



Your Ref: SSD 5243
Our Ref: ECM 3618770
Contact: Robert Craig
Telephone: (02) 4732 7593

7 September 2012

Mr Brent Devine
Environmental Planner
Major Projects Assessment
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Devine,

Stage 2A – North Penrith Mixed Use Development (SSD 5243)

Thank you for your referral of the subject State Significant Development Application for comment by Penrith City Council.

Council officers have reviewed the Environmental Impact Statement (EIS) and accompanying plans and reports submitted with the application. Comments and recommended conditions of consent in relation to key assessment issues are detailed in the attached table.

It is strongly recommended that the key assessment issues are addressed prior to determination of the application and that the recommended conditions of consent are imposed should approval of the application be granted.

Should you require any further information or would like to discuss this matter further, please do not hesitate to contact me on (02) 4732 7593.

Yours faithfully,

Robert Craig
Principal Planner

Stage 2A – North Penrith Mixed Use Development (SSD 5243)

Engineering	Comments • The footway in Mountainview Crescent West has a reverse cross-fall to the allotments. This is not desirable as it may cause nuisance stormwater to flow into allotments. The footway shall have a fall to the roadway. • Consideration shall be given to extending the footpath in Mountainview Crescent around and beyond the existing Hoop Pine tree to be retained. • Continuation of the footpath from the northern side of The Crescent to Lemongrove Road is desirable to link footpaths. Conditions 1. Erosion and sediment control measures shall be installed prior to the commencement of works and be maintained until all disturbed areas have been rehabilitated and stabilised. 2. All road works, drainage works and dedications required to effect the development shall be undertaken at no cost to Penrith City Council. 3. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed road works by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate application. Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in any plans approved with the Construction Certificate. 4. Prior to issue of a Construction Certificate, the Certifying Authority shall ensure that the subdivision works have been designed in accordance with Penrith City Council's Design Guidelines and Construction Specifications for Civil Works. 5. Prior to the issue of a Subdivision Certificate, the Certifying Authority shall ensure that all works within the road
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	reserve have been inspected and approved by Penrith City Council. 6. After completion of all civil works, works-as-executed drawings and compliance documentation shall be submitted to the Certifying Authority in accordance with Penrith City Council's Design Guidelines and Construction Specifications for Civil Works. An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Subdivision Certificate where Council is not the Certifying Authority. 7. Prior to the issue of a Subdivision Certificate and installation of regulatory/advisory line marking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee. Notes: a. Contact Penrith City Council's Development Engineering Unit on (02) 4732 7777 for further information on this process. b. Allow eight (8) weeks for approval by the Local Traffic Committee. 8. Prior to the issue of a Subdivision Certificate, street signs are to be erected at road intersections. Note: Proposed road names can be selected from an approved list. An application for other names, in accordance with Penrith City Council's Street Naming Policy, can also be made. The regulations imposed under the Roads Act require that the proposed road names are advertised on two occasions; firstly as a proposal and secondly as an official naming. This process means that you must pay the required advertising fee to Council before Council can commence this process. Applications for road naming should be made as soon as possible to ensure that this process does not delay the issue of a Subdivision Certificate. 9. Prior to the issue of a Subdivision Certificate, a bond for the final layer of outstanding asphalt works (AC Bond) is to be lodged with Penrith City Council. The final layer of asphalt on all roads shall not to be placed without the written consent of Council (consent will
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	generally be provided when 80% of the housing within the subdivision has been completed). The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy. Note: Contact Council's Development Engineering Unit on 4732 7777 for further information relating to bond requirements. 10. Prior to the issue of a Subdivision Certificate, a maintenance bond is to be lodged with Penrith City Council for civil works. The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy. Note: Contact Council's Development Engineering Unit on 4732 7777 for further information relating to bond requirements. 11. Prior to the issue of a Subdivision Certificate, the following compliance documentation shall be submitted to the Certifying Authority. A copy of the following documentation shall be provided to Penrith City Council where Council is not the Certifying Authority. - Work-as-executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings and signed, certified and dated by a registered surveyor or the design engineer. The WAE drawings shall be prepared in accordance with Council's Design Guidelines. - The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding). - The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges. - CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Any damage that is identified is to be rectified in consultation with Penrith City Council. - Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within
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	appropriate easements and that no services encroach boundaries. f. Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specifications. g. A Geotechnical Report certifying that all earthworks and road formations have been completed in accordance with AS 3798 and Council's Design Guidelines and Construction Specifications. The report shall include: • Compaction reports for road pavement construction. • Compaction reports for bulk earthworks and lot regrading. • Soil classification for all residential lots. • Statement of Compliance. h. Structural Engineer's construction certification of all structures.
Environment	<u>Conditions</u> 1. No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to the Certifying Authority. 2. Subdivision works shall be restricted to the construction work hours nominated in the NSW Environment Protection Authority Noise Control Guidelines. 3. Prior to the issue of a Construction Certificate, a Construction Environmental Management Plan for Stage 2A shall be submitted to the Certifying Authority for approval and implementation during construction works. 4. The recommendations contained in the Contamination Assessment Report prepared by Geotechnique shall be implemented prior to and during subdivision works. Prior to the issue of a Subdivision Certificate, a final site validation report prepared by the Site Auditor shall be submitted to the Certifying Authority. 5. The recommendations contained in the Flora and Fauna Review dated 25 June 2012 prepared by Eco Logical Australia shall be implemented prior to the issue of a Subdivision Certificate.
Heritage	<u>Comments</u> • Council's Heritage Adviser concurs with the Tanner Architects proposal for interpretation of the site as per Figure 4-1 contained on page 6 of the Heritage Interpretation Strategy dated June 2012.

