

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

Application number:	DA18/0620
Description of development:	Subdivision of Land to Create One (1) x Residue Lot for Future Village Centre (Stage 3D), 1x Residue Lot for Future Village Park, 1x Residue Lot for Future Residential Subdivision (Stage 3C), Construction of Public Road, Landscaping Works & Associated Infrastructure
Classification of development:	N/A

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 1 DP 1248480
Property address:	1 Wianamatta Parkway, LLANDILO NSW 2747

DETAILS OF THE APPLICANT

Name & Address:	Maryland Development Company Pty Ltd PO Box 4 PARRAMATTA NSW 2124
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DECISION OF CONSENT AUTHORITY

In accordance with Section 4.18(1) (a) of the Environmental Planning and Assessment Act 1979, consent is granted subject to the conditions listed in attachment 1.

Please note that this consent will lapse on the expiry date unless the development has commenced in that time.

Date from which consent operates	28 October 2019
Date the consent expires	28 October 2024
Date of this decision	22 October 2019

POINT OF CONTACT

If you have any questions regarding this determination you should contact:

Assessing Officer:	Lucy Goldstein
Contact telephone number:	+61247328136

NOTES

Reasons

The conditions in the attached schedule have been imposed in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 as amended.

Conditions

Your attention is drawn to the attached conditions of consent in attachment 1.

Certification and advisory notes

You should also check if this type of development requires a construction certificate in addition to this development consent.

It is recommended that you read any Advisory Note enclosed with this notice of determination.

Review of determination

The applicant may request Council to review its determination pursuant to Division 8.2 of the Environmental Planning and Assessment Act 1979 within six months of receiving this Notice of Determination.

These provisions do not apply to designated development, complying development or crown development pursuant to Section 8.2(2) of the Environmental Planning and Assessment Act 1979.

Appeals in the Land and Environment Court

The applicant can appeal against this decision in the Land and Environment Court within six months of receiving this Notice of Determination.

There is no right of appeal to a decision of the Independent Planning Commission or matters relating to a complying development certificate pursuant to clause 8.6(3) of the Environmental Planning and Assessment Act 1979.

Designated development

If the application was for designated development and a written objection was made in respect to the application, the objector can appeal against this decision to the Land and Environment Court within 28 days after the date of this notice.

If the applicant appeals against this decision, objector(s) will be given a notice of the appeal and the objector(s) can apply to the Land and Environment Court within 28 days after the date of this appeal notice to attend the appeal and make submissions at that appeal.

Sydney Western City Planning Panels

If the application was decided by the Sydney Western City Planning Panel, please refer to Section 2.16 of the Environmental Planning and Assessment Act, 1979 (as amended) for any further regulations.

OTHER APPROVALS

APPROVAL BODIES

APPROVAL BODY NAME	DATE OF GENERAL TERMS OF APPROVAL	REF. NO.	NO. OF PAGES	RELEVANT LEGISLATION
NSW Rural Fire Service	03 August 2018	D18/6305	2	Section 100B of the Rural Fires Act 2000

The approval bodies listed above have provided General Terms of Approval for this development in accordance with the relevant legislation. A copy of these General Terms of Approval is provided with this development consent notice. Compliance with the relevant State Government departments' General Terms of Approval are required in conjunction with the following conditions listed in Attachment 1: Conditions of Consent issued by Penrith City Council.

ATTACHMENT 1: CONDITIONS OF CONSENT

General

- 1 The development must be implemented substantially in accordance with the following stamped plans, the application form, and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Drawing Title	Drawing Reference	Prepared By	Dated
Plan of Subdivision of Proposed Lot Stage 3D Jordan Springs East	C212-CP3D-001, Sheets 1-3	-	26 July 2019
Jordan Springs East Stage 3D - Civil Works Development Application	CV-Cardno-ST03D-1001 (Rev 3) CV-Cardno-ST03D-1011 (Rev 3) CV-Cardno-ST03D-1021 (Rev 3) CV-Cardno-ST03D-1031 (Rev 4) CV-Cardno-ST03D-1041 (Rev 3) CV-Cardno-ST03D-1101 (Rev 4) CV-Cardno-ST03D-1131 (Rev 3) CV-Cardno-ST03D-1251 (Rev 5) CV-Cardno-ST03D-1252 (Rev 5) CV-Cardno-ST03D-1301 (Rev 8) CV-Cardno-ST03D-1351 (Rev 3) CV-Cardno-ST03D-1352 (Rev 3) CV-Cardno-ST03D-1601 (Rev 3) CV-Cardno-ST03D-1602 (Rev 3) CV-Cardno-ST03D-2201 (Rev 3) CV-Cardno-ST03D-2202 (Rev 3) CV-Cardno-ST03D-2301 (Rev 4)	Cardno	30 July 2019 and 1 August 2019

