



**DETERMINATION OF DEVELOPMENT APPLICATION**

P E N R I T H C I T Y C O U N C I L

**DESCRIPTION OF DEVELOPMENT**

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DA No.	DA13/0065
Description of development	Infrastructure - Channel Construction & Earthworks
Classification of development	The classification of the building(s) forming part of this consent is as follows:
	<ul style="list-style-type: none"><li>▪ N/A</li></ul>

**DETAILS OF THE APPLICANT**

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Name & Address	Maryland Development Company Pty Ltd PO Box 1870 PENRITH NSW 2750
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**NOTES**

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1. Your attention is drawn to the attached conditions of consent in attachment 1.
2. You should also check if this type of development requires a construction certificate in addition to this development consent.
3. It is recommended that you read the Advisory Note enclosed with this consent.

## **DETAILS OF THE LAND TO BE DEVELOPED**

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Legal Description: Lot 11 DP 1176163  
Lot 8 DP 1176874  
Property Address: Lot 11 Lakeside Parade JORDAN SPRINGS NSW 2747

## **DECISION OF CONSENT AUTHORITY**

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In accordance with Section 81(1) (a) of the Environmental Planning and Assessment Act 1979, consent is granted subject to the conditions implementation in attachment 1.

Date from which consent operates 5 July 2013  
Date the consent expires 5 July 2015  
Date of this decision 2 July 2013

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

## **OTHER APPROVALS**

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### **APPROVAL BODIES**

<b>APPROVAL BODY NAME</b>	<b>DATE OF GENERAL TERMS OF APPROVAL</b>	<b>REF. NO.</b>	<b>NO. OF PAGES</b>	<b>RELEVANT LEGISLATION</b>
NSW Office of Water	7 February 2013	10 ERM2013/0094	5	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.

## **RIGHTS OF APPEAL**

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1. 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.

2. If a written objection was made in respect to the Application for Designated Development, the objector can appeal against Council's 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.
3. If the applicant appeals against Council's 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.
4. 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.

## **REASONS**

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The conditions in the attached schedule have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instrument.
- To ensure that no injury is caused to the existing and likely future amenity of the neighbourhood.
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities.
- To ensure that access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.

## **POINT OF CONTACT**

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

Assessing officer	Aimee Lee Senior Environmental Planner
Contact telephone number	(02) 4732 7429

## **SIGNATURE**

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Name	Aimee Lee
Signature	

For the Development Services Manager

# ATTACHMENT 1: CONDITIONS OF CONSENT

## GENERAL

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

Drawing Title	Plan No.	Prepared By	Date
<b>North-South Channel</b>			
Open Channel Layout Plan Sheet 1 of 2	EN02754-C-510 Amdt 2	SKM	05.12.12
Open Channel Layout Plan Sheet 2 of 2	EN02754-C-511 Amdt 2	SKM	05.12.12
Transition Detail of Open Channel Based at Road 8 Box Culvert	EN02754-C-515 Amdt 2	SKM	05.12.12
Transition Detail of Open Channel Based at Road 9 Box Culvert	EN02754-C-516 Amdt 2	SKM	05.12.12
Longitudinal Section MC03 Sheet 1 of 3	EN02754-C-531 Amdt 2	SKM	05.12.12
Longitudinal Section MC03 Sheet 2 of 3	EN02754-C-532 Amdt 2	SKM	05.12.12
Cross Section MC03 Sheet 1 of 3	EN02754-C-551 Amdt 2	SKM	05.12.12
Cross Section MC03 Sheet 2 of 3	EN02754-C-552 Amdt 2	SKM	05.12.12
Cross Section MC03 Sheet 3 of 3	EN02754-C-553 Amdt 2	SKM	05.12.12
<b>East-West Channel</b>			
Open Channel Layout Plan Sheet 1 of 4	EN02754-C-610 Amdt 3	SKM	05.12.12
Open Channel Layout Plan Sheet 2 of 4	EN02754-C-611 Amdt 3	SKM	05.12.12
Open Channel Layout Plan Sheet 3 of 4	EN02754-C-612 Amdt 3	SKM	05.12.12
Open Channel Layout Plan Sheet 4 of 4	EN02754-C-613 Amdt 3	SKM	05.12.12
Longitudinal Section MC01 Sheet 1 of 3	EN02754-C-631 Amdt 3	SKM	05.12.12
Longitudinal Section MC01 Sheet 1 of 3	EN02754-C-632 Amdt 3	SKM	05.12.12
Longitudinal Section MC01 Sheet 1 of 3	EN02754-C-633 Amdt 3	SKM	05.12.12
Longitudinal Section MC02 Sheet 1 of 1	EN02754-C-634 Amdt 1	SKM	05.12.12
Cross Section MC01 Sheet 1 of 8	EN02754-C-651 Amdt 3	SKM	05.12.12

