

CONFIRMED MINUTES
OF THE EXTRAORDINARY COUNCIL MEETING OF PENRITH CITY COUNCIL
HELD IN THE
COUNCIL CHAMBERS

ON WEDNESDAY 11 APRIL 2012 AT 7:38PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor Greg Davies read a statement of recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage.

PRAYER

The Council Prayer was read by the Senior Governance Officer.

PRESENT

His Worship the Mayor, Councillor Greg Davies, Deputy Mayor, Councillor Jackie Greenow and Councillors Kaylene Allison, Kevin Crameri OAM, Mark Davies, Ross Fowler OAM, Ben Goldfinch, Prue Guillaume, Karen McKeown, Kath Presdee and John Thain.

APOLOGIES

77 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Mark Davies that apologies be received from Councillors Jim Aitken OAM, Tanya Davies, Marko Malkoc and Robert Ardill.

CONFIRMATION OF MINUTES - Ordinary Meeting - 26 March 2012

78 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that the minutes of the Ordinary Meeting of 26 March 2012 be confirmed.

DECLARATIONS OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

79 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that Standing Orders be suspended to allow a member of the public to address the meeting, the time being 7:42 pm.

Ms Suzie Wright

Item 1 - Jordan Springs Development Proposals DA11/0514, DA11/0515, DA11/0516 and DA11/0517 Lot 1127 DP1158660 (formerly Lot 1036 DP1149525) (No. 1070 - 1170) The Northern Road, Jordan Springs (formerly Llandilo)

Ms Wright, representing The Greens, spoke against the recommendation. Ms Wright stated that the consultant's report did not address the issues that had been raised by the Land and Environment Court. Ms Wright also expressed the view that a qualified, independent ecological consultant should have undertaken the assessment of the development applications the subject of this report.

80 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor John Thain that an extension of time be granted to enable the speaker to complete their address, the time being 7:49 pm.

Ms Wright concluded by stating that issues of public interest were not being taken into account, including the Cumberland Plain being destroyed by growth centres and that the vegetation buffer zone along creeks in the subject area was insufficient, resulting in the area not being fauna friendly. Ms Wright requested that the development application be set aside and that an independent ecological assessment of the application be undertaken.

RESUMPTION OF STANDING ORDERS

81 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kath Presdee that Standing Orders be resumed, the time being 7:53 pm.

DELIVERY PROGRAM REPORTS

A CITY OF OPPORTUNITIES

2 [Suburban Jobs Program](#)

82 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on the Suburban Jobs Program be received.
2. Council endorse participation in a consortium with the University of Western Sydney and the Penrith Business Alliance in making application to the Australian Government's Suburban Jobs Program for funding to develop employment space on University land at Werrington.
3. Council express its appreciation to the University of Western Sydney and the Penrith Business Alliance for their initiative and leadership in preparing the application to the Australian Government's Suburban Jobs Program.

1 Jordan Springs Development Proposals DA11/0514, DA11/0515, DA11/0516 and DA11/0517 Lot 1127 DP1158660 (formerly Lot 1036 DP1149525) (No. 1070 - 1170) The Northern Road, Jordan Springs (formerly Llandilo) Applicant: Maryland Development Company Pty Ltd; Owner: St Marys Land Ltd

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

83 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Jordan Springs Development Proposals DA11/0514, DA11/0515, DA11/0516 and DA11/0517 Lot 1127 DP1158660 (formerly Lot 1036 DP1149525) (No. 1070 - 1170) The Northern Road, Jordan Springs (formerly Llandilo) be received.
2. Development Application DA11/0514 for Subdivision of the Western Precinct, St Marys Release Area (Jordan Springs) – Lot 1127 DP1158660 (formerly Lot 1036 DP1149525), (Nos. 1070 - 1170) The Northern Road, Llandilo be approved subject to the following conditions:
 - 2.1 A001 Approved plans
 - A005 Integrated approval authority's consent
 - A042 Asset protection zones in bush fire areas
 - A044 Compliance with NSW Rural Fire Service GTAs
 - A046 Obtain Construction Certificate before commencement of works
 - B004 Dust
 - B005 Mud/soil
 - C003 Uncovering relics
 - D001 Sediment and erosion control measures
 - D002 Spray grass
 - D005 No filling without prior approval
 - D06A Validation of fill material
 - D009 Covering of waste storage area
 - D010 Appropriate disposal of excavated or other waste
 - D013 Traffic noise and acoustic report
 - D014 Plant and equipment noise
 - G001 Installation of services and service clearances
 - G002 Section 73
 - G004 Integral Energy clearance
 - H01F Stamped plans and erection of site notice
 - H002 Provision of site facilities prior to commencement of construction works
 - H012 Site classification
 - H041 Hours of construction work
 - K101 Works at no cost to Council
 - K201 Sediment and Erosion Control