Village Centre Streetscape Development Application - Jordan Springs East	LS_01 to LS_08	AECOM	9 August 2019
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Advisory Note: This consent does not approve the Village Centre Urban Design Concept Masterplan, submitted as supplementary information with this application.

- 2 The development is required to comply with the Bushfire Safety Authority issued by the NSW Rural Fire Service, dated 3 August 2018 (attached to this consent).

Prior to the issue of a Construction Certificate, a copy of the Bushfire Safety Authority issued by NSW Rural Fire Services dated 3 August 2018 shall be submitted to the Principal Certifying Authority. A copy of the Bushfire Safety Authority shall be submitted to Penrith City Council with the copy of the Construction Certificate, if Council is not the Principal Certifying Authority.

Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority must be satisfied that the conditions imposed by the NSW Rural Fire Service have been completed.

- 3 The work must be carried out in accordance with the requirements of the Building Code of Australia.
- 4 A **Construction Certificate** shall be obtained prior to commencement of any earthworks and construction works.
- 5 **Prior to the issue of a Construction Certificate**, the approved Streetscape Plan must be amended to include an additional rubbish bin and bicycle rack located at the eastern pedestrian crossing (facing the future Regional open Space).
- 6 The soil salinity management measures outlined in the Water, Soils and Infrastructure Report prepared by SKM dated May 2009 for the Central Precinct Plan and the Central Precinct, St Marys - Salinity Assessment Review prepared by Cardno dated 9 December 2014 are to be implemented as recommended.

Heritage/Archaeological relics

- 7 If any archaeological relics are uncovered during the course of the work no further work shall be undertaken until further directed by Penrith City Council or the NSW Heritage Office.

The applicant is advised that depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act, 1977 may be required before any further work can be recommenced in that area of the site.

Environmental Matters

- 8 Where a building is to take place on any land that is to be filled, such filling is to be compacted in accordance with AS3798-1996. Certification is to be submitted to the Principal Certifying Authority by a Geotechnical Engineer verifying that the work has been undertaken prior to the commencement of the construction of any building.

If Penrith City Council is not the Principal Certifying Authority, a copy of the certification is to be submitted to Council for their reference.

- 9 All waste materials stored onsite are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and the areas are to be fully enclosed when the site is unattended.

- 10 All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

- 11 Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

12 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 Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith DCP defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

13 Dust suppression techniques are to be employed during all construction and earthworks to reduce any potential nuisances to surrounding properties.

14 Mud and soil from vehicular movements to and from the site must not be deposited on the road.

Utility Services

- 15 All services (water, sewer, electricity, telephone and gas) including the provision of service conduits and stub mains, are to be installed within the proposed public roads before final inspection of the engineering works.

Prior to the release of the linen plan, the following service authority clearances shall be obtained:

- a Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. This is required prior to the issue of the Subdivision Certificate and
- a letter from Integral Energy stating that satisfactory arrangements have been made for electricity supply to all proposed allotments in the subdivision, including any necessary easements; and
- a letter from an approved telecommunications service provider that satisfactory arrangements have been made for underground telephone services to all proposed allotments in the subdivision, including any necessary easements.

These clearances are to be submitted to the Principal Certifying Authority.

Engineering

- 16 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.

- 17 A Construction Certificate is to be approved by the Certifying Authority for the provision of engineering works (road, drainage, earthworks, subdivision works).

A Construction Certificate shall be issued for any subdivision works.

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plan/s prepared by Cardno, reference number CV-CARDNO-ST03D, Drawing No. [1001-1021, 1041, 1131, 1351-1602, 2201-2202] (Revision 2), [1031, 1101, 1251-1252, 2301] (Revision 3) and [1301] (Revision 4), dated 22.02.2019, and that all subdivision works have been designed in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Austroads Guidelines and best engineering practice.

