

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION Environmental Planning and Assessment Act, 1979 (Section 81)

Applicant: **MARSDEN PARK DEVELOPMENTS
PTY LTD**
C/- APP CORPORATION
53 BERRY STREET
NORTH SYDNEY 2060

Determination Number: 11-2284

Property Description: LOT 15 DP262886, HOLLINSWORTH ROAD, MARSDEN PARK
LOT 16 DP262886, HOLLINSWORTH ROAD, MARSDEN PARK
LOT 13 DP262886, HOLLINSWORTH ROAD, MARSDEN PARK
LOT 14 DP262886, 840 RICHMOND ROAD, MARSDEN PARK
LOT 11 DP262886, 920 RICHMOND ROAD, MARSDEN PARK
LOT 12 DP262886, FULTON ROAD, MARSDEN PARK
LOT 291 DP1076555, FULTON ROAD, MARSDEN PARK
LOT 292 DP1076555, HOLLINSWORTH ROAD, MARSDEN PARK
LOT 27 DP262886, HOLLINSWORTH ROAD, MARSDEN PARK

Development: Torrens title subdivision into 24 industrial lots and 6 residue lots, tree removal, bulk earthworks, construction of roads, stormwater infrastructure, street tree planting and associated subdivision works.

Determination: *Pursuant to Section 81 of the Act Council advises that the Development Application has been determined by:*

- GRANTING OF CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGE(S)

BY DELEGATED AUTHORITY – DIRECTOR CITY STRATEGY AND DEVELOPMENT

Right of Appeal

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of the consent authority a right of appeal to the Land and Environment Court. Section 97 does not apply to State significant development or development that has been subject to a Commission of Inquiry.

Note: This Consent is generally valid for a period of five years effective from the date of this Notice, unless specified otherwise by Sections 83 and 95 of the Act, or by conditions of this Consent.

RON MOORE
GENERAL MANAGER

Per

Date 12 March 2013

1 ADVISORY NOTES

1.1 Terminology

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

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

1.2 Scope of Consent

1.2.1 The 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.

1.3 Other Approvals

1.3.1 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:

- (a) the removal of any tree(s) not approved for removal, and
- (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan, and
- (c) demolition of any existing buildings and associated structures in accordance with the requirements of Council's Local Environmental Plan, and
- (d) the importation of any fill material.

1.3.2 The demolition or removal of the existing building(s) or structure(s) is not approved by this consent. A separate Development Application (Building) for Council's consideration must be lodged with Council and Development Consent granted prior to the demolition or removal of the existing building(s) or structure(s). Any application made must provide a Waste Management Plan, Site Investigation Report and Work Plan for the disposal of the demolition materials and should also address potential contamination concerns.

1.4 Services

1.4.1 The applicant is advised to consult with:

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

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

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

All approved building construction plans attached to the Construction Certificate should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

1.5 Dial Before You Dig

- 1.5.1 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

1.6 Telecommunications Act 1997 (Commonwealth)

- 1.6.1 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.
- 1.6.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.

1.7 Tree Planting and Service Locations

- 1.7.1 In order to facilitate street tree planting that does not impact on public utilities, the applicant is advised to liaise with the relevant service authorities regarding the location and use of their specific service allocation within the public road reserve.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

These authorities have indicated that it may be possible to lay services on opposite sides of the road thereby providing larger areas for tree planting.

1.8 **Identification Survey**

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

1.9 **Other Matters.**

1.9.1 This plan of subdivision is not to be released until Public Road access is provided. This will require the registration of the adjoining subdivision (DA-11-96).

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:

Drawing No.	Dated	Council's File Enclosure No.
X11227-M2_1.02 Subdivision Plan	13/02/2013	50B

2.2 **Services**

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

2.3 **Suburb Name**

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

Suburb: Marsden Park

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

Suburb: Marsden Park

2.4 **Transgrid**

2.4.1 Any works or modifications to the line required to achieve design ground clearance will be at APP's expense.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- 2.4.2 Safe clearance for construction and maintenance of the light masts and other street “hardware” will be required and care will be needed in the design of street lighting within the electricity easement. Further consultation with Transgrid will be required.
- 2.4.3 It is recommended that the site contractor of the subject proposal contact Transgrid's Central Region Easement Development Control Officer Mr Graham Hobb on 9620 0777, prior to undertaking any major earthworks or other activities within the transmission line easement so that the contractor can be made aware of safety issues or risks with heavy plant operating near or under the high voltage transmission line.

2.5 Engineering Matters

2.5.1 Definitions

- 2.5.1.1 Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Scope of Engineering Works and other sections of this consent which do not require separate Roads Act 1993 or Local Government Act 1993 approval and any ancillary works necessary to make the construction effective. All works on existing public roads require separate engineering approval pursuant to the Roads Act 1993.
- 2.5.1.2 The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications. You are further advised that Council does not permit the private certification of works on existing public roads or reserves Council property or any property under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Hollinsworth Road.
- 2.5.1.3 Prior to the issue of any Construction Certificate for the approved development it is necessary to obtain the separate approval of Council pursuant to the Roads Act 1993 for all relevant civil works on existing public roads as nominated in “Prior to Construction Certificate (Engineering)” and/or “Scope of Engineering Works and other sections of this consent ” The application for this Engineering Approval must be made on the prescribed form and is to include detailed design plans and specifications prepared by a Chartered Professional Engineer or suitably experienced Registered Surveyor.

2.5.2 Design and Works Specification

- 2.5.2.1 All engineering works required by Scope of Engineering Works and other sections of this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- (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)
- (d) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (e) Blacktown City Council On Site Detention General Guidelines and Checklist
- (f) Blacktown City Council Stormwater Quality Control Policy

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 documentations.

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

2.5.3 **Payment of Engineering Fees**

- 2.5.3.1 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.5.3.2 If it is the applicant's intention to engage Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.5.3.3 Fees are required to be paid to Council's Development Services Unit pursuant to Section 223 of the Roads Act 1993 for;

- (a) The checking of engineering drawings for any works on existing public roads and the issue of an Engineering Approval pursuant to the Roads Act 1993.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

(b) All construction inspections for the works approved by (a) above. The required fee will be determined upon submission of the relevant plans to Council. This fee is subject to periodic review and may vary at the actual time of payment.

2.5.4 Other Fee and Bond/Securities

2.5.4.1 In conjunction with the civil engineering works required to be constructed as part of this development you will be required to submit to Council security bond(s) for maintenance and/or path paving works as well as a contribution for the final asphaltic concrete (AC) surfacing of the roadwork. These matters are individually addressed within the Consent conditions.

2.5.4.2 Prior to release of any bond securities held by Council for civil engineering works payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.

2.5.5 Subdivision

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

2.7 Drainage Department Requirements

2.7.1 No filling will be permitted on site without Council approval.

2.7.2 Basin E

2.7.2.1 Each year on 1 September the developer is to provide to Council's Asset Design Services Section an annual report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All material removed is to be disposed of in an approved manner. Copies are to be provided of all cleaning reports and tipping dockets.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- 2.7.2.2 The bioretention with temporary protection measures (excluding planting) are to be installed once 90% of the subdivision roads are completed.
- 2.7.2.3 The developer is to maintain the detention basin, control pits and bioretention areas for a period of three years after 90% of development, including landscaping, is completed upstream.
- 2.7.2.4 Prior to hand over of the gross pollutant traps and detention basins to Council:
- i) The gross pollutant traps and basins are to be cleaned, with cleaning dockets provided as appropriate.
 - ii) A Geotechnical Engineer is to undertake insitu Saturated Hydraulic Conductivity Testing of the bioretention system in accordance with Practise Note 1 of the FAWB guidelines. Where the hydraulic conductivity of the soil media differs from the rate specified in MUSIC of 100 mm/hr (tolerance -20% to +200%), remediation works will be required over sufficient filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practise Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for the bioretention system.
 - iii) After the hydraulic conductivity has been certified by the Geotechnical Engineer, a Landscape Architect that has relevant tertiary qualifications and technical knowledge with a minimum of five (5) years demonstrated experience in the field of ecology and bush rehabilitation is to certify that the planting within the bio-retention area and detention basin including bank areas is of the same quality in type and quantity as per the construction certificate approved landscape plans and that any plants lost have been replaced and any areas subject to scour have been restored and additional rip rap installed as necessary.
 - iv) If the asset is not of an acceptable standard to Council, the asset shall be rectified to the satisfaction of Council which may include an extension of the maintenance period.

2.7.3 Basin I

- 2.7.3.1 Each year on 1 September the developer is to provide to Council's Asset Design Services Section an annual report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All material removed is to be disposed of in an approved manner. Copies are to be provided of all cleaning reports and tipping dockets.
- 2.7.3.2 The bioretention with temporary protection measures (excluding planting) are to be installed once 90% of the subdivision roads are completed.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- 2.7.3.3 The developer is to maintain the detention basin, control pits and bioretention areas for a period of three years after 90% of development, including landscaping, is completed upstream.
- 2.7.3.4 Prior to hand over of the gross pollutant traps and detention Basin I to Council:
- i) The gross pollutant traps and basins are to be cleaned, with cleaning dockets provided as appropriate.
 - ii) A Geotechnical Engineer is to undertake insitu Saturated Hydraulic Conductivity Testing of the bioretention system in accordance with Practise Note 1 of the FAWB guidelines. Where the hydraulic conductivity of the soil media differs from the rate specified in MUSIC of 100 mm/hr (tolerance -20% to +200%), remediation works will be required over sufficient filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practise Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for the bioretention system.
 - iii) After the hydraulic conductivity has been certified by the Geotechnical Engineer, a Landscape Architect that has relevant tertiary qualifications and technical knowledge with a minimum of five (5) years demonstrated experience in the field of ecology and bush rehabilitation is to certify that the planting within the bio-retention area and detention basin including bank areas is of the same quality in type and quantity as per the construction certificate approved landscape plans and that any plants lost have been replaced and any areas subject to scour have been restored and additional rip rap installed as necessary.
 - iv) If the asset is not of an acceptable standard to Council, the asset shall be rectified to the satisfaction of Council which may include an extension of the maintenance period.