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| K202 | Roads Act |
| K205 | CC for Subdivision Works |
| K206 | Road Design Criteria Table |
| K207 | Road Safety Audit |
| K213 | Water Quality |
| K224 | Inter-allotment Drainage |
| K225 | Bus Stops |
| K301 | Sediment & Erosion Control - Installation |
| K304 | Matters to addressed prior to commencement of Subdivision Works |
| K401 | Erosion and Sediment Control |
| K404 | Services - Underground |
| K405 | Street Lighting |
| K406 | Drainage Connection |
| K407 | Major Filling |
| K408 | Soil Testing - Subdivisions |
| K503 | Stormwater Compliance |
| K504 | Restriction to User and Positive Covenant |
| K507 | Line marking & Signage |
| K510 | Street Signs |
| K511 | Bond for Final Wearing Course |
| K513 | Maintenance Bond |
| K514 | Subdivision Compliance Documentation |
| L001 | Approved landscaping plans |
| L002 | Landscaping construction |
| L003 | Landscaping report requirements |
| L005 | Planting of plant material |
| L006 | Australian Standard landscaping requirements |
| L007 | Tree protection measures |
| L008 | Tree Preservation Order |
| L009 | Tree preservation order |
| M001 | Prior to subdivision work |
| M007 | Street lighting |
| M008 | Linen plan |
| M009 | 88B Instrument |
| M011 | Soil testing |
| M013 | Street trees |
| M014 | Surveyors Certificate |
| P001 | Costs |
| P002 | Fees associated with Council land |
| Q001 | Notice of commencement and appointment of PCA |
| Q008 | Subdivision Certificate |

- 2.2 The following aspect in relation to Crime Prevention through Environmental Design (CTPED) principles should incorporated into the development:

Lighting

- All street lighting shall be designed in accordance with Council's

Public Domain Lighting Policy, and in accordance with Integral Energy standards and requirements.

- All pedestrian and cycle networks and bus stops shall be well lit in accordance with the abovementioned standards.
- Lighting should take into account all vegetation and landscaping that may act as an entrapment spot or obscure the effectiveness of the lighting.
- Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas.
- Lighting should have a wide beam of illumination, which reaches the beam of the next light, or the perimeter of the site or area being traversed.

Landscaping

- Street Tree planting and planting along pedestrian / cycle pathways should promote passive surveillance and clear lines of sight. Any trees should have a high canopy so as not to provide concealment opportunities. Dense shrubs and heavy undergrowth should be avoided along the pathways.
- The pedestrian / cycle pathways will be marked and signposted to clearly delineate which portion of the pathway should be used by pedestrians, and which should be used by cyclists.
- Trees within public reserve areas must also have a high canopy and minimal undergrowth to enable passive surveillance, promote clear lines of sight and reduce entrapment spots. Dense shrubs must be avoided.

Village Park

- DA 11/0514 for the Stage 2A subdivision indicates that the layout of Village Park ensures that opposite/adjoining buildings overlook it. This is supported as this will enable increased casual surveillance of these areas.

- 2.3 The soil salinity management measures outlined within the Western Precinct Plan must be implemented during construction. The measures and recommendations outlined by Geotech Testing Pty Ltd in their correspondence dated 8 March 2010 (Ref: 7508/23-AA Final Revised) are also to be adopted and implemented as a part of the development.
- 2.4 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.
- 25 Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
- 2.6 All soil material stockpiled for future use on the site is to be stored in such a manner so as to minimise dust.