The subdivision works may include but are not limited to the following:

- Public and private roads
- Storm water management (quantity and quality)
- Interallotment drainage
- Private access driveways
- Sediment and erosion control measures
- Flood control measures
- Overland flow paths
- Traffic facilities
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works

The Construction Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

Note: Council's Development Engineering Department can provide this service. Contact Penrith City Council's Development Engineering Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

- 18 **Prior to the issue of any Construction Certificate**, the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works and the following criteria:

Road No.	ESA
013 (CH 24 to 76)	2x10 ⁶
013 (-26 to -35)	5X10 ⁴
028	2X10 ⁶
027	2x10 ⁶

A copy of the pavement design prepared and certified by a suitably qualified geotechnical engineer must accompany the application for Construction Certificate.

- 19 A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken in accordance with Austroads Guide to Road Safety Part 6: Road Safety Audit on the proposed roadworks 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 or Roads Act application.

Prior to the issue of the Construction Certificate or Section 138 Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been considered in the final design, through review of the Road Safety Audit Checklist, including Findings, Recommendations and Corrective Actions.

A copy of the Road Safety Audit shall be submitted to Penrith City Council by the applicant or Certifying Authority for information purposes.

- 20 The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Cardno, reference number CV-CARDNO-ST03D, Drawing No. [1001-1021, 1041, 1131, 1351-1602, 2201-2202] (Revision 3), [1031, 1101, 2301] (Revision 4), [1301] (Revision 8), [1701] (Revision 5) dated 30.7.2019 and [1251-1252, 1701] (Revision 5) dated 01.08.2019 and Civil Engineering & Infrastructure Report prepared by Cardno, dated 15.07.2018.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Penrith City Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design (WSUD) policies.

- 21 **Prior to the issue of any Construction Certificate**, the Certifying Authority shall ensure that all lots within the proposed development are located above the Flood Planning Level (FPL 1% AEP adopted flood level + 0.5m freeboard) for both local and mainstream flooding events. All roads within the development shall be located above the 1% AEP mainstream flood level. Mainstream 1% AEP flood levels are to be determined from the Final Flood Assessment Report (Project No. EN04189) prepared by Jacobs, dated 20 July 2015 for South Creek approved under the Bulk Earthworks Development Consent for Central Precinct DA14/1228. Full details are to be submitted with the construction certificate.

- 22 Prior to the commencement of any works on-site (including demolition works) or prior to the issue of any Construction Certificate, whichever occurs first, a Construction Traffic Management Plan (CTMP) shall be submitted to Council for approval. The CTMP shall be prepared in accordance with Council's Engineering Construction Specification for Civil Works. The CTMP shall be prepared by a suitably qualified consultant with appropriate training and certification from the Roads & Maritime Services (RMS), and in accordance with Council's Engineering Construction Specification for Civil Works. Approval of the CTMP may require approval of the Local Traffic Committee.

- 23 **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.

Notes:

- A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.
- 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.

24 Work on the subdivision shall not commence until:

- a Construction Certificate (if required) has been issued,
- a Principal Certifying Authority has been appointed for the project, and
- any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

A Notice of Commencement of works is to be submitted to Penrith City Council five (5) days prior to commencement of engineering works or clearing associated with the subdivision.

25 Street lighting is to be provided for all new and existing streets within the proposed subdivision to Penrith City Council's standards.

26 All earthworks shall be undertaken in accordance with AS 3798 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.

27 Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings". The results shall be submitted to Penrith City Council prior to the issue of the Subdivision Certificate.

28 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.

29 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.

30 **Prior to the issue of a Subdivision Certificate**, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Penrith City Council for any outstanding works.

- 31 **Prior to the issue of a Subdivision Certificate**, an application for proposed street names must be lodged with and approved by Penrith City Council and the signs erected on-site.

The proposed names must be in accordance with Penrith City Council's Street Naming Policy.

Notes:

- Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for advice regarding the application process and applicable fees.
- Allow eight (8) weeks for notification, advertising and approval.

- 32 **Prior to the issue of the 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 Penrith City Council.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note: Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information relating to bond requirements.

- 33 **Prior to the issue of the Subdivision Certificate**, an Outstanding Works Bond for the construction, landscaping and implementation of the Bio-Retention Basin is to be lodged with Penrith City Council.