Cross Section MC01 Sheet 2 of 8	EN02754-C-652 Amdt 3	SKM	05.12.12
Cross Section MC01 Sheet 3 of 8	EN02754-C-653 Amdt 3	SKM	05.12.12
Cross Section MC01 Sheet 4 of 8	EN02754-C-654 Amdt 3	SKM	05.12.12
Cross Section MC01 Sheet 5 of 8	EN02754-C-655 Amdt 3	SKM	05.12.12
Cross Section MC01 Sheet 6 of 8	EN02754-C-656 Amdt 3	SKM	05.12.12
Cross Section MC01 Sheet 7 of 8	EN02754-C-657 Amdt 3	SKM	05.12.12
Cross Section MC01 Sheet 8 of 8	EN02754-C-658 Amdt 3	SKM	05.12.12

- 2 The applicant must comply with the General Terms of Approval issued by NSW Office of Water (Ref 10 ERM2013/0094) dated 7 February 2013 at all times.

The application for Section 68 Approval under the Local Government Act 1993 will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the approval has been provided to Council.

- 3 The soil salinity management measures outlined within the Western Precinct Plan must be implemented during construction.
- 4 The development and salvage works must be conducted in accordance with the Aboriginal Heritage Impact Permit (AHIP Permit No. 10996059) issued on 13 February 2009.
- 5 The applicant shall liaise with Penrith City Council's City Parks Department and Development Engineering Department for the provision of suitable access facilities for entry to the different sections of the drainage and riparian works.

## DEMOLITION

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

## ENVIRONMENTAL MATTERS

- 7 **Before any works are commenced** on site, adequate fencing with star picket and wire fencing shall be installed to ensure that the adjoining area will not be not disturbed by the construction/demolition works or earthworks.
- 8 No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury-Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.
- 9 All waste materials stored on-site 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 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 **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 certificate or 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 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 not be carried out prior to any further approved works.

{Note: Penrith Contaminated Land Development Control Plan 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."}

- 12 Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
- 13 Construction works shall be carried out in accordance with the NSW Department of Environment and Climate Change's (2009) "Interim Construction Noise Guideline".
- 14 All construction works that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties, are restricted to the following hours in accordance with the NSW Department of Environment and Climate Change's (2009) "Interim Construction Noise Guideline":
  - Mondays to Fridays, 7am to 6pm
  - Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
  - No work is permitted on Sundays and Public Holidays.

Other construction works that are carried out inside a building that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act 1997 in regulating offensive noise also apply to construction works.

- 15 The development shall be carried out in accordance with the procedures set out in the Western Precinct Contamination Management Plan and the conditions and procedures set out in the Site Audit Statements relating to the Western Precinct.
- 16 The applicant shall reuse the salvaged top soil within the riparian corridor wherever possible. **Prior to the commencement of works**, the applicant shall submit to Penrith City Council a plan with the expected areas for topsoil reuse within the riparian corridor and adjacent areas.
- 17 **Prior to the commencement of works**, the applicant shall submit to Penrith City Council, a final tree plan showing all the trees to be removed.
- 18 Felled trees are to be re-used on site within the riparian corridor as large-woody debris habitat features. Mulching is only to be carried out if necessary and all mulch is to be used within the Western Precinct and is not to be used in the regional park.
- 19 A suitably qualified ecological consultant is to be employed to supervise the clearing of further vegetation associated with the riparian corridor. If during the works any specimens of *Pimelea spicata* are identified they are to be translocated to a suitable location in the Regional Park (pending approval from Office of Environment and Heritage).

Specimens are to only be translocated to regenerating areas of the regional park, not areas identified as being more mature or of good condition. These areas are to have similar topography biotic and abiotic conditions where possible. Specifics of the location and translocation are to be provided to the Office of Environment and Heritage under a Section 132C licence and they may request further detail or information. OEH may require the preparation of a Translocation Management Plan for any *Pimelea spicata* found. The Section 132C licence and any licence conditions and management plan are to be provided to Council and any conditions required by OEH in regards to this will form conditions of consent for this application.

20 The development shall be undertaken in a manner which incorporates the Vegetation Management Plan prepared by Environmental Partnership, December 2012 for Development Application 13/0066.

