

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

JRPP Ref. No.:	2017SWT001
Application number:	DA17/0042
Description of development:	Development Application for a Concept Plan Establishing Indicative Subdivision Pattern, Density Projections, Infrastructure Layout and Landscape Embellishment Works
Classification of development:	N/A

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 6 DP 593628 Lot 3 DP 1103503
Property address:	46 b OConnell Street, CADDENS NSW 2747 46 - 66 OConnell Street, CADDENS NSW 2747

DETAILS OF THE APPLICANT

Name & Address:	Caddens Versatile Pty Ltd C/- Urbis Level 23, Darling Park Tower 2 201 Sussex Street SYDNEY NSW 2000
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DECISION OF CONSENT AUTHORITY

In accordance with Section 23G and 81(1) (a) of the Environmental Planning and Assessment Act 1979 (as amended), consent is granted subject to the conditions implementation 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	21 December 2017
Date the consent expires	21 December 2022
Date of this decision	28 November 2017

POINT OF CONTACT

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

Assessing Officer:	Belinda Borg
Contact telephone number:	+612 4732 7505

NOTES

Reasons

The conditions in the attached schedule have been imposed in accordance with Section 80A 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 Section 82A of the Environmental Planning and Assessment Act 1979 within 6 months of receiving this Notice of Determination.

You cannot make this request if the development is Designated Development, Integrated Development or State Significant development or if the application was decided by Sydney West Planning Panel.

Appeals in the Land and Environment Court

The applicant can appeal against this decision in the Land and Environment Court within six (6) months of receiving this Notice of Determination.

You cannot appeal if a Commission of Inquiry was held for the subject development application, or if the development is a State Significant Development.

An appeal to the Land and Environment Court is made by lodging an application to the Court in accordance with the Rules of the Court.

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. The objector cannot appeal if a Commission of Inquiry was held.

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 West Planning Panels

If the application was decided by the Sydney West Planning Panel, please refer to Section 18 of the Greater Sydney Commission Act 2015 and Section 23H 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
Department of Primary Industries - Water	16 March 2017	10ERM2017/0152	4	Water Management 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 Concept Development is to be implemented substantially in accordance with the stamped approved plans issued by Penrith City Council and supporting documents outlined in the table below:

Drawing Title	Reference	Issue	Author	Date
Statement of Environmental Effects	SA6416	-	Urbis	24 January 2017
Executive Summary	-	-	Hill Thalys	-
The Site in Sydney	A01	B	Hill Thalys	6 March 2017
The Site in Context	A02	B	Hill Thalys	6 March 2017
Existing Site Attributes	A03	B	Hill Thalys	6 March 2017
Project Principles	A04	A	Hill Thalys	-
Illustrative Master Plan	A05	B	Hill Thalys	6 March 2017
Mature Tree Plantings	A09	B	Hill Thalys	6 March 2017
Potential Subdivision	C01	B	Hill Thalys	6 March 2017
Typical Lots	C02	B	Hill Thalys	6 March 2017
Bushfire Protection Assessment and Supplementary Alternative Solutions Options regarding Access to the Development	A16195B	-	Travers Bushfire & Ecology	20 January 2017 & 8 March 2017
Service Infrastructure Report	78090.01.RE01-Services	3	SMEC	20 January 2017
Preliminary Site Investigation	11168	-	APP Corporation	January 2017
Supplementary Letter JBS&G Australia Pty Ltd	Ref 54026-110,004	-	JBS&G Australia Pty Ltd	27 July 2017
Drainage OSD Requirements	78090	-	SMEC	7 July 2017
Flora and Fauna Assessment	A16195F	-	Travers Bushfire & Ecology	20/01/17

Vegetation Management Plan	A16195V	-	Travers Bushfire & Ecology	January 2017
Caddens Development Waste Management Plan	-	-	GHD	September 2017

- 2 General Terms of Approval have been issued by the Department of Primary Industries - Water under the Water Management Act 2000 dated 16 March 2017 and are considered to form part of the Concept Plan. Future development of the site under the Concept Plan will required additional referrals to the Department of Primary Industries - Water under the Water Management Act 2000.
- 3 Development Applications for each stage are to detail the terms of the Community Title Subdivision, including assets to be retained within the Community Title Subdivision and assets to be dedicated to Penrith City Council.
- 4 In the submission of future Development Applications for the site, the dimensions of the road network are to be consistent with the Road Typologies details within Penrith Development Control Plan 2014 - Chapter E1 Caddens.
- 5 The maximum development yield for the 15 residential lots (zoned R3 under Penrith Local Environmental Plan 2010) is 390 dwellings, including 70 secondary dwellings.
- 6 In the preparation of future Development Applications, detailed plans for the location of the path through the reserve are to be provided to Council for approval. The location of the path is to avoid impacting on all remnant vegetation, and where possible avoid all root zones for trees that are to be retained. The path should be located within the proposed revegetation area rather than the existing Cumberland Plain Woodland vegetation.

Environmental Matters

- 7 In the preparation of separate Development Applications in the delivery of the Concept Plan, a Detailed Site Investigation is required to be carried out by a suitably qualified environmental consultant and the associated report submitted to support the application/s. This investigation is to be carried out with consideration of the NEPM (2013 amendment) and other relevant EPA guidelines.
- 8 The development is to incorporate on-site waste infrastructure for each individual dwelling in accordance with section 3.3 of the 'Residential Subdivisions Waste Management Guidelines' document.
- 9 Proposed Innovative waste collection solutions are to be implemented in accordance with section 3.4 of the 'Residential Subdivisions Waste Management Guidelines' document.

SIGNATURE

Name:	Belinda Borg
Signature:	

For the Development Services Manager