- 2.7 Corner lots need to be designed to ensure that the driveway is located a minimum of 6 metres from the tangent point of the intersection to comply with the Australian Standards 2890.
- 2.8 All sites are to be benched in the subdivision to limit cut and fill to be minimal on the site and negate the need for retaining walls.
- 2.9 Those proposed lots will zero allotments need to be identified in the 88B instrument. The lots need to be benched to ensure that no earthworks are required within the easement so that access for maintenance is not hindered by varying ground level. Alternatively, the dwellings need to be designed with dropped edge beams to contain the cut and fill and ensure that the easement remains at a natural ground level after the construction of a dwelling at zero allotment.
- 2.10 All RMS (formerly the RTA) conditions are to be applied received from the SRDAC reference ID 09M1255v10-11, ID 09M1255 v6-9 and ID 09M1255 vol 2 –SYD09/00603.
- 2.11 Pedestrian, bus and cycle facilities are to be consistent with the Development Control Strategy.
- 2.12 All bicycle path construction is to be in accordance with the relevant provisions of the RMS (formerly the RTA) NSW Bicycle Guidelines and AUSTRROADS Guide to Traffic Engineering Practice – Part 14 Bicycles.
- 2.13 The conditions outlined in the Bush Fire Safety Authority issued by the NSW Rural Fire Services dated 22 June 2011, shall be incorporated into the development where applicable.
- 2.14 All works/regulatory signposting associated with the proposed development are to be at no cost to the Roads & Maritime Services (formerly the RTA).
- 2.15 Temporary on-site detention and erosion and sediment control basins shall be provided generally on accordance with the concept plans lodged for the development approval prepared by J Wyndham Prince, reference number 9111, sheets DA0 – DA16, revision B, dated 17/05/2011.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a qualified Hydrologic/Hydraulic Engineer and shall accompany the application for a Construction Certificate.

An operation and maintenance manual shall be approved by the Certifying Authority as part of the Construction Certificate documentation.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

- 2.16 Prior to the issue of a Construction Certificate a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Penrith City Council.
- 2.17 Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the design of the roundabout at the intersection of Road No's 8 & 25 complies with Austroads guidelines. The roundabout is to incorporate pedestrian refuge facilities and bicycle crossing facilities. The provision of irrigation and drainage for landscaping is also to be incorporated.
- 2.18 Structural design certification by a suitably qualified engineer – NPER (Structural) of the bridge structure shall accompany any construction certificates issued for civil works.
- 2.19 Prior to the issue of a Construction Certificate detailed plans of the proposed culvert structure on Road No 8 are to be submitted to Penrith City Council.
- 2.20 Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all works relating to the utility service lead in works within public road reserves have been inspected and approved by Penrith City Council.
- 2.21 Prior to the issue of the Subdivision Certificate street trees are to be planted in accordance with the street tree plan numbered WP V2a STP Issue C dated 06/05/2011.

Prior to the planting of street trees, the street tree plan, plant species and location are to be approved by Penrith City Council. In this regard, please contact Council's **Development Services Unit** on 4732 7777.

- 2.22 Prior to the issue of a Subdivision Certificate the ultimate signalised treatment of the intersection of The Northern Road / Jordan Springs Boulevard (refer to RTA correspondence reference ID 09M1255 Vol 2 – SYD09/00603 dated 12 May 2011) is to be implemented to the satisfaction of the Roads & Traffic Authority.
- 2.23 Prior to the issue of a Subdivision Certificate the timing for the delivery of the proposed traffic signals at the intersection of Road No's 8, 20 & 21 is to be formally agreed to by Penrith City Council. Any interim intersection arrangement is to be approved by the Local Traffic Committee.

- 2.24 The temporary on-site detention system and erosion and sediment control system shall be maintained by the person with the benefit of the development consent until development runoff is diverted into the ultimate water quality / detention system and the temporary system has been decommissioned. A minimum 12 month maintenance period will apply to the ultimate water quality / detention system when completed.
- 2.25 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.
- 2.26 The site is subject to the provisions of the St Marys Development Agreement. The applicant is reminded of the obligations under the Development 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 Development Agreement, as amended. The provision of affordable housing lots shall be made to the Centre for Affordable Housing in accordance with Clause 17 of the Development Agreement.
- 2.27 An arborist report relating to the trees proposed to be retained shall be submitted and approved prior to the issue of a Construction Certificate. The arborist report shall include consideration of the proposed extent of cut and fill works to confirm whether the trees can be retained on the site. The report should also specify tree protection measures to ensure that the trees proposed for retention have the best possible chance of surviving the proposed works.
- 2.28 The existing tree schedule (attached to the Tree Plan) provided with this application is to be updated to include justification to substantiate the proposed removal of all trees. These further details must be submitted to Council for consideration and approval prior to the issue of a Construction Certificate.
- 2.29 No remnant vegetation shall be removed from the land to be dedicated as Open Space without the prior approval of Penrith City Council
3. Development Application DA11/0515 for Subdivision of the Western Precinct, St Marys Release Area (Jordan Springs) – Lot 1127 DP1158660 (formerly Lot 1036 DP1149525), (Nos. 1070 - 1170) The Northern Road, Llandilo be approved subject to the following conditions:
- 3.1 A001 Approved plans
A005 Integrated approval authority's consent
A042 Asset protection zones in bush fire areas
A044 Compliance with NSW Rural Fire Service GTAs