	• Council's Heritage Adviser concurs with the Jo McDonald Cultural Management recommendations for the site contained in the Aboriginal Heritage Management Plan dated 28 October 2010, in particular that: a. Landcom consider the views of the Aboriginal community when determining the management regime and interpretation of site #45-5-2491. b. Landcom assess the Aboriginal heritage values associated with Thornton Hall and its setting and Combewood. <u>Conditions</u> 1. The interpretation works as described in the Heritage Interpretation Strategy dated June 2012 (Issue B) prepared by Tanner Architects shall be completed prior to the issue of a Subdivision Certificate. A report confirming satisfactory completion of these works shall be prepared by an appropriate heritage consultant specialist and forwarded to the Certifying Authority.
Landscape	<u>Conditions</u> 1. All trees that are required to be retained as part of the development are to be protected in accordance with the tree protection standards prescribed in Section 2.6 (Landscape) of Penrith Development Control Plan 2006. 2. Street trees shall be located so as not to diminish the effectiveness of street lighting. 3. Prior to the issue of a Construction Certificate, details regarding low maintenance anti-graffiti treatments to the proposed walls and bench seating in Thornton Park shall be submitted to the Certifying Authority for approval. 4. A detailed and fully-costed annual maintenance schedule for Thornton Park shall be submitted to the Certifying Authority for approval. The maintenance schedule shall be in Microsoft Word or Excel format (electronic) suitable for incorporation into Penrith City Council's maintenance scheduling system. 5. Thornton Park shall be: a. Landscaped and embellished in accordance with the approved landscape plans and details. b. Dedicated to Penrith City Council at no cost to Council. Prior to dedication of the park to Council, the applicant shall provide to Council a certificate of currency for a public liability insurance policy for \$20 million for the land. The applicant shall also provide to Council a deed of agreement indemnifying Council for the duration of the

	maintenance period which shall extend beyond this period for the same period of that maintenance period. c. Maintained by the applicant for a period of 3 years prior to handover to Penrith City Council. d. Handed over to Penrith City Council at the completion of the 3 year maintenance period and following an inspection of the park's condition by Council.
Section 94 Contributions	<u>Conditions</u> 1. Prior to the issue of a Subdivision Certificate, applicable Section 94 Contributions for District Open Space Facilities shall be paid to Penrith City Council.
Subdivision	<u>Conditions</u> 1. The development shall be implemented in accordance with the submitted plans and documentation including the mitigation measures listed in Section 7.0 of the Environmental Impact Statement. 2. Retaining walls on sloping lots shall be stepped to reduce retaining wall heights. 3. Service authority clearances shall be submitted to the Certifying Authority prior to the issue of a Subdivision Certificate, including a Section 73 Compliance Certificate, Notification of Arrangement Certificate and telecommunications infrastructure provisioning certificate. 4. The Subdivision Certificate application shall be accompanied by an 88B instrument addressing residue lots maintenance easements for zero lot line construction, inter-allotment drainage easements, acoustic controls, the Aboriginal heritage item and the Cumberland Plain Woodland remnants. 5. Prior to the issue of a Construction Certificate, plans and details of proposed fencing treatments to the interfaces of Thornton Park and Thornton Hall shall be submitted to the Certifying Authority for approval. 6. Prior to the issue of a Construction Certificate, plans and details regarding proposed embellishment works to the public pathway, including pavement treatments, landscaping, lighting, fencing and the like, shall be submitted to the Certifying Authority for approval. 7. Prior to the issue of a Subdivision Certificate, the subdivision which precedes the proposed subdivision shall be registered.

Waste Management	Comments
	• The Traffic, Transport and Access Review indicates that the road alignment and new intersection of Mountain View Crescent and Road 1 have been checked and found to be suitable for the turning space requirements of 12.5m long trucks (i.e. garbage trucks). The path of travel throughout Mountain View Crescent must be suitable for heavy rigid vehicles as per AS 2890.2-2002. • It is also stated in the Traffic, Transport and Access Review that the U-turn facilities at either end of Mountain View Crescent are only suitable for vehicles up to 8.8m long and not 12.5m long trucks. Garbage truck drivers will perform services by taking the easiest and most direct route. Garbage truck drivers are likely to attempt a U-turn to access the properties on the other side of the street after the first side is complete. It needs to be confirmed that the U-turn will be suitable for 9.8m heavy rigid vehicles such as Council's garbage trucks. • Garbage trucks will not be able to access bins presented in Road 1 for Lots 2026 and 2027. Bins will need to be presented in Mountain View Crescent. Sufficient space will need to be provided for 6 bins for these two allotments (0.9m per bin). • Sufficient space will need to be provided for 12 bins for Lot 2029 taking into consideration space that will be taken by the driveway and street plantings. • Consideration needs to be given to the type and location of street plantings and the potential damage that may be caused to these plantings from garbage trucks passing along the road and the bin lifting arms that will arc up to 4.7m in height.