



Department of
Primary Industries
Office of Water

Contact: Gina Potter
Phone: 02 8838 7566
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Email: gina.potter@water.nsw.gov.au

Ahmad Ali
Maryland Development Company
PO Box 1870
Penrith NSW 2751

Our ref: 10 ERM2012/0787
File No: 9056328
Your Ref: DA 2012/0897

Attention: Ahmad Ali

13 May 2013

Dear Sir/Madam

Re: Controlled activity approval – 10 ERM2012/0787
For activity described as: Proposed village 4 subdivision for 291 residential Lots public road & associated civil construction work,
To be carried out at: Lot 5 (Lot 11) Lakeside Parade Jordan Springs
Date of Issue 13 May 2013 : Date of Expiry 13 May 2016.

I refer to your application for a controlled activity approval under the *Water Management Act 2000* which was received at this office on 8 May 2013. Receipt of your application fee of 1926 is also acknowledged.

1. Controlled activity approval

The Office of Water has determined to grant you a controlled activity approval. Please find enclosed the **Notice of Determination** together with your **Statement of Approval**.

Please read carefully the conditions of the approval and seek clarification from the Office of Water for any condition not fully understood.

A **copy** of this approval and any annotated documentation should be **provided to council**, your **certifier** and to all **contractors** engaged in the implementation of this controlled activity or the Vegetation Management Plan (VMP) to ensure they are also aware of the conditions.

The controlled activity approval must be kept **current until** the controlled activity has been **completed**. Applications for **extending the approval** should be made to the Office of Water, in writing, at least **one month** prior to the expiry date on the approval.

2. Inspections and fees

As the approval holder, you are required to notify the Office of Water on completion of the controlled activity. A site inspection may be needed to confirm that all of your obligations under the controlled activity approval have been carried out.

Costs associated with a single inspection may be covered by the application fee. However, if extra inspections or significant reassessment is required then additional fees will be incurred.

Fees will also apply to any amendments requested or any extension of this approval. The current fee schedule is available at:

www.water.nsw.gov.au [Water licensing](#) > [Approvals](#) > Controlled activities

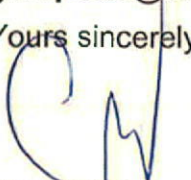
3. Other approvals may be required

Subject to the conditions of the attached Statement of Approval, the approval holder is only authorised to carry out the controlled activity described at the location specified.

The attached Statement of Approval does not relieve the approval holder of any obligation which may exist to also obtain permission / approval / consent from any other agency who may have some form of control over the site or the proposed development.

Any questions regarding this correspondence should be directed to **Gina Potter**,
gina.potter@water.nsw.gov.au.

Yours sincerely



Gina Potter
Water Regulation Officer
NSW Office of Water
Hunter, Sydney & South Coast

Enc:
Notice of Determination
Statement of Approval



Statement of Approval

Water Management Act 2000

Approval details

Approval No: 10 ERM2012/0787

File No: 9056328

Status: CURRENT *

Approval type: Controlled Activity Approval

Water sharing plan: not applicable

Period of Approval

Date of effect: 13 May 2013

Expiry date: 13 May 2016

Approval holder(s): Schedule 1

Description of activity: Schedule 2

Conditions: Schedule 3

Contact for service of documents

Name: Ahmad Ali

Address: Maryland Development Company, Penrith, NSW, 2751

* NOTE: An approval has effect for such period as is specified in the approval, or if the period is extended under section 105 of the *Water Management Act 2000*, that extended period. If an application for extension of an approval is lodged before the approval expires, the term of the expiring approval is extended until either the date of the final decision on the application, or a date fixed by the Minister for the approval, whichever is the later date. An approval which has expired can be the subject of an application to extend it but it needs to be accompanied by a statutory declaration of the reasons for the delay in making the application. If the Minister accepts these reasons the term of the approval is taken to have been extended, and the application may be dealt with, as if the application had been made before the approval expired.

It is an offence under the *Water Management Act 2000* to breach a term or condition of the approval or to construct or carry out a controlled activity to which the approval does not relate, or if the approval has expired, been surrendered or cancelled.

Schedule 1 - Approval holder(s)

Holder's name(1): Ahmad Ali

Postal Address: Maryland Development Company

Town/City Penrith

State NSW

P/Code 2751

Holder's name(2):

Postal Address:

Town/City

State

P/Code

Company Name:

ACN (if applicable):

Office Address:

Town/City

State

P/Code

Property/land owner's details

Name of Owner/s (1) St Marys Land Limited

Postal Address: Level 4

Town/City Millers Point

State NSW

P/Code 2000

Name of Owner/s (2)

Postal Address:

Town/City

State

P/Code

IMPORTANT NOTICE – Change of approval holder or landholder or contact person.