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| A046 | Obtain Construction Certificate before commencement of works |
| B004 | Dust |
| B005 | Mud/soil |
| C003 | Uncovering relics |
| D001 | Sediment and erosion control measures |
| D002 | Spray grass |
| D005 | No filling without prior approval |
| D06A | Validation of fill material |
| D009 | Covering of waste storage area |
| D010 | Appropriate disposal of excavated or other waste |
| D013 | Traffic noise and acoustic report |
| D014 | Plant and equipment noise |
| G001 | Installation of services and service clearances |
| G002 | Section 73 |
| G004 | Integral Energy clearance |
| H01F | Stamped plans and erection of site notice |
| H002 | Provision of site facilities prior to commencement of construction works |
| H012 | Site classification |
| H041 | Hours of construction work |
| K101 | Works at no cost to Council |
| K201 | Sediment and erosion control |
| K202 | Roads Act |
| K205 | CC for Subdivision Works |
| K206 | Road design criteria table |
| K207 | Road Safety Audit |
| K213 | Water quality |
| K224 | Inter-allotment drainage |
| K225 | Bus stops |
| K301 | Sediment and erosion control - installation |
| K304 | Matters to be addressed prior to commencement of subdivision works |
| K401 | Erosion and sediment control – during construction |
| K404 | Services - underground |
| K405 | Street lighting |
| K406 | Drainage connection |
| K407 | Major filling |
| K408 | Soil testing |
| K503 | Stormwater compliance |
| K504 | Restriction as to user and positive covenant |
| K507 | Line marking and signage |
| K510 | Street signs |
| K511 | Bond for final wearing course |
| K513 | Maintenance bond |
| K514 | Subdivision compliance documentation |
| L001 | Approved landscaping plans |
| L002 | Landscaping construction |
| L003 | Landscaping report requirements |
| L005 | Planting of plant material |

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| L006 | Australian Standard landscaping requirements |
| L007 | Tree protection measures |
| L008 | Tree Preservation Order |
| L009 | Tree preservation order |
| M001 | Prior to subdivision work |
| M007 | Street lighting |
| M008 | Linen plan |
| M009 | 88B Instrument |
| M011 | Soil testing |
| M013 | Street trees |
| M014 | Surveyors Certificate |
| P001 | Costs |
| P002 | Fees associated with Council land |
| Q001 | Notice of commencement and appointment of PCA |
| Q008 | Subdivision Certificate |

- 3.2 The following aspect in relation to Crime Prevention through Environmental Design (CTPED) principles should be incorporated into the development:

Lighting

- All street lighting shall be designed in accordance with Council's Public Domain Lighting Policy, and in accordance with Integral Energy standards and requirements.
- All pedestrian and cycle networks and bus stops shall be well lit in accordance with the abovementioned standards.
- Lighting should take into account all vegetation and landscaping that may act as an entrapment spot or obscure the effectiveness of the lighting.
- Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas.
- Lighting should have a wide beam of illumination, which reaches the beam of the next light, or the perimeter of the site or area being traversed.

Landscaping

- Street Tree planting and planting along pedestrian / cycle pathways should promote passive surveillance and clear lines of sight. Any trees should have a high canopy so as not to provide concealment opportunities. Dense shrubs and heavy undergrowth should be avoided along the pathways.
- The pedestrian / cycle pathways will be marked and signposted to clearly delineate which portion of the pathway should be used by pedestrians, and which should be used by cyclists.
- Trees within public reserve areas must also have a high canopy and minimal undergrowth to enable passive surveillance, promote clear lines of sight and reduce entrapment spots. Dense shrubs must be avoided.

- 3.3 The soil salinity management measures outlined within the Western Precinct Plan must be implemented during construction. The measures and recommendations outlined by Geotech Testing Pty Ltd in their correspondence dated 8 March 2010 (Ref: 7508/23-AA Final Revised) are also to be adopted and implemented as a part of the development.
- 3.4 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.
- 3.5 Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
- 3.6 All soil material stockpiled for future use on the site is to be stored in such a manner so as to minimise dust.
- 3.7 No work associated with this development is to be undertaken in the vicinity of the existing bitumen road located in the south east of the site until such time as an EPA Accredited Site Auditor has issued a Site Audit Statement for the area, it has been deemed suitable for its intended use, and the Site Audit Statement has been submitted to Council.
- 3.8 Corner lots need to be designed to ensure that the driveway is located a minimum of 6 metres from the tangent point of the intersection to comply with the Australian Standards 2890.
- 3.9 All sites are to be benched in the subdivision to limit cut and fill to be minimal on the site and negate the need for retaining walls.
- 3.10 Those proposed lots will zero allotments need to be identified in the 88b instrument. The lots need to be benched to ensure that no earthworks are required within the easement so that access for maintenance is not hindered by varying ground level. Alternatively, the dwellings need to be designed with dropped edge beams to contain the cut and fill and ensure that the easement remains at a natural ground level after the construction of a dwelling at zero allotment.
- 3.11 All RMS (formerly the RTA) conditions are to be applied received from the SRDAC reference ID 09M1255v10-11, ID 09M1255 v6-9 and ID 09M1255 vol 2 –SYD09/00603.
- 3.12 Pedestrian, bus and cycle facilities are to be consistent with the Development Control Strategy.
- 3.13 All bicycle path construction is to be in accordance with the relevant provisions of the RMS' (formerly the RTA) NSW Bicycle Guidelines and AUSTRROADS Guide to Traffic Engineering Practice – Part 14 Bicycles.

