



Our reference: 8059597
Contact: Gavin Cherry
Telephone: (02) 4732 8125

6 March 2018

Department of Planning and Environment
By email: Bianca.Thornton@planning.nsw.gov.au

Dear Ms Thornton

Response to modification application for the Oakdale South Industrial Estate at Kemps Creek (SSD 6917 MOD 7 & SSD 7719 MOD 1)

I refer to your email regarding the Notice of Section 96(1A) Modification to Oakdale South Industrial Estate at Kemps Creek (SSD 6917 MOD 7 and SSD 7719 MOD 1) received 21 February.

The following comments are raised for consideration and address in the assessment of the applications:-

Landscape Design and Streetscape Presentation

The proposed amendment to the concept plan (SSD6917 Mod 7) and the resulting amendment to the built form (SSD7719 Mod 1) seeks to respond to a planning proposal separately being pursued which amends existing E2 zoned land at the corner of the site.

While the rezoning may be appropriate given the approved road configurations, the proposed extent of additional hard stand area now proposed is not considered to be appropriate at this intersection and an improved landscape setback between the property boundary and car parking areas should be required.

The proposed plans provide for a 2.5m setback to Road 06 which is inadequate given the location of this site. The corner of the site (south east) requires an embellished landscape setback to frame the intersection of Estate Road 6 and Estate Road 1 which is planned to be embellished to the east and south. The extension of the hard stand out to the intersection area does not suitably respond to the contextual planned landscape character of this intersection, and an increased setback should be provide.

It is also recommended that the access driveway to Estate Road 01 be relocated to Estate Road 6 to provide an unbroken landscape connection along Estate Road 01 for the full width of the lot. This would suitably address the landscape character of this road as well as sites relationship to the E2 zoned land further east. This option may still enable the proposed 2.5m landscape setback to Road 06 further north of the intersection, away from the intersection which is the primary view corridor within the development.



Recommended Engineering Conditions

In the event that the above landscape design issues are resolved or the application is determined as proposed, the following engineering conditions are suggested for consideration in the determination (noting that they may already appear in the issued notice of determination):-

General Matters

- All roadworks, stormwater drainage works, associated civil works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.
- All engineering works must be designed and constructed in accordance with Council's *Design Guidelines for Engineering Works for Subdivisions and Developments* and Council's *Engineering Construction Specification for Civil Works*.
- Stormwater drainage for the site must be in accordance with the following:
 - Council's Development Control Plan,
 - *Stormwater Drainage Specification for Building Developments* policy, and
 - *Water Sensitive Urban Design Policy and Technical Guidelines*.
- A Water Sensitive Urban Design (WSUD) strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.

Prior to the Issue of a Construction Certificate

- An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on 4732 7777 or visit Penrith City Council's website for more information.

- Prior to the issue of any Construction Certificate, a Section 138 Roads Act applications, including payment of application and inspection fees together with any applicable bonds, shall be lodged and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following:



- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b) Concrete footpaths and/or cycleways
- c) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)
- d) Road occupancy or road closures
- e) The placement of hoardings, structures, containers, waste skips, signs etc. in the road reserve
- f) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

Contact Penrith City Council's City Works Department on 4732 7777 or visit Penrith City Council's website for more information.

Note:

- a) Where Penrith City Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
 - b) Separate approvals may also be required from the Roads and Maritime Services for classified roads.
 - c) All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate as applicable.
 - d) On completion of any awning over the road reserve, a certificate from a practising structural engineer certifying the structural adequacy of the awning is to be submitted to Council before Council will inspect the works and issue its final approval under the Roads Act
- Prior to the issue of a Roads Act Approval, a Performance Bond is to be lodged with Penrith City Council for any works being carried out within the public road reserve.
 - The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Prior to Commencement of Works

- Prior to commencement of any works associated with the development, a Traffic Control Plan, including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices



for Works on Roads” and the Roads and Maritime Services’ publication “Traffic Control at Worksites” and certified by an appropriately accredited Roads and Maritime Services Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note:

- a) A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.
- b) Traffic control measures may require road occupancy / road closure approvals issued under Section 138 of the Roads Act by Penrith City Council prior to the issue of a Construction Certificate.

Requirements During Construction

- All earthworks shall be undertaken in accordance with AS3798 and Penrith City Council’s Design Guidelines for Engineering Works for Subdivisions and Developments and Engineering Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

- Upon completion of all works in the road reserve, all verge areas fronting and within the development are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.
- All existing (aerial) and proposed services for the development, including those across the frontage of the development are to be located or relocated underground in accordance with the relevant authorities regulations and standards.

Prior to the issue of an Occupation Certificate

- Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Penrith City Council.
- Prior to the issue of an Occupation Certificate, Works As Executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council’s Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.



- An original set of Works As Executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation and / or Subdivision (Strata) Certificate where Penrith City Council is not the Principal Certifying Authority.
- Prior to the issue of any Occupation Certificate a restriction as to user and positive covenant relating to the:
 - a) Stormwater management systems (including water sensitive urban design)

Shall be registered on the title of the property under private ownership. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater and Drainage for Building Developments policy.

- Prior to the issue of any Occupation Certificate, directional signage and line marking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.

Should you require any further information or would like to discuss this matter further, please do not hesitate to contact me on (02) 4732 8125.
(02) 4732 8078.

Yours faithfully

Gavin Cherry
Development Assessment Coordinator