- a. The Vegetation Management Plan shall be implemented by a suitably qualified person / contractor and the Vegetation Management Plan must meet the requirement of the NSW Office of Water (NOW).

A 3 year maintenance period shall be implemented in accordance with the Landscape Maintenance and Handover Plan of the Western Precinct Plan before transferring the development to Council's ownership.

- b. The revegetation shall be planted in accordance with the Vegetation Management Plan and the vegetation is to be maintained as per the NSW Office of Water's requirements.

Should any planted tree die within this period, it is to be replaced with a tree of the same species and to the greatest extent practicable, the same maturity as the tree that died.

Prior to the handover of the site, a report shall be prepared and submitted to Council for approval on the implementation of the Vegetation Management Plan.

21 A Soil and Water Management Plan is to be prepared and implemented for the for project and all disturbed areas must be protected with suitable erosion and sedimentation controls until such time that the revegetation is sufficient to stabilise the site. The proponent must comply with NSW Office of Water's requirements.

22 A copy of the Vegetation Management Plan and Soil and Water Management Plan approved by the NSW Office of Water must be submitted to Council prior to the commencement of works.

23 The development is to be undertaken as per the Proposed Remediation design prepared by Environmental Partnership, January 2013.

## **CONSTRUCTION**

24 **Prior to the commencement of construction works:**

- (a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

- (b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.



- (c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- must preserve and protect the building from damage, and
  - if necessary, must underpin and support the building in an approved manner, and
  - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).
- (d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
  - the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and any such hoarding, fence or awning is to be removed when the work has been completed.

## **ENGINEERING**

### **General**

- 25 All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.
- 26 Prior to the commencement of works an application for Penrith City Council's approval of the drainage works shall be sought under S68 of the Local Government Act, including the payment of the application and inspection fees. The application for approval shall include the North to South Drainage Channel and the East to West Drainage Channel.

Drainage works shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by SKM, North to South Open Channel reference EN02754-C-501, 510, 511, 515, 516, 531, 532, 551, 552 and 553, revision 2, dated 05/12/2012 and East to West Open Channel, reference EN02754-C-601, 610-613, 631-634 and 651-658, revision 3, dated 05/12/12. The drainage works shall also demonstrate consistency with the North/South and East/West Open Channel Report prepared by SKM dated 21<sup>st</sup> of June 2012.

Civil design drawings are to be prepared strictly in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works and industry best practices.

Engineering plans, supporting calculations and relevant certification for the drainage works shall accompany the application for a Penrith City Council's approval.

Note:

Contact Penrith City Council's Development Engineering Unit on (02) 4732 7777 to ascertain applicable fees.

- 27 Any works approval shall incorporate plans and details for erosion and sediment control in accordance with the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

#### **Prior to the Commencement of Works**

- 28 **Prior to the commencement of works on site**, including approved clearing of site vegetation, erosion and sediment control measures shall be installed. The erosion and sediment control measures are to be installed in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

#### **Requirements During Construction**

- 29 Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

- 30 **Prior to final sign off on the works** Council shall ensure that the:

- a) Drainage Channel Works
- Have been satisfactorily completed in accordance with Council's approval and the requirements of this consent.
  - Have met the design intent with regard to any construction variations to the approved design.
  - Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

- 31 **Prior to Council's final sign off of works** the satisfactory completion of works the following compliance documentation shall be submitted to Penrith City Council.
- a) 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 signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines.
- 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 fill for the entire development site. The plans must show, by various shadings or cross hatching, the depth of any fill within 0.3m depth ranges.
- d) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 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 regarding.
  - Soil classification for all residential lots
  - Statement of Compliance
- e) Structural Engineer's construction certification of all structures

## LANDSCAPING

- 32 No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

### Advisory Condition

- 33 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 Western Precinct. All works shall be carried out in accordance with the requirements of the St Marys Penrith Planning Agreement, as amended.

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Name: Aimee Lee

Signature:

  
For the Development Services Manager

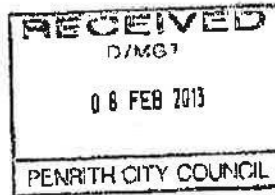
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Department of  
Primary Industries  
Office of Water

Contact: Greg Brady  
Phone: 02 47298 134  
Fax: 02 4729 8141  
Email: [greg.brady@water.nsw.gov.au](mailto:greg.brady@water.nsw.gov.au)  
Our ref: 10 ERM2013/0094  
Our file:  
Your ref: DA2013/0065