- 3.14 The conditions outlined in the Bush Fire Safety Authority issued by the NSW Rural Fire Services dated 22 June 2011, shall be incorporated into the development where applicable.
- 3.15 All works/regulatory signposting associated with the proposed development are to be at no cost to the Roads & Traffic Authority.
- 3.16 Temporary on-site detention and erosion and sediment control basins shall be provided generally on accordance with the concept plans lodged for the development approval prepared by J Wyndham Prince, reference number 9111, sheets DA20 – DA27, revision E, dated 17/05/2011.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a qualified Hydrologic/Hydraulic Engineer and shall accompany the application for a Construction Certificate.

An operation and maintenance manual shall be approved by the Certifying Authority as part of the Construction Certificate documentation.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

- 3.17 Prior to the issue of a Construction Certificate a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Penrith City Council.
- 3.18 Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all works relating to the utility service lead in works within public road reserves have been inspected and approved by Penrith City Council.
- 3.19 Prior to the issue of the Subdivision Certificate street trees are to be planted in accordance with the street tree plan numbered WP V2b STP Issue C dated 19/05/2011.

Prior to the planting of street trees, the street tree plan, plant species and location are to be approved by Penrith City Council. In this regard, please contact Council's **Development Services Unit** on 4732 7777.

- 3.20 Prior to the issue of a Subdivision Certificate all subdivision works in Village 2A are to be completed to the satisfaction of the Principal Certifying Authority.
- 3.21 Prior to the issue of a Subdivision Certificate the ultimate signalised

treatment of the intersection of The Northern Road / Jordan Springs Boulevard (refer to RTA correspondence reference ID 09M1255 Vol 2 – SYD09/00603 dated 12 May 2011) is to be implemented to the satisfaction of the Roads & Traffic Authority.

- 3.22 The temporary on-site detention system and erosion and sediment control system shall be maintained by the person with the benefit of the development consent until development runoff is diverted into the ultimate water quality / detention system and the temporary system has been decommissioned. A minimum 12 month maintenance period will apply to the ultimate water quality / detention system when completed.
- 3.23 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.
- 3.24 The site is subject to the provisions of the St Marys Development Agreement. The applicant is reminded of the obligations under the Development 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 Development Agreement, as amended. The provision of affordable housing lots shall be made to the Centre for Affordable Housing in accordance with Clause 17 of the Development Agreement.
- 3.25 An arborist report relating to the trees proposed to be retained shall be submitted and approved prior to the issue of a Construction Certificate. The arborist report shall include consideration of the proposed extent of cut and fill works to confirm whether the trees can be retained on the site. The report should also specify tree protection measures to ensure that the trees proposed for retention have the best possible chance of surviving the proposed works.
- 3.26 The proposed street tree planting plan is to be revised to incorporate an informal street tree arrangement. Details are to be submitted and approved prior to the issue of a Construction Certificate.
- 3.27 The existing tree schedule (attached to the Tree Plan) provided with this application is to be updated to include justification to substantiate the proposed removal of all trees. These further details must be submitted to Council for consideration and approval prior to the issue of a Construction Certificate.
- 3.28 No remnant vegetation shall be removed from the land to be dedicated as Open Space without the prior approval of Penrith City Council

4. Development Application DA11/0516 for Subdivision of the Western Precinct, St Marys Release Area (Jordan Springs) – Lot 1127 DP1158660 (formerly Lot 1036 DP1149525), (Nos. 1070 - 1170) The Northern Road, Llandilo be approved subject to the following conditions:

- 4.1
- A001 Approved plans
 - A005 Integrated approval authority's consent
 - A042 Asset protection zones in bush fire areas
 - A044 Compliance with NSW Rural Fire Service GTAs
 - A046 Obtain Construction Certificate before commencement of works
 - B004 Dust
 - B005 Mud/soil
 - C003 Uncovering relics
 - D001 Sediment and erosion control measures
 - D002 Spray grass
 - D005 No filling without prior approval
 - D06A Validation of fill material
 - D009 Covering of waste storage area
 - D010 Appropriate disposal of excavated or other waste
 - D013 Traffic noise and acoustic report
 - D014 Plant and equipment noise
 - G001 Installation of services and service clearances
 - G002 Section 73
 - G004 Integral Energy clearance
 - H01F Stamped plans and erection of site notice
 - H002 Provision of site facilities prior to commencement of construction works
 - H012 Site classification
 - H041 Hours of construction work
 - K101 Works at no cost to Council
 - K201 Sediment and erosion control
 - K202 Roads Act
 - K205 CC for subdivision works
 - K206 Road design criteria table
 - K207 Road safety audit
 - K213 Water quality
 - K224 Inter-allotment drainage
 - K225 Bus stops
 - K301 Sediment and erosion control - installation
 - K304 Matters to be addressed prior to commencement of subdivision works
 - K401 Erosion and sediment control – during construction
 - K404 Services - underground
 - K405 Street lighting
 - K406 Drainage connection
 - K407 Major filling
 - K408 Soil testing
 - K503 Stormwater compliance

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| K504 | Restriction to user and positive covenant |
| K507 | Line marking and signage |
| K510 | Street signs |
| K511 | Bond for final wearing course |
| K513 | Maintenance bond |
| K514 | Subdivision compliance documentation |
| L001 | Approved landscaping plans |
| L002 | Landscaping construction |
| L003 | Landscaping report requirements |
| L005 | Planting of plant material |
| L006 | Australian Standard landscaping requirements |
| L007 | Tree protection measures |
| L008 | Tree Preservation Order |
| L009 | Tree preservation order |
| M001 | Prior to subdivision work |
| M007 | Street lighting |
| M008 | Linen plan |
| M009 | 88B Instrument |
| M011 | Soil testing |
| M013 | Street trees |
| M014 | Surveyors Certificate |
| P001 | Costs |
| P002 | Fees associated with Council land |
| Q001 | Notice of commencement and appointment of PCA |
| Q008 | Subdivision Certificate |

- 4.2 The following aspect in relation to Crime Prevention through Environmental Design (CTPED) principles should be incorporated into the development:

Lighting

- All street lighting shall be designed in accordance with Council's Public Domain Lighting Policy, and in accordance with Integral Energy standards and requirements.
- All pedestrian and cycle networks and bus stops shall be well lit in accordance with the abovementioned standards.
- Lighting should take into account all vegetation and landscaping that may act as an entrapment spot or obscure the effectiveness of the lighting.
- Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas.
- Lighting should have a wide beam of illumination, which reaches the beam of the next light, or the perimeter of the site or area being traversed.

Landscaping

- Street Tree planting and planting along pedestrian / cycle pathways should promote passive surveillance and clear lines of sight. Any trees should have a high canopy so as not to provide concealment

- opportunities. Dense shrubs and heavy undergrowth should be avoided along the pathways.
- The pedestrian / cycle pathways will be marked and signposted to clearly delineate which portion of the pathway should be used by pedestrians, and which should be used by cyclists.
 - Trees within public reserve areas must also have a high canopy and minimal undergrowth to enable passive surveillance, promote clear lines of sight and reduce entrapment spots. Dense shrubs must be avoided.
- 4.3 The soil salinity management measures outlined within the Western Precinct Plan must be implemented during construction. The measures and recommendations outlined by Geotech Testing Pty Ltd in their correspondence dated 8 March 2010 (Ref: 7508/23-AA Final Revised) are also to be adopted and implemented as a part of the development.
- 4.4 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.
- 4.5 Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
- 4.6 All soil material stockpiled for future use on the site is to be stored in such a manner so as to minimise dust.
- 4.7 No work associated with this development is to be undertaken in the vicinity of the existing bitumen road located in the south east of the site until such time as an EPA Accredited Site Auditor has issued a Site Audit Statement for the area, it has been deemed suitable for its intended use, and the Site Audit Statement has been submitted to Council.
- 4.8 Corner lots need to be designed to ensure that the driveway is located a minimum of 6 metres from the tangent point of the intersection to comply with the Australian Standards 2890.
- 4.9 All sites are to be benched in the subdivision to limit cut and fill to be minimal on the site and negate the need for retaining walls.
- 4.10 Those proposed lots will zero allotments need to be identified in the 88b instrument. The lots need to be benched to ensure that no earthworks are required within the easement so that access for maintenance is not hindered by varying ground level. Alternatively, the dwellings need to be designed with dropped edge beams to contain the cut and fill and ensure that the easement remains at a natural ground level after the construction of a dwelling at zero allotment.
- 4.11 All RMS (formerly the RTA) conditions are to be applied received from

the SRDAC reference ID 09M1255v10-11, ID 09M1255 v6-9 and ID 09M1255 vol 2 –SYD09/00603.