2.8 Other Matters

- 2.8.1 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.
- 2.8.2 Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves. Any proposal to locate a proposed substation or other utility installation on Council land shall be negotiated with and fully endorsed by the relevant Council Directorates.
- 2.8.3 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the Office of Environment & Heritage, and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

2.9 **Bush Fire Prone Land**

- 2.9.1 The applicant shall comply with the recommendations of the Bushfire Assessment Report prepared by Ecological Australia Pty Ltd, dated 20 October 2011.

3 **PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

3.1 **Developer Contributions**

- 3.1.1 All requirements, but specifically Clause 7 of the Voluntary Planning Agreement between Blacktown City Council and the proponent shall be satisfactorily completed. The applicant shall obtain a certificate from Blacktown City Council to this effect prior to the issue of any Construction Certificate.

3.2 **DA Plan Consistency**

- 3.2.1 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.

3.3 **Blacktown City Council Growth Centres DCP 2010**

- 3.3.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Growth Centres Development Control Plan 2010.

3.4 **Aesthetics/Landscaping**

- 3.4.1 Prior to the issue of any Construction Certificate, details of any retaining walls to be constructed on site as part of the development shall be submitted to Council for approval. Please note that Council requires the construction of masonry retaining walls (i.e. no timber walls) where such walls are proposed to be located within a publicly visible area (such as future front building setbacks) or proposed to have a height in excess of 900mm.

3.5 **Site Contamination**

- 3.5.1 Prior to the issue of any Construction Certificate, a Phase 2 Contamination Assessment with Remediation Action Plan (RAP), including testing of the dam sites and underneath any buildings to be demolished, shall be prepared by a suitably qualified environmental consultant and be submitted to Council for approval. Any required remediation works shall be undertaken during the course of the engineering work. Final validation of the site for every aspect of these works shall be submitted for Council's approval prior to release of the Subdivision Certificate.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

3.6 Street Tree Planting

3.6.1 Prior to the issue of a Construction Certificate relating to the approved development, full detail plans in relation to the proposed street tree planting and landscaping for the approved subdivision consistent with Council's adopted Street Tree Guidelines shall be submitted to and approved by Council's Manager Open Space. The Street Tree Plan shall observe the species palette identified by Council's Street Tree Guidelines.

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.

3.6.2 Details shall be submitted to Council for approval prior to the issue of any Construction Certificate providing allowances to be made by the developer to decommission median feature and road verge landscaping and reinstate landscaping suitable to Council at handover. Landscaping to lot boundaries shall be shown wholly located within private property and not encroach upon the road reserve.

3.6.3 Street tree details are to be provided with any application for Construction Certification. Details shall demonstrate the management measures adopted to reduce potential risk posed to public civil infrastructure from tree root damage, and include detailed cross sections and specifications of tree pits, root barriers and associated engineering treatments. Council is to be satisfied that adequate clearance is available from light poles, stormwater and sewerage infrastructure, other utilities, intersections and future driveways.

3.6.4 A statement from a suitably qualified consultant shall be submitted to Council with any application for Construction Certificate to verify that proposed street tree planting complies with RTA design guidelines in terms of road offset and frangibility requirements.

3.6.5 The proposed street tree planting for the subdivision shall be reviewed by a suitably qualified consultant in relation to the proposed street lighting layout to ensure that the intended tree planting at maturity does not interfere with the street light spill. Documentation to confirm there is no conflict between proposed vegetation and street lighting shall be submitted to Council prior to the issue of a Construction Certificate relating to the approved development.

3.7 Vehicular Access

3.7.1 A Driveway location plan shall be submitted to Council demonstrating that all proposed lots are able to achieve satisfactory street access meeting the relevant clearance requirements from tangent points, services, infrastructure and street trees.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

4 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

4.1 Developer Contributions

4.1.1 All requirements, but specifically Clause 7 of the Voluntary Planning Agreement between Blacktown City Council and the proponent shall be satisfactorily completed. The applicant shall obtain a certificate from Blacktown City Council to this effect prior to the issue of any Construction Certificate.

4.2 Compliance with Conditions

4.2.1 All conditions in the "Prior to Construction Certificate (Engineering)" Section and the relevant conditions in the "General" Section of this consent, must be complied with prior to the issue of any Construction certificates.

4.2.2 All fees for Construction and Compliance Certificates, 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.

4.3 Road-works

4.3.1 Road pavements are to be designed by a Professional Civil Engineer in accordance with the current version of Council's Engineering Guide for Developments and based upon soil tests performed by a registered NATA soils Laboratory and the traffic loadings listed in "Scope of Engineering Works" of this consent. The pavement designs must be lodged with Council for approval prior to issue of the Construction Certificate for Engineering works.

4.3.2 A Traffic Management / Control Plan shall be included as part of the Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.

4.3.3 Dedication at no cost to Council of 8m x 8m (industrial) splay corners on allotments at each street intersection other than intersections containing a roundabout where the splays will be designed as part of the roundabout design. Road design plans are to reflect the need for this dedication.

4.4 Drainage

4.4.1 Council requires that any lot created not draining directly to a public road be serviced by an inter-allotment drainage line and appropriate easement. Designs including longitudinal sections of the inter-allotment drainage lines are to be included with any Construction Certificate for engineering works.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

4.5 **Erosion and Sediment Control**

4.5.1 Soil erosion and sediment control measures for road, drainage, On Site Stormwater Detention and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

4.6 **Compaction Requirements**

4.6.1 Special attention is drawn to the following requirements of Council's current Works Specification – Civil.

- (i) Submission of compaction certificates for fill within road reserves.
- (ii) Submission of compaction certificates for road subgrade.
- (iii) Submission of compaction certificates for road pavement materials.
- (iv) The submission of 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.
- (v) Certificates from road material suppliers.

4.7 **Securities/Payments In Lieu of Works/Contributions**

4.7.1 Where an applicant proposed not to construct works required by this development consent it is necessary to obtain Council's approval of providing payment in lieu of works by applicant prior to the release of the Construction Certificate.

4.8 **Asset Management**

4.8.1 A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000; documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

4.9 **Other Approvals/Clearances/Adjoining Owners Permission.**

4.9.1 Written evidence shall be obtained from the Roads & Traffic Authority indicating compliance with its requirements, including the payment of any necessary supervision fees. A copy of any such permission shall accompany any Construction Certificate.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

4.9.2 Sydney Water Corporation approval in the form of appropriately stamped Construction Certificate Plans is to be obtained to verify that the proposed works meets the Corporation's requirements concerning any ancillary works relating to water or sewer mains.

4.10 Tree Preservation

4.10.1 A tree retention plan shall be included with any Construction Certificate indicating:

- (a) the trees to be retained.
- (b) all areas left undisturbed and to be cordoned off from construction works.

4.10.2 All trees to be retained on the site are to be protected by 1800 mm high mesh fencing located 2 metres from the trunk on all sides. This mesh is to be covered in a highly visible material and remain in good repair throughout the life of the construction.

4.11 Ancillary Works

4.11.1 Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:

- (a) the relocation of underground services where required by the positioning of new drainage and road infrastructure.
- (b) the relocation of above ground power and telephone services.
- (c) the removal of redundant services.
- (d) the matching of new infrastructure into existing or future designed infrastructure.

4.12 Lot filling and finished Levels

4.12.1 Proposed lots must be filled so that the ground levels at the building setback and beyond are a minimum of 500mm above the designed 100-year average recurrence interval flood level to the satisfaction of the Director Planning and Development Services. The lots and roads may require additional filling to be compatible with either existing or future adjacent development.

NOTE: Roads are to be constructed so that the lowest point of any road is at or above the 1% A.E.P. flood level.

4.13 Stormwater Quality Control

4.13.1 Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of Council's Stormwater Quality Control Policy. Details are to be included with the plans and specifications accompanying any Construction Certificate.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

4.14 **Scope of Engineering Works**

4.14.1 The following scope of works shall be included in the design documentation accompanying the Construction Certificate for engineering works:

4.15 **Road and Drainage works**

4.15.1 The construction and dedication of all new roads associated with the development and the provision of drainage, concrete path paving and any other ancillary work necessary to make this construction effective generally in accordance with the plan prepared by Brown Consulting, Drawing No. X11227-M2 1.02 Amend. 7 dated 13/02/2013.

4.15.2 Proposed new road(s) must be constructed generally as follows:

Name	Width (m)	Length (m)	Formation (m)	Traffic>Loading N(E.S.A.)
Road No. 1	27	352	4.25-7-4.5-7-4.25	5 x 10 ⁷
Road No. 2	27	724	4.25-7-4.5-7-4.25	5 x 10 ⁷
Road No. 4	24	580	4.25-15.5-4.25	1 x 10 ⁷
Road No. 5	24	735	4.25-15.5-4.25	1 x 10 ⁷
Road No. 9	20.5	290	3.5-13.5-3.5	5 x 10 ⁶
Road No. 20	24	195	4.25-15.5-4.25	1 x 10 ⁷

4.15.3 Overland flows up to the 1% A.E.P. (100 year Average Recurrence Interval) event must be intercepted at the boundary of the site and conveyed through the site in a piped or channelled discharge system and discharged in a satisfactory manner.

4.15.4 Drainage from the site must be connected into Council's drainage system generally in accordance with the submitted plans prepared by Brown Consulting, Project No. X11227.01, Drawing No's 000 to 002, 101 to 107, 201 to 206 and 701, 702 Revision 02 dated 29/8/2012.

4.15.5 Roundabouts shall be constructed at the intersections of roads 2 & 5 and roads 2 & 4 generally in accordance with the submitted plan prepared by Brown Consulting, Drawing No. X11227-M2 1.02 sheet 1 of 1 sheets dated 13/02/2013 Amend. 7. These roundabouts must be designed to ensure that the turning path, deflection and other requirements set out in Austroads "Guide to Traffic Engineering Practice - Roundabouts Part 6" have been complied with. The roundabout must have a non-mountable central island surrounded by a mountable annulus. The design and construction is to incorporate signposting, line marking, landscaping, increase in kerb return radii, the capital cost of street lighting to Integral Energy requirements and any other associated costs. The roundabout is to be designed to accommodate bus traffic and B Double Trucks

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

and is to incorporate provision for cyclists to cross traffic at right angles in a safe manner.