Please advise the Office of Water in the event of any of the following as soon as practicable:

- If there is a change in the ownership or occupation of the land benefited by this approval (see Schedule 2). Under the *Water Management Act 2000*, an approval is typically held by the owner or lawful occupier of the benefited land. Consequently, a change in ownership may cause a change in your legal obligations as an approval holder. *
- If there is a change to the contact person or their contact details. You will be required to lodge a written statement signed by all the approval holders. *
- If there is a change in the mailing address for the nominated contact person. This should be done by the contact person in writing.

* An updated Statement of Approval reflecting these changes will be issued free of charge.

Schedule 2 – Controlled activity

Authorised Controlled Activity

Subject to the conditions of this approval, in relation to the controlled activity described, the holders of this approval are authorised to construct and carry out the controlled activity at the location specified:

Controlled activity: Proposed village 4 subdivision for 291 residential Lots public road & associated civil construction work as shown on *Plan No's CC601A, 501A, 401- & 301A Locality Sketches, dated 06/05/2013, prepared by J. Wyndham Prince*

Property Name:

Site address: Lot 5 (Lot 11) Lakeside Parade Jordan Springs

| | | | |
|--------|------------|--------|--------|
| Lot 11 | DP 1176163 | Parish | County |
| Lot | DP | Parish | County |
| Lot | DP | Parish | County |

Local Council: Penrith City Council

Development Reference: DA 2012/0897
(if applicable)

Name of watercourse:

Catchment name:

Security Details (if applicable)

| Numb er | Provider | Value |
|------------|----------|-------|
|------------|----------|-------|

Application fees

Fee: \$ 1926 has been paid exclusive of GST

Receipt No: PAR13/0873

Approval issued by

Officer's name Gina Potter

Schedule 3 Conditions:

In relation to the controlled activity described in Schedule 2, the holders of this approval are authorised to construct and carry out the controlled activity at the location specified subject to the conditions listed:

| Number | Condition |
|--|--|
| Plans, standards and guidelines | |
| 1 | This Controlled Activity Approval number 10 ERM2012/0787 only applies to the controlled activity carried out at the location marked on Plan No CC601A, 501A, 401- & 301A Locality Sketches, dated 06/05/2013, prepared by J. Wyndham Prince as approved by the NSW Office of Water and stamped on 13 May 2013. This Controlled Activity Approval does not permit controlled activities at any other site. |
| 2 | The approval holder must not transfer this Controlled Activity Approval 10 ERM2012/0787 without the written approval of the NSW Office of Water. |
| | The approval holder must keep a copy of the current Controlled Activity Approval 10 ERM2012/0787 on site at all times and make this approval available to officers from the NSW Office of Water on request. |
| 4 | If the controlled activities described in this Controlled Activity Approval 10 ERM2012/0787, have not commenced or been completed within the period of this approval, the approval holder must apply to the NSW Office of Water for a new approval or seek an extension prior to the lapsing of the consent. |
| 5 | The approval holder must notify the NSW Office of Water in writing within 14 calendar days of any change in (i) site management; (ii) land ownership; (iii) land occupation. |
| 6 | The approval holder must comply with the requirements of each of the plans approved by the NSW Office of Water and stamped on 13/05/2013 as follows: <ul style="list-style-type: none"> i. Plan set for Stage 4F, CC603B, 609A, 613A, 615A, dated 30/04/13, prepared by J. Wyndham Prince ii. Plan set for Stage 4E, CC504A, 518A, 520A, 531A, 532A, 534A, 538A dated 26/04/13, prepared by J. Wyndham Prince iii. Plan set for Stage 4D, CC404A, 405A, 414A, 416A, 424A, dated 26/04/13, prepared by J. Wyndham Prince iv. Plan set for Stage 4C, CC304A, 305A, 318A, 320A, 342A, 34A dated 26/04/13, prepared by J. Wyndham Prince |
| 7 | N/A |
| 8 | The approval holder must submit for approval, by the NSW Office of Water, any amendments to a plan listed in Condition 6 (six) prior to carrying out any works in relation to the approved controlled activity. |
| 9-10 | N/A |
| 11 | The approval holder must comply with the requirements of the approved vegetation management plan for Western Precinct (Jordan Springs) dated January 2013 to the extent that it relates to the carrying out of the rehabilitation activities on the site which is the subject of this controlled activity approval. |
| 12-15 | N/A |
| 16 | The approval holder must maintain the approved controlled activity on waterfront land for a period of two (2) years from the date of completion of the controlled activity works. |
| 17-20 | N/A |
| 21 | At practical completion and/or at the end of the maintenance period, the approval holder must provide a final written report to the NSW Office of Water evidencing completion of the approved controlled activity. |
| 22-24 | N/A |
| 25 | The approval holder must notify the NSW Office of Water in writing within seven (7) days if the controlled |