- 4.12 Pedestrian, bus and cycle facilities are to be consistent with the Development Control Strategy.
- 4.13 All bicycle path construction is to be in accordance with the relevant provisions of the RMS' (formerly the RTA) NSW Bicycle Guidelines and AUSTRROADS Guide to Traffic Engineering Practice – Part 14 Bicycles.
- 4.14 The conditions outlined in the Bush Fire Safety Authority issued by the NSW Rural Fire Services dated 22 June 2011, shall be incorporated into the development where applicable.
- 4.15 All works/regulatory signposting associated with the proposed development are to be at no cost to the Roads & Traffic Authority.
- 4.16 Temporary on-site detention and erosion and sediment control basins shall be provided generally on accordance with the concept plans lodged for the development approval prepared by J Wyndham Prince, reference number 9111, sheets DA40 – DA48, revision F, dated 17/05/2011.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a qualified Hydrologic/Hydraulic Engineer and shall accompany the application for a Construction Certificate.

An operation and maintenance manual shall be approved by the Certifying Authority as part of the Construction Certificate documentation.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

- 4.17 Prior to the issue of a Construction Certificate a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Penrith City Council.
- 4.18 Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all works relating to the utility service lead in works within public road reserves have been inspected and approved by Penrith City Council.
- 4.19 Prior to the issue of the Subdivision Certificate street trees are to be planted in accordance with the street tree plan numbered WP V2c STP Issue D dated 20/05/2011.

Prior to the planting of street trees, the street tree plan, plant species and location are to be approved by Penrith City Council. In this regard, please contact Council's **Development Services Unit** on 4732 7777.

- 4.20 Prior to the issue of a Subdivision Certificate all subdivision works in Village 2A & 2B are to be completed to the satisfaction of the Principal Certifying Authority.
- 4.21 Prior to the issue of a Subdivision Certificate the ultimate signalised treatment of the intersection of The Northern Road / Jordan Springs Boulevard (refer to RTA correspondence reference ID 09M1255 Vol 2 – SYD09/00603 dated 12 May 2011) is to be implemented to the satisfaction of the Roads & Traffic Authority.
- 4.22 The temporary on-site detention system and erosion and sediment control system shall be maintained by the person with the benefit of the development consent until development runoff is diverted into the ultimate water quality / detention system and the temporary system has been decommissioned. A minimum 12 month maintenance period will apply to the ultimate water quality / detention system when completed.
- 4.23 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.
- 4.24 The site is subject to the provisions of the St Marys Development Agreement. The applicant is reminded of the obligations under the Development 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 Development Agreement, as amended. The provision of affordable housing lots shall be made to the Centre for Affordable Housing in accordance with Clause 17 of the Development Agreement.
- 4.25 An arborist report relating to the trees proposed to be retained shall be submitted and approved prior to the issue of a Construction Certificate. The arborist report shall include consideration of the proposed extent of cut and fill works to confirm whether the trees can be retained on the site. The report should also specify tree protection measures to ensure that the trees proposed for retention have the best possible chance of surviving the proposed works.
- 4.26 The proposed street tree planting plan is to be revised to incorporate an informal street tree arrangement. Details are to be submitted and approved prior to the issue of a Construction Certificate.