4.16 **Filling of Land**

4.16.1 The site is to be filled generally in accordance with the submitted plans prepared by Brown Consulting, Project No. X11227.01, Drawing No's 000 to 002, 101 to 107, 201 to 206 and 701, 702 Revision 02 dated 29/8/2012.

The filling must not impact on the adjacent property.

This plan is considered conceptual only. In this regard the submission of a detailed design of proposed lot filling and ancillary works are required.

NOTE: Additional fill may be required in conjunction with further development of the site

4.16.2 Batters are not to exceed a grade or slope of 5 metres horizontal to 1 metre vertical unless approved otherwise in writing by Council. These are to have topsoil placed on them and vegetated to ensure control of sediment and erosion.

4.17 **Footpaths**

4.17.1 The construction of path paving is to be provided to the following nominated street(s)/road(s):

Name	Side	Paving Width	Length
Road No. 1	northern side	1.2	350
Road No. 1	southern side	2.5	350
Road No. 2	eastern side	1.2	720
Road No. 2	western side	2.5	720
Road No. 4	both sides	1.2	580
Road No. 5	both sides	1.2	580
Road No. 9	western side	1.2	290
Road No. 20	both sides	1.2	195

Note: 2.5 metre wide shared pedestrian/cycle paths are to be linemarked and signposted in accordance with the requirements of Part 6A (Pedestrian and Cycle Paths) of the Austroads "Guide to Road design" and the RMS's NSW Bicycle Guidelines – November 2003.

4.18 **Barrier Fencing**

4.18.1 The provision of barrier fencing along the road frontage of the Drainage Reserve/Public Reserve - Details are to be shown on the Construction Certificate.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

4.19 **Finished Boundary Levels**

4.19.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb.

4.20 **Stormwater Quality Control**

4.20.1 A Maintenance Schedule must be provided for the stormwater treatment measures in accordance with the requirements of Council's Stormwater Quality Control Policy. The designer of the stormwater treatment measures must prepare the Maintenance Schedule and this schedule must show the designer's name, signature and date on it.

4.21 **Drainage Department Requirements**

4.21.1 **Basin E**

4.21.1.1 More details of the basin such as extent of basin, control mechanisms, levels, 500mm freeboard and scour protection at inlets/outlets are required. Details of the downstream culvert to ensure it can withstand ultimate flows are to be approved prior to Construction certificate approval.

4.21.1.2 Electronic hydrologic models are to be provided for the detention basin design to ensure that the predevelopment flows do not exceed the post development flows for all storm durations and for all ARIs from 2 year to 100 year. Allow for an initial pervious loss of 15 mm for the pre development case and the post development losses as per Council's "Engineering Guide for Development – 2005".

4.21.1.3 The Basin is to be designed to allow vehicular access via a 3 m wide concrete track at a maximum grade of 10% into the basin for future maintenance. Laybacks and heavy duty concrete driveways up to the boundary are to be provided at each entry point. 2.1 m high black palisade security fencing is to be provided around the boundary of the basin adjoining private development. Vehicular access gates that can be secured by padlocks are to be provided at each entry point. Council's preference is for the internal basin embankments are to be a maximum of 1V:6H, however where the embankments are heavily vegetated these can be a maximum of 1V:4H. Geotechnical Certification of bank stability and scour protection is to be provided for all storms.

4.21.1.4 Details are to be provided for temporary water quality devices to protect the downstream catchment and filter media.

4.21.1.5 Landscape plans are required that include appropriate species for the bioretention system in accordance with the BCC Handbook Part 5 - Vegetation Selection Guide (September 2012 or as revised). Planting within the filter area should incorporate several growth forms, including shrubs and tufted plants and be densely planted (tufted plants at a minimum of 8 plants per square metre) to ensure plant roots occupy all parts of the media. Groundcover species should not be used. To ensure diversity and disease resistance a minimum of 10

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

different species is required. All plants within the filter area are to be planted from tubestock and not pots.

- 4.21.1.6 Provide Floodway Warning Signs for the bioretention and detention systems in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005 (and as amended).
- 4.21.1.7 Details are to be provided for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the main public access point. The wording and detail is to be approved by Council.
- 4.21.1.8 Maintenance requirements are to be provided for each of the proposed Stormwater Quality Improvement Devices. Where these devices are located in roadway/parking areas these are to include traffic management requirements.

4.22 Basin I

- 4.22.1 Details of the downstream culvert are to be provided to ensure it can withstand ultimate flows prior to approval of the Construction Certificate.
- 4.22.2 Electronic hydrologic models are to be provided for the detention basin design to ensure that the predevelopment flows do not exceed the post development flows for all storm durations and for all ARIs from 2 year to 100 year. Allow for an initial pervious loss of 15 mm for the pre development case and the post development losses as per Council's "Engineering Guide for Development – 2005".
- 4.22.3 The Basin is to be designed to allow vehicular access via a minimum 3 m wide concrete driveway at a maximum grade of 10% into the basin for future maintenance. Laybacks and heavy duty concrete driveways up to the boundary are to be provided at each entry point. 2.1 m high black palisade security fencing is to be provided around the boundary of the basin adjoining private property. Secured vehicular access to Council requirements are to be provided at each vehicular entry point. Council's preference is for the internal basin embankments to be a maximum of 1V:6H, however where the embankments are heavily vegetated these can be a maximum of 1V:4H. Geotechnical Certification of bank stability and scour protection is to be provided for all storms.
- 4.22.4 Revised Landscape plans are required that include appropriate species for the bioretention system in accordance with the BCC Handbook Part 5 - Vegetation Selection Guide (September 2012 or as revised). Planting within the filter area should incorporate several growth forms, including shrubs and tufted plants and be densely planted (tufted plants at a minimum of 8 plants per square metre) to ensure plant roots occupy all parts of the media. Groundcover species should not be used. To ensure diversity and disease resistance a minimum of 10 different species is required. All plants within the filter area are to be planted from tubestock and not pots.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- 4.22.5 Revised drainage plans are required to show how the filter media can be protected during construction, but allow partial treatment. The temporary finished level of the filter media in the biofiltration basin shall be 75 mm lower than the design level and covered with geotextile and then 75mm of coarse sand placed on top. This temporary protection measure for the bioretention area is not to be removed, nor the filter area of the basin planted out, until a minimum of 90% of the upstream catchment draining to the basin is fully developed, including landscaping.
- 4.22.6 Provide Floodway Warning Signs for the bioretention and detention systems in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005 (and as amended).
- 4.22.7 Maintenance schedule requirements are to be provided for each of the Stormwater Quality Improvement Devices including the bioretention systems and any temporary protection measures and the ultimate bioretention system replacement. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, signature and date on it.
- 4.22.8 Details are to be provided for permanent interpretive signage minimum A1size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the main public access point. The wording and detail is to be approved by Council.

5 PRIOR TO DEVELOPMENT WORKS

5.1 Safety/Health/Amenity

- 5.1.1 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, and
- (b) connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 5.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

Regulations 2000 indicating:

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

This condition does not apply to:

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

5.1.3 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.

5.1.4 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.

5.1.5 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.

5.1.6 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.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

5.2 **Notification to Council**

5.2.1 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.

5.3 **Tree Protection**

5.3.1 Any tree not approved for removal shall be effectively protected against damage.

5.4 **Sydney Water Authorisation**

5.4.1 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 Customer Centre or Quick Check Agent, 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 Quick Check Agent details, please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance.

5.5 **Roads and Maritime Services**

5.5.1 Written evidence shall be obtained from the Roads & Maritime Services indicating compliance with its requirements, including the payment of any necessary works supervision fees. A copy of such approval shall be lodged with Council.

6 **DURING CONSTRUCTION (PLANNING)**

6.1 **Safety/Health/Amenity**

6.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

6.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

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

6.1.3 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

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

6.1.5 Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

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.

6.2.3 Construction work shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

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.

6.4 Salinity and Aggressive Soil Management

6.4.1 The salinity management measures recommended in the GHD Salinity Report dated 18 October 2011. shall be implemented during construction. In this instance, an appropriately qualified consultant is to oversee and monitor the bulk earthworks to mitigate the impacts of salinity on the subject site.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

Please note that Council will require the submission of a Post Earthworks Salinity Investigation prepared by an appropriately qualified consultant to confirm the suitability of the site for the proposed development and to provide salinity mitigation building construction measures prior to releasing the subdivision plan for this consent and subsequent Development Applications on the subject land.

6.5 Site Contamination

- 6.5.1 All works shall be undertaken in accordance with the requirements of the Phase 2 Site Contamination Report and Remediation Action Plan required by Condition 3.5.1 of this consent.
- 6.5.2 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during construction, all works are to cease immediately. In this situation, an amended Remediation Action Plan (RAP) is to be submitted to Council for further consideration and all potentially contaminated material is to be tested, removed or undergo remediation. In this regard, the environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.

6.6 Other Matters

- 6.6.1 Throughout the duration of the works, the applicant is to demonstrate compliance with the following approval parameters:
 - a) The applicant is to ensure that validation for the entire subject site can be prepared by a suitably qualified environmental consultant in accordance with Council's Contamination Land Policy.
 - b) The applicant is to ensure that the site has been satisfactorily secured so as to prevent any unauthorised dumping of illegal fill/waste building materials (i.e. non-V.E.N.M soils) from entering onto the development site.
 - c) Appropriate dust suppression measures are to be incorporated into the site works process, so as to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.

Should Council receive any complaints regarding non-compliance with any of the above matters or other such operational type matters, then Council will have no alternative but to fully investigate the complaint and pursue an appropriate course of action.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

6.7 Weed Management

6.7.1 Weed management during the construction shall be in accordance with existing State, regional or local weed management plans or strategies. Destruction or removal of Noxious Weeds may require a permit from Department of Primary Industries.