The Outstanding Works bond will be refunded once the stormwater management system works have been completed to Penrith City Council's satisfaction and a separate Maintenance Bond has been lodged with Penrith City Council.

The value of the bonds shall be determined in accordance with Penrith City Council's adopted Fees and Charges

Note: Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information relating to bond requirements.

- 34 **Prior to the issue of a Subdivision Certificate**, a Maintenance Bond is to be lodged with Penrith City Council for all subdivision works approved by this Consent.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note: Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information relating to bond requirements.

- 35 **Prior to the issue of a Subdivision Certificate**, the following compliance documentation shall be

submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Penrith City Council where Penrith City Council is not the Principal Certifying Authority:

- a) Works As Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The WAE drawings shall be prepared in accordance with Penrith City Council's Engineering Construction Specification for Civil Works.
- b) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding).
- c) The WAE drawings shall be accompanied by plans indicating the depth of cut / fill for the entire development site. The survey information is required to show surface levels and site contours at 0.5m intervals. All levels are to be shown to AHD.
- d) CCTV footage in DVD format to Penrith City Council's requirements and a report in "SEWRAT" format for all drainage as identified as Council's future assets. Any damage that is identified is to be rectified in consultation with Penrith City Council.
- e) A copy of all documentation, reports and manuals required by Section 2.6 of Penrith City Council's WSUD Technical Guidelines for handover of stormwater management facilities to Penrith City Council.
- f) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries, private or public lands.
- g) Documentation for all road pavement materials used demonstrating compliance with Penrith City Council's Engineering Construction Specification for Civil Works.
- h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Penrith City Council's Design Guidelines and Construction specifications. The report shall include:
 - Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regarding.
 - Soil classification for all residential lots
 - Statement of Compliance
- i) Structural Engineer's construction certification of all structures
- j) A slope junction plan for interallotment drainage lines indicating distances to boundaries and depths.
- k) Soil testing for each lot to be classified according to AS2870 "Residential Slabs and Footings".

36 The stormwater management systems, including temporary on-site stormwater detention and erosion and sediment control systems, and flow paths from the basin outlets shall continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan. Maintenance shall continue until such time the stormwater runoff from the development site is established and conveyed to the ultimate water quality treatment / stormwater detention system and the temporary system has been decommissioned. A minimum maintenance period of 36 months shall apply to the ultimate water quality treatment / stormwater detention system and shall be maintained in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

37 **Prior to the issue of a Construction Certificate**, plans are to be submitted and approved by Penrith City Council for the provision of a temporary intersection or turning arrangement within Lot 13, to connect Road 001 with the East-West Connector Road corridor (subject to DA18/0221).

38 **Prior to the issue of the Subdivision Certificate**, a bond for the construction of footpath paving along proposed Road 027 fronting the boundary of proposed Lot 11 is to be lodged with Penrith City Council. The footpath paving works shall only commence following approval from Penrith City Council.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note: Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information relating to bond requirements.

39 **Prior to issue of Construction Certificate**, the Certifying Authority shall ensure that the following items have been addressed:

- A stage 2 Road Safety Audit shall be prepared and submitted to Penrith City Council. Plans shall be amended to incorporate the results of the Road Safety Audit accordingly.
- The applicant shall demonstrate that downstream stormwater systems have adequate capacity to accommodate stormwater flows generated from the development.

40 **Prior to the issue of a Construction Certificate**, the Principal Certifying Authority is to ensure that the plans are amended to Council's satisfaction to include:

(a) Provision of at least 7.5 metres of No Stopping Zone on both sides of Road 027 at the one way approach to the two marked pedestrian crossing in accordance with Roads and Maritime Services Technical Direction TDT 2002/12c - Mid Block Pedestrian Crossing -T000792.

(b) Provision of at least 20 metre long of edge line tapers on both sides of Road 027 at the one way approach to the two marked pedestrian crossings in order to ensure a 3.5 metre wide single marked lane approach to the marked pedestrian crossing.

(c) Provision of an additional one way pavement arrow on Road 027 located 5.0 metres from the Road 013 roundabout entry.

(d) The two accessible parking spaces on Road 027 must be relocated to the western pedestrian crossing (fronting the Village Park), as marked in red on the stamped approved Civil Works and Stormwater Drainage Plan. The accessible parking spaces must be adjusted to provide two accessible parking spaces separated by a shared space with dimensions, pavement marking and bollard complying with AS 2890.6 figure 2.3. This is also to include provision of a kerb ramp fronting the shared area and widening and realigning of the adjoining shared footpath to Council requirements.