| Number | Condition |
|--------------------------|---|
| | activity (i) ceases for a period of more than 30 calendar days; or (ii) is terminated before its full completion, or (iii) is resumed. |
| 26-35 | N/A |
| 36 | The approval holder must not leave materials which could obstruct the flow of water or damage river banks on waterfront land at any time. |
| 37 | The approval holder must remove surplus material when operations cease and the controlled activity is completed. |
| 38 | The approval holder must not put materials in the drainage line or river or in any area that has existing native vegetation and/or that is identified as part of the riparian corridor. |
| 39-40 | N/A |
| 41 | The approval holder must construct stormwater outlets so that they point downstream. |
| 42-43 | N/A |
| 44 | The approval holder must use only biodegradable materials for any erosion control matting in the riparian corridor. |
| 45 | The approval holder must decommission all erosion and sediment control works using a suitably qualified person when the site has stabilised. |
| 46 | The approval holder must (i) implement erosion and sediment control measures in accordance with the requirements of the Managing Urban Stormwater Manual, Volume 1, Soils and Construction (Landcom, 4th Edition, March 2004) prior to any works commencing at the site; and (ii) maintain the control measures for the duration of the approval to prevent sediment and dirty water entering the waterway. |
| 47-58 | N/A |
| 59 | The approval holder must place geotextile material between the river bank and the rock work. |
| 60 | The approval holder must ensure that all rock rip-rap surfaces are rough and aligned with the adjoining bed, bank and floodplain profile. |
| 61-64 | N/A |
| 65 | The approval holder must not use wire mesh structures, concrete, spray concrete, concrete grouting, crib walling, masonry or car tyres for bank stabilisation. |
| 66 | N/A |
| 67 | The approval holder must provide an engineering certificate to the NSW Office of Water if the revetment/retaining wall will exceed one metre in height. |
| END OF CONDITIONS | |



Notice of Determination

issued under the Water Management Act 2000

Application details

Approval Number 10 ERM2012/0787
First applicant Mr
Last Name Ali
First Name Ahmad
Address Maryland Development Company
PO Box 1870
Penrith NSW 2751
Contact 80166512 **Fax:**
Email ahmad.ali@lendlease.com

Second applicant (if applicable)

Last Name
First Name
Address

Contact **Town:** **State:** **P/Code:**
Ph: **Fax:**
Email

Determination

Application type **Controlled Activity Approval**
to be issued under Part 3, Chapter 3 of the *Water Management Act 2000* - for matters assessed as integrated development under Part 4 of the *Environmental Planning & Assessment Act 1979*
Determination **Granted (subject to conditions)** **Refused**
Date of Determination 13 May 2013
Reasons for Determination see Attachment 1
Date of Expiry 13 May 2016
Location Lot 5 (Lot 11) Lakeside Parade Jordan Springs
Description of activity Proposed village 4 subdivision for 291 residential Lots public road & associated civil construction work

Determining Officer

Signature 
Name Mohammed Ismail
by delegation from the Minister administering the
Water Management Act 2000

Right of Appeal: Section 368 of the *Water Management Act 2000* gives a right of appeal in certain circumstances. As this application has been assessed as integrated development it will not be subject to any third party rights of appeal under the *Water Management Act 2000*. This does not affect any right of appeal an objector may be entitled to under section 98 of the *Environmental Planning and Assessment Act, 1979*.

Notice of Determination

issued under the Water Management Act 2000

ATTACHMENT 1

Reason for determination

Approval Number: 10 ERM2012/0787

Reason: This controlled activity approval is granted on the basis that the NSW Office of Water is satisfied the proposed development has adequate arrangements in place to ensure that no more than minimal harm will be done to waterfront land at this site as a consequence of carrying out the proposed controlled activity.

This controlled activity approval is subject to the attached conditions.