7 DURING CONSTRUCTION (ENGINEERING)

7.1 No fill shall be imported onto the site without Council's prior approval.

7.2 Drainage Department Requirements

7.2.1 Basins E and I

- 7.2.1.1 Certification is to be provided that the bioretention filter media has:
- i. A minimum hydraulic conductivity as defined by ASTM F1815-06 of 200 mm/hr (actual, not predicted). (Where this cannot be certified amended design rates and MUSIC modelling based on half the tested rate will be required and the drainage plans amended.)
 - ii. A maximum hydraulic conductivity as defined by ASTM F1815-06 of 400 mm/hr (actual, not predicted).
 - iii. An Orthophosphate content < 50 mg/kg, and
 - iv. A Total Nitrogen content < 1000 mg/kg.

7.2.1.2 The temporary protection measure for the bioretention area is not to be removed, nor the filter area of the basin planted out, until a minimum of 90% of the upstream catchment draining to the basin is fully developed, including landscaping.

7.2.1.3 Prior to planting, the top 100 mm of the bioretention filter medium is to be ameliorated with appropriate organic matter, fertiliser and trace elements to aid plant establishment as per the table below.

Table: Recipe for ameliorating the top 100 mm of bioretention filter media.

Constituent	Quantity (kg/100 m2 of filter area)
Granulated poultry manure fines	50
Superphosphate	2
Magnesium sulphate	3
Potassium sulphate	2
Trace Element Mix	1
Fertilizer NPK (16.4.14)	4
Lime	20

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

7.3 Compaction Requirements

- 7.3.1 Land shall be filled where necessary. All fill including existing fill shall be compacted in accordance with the Council's "Works Specification - Civil (current version)". A compaction certificate shall be obtained from a Registered Engineer (NPER) verifying that the correct compaction requirements have been met.
- 7.3.2 Removal of any unsuitable soil and/or fill material and its replacement with suitable material compacted in accordance with the current version of Council's "Works Specification - Civil".
- 7.3.3 Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):
- (a) Submission of compaction certificates for fill within road reserves.
 - (b) Submission of compaction certificates for road sub-grade.
 - (c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
 - (d) The submission of 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.

7.4 Tree Protection

- 7.4.1 Existing vegetation shall be left undisturbed except where roads, drainage lines and filling and/or building works are proposed.
- 7.4.2 Prior to the commencement of any earthworks, and after the road centrelines have been pegged and/or permanently marked, the site shall be inspected by Council's representative or an appropriately accredited private certifier and the applicant's representative to identify and appropriately mark:-
- (i) The trees to be retained.
 - (ii) All areas to be left undisturbed and cordoned off.
- 7.4.3 There is to be no storage of materials stockpiling of excavated material or parking of machinery within the drip line of the crown of any trees to be retained.
- 7.4.4 Prior to the removal of any branches of the trees, which are to be, retained Council is to be notified at least 24 hours prior to any activity and the work is to be undertaken by a qualified Arborist.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

7.5 Maintenance of Soil Erosion Measures

- 7.5.1 Soil erosion and sediment control measures shall be implemented in accordance with Council's Soil Erosion and Sediment Control Policy.
- 7.5.2 Re-vegetation must be applied to disturbed areas as soon as practical after completion of earthworks and must be established prior to release of the maintenance security. All open drains must be turfed.
- 7.5.3 All required soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing paving or revegetation. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is inadequate.

7.6 Filling of Land & Compaction

- 7.6.1 Regular wetting down of the site must be undertaken during the course of works being carried out in order to control wind blown dust from the site.
- 7.6.2 Roads adjoining the site must be kept clean and free of all excavated /transportable spoil materials.
- 7.6.3 Trucks transporting fill must have their loads covered
- 7.6.4 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.
- 7.6.5 Site filling and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.
- 7.6.6 Provisions of "Shaker Pads" and wash-down areas for trucks leaving the site details are to be shown on plans.
- 7.6.7 During the course of placement of filling the applicant shall undertake further testing for potential soil contamination. Validation of the imported fill material will be required.
- 7.6.8 All testing and validation of the fill material shall be undertaken by a suitably qualified environmental consultant in accordance with Council's Policy and Procedures for the determination of Rezoning Development and Building Applications involving Contaminated Land. A Remediation and Validation Report documenting the testing undertaken shall be submitted to Council for approval.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

7.6.9 Should any remediation works be required documentary evidence prepared by a suitably qualified environmental consultant validating the site is to be submitted to Council for approval.

7.6.10 Only clean fill shall be deposited on site in accordance with Council's Works Specification - Civil (Current Version). Note: dry builder's waste i.e. bricks plaster and timber industrial waste or putrescible materials are not to be deposited on site.

7.7 Inspections of Works

7.7.1 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages: -

(i) Soil Erosion and Sediment Control

- (a) Implementation of erosion and sediment control
- (b) Revegetation of disturbed areas
- (c) Construction of major controls (i.e gabions mattresses shotcreting etc)
- (d) Removal of sediment basins/ fencing etc.
- (e) Internal sediment/ pollution control devices
- (f) Final Inspection

(ii) Traffic Control

- (a) Implementation of traffic control
- (b) Maintenance of traffic control during works
- (c) Removal of traffic control

(iii) Construction of Drainage works including channel/basin works

- (a) Pipes before backfilling including trench excavation and bedding
- (b) Sand Backfilling
- (c) Final pipe inspection
- (d) Pit bases and headwall aprons
- (e) Pit Walls/ wingwalls/ headwalls
- (f) Concrete pit tops
- (g) Connection to existing system
- (h) Tailout works
- (i) Final Inspection

(iv) Construction of Road Pavement

- (a) Boxing out
- (b) Sub-grade roller test
- (c) Subsoil drainage

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- (d) Sandstone roller test layer 1
 - (e) Sandstone roller test layer 2
 - (f) Kerb pre-laying
 - (g) Kerb during laying including provision of roof-water outlets
 - (h) Sandstone depth
 - (i) Pavement profiles
 - (j) DGB depths and roller tests
 - (k) Wearing Course
 - (l) Kerb final
 - (m) Final inspection
- (v) Provision of Street Furniture
- (a) Street Furniture (including street signs guideposts guardrail etc)
 - (b) Erection of fencing adjoining public/ drainage reserves
- (vi) Footpath Works
- (a) Footpath Trimming and/or turfing (to ensure 4% fall)
 - (b) Path-paving construction
 - (c) Service Adjustments
 - (d) Final Inspection
- (vii) Construction of on-site detention system/basin and bioretention system
- (a) Basin earthworks
 - (b) Steel and Formwork for tank/ HED control pit
 - (c) Completion of HED control pit
 - (d) Pit formwork
 - (e) Pipes upstream/ downstream of HED control pit before backfilling
 - (f) Bioretention works
 - (g) Completion of OSD system
- (viii) Stormwater Quality Control
- (a) Installation of Stormwater Quality Control devices
 - (b) Final Inspection
- (ix) CCTV Inspection of Drainage Structures (pipelines and pits)
- (a) All road drainage and drainage reserve drainage
- (x) Final overall Inspections
- (a) Preliminary overall final inspection
 - (b) Overall final inspection

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.

7.7.2 Inspection of the works required pursuant to any engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839 6586 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

7.8 **Public Safety**

7.8.1 The applicant is advised that all works undertaken in a public place 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.

7.9 **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 **Traffic Control Plan**

7.10.1 Where amendments to the approved Traffic Control Plan are required, a new plan shall be prepared and approved prior to implementation. Such plans shall be prepared in strict compliance with the requirements of the current version of Australian Standard 1742.3 (Traffic Control Device for works on Roads) as well as the current version of the RTA Traffic Control at Work Site manual. Any person preparing such Traffic Control plans shall have the relevant RTA accreditation, which must be stated on the submitted plans.

8 **PRIOR TO SUBDIVISION CERTIFICATE**

8.1 **Developer Contributions**

8.1.1 The relevant requirements of the Voluntary Planning Agreement between Blacktown City Council and the proponent shall be satisfactorily completed. The

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

applicant shall obtain a certificate from Blacktown City Council to this effect prior to the issue of any Subdivision Certificate.

8.2 Special Infrastructure Contributions

- 8.2.1 A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative). Written evidence of these arrangements is to be submitted to Council prior to the issue of any subdivision certificate.

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/guage/en-US/Default.aspx>

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

8.3 Site Access

- 8.3.1 There shall be no direct vehicular or pedestrian access to and/or from Richmond Road for any lots having frontage to that road. An appropriate restriction on the use of land shall be created under Section 88B of the Conveyancing Act 1919 covering this requirement. The Section 88B Instrument shall contain a provision that it may not be extinguished or altered except with the consent of Blacktown City Council.
- 8.3.2 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.

8.4 Road Damage

- 8.4.1 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.

8.5 Subdivision Configuration

- 8.5.1 The boundaries and configuration of the subdivision shall be consistent with the

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

corresponding zone boundaries of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

8.6 Service Authority Approvals

8.6.1 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, 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 Integral Energy, stating that electrical services, including the provision of street lighting, have been made available 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.

8.7 Consent Compliance

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

8.7.2 The final plan of subdivision for this proposal is not to be released until the Linen Plan for DA-11-96 (dated 18 August 2011) has been registered or is registered concurrently with this Development Application.

8.8 Additional Inspections

8.8.1 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.

8.9 Fee Payment

8.9.1 Any fee payable to Council as part of any Construction, Compliance or Subdivision Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

8.10 **Final Plans**

- 8.10.1 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.
- 8.10.2 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.

8.11 **Site Contamination**

- 8.11.1 A final site contamination Validation Report confirming the suitability of the site for the proposed development is to be endorsed by Council prior to the release of the final plan of subdivision. The Validation Report shall be prepared by a consultant engaged under the terms of Council's Contaminated Lands Policy.

8.12 **Salinity**

- 8.12.1 Prior to the issue of any Subdivision Certificate, a post Earthworks Salinity Investigation prepared by a suitably qualified consultant shall be submitted to Council for approval confirming that suitable salinity management measures have been implemented during construction and providing lot specific salinity characteristics and any required mitigation measures to form the basis of any restriction/ covenants on title.

8.13 **Street Tree Planting**

- 8.13.1 Prior to the issue of any Subdivision Certificate, the provision of street trees for the development shall be completed to Council's satisfaction.

