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General Manager  
Penrith City Council  
Att: The General Manager  
PO Box 60  
PENRITH NSW 2751

Our ref: IDAS1121300  
Our file: CM9-V19/871-5#65  
Your ref: DA19/0808

Attention: Jane Hetherington

06 February 2020

Dear Sir/Madam

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref: DA19/0808**  
**Description: Stage Two (2) Works of an Approved Concept Development**  
**Application comprising the Construction of Three (3) Six (6) Storey Seniors Living**  
**Apartment Buildings including 139 x Independent Living Units, Communal**  
**Facilities, 171 x Car Parking Spaces and associated Earthworks and Landscaping**  
**Location: 39 JORDAN SPRINGS BOULEVARD JORDAN SPRINGS 2747**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Natural Resources Access Regulator's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.47 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, NRAR requests these GTA be included (in their entirety) in Council's development consent. Please also note NRAR requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

NRAR will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, NRAR recommends the following condition be included in the development consent:

**The attached GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to NRAR for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to NRAR together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the NRAR website at:

[www.industry.nsw.gov.au](http://www.industry.nsw.gov.au) » [Water](#) » [Licensing & Trade](#) » [Approvals](#).

NRAR requests that Council provide a copy of this letter to the development consent holder.

NRAR also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours Sincerely

**David Zerafa**  
**Senior Water Regulation Officer**  
**Water Regulatory Operations**  
**Natural Resources Access Regulator**