The General Manager  
Penrith City Council  
PO Box 60  
Penrith NSW 2751



Attention: Aimee Lee

7 February 2013

Dear Madam

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref: DA2013/0065**  
**Description of proposed activity: Creek Channel Construction & Earthwork**  
**Site location: 11 Lakeside Parade and 74-118 Water Gum Drive Jordan Springs**  
**(former ADI site)**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find the Office of Water's General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)

Macquarie Tower, 10 Valentine Avenue, Parramatta NSW 2150 PO Box 3720 Parramatta NSW 2124 Australia  
t + 61 2 9895 6211 | e [information@water.nsw.gov.au](mailto:information@water.nsw.gov.au) | ABN 47 661 556 763  
170912

- The Office of Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- The Office of Water requests notification of any legal challenge to the consent.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, the Office of Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

**The attached GTA are not the controlled activity approval.** The applicant must apply (to the Office of Water) for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office of Water) and proof of Council's development consent.

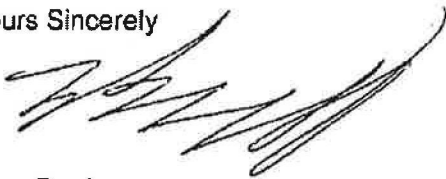
Application forms for the controlled activity approval are available from the undersigned or from the Office of Water's website:

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)      [Water licensing](#) » [Approvals](#) » [Controlled activities](#)

The Office of Water requests that Council provide a copy of this letter to the applicant.

The Office of Water also requests that Council provides the Office of Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Greg Brady  
Licensing Officer  
Office of Water - Licensing Operations South

# General Terms of Approval

for work requiring a controlled activity approval  
under s91 of the Water Management Act 2000

<b>Our Reference:</b>	10 ERM2013/0094	<b>File No:</b>
<b>Site Address:</b>	11 Lakeside Parade and 74-118 Water Gum Drive Jordan Springs (former ADI site)	
<b>DA Number:</b>	DA2013/0065	
<b>LGA:</b>	Penrith City Council	

Number	Condition
<b>Plans, standards and guidelines</b>	
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA2013/0065 and provided by Council:</p> <p>(i) Site plan, map and/or surveys</p> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>
3	<p>The consent holder must prepare or commission the preparation of:</p> <p>(i) Vegetation Management Plan (ii) Works Schedule (iii) Erosion and Sediment Control Plan (iv) Soil and Water Management Plan</p>
4	<p>All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at <a href="http://www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx">www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx</a></p> <p>(i) Vegetation Management Plans (ii) Riparian Corridors (iii) In-stream works (iv) Outlet structures</p>
5	<p>The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.</p>

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)

Macquarie Tower, 10 Valentine Avenue, Parramatta NSW 2150 PO Box 3720 Parramatta NSW 2124 Australia  
t + 61 2 9895 6211 | e [information@water.nsw.gov.au](mailto:information@water.nsw.gov.au) | ABN 47 661 556 763  
170912

**Our Reference:** 10 ERM2013/0094 **File No:**  
**Site Address:** 11 Lakeside Parade and 74-118 Water Gum Drive Jordan Springs  
(former ADI site)  
**DA Number:** DA2013/0065  
**LGA:** Penrith City Council

Number	Condition
<b>Rehabilitation and maintenance</b>	
6	The consent holder must carry out a maintenance period of five (5) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.
9	The consent holder must provide a security deposit (bank guarantee or cash bond) - equal to the sum of the cost of complying with the obligations under any approval - to the NSW Office of Water as and when required.
10	The consent holder must design and construct all ramps, stairs access ways, cycle paths, pedestrian paths or other non-vehicular form of access way so that they do not result in erosion, obstruction of flow, destabilisation, or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.
11	The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by the NSW Office of Water.
12	The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.
13 to 15	N/A
16	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
17	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
18	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
19	N/A
20	The consent holder must ensure that (i) river diversion, realignment or alteration does not result from any controlled activity work and (ii) bank control or protection works maintain the existing river hydraulic and geomorphic functions, and (iii) bed control structures do not result in river degradation other than in accordance with a plan approved by the NSW Office of Water.
21	N/A

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)

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170912

**Our Reference:** 10 ERM2013/0094 **File No:**  
**Site Address:** 11 Lakeside Parade and 74-118 Water Gum Drive Jordan Springs  
(former ADI site)  
**DA Number:** DA2013/0065  
**LGA:** Penrith City Council

Number	Condition
22	N/A
23	The consent holder must establish a riparian corridor along creek in accordance with a plan approved by the NSW Office of Water.
<b>END OF CONDITIONS</b>	

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