The applicant/ developer is to lodge a tree bond of \$280.00 per tree with Council to ensure the health and vigour of the tree/s. This bond shall be returned 24 months after the completion of the development (i.e. issue of the final Occupation Certificate/Subdivision Certificate) if the trees are in a state of good health and vigour to Council's satisfaction.

After 24 months and prior to seeking a refund of the bond, the applicant/ developer is to call for an inspection by Council's Open Space Section and pay an associated administrative/inspection fee of \$110.00 as per Council's fees and charges.

- 8.13.2 All public domain landscaping shall be inspected by Council during the establishment period (between practical date of completion and formal handover). Elements deemed by Council not to be adequately performing shall be removed, substituted or repaired by the developer within 60 days of written notification.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

8.14 **Demolition**

8.14.1 Prior to the issue of any Subdivision Certificate, documentary evidence shall be submitted to Council confirming that all existing buildings and structures have been removed from the site in accordance with the separate approval required for demolition.

8.15 **Engineering Matters**

8.15.1 **Surveys/Certificates/Works As Executed plans**

8.15.1.1 A works-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed.

8.15.1.2 A certificate from a Chartered Professional Engineer/Registered Surveyor must be obtained and submitted to Council verifying that the on-site detention system as constructed will function hydraulically in accordance with the approved design plans.

8.15.1.3 A certificate from a Registered Engineer (NPER) must be lodged with Council verifying that the structures associated with the on-site detention systems have been constructed to withstand all loads likely to be imposed on them during their lifetime.

8.15.1.4 A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.

8.15.1.5 A certificate from a Chartered Professional Civil Engineer must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Council's Stormwater Quality Control Policy.

8.15.1.6 Written evidence is to be obtained from the Roads & Maritime Services indicating compliance with its requirements including the payment of any necessary works supervision fees.

8.15.1.7 Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):

(a) Submission of compaction certificates for fill within road reserves.

(b) Submission of compaction certificates for road sub-grade.

(c) Submission of compaction certificates for road pavement materials (sub base and base courses).

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

(d) The submission of 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.

8.16 **Easements/Restrictions/Positive Covenants**

8.16.1 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 Lands Title Office.

8.16.2 Restrictions and positive covenants must be provided over the detention basin storage areas and outlet works.

8.16.3 Restrictions and positive covenants must be provided over the Stormwater Quality Control devices and outlet works.

8.17 **Dedications**

8.17.1 Dedication at no cost to Council of 8m x 8m industrial splay corners on allotments at each street intersection.

8.17.2 The final plan of subdivision will not be released unless written evidence from the Roads and Traffic Authority has been obtained indicating any works required by the RTA have been satisfactorily addressed.

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

8.18.1 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.

8.18.2 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.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

- (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.

8.18.3 Concrete path paving must not be placed 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.

8.19 **Inspection of Work**

8.19.1 All stormwater drainage structures (pipelines and pits) on proposed Council roads and reserves or within proposed Council easements must be inspected by a CCTV in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to Council in the form of VHS video tape or DVD of the inspection video, a hard copy printout of the SEWRAT (or equivalent) report, and a CCTV certified statement in accordance with section 6.8 of Council's Works Specification Civil and that any defects identified by this inspection have been rectified.

8.20 **Drainage Department Requirement**

8.20.1 A bond is to be provided for the maintenance of detention basin I control pits and bioretention areas for a period of three years after 90% of construction, including landscaping, is completed upstream. The estimate is to also include an allowance for the expected time for the construction to reach the 90% limit once the subdivision is released.

8.20.2 Prior to release of the subdivision plan a registered surveyor is to survey the basins and certify that the minimum volume/stage requirements have been achieved and that the orifice and discharge controls are as per the approved drainage plan.

8.20.3 A drainage easement is to be provided over the 1% AEP extents within the detention basins and channel in favour of Council as per the Engineering Guide for Development. The easement must be registered with Land & Property Information.

8.20.4 A Positive Covenants is to be provided over Basin E, to provide full water quality treatment in accordance with the Blacktown City Council's Development Control Plan Part R, entitled Water Sensitive Urban Design and

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

Integrated Water Cycle Management and as amended, once 90% of the upstream future development is complete.

8.20.5

A Positive Covenant is to be provided over the bioretention basins in accordance with the requirements of Council's Engineering Guide for Development 2005 (and as amended). The Positive Covenant must be registered with Land & Property Information.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council
12 March 2013

Development Consent

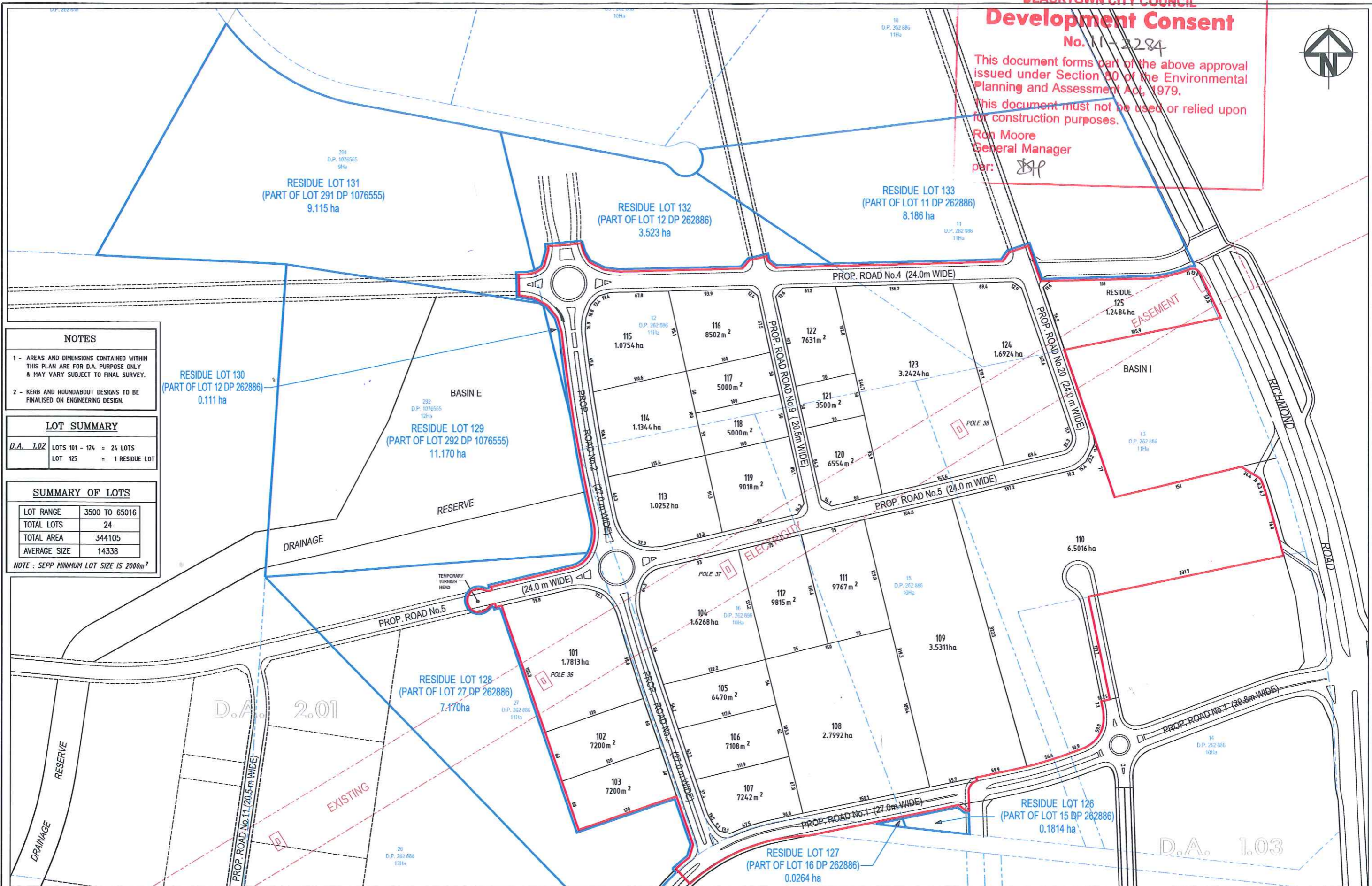
No. 11-2284

This document forms part of the above approval issued under Section 90 of the Environmental Planning and Assessment Act, 1979.

This document must not be used or relied upon for construction purposes.

Ron Moore
General Manager

per: 



NOTES

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

LOT SUMMARY

D.A. 1.02	LOTS 101 - 124 = 24 LOTS
	LOT 125 = 1 RESIDUE LOT

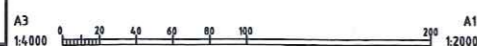
SUMMARY OF LOTS

LOT RANGE	3500 TO 65016
TOTAL LOTS	24
TOTAL AREA	344105
AVERAGE SIZE	14338

NOTE : SEPP MINIMUM LOT SIZE IS 2000m²

Saved: 13/02/2013, By: angelo cavallaro
 H:\X11227 - Marsden Park, Industrial St, 2\Planning\11227-M2_1.02.dwg

REDUCTION RATIO				
PLAN	12000 @ A1			
	14000 @ A3			
DATUM	A.M.D.	DESIGN	P.L.	CHECKED
SURVEY	TRACED	A.C.	DATE	12-10-2011



Disclaimer and Copyright:
 ALL DIMENSIONS TO BE CHECKED ON SITE BY SUPERINTENDANT PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE.
 © Brown Consulting (NSW) Pty Ltd



MARSDEN PARK DEVELOPMENTS PTY. LTD

MARSDEN PARK DEVELOPMENT P/L
 PROPOSED INDUSTRIAL SUBDIVISION DA 1.02

ISSUE	DESCRIPTION	DATE
7	COUNCIL COMMENTS	13-2-2013
6	CLIENT COMMENTS	27-7-2012
5	CLIENT COMMENTS	21-5-2012
4	CLIENT COMMENTS	18-5-2012
3	COUNCIL COMMENTS	16-12-2011
2	FINAL REVIEW AMENDMENTS	21-10-2011
1	AMENDMENTS TO PLAN	17-10-2011
0	ORIGINAL ISSUE	12-10-2011

DRAWING No. X11227-M2_1.02
 SHEET 1 OF 1 SHEETS

File no: S96-13-1916
DA-11-2284

4 February 2013

Brown Consulting (NSW) Pty Ltd
PO BOX 8300
NORWEST BUSINESS PARK
BAULKHAM HILLS NSW 2153

Dear Sir,

Property: Lots 13, 15, 16 & 27 Hollinsworth Rd, Marsden Park (DP262886)
840 Richmond Rd, Marsden Park (Lot 14 in DP262886)
920 Richmond Rd, Marsden Park (Lot 11 in DP262886)
Lot 12 Fulton Rd, Marsden Park (DP262886)
Lot 291 Fulton Rd, Marsden Park (DP1076555)
Lot 292 Hollinsworth Rd, Marsden Park (DP1076555)

Proposal: Modification of Notice of Determination No. DA-11-2284 pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979.