(e) Parallel parking spaces dimensioned 2.5 metres wide and 6.3 metre long and dimensions of 90 degree parking spaces to be 2.5 metres wide and 5.6 metres long.

(f) Typical Road Cross Sections Plan amended to show all footpaths and shared paths at 2% cross fall.

(g) Provision of a suitable intersection design of Road 001 and the East-West Connector road (link to Ropes Crossing).

(h) Provision of blister islands on both sides of the two raised pedestrian crossings along Road 027, in accordance with Penrith City Council specification and standard details.

Prior to the issue of a Construction Certificate, regulatory / advisory line marking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.

Note: Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information on this process. Allow eight (8) weeks for approval by the Local Traffic Committee. Applicable fees are indicated in Council's adopted Fees and Charges.

Landscaping

- 41 All landscape works are to be constructed in accordance with the stamped approved Plan titled Village Centre Streetscape Development Application LS_01 to LS_08, and Chapter C.6 Landscape Design of Penrith Development Control Plan 2014.

Prior to the issue of a Construction Certificate, the landscape plan as referenced above must be amended so that the Planting Schedule 3 (Road 013) provides 100L pot size for the Fraxinus 'Urbanite' (Urbanite Ash) trees.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

- 42 All landscaping works subject to this consent must be completed by a suitably qualified landscape professional.

- 43 Upon completion of the landscape works associated with the development and **prior to the issue of a Subdivision Certificate**, an Implementation Report prepared by a suitably qualified landscape professional is to be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development.

The Subdivision Certificate shall not be issued until such time as a satisfactory Implementation Report

has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

44 All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

Subdivision

45 **Prior to the issue of a Subdivision Certificate**, the original Linen Plan and six (6) copies are to be submitted to Council.

The Linen Plan must indicate that Road 027 and Road 013 are private allotments.

The following information is to be shown on one (1) copy of the plan.

- The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council's resolutions.
- All existing services are wholly contained within the lot served and/or covered by an appropriate easement.

46 **Prior to the issue of a Subdivision Certificate**, street trees are to be planted as indicated on the stamped approved landscape plan in accordance with Engineering Works and Construction Standards and Landscape Design the Penrith Development Control Plan 2014.

Before the street trees are planted, approval of the plant species and location of the street trees are to be approved by Penrith City Council (as the relevant Roads Authority). In this regard, please contact Council's Development Services Unit on 4732 7777.

47 The dedication of Road 013 and Road 027 as public road must not occur until such a time as Occupation Certificate(s) for both the Village Park (DA18/0587) and Village Centre have been issued, unless otherwise agreed upon by the Penrith City Council's Development Services Manager.

48 **Prior to the issue of a Subdivision Certificate**, the road corridor known as the East-West Connector Road (as detailed in the Central Precinct Plan) and connecting road network and intersection which links Jordan Springs Central Precinct, Ropes Crossing and Dunheved Industrial Precinct shall be delivered and dedicated as public road, to the written satisfaction of the Development Services Manager, Penrith City Council.

49 **Prior to the issue of a Subdivision Certificate**, a Place Making and Public Art Strategy relating to the Village Centre site shall be prepared to the satisfaction of Council.

The Place Making and Public Art strategy should consider the guidelines provided under Chapter C8, Public Domain of Penrith Development Control Plan 2014.

Certification

50 A Subdivision Certificate is to be obtained prior to the release of the linen plan of subdivision. The Subdivision Certificate will not be issued if any of the conditions in this consent are outstanding.

51 **Prior to the commencement of any earthworks or construction works on site**, the proponent is to:

- employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act 1979, and accompanying Regulation, and
- submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement:

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing of site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

52 **Advisory Note:** The site is subject to the provisions of the St Marys Penrith Planning Agreement, as amended. The applicant is reminded of the obligations under the Planning Agreement with regard to the delivery of certain infrastructure and services as part of the development of the Central Precinct. All works shall be carried out in accordance with the requirements of the St Marys Penrith Planning Agreement, as amended.

SIGNATURE

Name:	Lucy Goldstein
Signature:	

For the Development Services Manager