Reference is made to your Section 96(1A) Application (S96-13-1916) lodged with Council for the modification of Notice of Determination No. 11-2284, dated 18 March 2013 for Torrens title subdivision into 24 industrial lots and 6 residue lots, tree removal, bulk earthworks, construction of roads, stormwater infrastructure, street tree planting and associated subdivision works at the abovementioned properties.

Please be advised that consideration has been given to your request to modify/delete various conditions of consent and stage the development.

Subsequently, Notice of Determination No. 11-2284 is modified in the following manner:

Notice of Determination No. 11-2284

DEVELOPMENT DESCRIPTION

Page 1 of 36

The Development Description is modified in the following manner:

Staged Torrens title subdivision into 24 industrial lots and 6 residue lots, tree removal, bulk earthworks, construction of roads, stormwater infrastructure, street tree planting and associated subdivision works.

2 GENERAL

Condition 2.1.1 shall be modified to read as follows:

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:*

<i>Drawing No.</i>	<i>Dated</i>	<i>Council's File Enclosure No.</i>
<i>X11227-M2_1.02 Subdivision Plan</i>	<i>13/02/2013</i>	<i>50B</i>
<i>Staging Plan X11227-M10 Issue 8</i>	<i>23/09/2013</i>	<i>58D</i>

2.4 **Transgrid**

Condition 2.4.1 shall be modified to read as follows:

2.4.1 Any works or modifications to the line required to achieve design ground clearance will be at ***Marsden Park Development's*** expense.

Pages 7 & 8 of 36

2 GENERAL

The title of Condition 2.7.2 shall be modified to read as follows:

2.7.2 ***Basin-E Temporary Detention Basin***

Conditions 2.7.2.3 & 2.7.2.4 shall be deleted.

All of Condition 2.7.3 'Basin I' (including all subsections) shall be deleted.

Page 10 of 36

Conditions 2.10.1 and 2.10.2 are added to read as follows:

2.10 **Staging**

2.10.1 *Staged Construction Certificates and staged Subdivision Certificates may be issued generally in accordance with the endorsed staging plan (prepared by Brown Consulting Pty Ltd, Drawing No. X11227-M10, Issue 8, dated 23/09/13). Staged road construction will be permitted where suitable traffic circulation or turning areas are provided.*

2.10.2 *The applicant is advised that Council will not release a Subdivision Certificate for each stage of the approved development, until such time as the relevant stage of the development has been completed in accordance with all of the conditions of consent relevant to that stage that are required to be completed prior to the issue of a Subdivision Certificate to Council's satisfaction.*

Page 13 of 36

4 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

4.9 Other Approvals/Clearances/Adjoining Owners Permission

Conditions 4.9 & 4.9.1 shall be deleted.

Page 17 of 36

4.21 Drainage Department Requirements

All of Conditions 4.21 & 4.22 (including all subsections) shall be deleted.

Page 24 of 36

7 DURING CONSTRUCTION (ENGINEERING)

The title of Condition 7.2.1 shall be modified to read as follows:

7.2.1 ~~Basin E and I~~ *Temporary Detention Basin in the location of Basin E*

Condition 7.2.1.2 shall be modified to read as follows:

7.2.1.2 *The temporary bioretention area for the upstream public road network is to be installed and the filter area of the basin planted out, once a minimum of 90% of the upstream catchment draining to the basin is fully developed, including landscaping. The bioretention basin design is to be approved by Manager Asset Design Services prior to installation.*

Page 35 of 36

8 PRIOR TO SUBDIVISION CERTIFICATE

Condition 8.20.1 shall be deleted.

Condition 8.20.4 shall be modified to read as follows:

8.20.4 *A Positive Covenant is to be provided over ~~Basin E~~ the temporary **detention basin**, to provide full water quality treatment in accordance with the Blacktown City Council's Development Control Plan Part R, entitled Water Sensitive Urban Design and Integrated Water Cycle Management*

*and as amended, once 90% of the upstream future development is complete, **including landscaping.***

The above modifications have been made pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act 1979*. In seeking these modifications, Council is satisfied that the modified development is substantially the same as the development that was originally consented to and that no person shall be adversely affected by the modifications.

All other conditions remain unchanged and must be complied with.

Rights of Appeal:

If you are dissatisfied with this decision, Section 97AA of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Rights of Review:

Section 96AB of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined within six (6) months of the date on which you received this notice.

Note: To enable the Section 96AB review to be considered within the six (6) months time frame prescribed by under the *Environmental Planning and Assessment Act 1979*, it is advisable to lodge the application for review under Section 96AB as soon as possible to facilitate the statutory timeframes.

Section 96AB does not apply to a determination of an application to modify a complying development certificate, a determination in respect of designated development, a determination in respect of integrated development, a determination made by the council under section 89A in respect of an application by the Crown, or a determination that is taken to have been made because the council has failed to determine an application.

Note. Sections 82C and 82D apply to a review under this section.

Should you require any further information regarding this matter, please contact Council's Town Planner, Diep Hang on 9839 6000.

Yours faithfully,



Alan Middlemiss
Team Leader (Subdivisions)

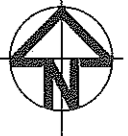
BLACKTOWN CITY COUNCIL
Development Consent

No. 526-13-1916 (DA-11-2284)

This document forms part of the above approval issued under Section 80 of the Environmental Planning and Assessment Act, 1979.
This document must not be used or relied upon for construction purposes.

Kerry Robinson
General Manager

per: 



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

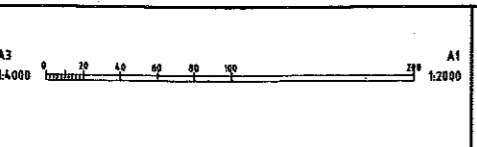
STAGE 1 - SUMMARY
 STAGE 1 - AREA = 17.14 Ha
 LOTS 101 - 109 = 9 LOTS

STAGE 2 - SUMMARY
 STAGE 2 - AREA = 25.90 Ha
 LOTS 201 - 215 = 15 LOTS
 LOTS 216 = 1 RESIDUE LOT


NOTE: SEPP MINIMUM LOT SIZE IS 2000m²

REDUCTION RATIO	
PLAN	1:2000 @ A1
	1:4000 @ A3

DATUM	A.S.D.	DESIGN	P.L.	CHECKED	P.L.
SURVEY	TRACED	A.C.	DATE	12-10-2011	



Disclaimer and Copyright:
 ALL DIMENSIONS TO BE CHECKED ON SITE BY SUPERINTENDANT PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE.


 © Brown Consulting (NSW) Pty Ltd



MARSDEN PARK DEVELOPMENT P/L

STAGE 1.02 - DA 11-2284

SECTION	DATE	DESCRIPTION	DATE
SECTION 76	23-9-2010	COUNCIL COMMENTS	
	13-10-2010	CLIENT COMMENTS	
	27-7-2012	CLIENT COMMENTS	
	21-5-2012	CLIENT COMMENTS	
	18-5-2012	COUNCIL COMMENTS	
	14-12-2011	FINAL REVIEW AMENDMENTS	
	21-10-2011	AMENDMENTS TO PLAN	
	11-10-2011	ORIGINAL ISSUE	
ISSUE		DESCRIPTION	DATE
DRAWING No.	X11227-M10	AMEND.	8
SHEET 1 OF 1 SHEETS			

Survey: 23.08.2013, By: Angela Cavalano
 FOX113111227 - Marsden Park Industrial St, 20PunchgrassBldg111227-A10.dwg

File No: DA-11-2284

S96-14-694

15 May 2014

MARSDENPARK DEVELOPMENTS PTY LTD
C/- APP Corporation
Level 7 -116 Miller Street
North Sydney 2060

Dear Sir,

Property: Lots 11 – 16, Lot 27 in DP262886 and Lots 291 - 292 in DP 1076555,
Richmond Road, Marsden Park

Proposal: Modification of Notice of Determination No. 11-2284 pursuant to Section 96(1A) of the Environmental Planning & Assessment Act 1979.

Reference is made to your Section 96(1A) application (S96-14-694) lodged with Council on 30 April for the modification of Notice of Determination No. 11-2284, dated 18 March 2013, which approved Torrens Title subdivision for 24 industrial lots, 6 residue lots, tree removal, bulk earthworks, construction of roads, stormwater infrastructure, street tree planting and associated site works.

The Section 96 (1A) application proposes to amend condition 2.1.1 relating to the referenced draft plans of subdivision.

You are advised that Council has considered the abovementioned modification and agrees to modify Notice of Determination No. 11-2284 in the following manner:-

Notice of Determination No. 11-2284

Amend condition 2.1.1 on page 4 of 36 to read as follows: -

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:

Drawing No.	Prepared by	Dated	Council's file Enclosure No.
Subdivision Plan Sheet 1 of 1 X11227-M11	Brown Consulting Pty Ltd	7 April 2014	63D

Engineering conditions 4.14.1.1 and 4.14.1.5 also need to be modified to reflect the substituted subdivision plan. Accordingly, these conditions are to be amended to read as follows: -

- 4.14.1.1 The construction and dedication of all new roads associated with the development and the provision of drainage, concrete path paving and any other ancillary work necessary to make this construction effective generally in accordance with the plan prepared by Brown Consulting, Drawing No. X11227-M11, Amend. 9 dated 7 April 2014.
- 4.14.1.5 Roundabouts shall be constructed at the intersections of roads 2 & 5 and roads 2 & 4 generally in accordance with the submitted plan prepared by Brown Consulting, Drawing No. X11227-M11, Amend. 9 dated 7 April 2014. These roundabouts must be designed to ensure that the turning path, deflection and other requirements set out in Austroads "Guide to Traffic Engineering Practice - Roundabouts Part 6" have been complied with. The roundabout must have a non-mountable central island surrounded by a mountable annulus. The design and construction is to incorporate signposting, line marking, landscaping, increase in kerb return radii, the capital cost of street lighting to Integral Energy requirements and any other associated costs. The roundabout is to be designed to accommodate bus traffic and B Double Trucks and is to incorporate provision for cyclists to cross traffic at right angles in a safe manner.

The above modification is made pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979. In seeking the modification, Council is satisfied that the modified development is substantially the same as the development that was originally consented to and that no person shall be adversely affected by the modification.

You are advised that all other conditions of Notice of Determination No. 11-2284 remain unaltered and therefore must also be complied with. It is noted that the subject Section 96 does not represent any approval to the location, design and configuration of the roads approved under DA-11-2284.

Rights of Appeal:

If you are dissatisfied with this decision, Section 97AA of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Rights of Review:

Section 96AB of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined within six (6) months of the date on which you received this notice.

Note: To enable the Section 96AB review to be considered within the six (6) months time frame prescribed by under the Environmental Planning and Assessment Act 1979, it is advisable to lodge the application for review under Section 96AB as soon as possible to facilitate the statutory timeframes.

Section 96AB does not apply to a determination of an application to modify a complying development certificate, a determination in respect of designated development, a determination in respect of integrated development, a determination made by the Council under section 89A in respect of an application by the Crown, or a determination that is taken to have been made because the Council has failed to determine an application.

Note. Sections 82C and 82D apply to a review under this section.

Should you require any further information regarding this matter, please contact Council's Town Planner, Wendy Wang on 9839 6262

Yours faithfully,



.....
Alan Middlemiss
Team Leader - Subdivisions



BLACKTOWN CITY COUNCIL
Development Consent

No. **DA-14-694**

This document forms part of the above approval issued under Section 80 of the Environmental Planning and Assessment Act, 1979.

This document must not be used or relied upon for construction purposes.

Kerry Robinson
General Manager

per: *KR*

RESIDUE LOT 131
(PART OF LOT 291 DP 1076555)
9.115 ha

RESIDUE LOT 132
(PART OF LOT 12 DP 262886)
3.523 ha

RESIDUE LOT 133
(PART OF LOT 11 DP 262886)
8.186 ha

RESIDUE LOT 130
(PART OF LOT 12 DP 262886)
0.111 ha

RESIDUE LOT 129
(PART OF LOT 292 DP 1076555)
11.170 ha

BASIN I

RESERVE

DRAINAGE

TEMPORARY TURNING HEAD

ELECTRICITY

PROP. ROAD No. 1 (20.0m WIDE)

PROP. ROAD No. 5 (24.0 m WIDE)

PROP. ROAD No. 8 (24.0 m WIDE)

PROP. ROAD No. 7 (27.0m WIDE)

PROP. ROAD No. 11 (20.5 m WIDE)

D.A. 2.01

D.A. 1.03

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

STAGE 1.02 - SUMMARY

STAGE 1.02 A - AREA = 15.23 Ha

LOTS 120 - 124 = 5 LOTS

STAGE 1.02 - SUMMARY

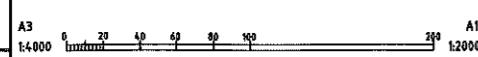
STAGE 1.02 B - AREA = 28.47 Ha

LOTS 201 - 213 = 13 LOTS

LOTS 214 = 1 RESIDUE LOT

NOTE : SEPP MINIMUM LOT SIZE IS 2000m²

REDUCTION RATIO	
PLAN 1:2000 @ A1	A1
14:000 @ A3	A3



Disclaimer and Copyright:
ALL DIMENSIONS TO BE CHECKED ON SITE BY SUPERINTENDANT PRIOR TO CONSTRUCTION USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE.

BROWN
Smart Consulting

© 2013 www.brownconsulting.com.au



MARSDEN PARK DEVELOPMENT P/L		SECTION 96 AMENDMENTS	
STAGE 1.02 - DA 11-2284		7-4-2016	
DRAWING No. X11227-M11		10-9-2015	
SHEET 1 OF 1 SHEETS		10-2-2015	
		17-1-2015	
		21-5-2015	
		10-5-2015	
		16-10-2011	
		21-10-2011	
		12-10-2011	
		12-10-2011	

Created: 07/12/2014, By: [unclear], Modified: 10/12/2014, 11:22:41 AM
 Project: 11227 - Marsden Park, Location: 20/20a/20b/20c/20d/20e/20f/20g/20h/20i/20j/20k/20l/20m/20n/20o/20p/20q/20r/20s/20t/20u/20v/20w/20x/20y/20z/20aa/20ab/20ac/20ad/20ae/20af/20ag/20ah/20ai/20aj/20ak/20al/20am/20an/20ao/20ap/20aq/20ar/20as/20at/20au/20av/20aw/20ax/20ay/20az/20ba/20bb/20bc/20bd/20be/20bf/20bg/20bh/20bi/20bj/20bk/20bl/20bm/20bn/20bo/20bp/20bq/20br/20bs/20bt/20bu/20bv/20bw/20bx/20by/20bz/20ca/20cb/20cc/20cd/20ce/20cf/20cg/20ch/20ci/20cj/20ck/20cl/20cm/20cn/20co/20cp/20cq/20cr/20cs/20ct/20cu/20cv/20cw/20cx/20cy/20cz/20da/20db/20dc/20dd/20de/20df/20dg/20dh/20di/20dj/20dk/20dl/20dm/20dn/20do/20dp/20dq/20dr/20ds/20dt/20du/20dv/20dw/20dx/20dy/20dz/20ea/20eb/20ec/20ed/20ee/20ef/20eg/20eh/20ei/20ej/20ek/20el/20em/20en/20eo/20ep/20eq/20er/20es/20et/20eu/20ev/20ew/20ex/20ey/20ez/20fa/20fb/20fc/20fd/20fe/20ff/20fg/20fh/20fi/20fj/20fk/20fl/20fm/20fn/20fo/20fp/20fq/20fr/20fs/20ft/20fu/20fv/20fw/20fx/20fy/20fz/20ga/20gb/20gc/20gd/20ge/20gf/20gg/20gh/20gi/20gj/20gk/20gl/20gm/20gn/20go/20gp/20gq/20gr/20gs/20gt/20gu/20gv/20gw/20gx/20gy/20gz/20ha/20hb/20hc/20hd/20he/20hf/20hg/20hh/20hi/20hj/20hk/20hl/20hm/20hn/20ho/20hp/20hq/20hr/20hs/20ht/20hu/20hv/20hw/20hx/20hy/20hz/20ia/20ib/20ic/20id/20ie/20if/20ig/20ih/20ii/20ij/20ik/20il/20im/20in/20io/20ip/20iq/20ir/20is/20it/20iu/20iv/20iw/20ix/20iy/20iz/20ja/20jb/20jc/20jd/20je/20jf/20jg/20jh/20ji/20jj/20jk/20jl/20jm/20jn/20jo/20jp/20jq/20jr/20js/20jt/20ju/20jv/20jw/20jx/20jy/20jz/20ka/20kb/20kc/20kd/20ke/20kf/20kg/20kh/20ki/20kj/20kk/20kl/20km/20kn/20ko/20kp/20kq/20kr/20ks/20kt/20ku/20kv/20kw/20kx/20ky/20kz/20la/20lb/20lc/20ld/20le/20lf/20lg/20lh/20li/20lj/20lk/20ll/20lm/20ln/20lo/20lp/20lq/20lr/20ls/20lt/20lu/20lv/20lw/20lx/20ly/20lz/20ma/20mb/20mc/20md/20me/20mf/20mg/20mh/20mi/20mj/20mk/20ml/20mm/20mn/20mo/20mp/20mq/20mr/20ms/20mt/20mu/20mv/20mw/20mx/20my/20mz/20na/20nb/20nc/20nd/20ne/20nf/20ng/20nh/20ni/20nj/20nk/20nl/20nm/20nn/20no/20np/20nq/20nr/20ns/20nt/20nu/20nv/20nw/20nx/20ny/20nz/20oa/20ob/20oc/20od/20oe/20of/20og/20oh/20oi/20oj/20ok/20ol/20om/20on/20oo/20op/20oq/20or/20os/20ot/20ou/20ov/20ow/20ox/20oy/20oz/20pa/20pb/20pc/20pd/20pe/20pf/20pg/20ph/20pi/20pj/20pk/20pl/20pm/20pn/20po/20pp/20pq/20pr/20ps/20pt/20pu/20pv/20pw/20px/20py/20pz/20qa/20qb/20qc/20qd/20qe/20qf/20qg/20qh/20qi/20qj/20qk/20ql/20qm/20qn/20qo/20qp/20qq/20qr/20qs/20qt/20qu/20qv/20qw/20qx/20qy/20qz/20ra/20rb/20rc/20rd/20re/20rf/20rg/20rh/20ri/20rj/20rk/20rl/20rm/20rn/20ro/20rp/20rq/20rr/20rs/20rt/20ru/20rv/20rw/20rx/20ry/20rz/20sa/20sb/20sc/20sd/20se/20sf/20sg/20sh/20si/20sj/20sk/20sl/20sm/20sn/20so/20sp/20sq/20sr/20ss/20st/20su/20sv/20sw/20sx/20sy/20sz/20ta/20tb/20tc/20td/20te/20tf/20tg/20th/20ti/20tj/20tk/20tl/20tm/20tn/20to/20tp/20tq/20tr/20ts/20tt/20tu/20tv/20tw/20tx/20ty/20tz/20ua/20ub/20uc/20ud/20ue/20uf/20ug/20uh/20ui/20uj/20uk/20ul/20um/20un/20uo/20up/20uq/20ur/20us/20ut/20uu/20uv/20uw/20ux/20uy/20uz/20va/20vb/20vc/20vd/20ve/20vf/20vg/20vh/20vi/20vj/20vk/20vl/20vm/20vn/20vo/20vp/20vq/20vr/20vs/20vt/20vu/20vv/20vw/20vx/20vy/20vz/20wa/20wb/20wc/20wd/20we/20wf/20wg/20wh/20wi/20wj/20wk/20wl/20wm/20wn/20wo/20wp/20wq/20wr/20ws/20wt/20wu/20wv/20ww/20wx/20wy/20wz/20xa/20xb/20xc/20xd/20xe/20xf/20xg/20xh/20xi/20xj/20xk/20xl/20xm/20xn/20xo/20xp/20xq/20xr/20xs/20xt/20xu/20xv/20xw/20xx/20xy/20xz/20ya/20yb/20yc/20yd/20ye/20yf/20yg/20yh/20yi/20yj/20yk/20yl/20ym/20yn/20yo/20yp/20yq/20yr/20ys/20yt/20yu/20yv/20yw/20yx/20yy/20yz/20za/20zb/20zc/20zd/20ze/20zf/20zg/20zh/20zi/20zj/20zk/20zl/20zm/20zn/20zo/20zp/20zq/20zr/20zs/20zt/20zu/20zv/20zw/20zx/20zy/20zz

File No. S96-14-1834
DA-11-2284

5 December 2014

MARSDEN PARK DEVELOPMENTS PTY LTD
C/- APP CORPORATION
LEVEL 7, 116 MILLER STREET
NORTH SYDNEY 2060

Dear Sir/Madam,

Property: Lots 11-12 and Lot 27 in DP 262886, Lots 291-292 in DP 1076555,
and Lots 125-126 in DP 1198296

Proposal: Modification of Notice of Determination No. 11-2284 pursuant to
Section 96(1A) of the Environmental Planning and Assessment Act
1979.

Reference is made to your Section 96(1A) Application (S96-14-1834) lodged with Council for the modification of Notice of Determination No. 11-2284 (as modified) dated 18 March 2013, which approved subdivision to create industrial lots, residue lots and new roads at the subject property.

You are advised that consideration has been given to your request to modify condition 2.1.1 and the associated approved plan of subdivision. Accordingly, Notice of Determination No. 11-2284 is modified in the following manner:

Notice of Determination No. 11-2284

Page 4 of 36

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:

Drawing No. No.	Dated	Council's File	Enclosure
Subdivision Plan X11227-M13 Sheet 1 of 1	13/02/2013	67D	

The above modifications have been made pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979 as modified. In doing so, Council is satisfied that the modified development is substantially the same as the development that was originally consented to and that no person shall be adversely affected by the amendment.

Council Chambers • 62 Flushcombe Road • Blacktown NSW 2148
Telephone: (02) 9839 6000 • **Facsimile:** (02) 9831-1961 • DX 8117 Blacktown
Email: council@blacktown.nsw.gov.au • **Website:** www.blacktown.nsw.gov.au
All correspondence to: The General Manager • PO Box 63 • Blacktown NSW 2148

Please note that all other conditions of Notice of Determination No. 11-2284 remain unaltered and therefore must be complied with.

Rights of Appeal:

If you are dissatisfied with this decision, Section 97AA of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Rights of Review:

Section 96AB of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined within six (6) months of the date on which you received this notice.

Note: To enable the Section 96AB review to be considered within the six (6) months time frame prescribed by under the Environmental Planning and Assessment Act 1979, it is advisable to lodge the application for review under Section 96AB as soon as possible to facilitate the statutory timeframes.

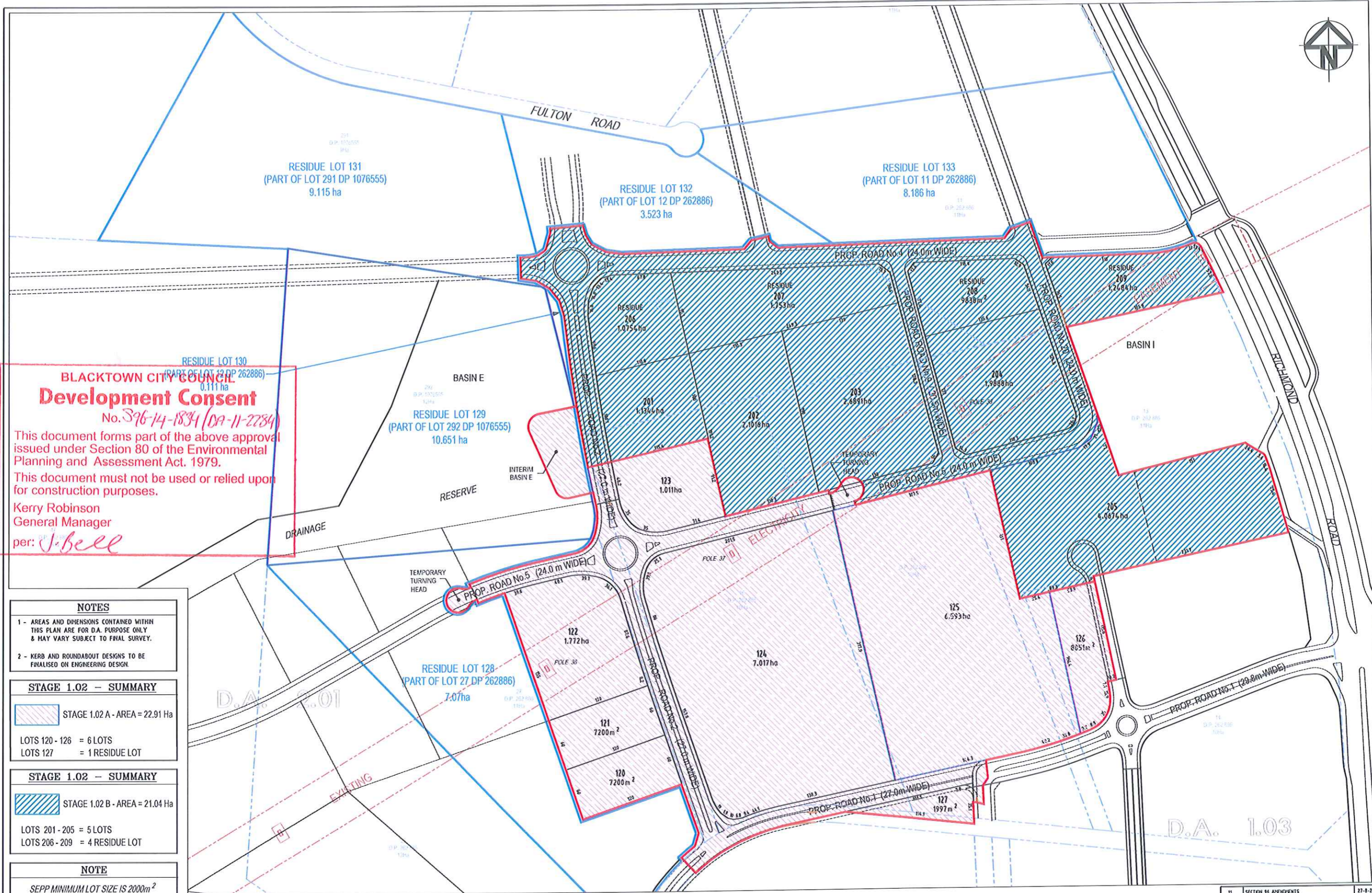
Section 96AB does not apply to a determination of an application to modify a complying development certificate, a determination in respect of designated development, a determination in respect of integrated development, a determination made by the council under section 89A in respect of an application by the Crown, or a determination that is taken to have been made because the council has failed to determine an application.

Note. Sections 82C and 82D apply to a review under this section.

Should you require any further information regarding this matter, please contact Council's Town Planner, Joseph Bell on 9839 6000.

Yours faithfully,


Sara Smith
ACTING TEAM LEADER (DEVELOPMENT)



BLACKTOWN CITY COUNCIL
Development Consent
 No. 396-14-1834 (DA-11-2284)

This document forms part of the above approval issued under Section 80 of the Environmental Planning and Assessment Act, 1979.

This document must not be used or relied upon for construction purposes.

Kerry Robinson
 General Manager
 per: *J. Bell*

NOTES

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

STAGE 1.02 - SUMMARY

STAGE 1.02 A - AREA = 22.91 Ha

LOTS 120 - 126 = 6 LOTS
 LOTS 127 = 1 RESIDUE LOT

STAGE 1.02 - SUMMARY

STAGE 1.02 B - AREA = 21.04 Ha

LOTS 201 - 205 = 5 LOTS
 LOTS 206 - 209 = 4 RESIDUE LOT

NOTE

SEPP MINIMUM LOT SIZE IS 2000m²

REDUCTION RATIO	
PLAN 1:2000 @ A1	A3
1:4000 @ A3	A1 1:2000
DATUM	A.H.D.
SURVEY	TRACED
DESIGN	P.L.
CHECKED	P.L.
DATE	12-10-2011

Disclaimer and Copyright:
 ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE.

© Brown Consulting Pty Ltd



MARSDEN PARK DEVELOPMENT P/L

STAGE 1.02 - DA 11-2284

11	SECTION 86 AMENDMENTS	22-8-2014
10	SECTION 86 AMENDMENTS	1-8-2014
9	SECTION 86 AMENDMENTS	1-4-2014
8	SECTION 86	23-9-2013
7	SECTION 86	19-2-2013
6	COUNCIL COMMENTS	27-7-2012
5	COUNCIL COMMENTS	18-5-2012
4	COUNCIL COMMENTS	16-12-2011
3	COUNCIL COMMENTS	16-8-2011
2	FINAL REVIEW AMENDMENTS	17-10-2011
1	AMENDMENTS TO PLAN ORIGINAL ISSUE	16-8-2011
ISSUE	DESCRIPTION	DATE
DRAWING No.	X11227-M13	AMEND.
SHEET 1 OF 1 SHEETS		11