- 4.27 The existing tree schedule (attached to the Tree Plan) provided with this application is to be updated to include justification to substantiate the proposed removal of all trees. These further details must be submitted to Council for consideration and approval prior to the issue of a Construction Certificate.
- 4.28 No remnant vegetation shall be removed from the land to be dedicated as Open Space without the prior approval of Penrith City Council
5. Development Application DA11/0517 for Subdivision of the Western Precinct, St Marys Release Area (Jordan Springs) – Lot 1127 DP1158660 (formerly Lot 1036 DP1149525), (Nos. 1070 - 1170) The Northern Road, Llandilo be approved subject to the following conditions:
- 5.1
- | | |
|------|--|
| A001 | Approved plans |
| A005 | Integrated approval authority's consent |
| A042 | Asset protection zones in bush fire areas |
| A044 | Compliance with NSW Rural Fire Service GTAs |
| A046 | Obtain Construction Certificate before commencement of works |
| B004 | Dust |
| B005 | Mud/soil |
| C003 | Uncovering relics |
| D001 | Sediment and erosion control measures |
| D002 | Spray grass |
| D005 | No filling without prior approval |
| D06A | Validation of fill material |
| D009 | Covering of waste storage area |
| D010 | Appropriate disposal of excavated or other waste |
| D013 | Traffic noise and acoustic report |
| D014 | Plant and equipment noise |
| G001 | Installation of services and service clearances |
| G002 | Section 73 |
| G004 | Integral Energy clearance |
| H01F | Stamped plans and erection of site notice |
| H002 | Provision of site facilities prior to commencement of construction works |
| H012 | Site classification |
| H041 | Hours of construction work |
| K101 | Works at no cost to Council |
| K201 | Sediment and erosion control |
| K202 | Roads Act |
| K205 | CC for subdivision works |
| K206 | Road design criteria |
| K207 | Road safety audit |
| K213 | Water quality |
| K224 | Inter-allotment drainage |
| K225 | Bus stops |
| K301 | Sediment and erosion control - installation |

| | |
|------|--|
| K304 | Matters to be addressed prior to commencement of subdivision works |
| K401 | Erosion and sediment control – during construction |
| K404 | Services - underground |
| K405 | Street lighting |
| K406 | Drainage connection |
| K407 | Major filling |
| K408 | Soil testing |
| K503 | Stormwater compliance |
| K504 | Restriction to user and positive covenant |
| K507 | Line marking and signage |
| K510 | Street signs |
| K511 | Bond for wearing course |
| K513 | Maintenance bond |
| K514 | Subdivision compliance documentation |
| L001 | Approved landscaping plans |
| L002 | Landscaping construction |
| L003 | Landscaping report requirements |
| L005 | Planting of plant material |
| L006 | Australian Standard landscaping requirements |
| L007 | Tree protection measures |
| L008 | Tree Preservation Order |
| L009 | Tree preservation order |
| M001 | Prior to subdivision work |
| M007 | Street lighting |
| M008 | Linen plan |
| M009 | 88B Instrument |
| M011 | Soil testing |
| M013 | Street trees |
| M014 | Surveyors Certificate |
| P001 | Costs |
| P002 | Fees associated with Council land |
| Q001 | Notice of commencement and appointment of PCA |
| Q008 | Subdivision Certificate |

- 5.2 The following aspect in relation to Crime Prevention through Environmental Design (CTPED) principles should be incorporated into the development:

Lighting

- All street lighting shall be designed in accordance with Council's Public Domain Lighting Policy, and in accordance with Integral Energy standards and requirements.
- All pedestrian and cycle networks and bus stops shall be well lit in accordance with the abovementioned standards.
- Lighting should take into account all vegetation and landscaping that may act as an entrapment spot or obscure the effectiveness of the lighting.
- Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas.

- Lighting should have a wide beam of illumination, which reaches the beam of the next light, or the perimeter of the site or area being traversed.

Landscaping

- Street Tree planting and planting along pedestrian / cycle pathways should promote passive surveillance and clear lines of sight. Any trees should have a high canopy so as not to provide concealment opportunities. Dense shrubs and heavy undergrowth should be avoided along the pathways.
- The pedestrian / cycle pathways will be marked and signposted to clearly delineate which portion of the pathway should be used by pedestrians, and which should be used by cyclists.
- Trees within public reserve areas must also have a high canopy and minimal undergrowth to enable passive surveillance, promote clear lines of sight and reduce entrapment spots. Dense shrubs must be avoided.

- 5.3 The soil salinity management measures outlined within the Western Precinct Plan must be implemented during construction. The measures and recommendations outlined by Geotech Testing Pty Ltd in their correspondence dated 8 March 2010 (Ref: 7508/23-AA Final Revised) are also to be adopted and implemented as a part of the development.
- 5.4 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.
- 5.5 Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
- 5.6 All soil material stockpiled for future use on the site is to be stored in such a manner so as to minimise dust.
- 5.7 Corner lots need to be designed to ensure that the driveway is located a minimum of 6 metres from the tangent point of the intersection to comply with the Australian Standards 2890.
- 5.8 All sites are to be benched in the subdivision to limit cut and fill to be minimal on the site and negate the need for retaining walls.
- 5.9 Those proposed lots will zero allotments need to be identified in the 88b instrument. The lots need to be benched to ensure that no earthworks are required within the easement so that access for maintenance is not hindered by varying ground level. Alternatively, the dwellings need to be designed with dropped edge beams to contain the cut and fill and ensure that the easement remains at a natural ground level after the construction of a dwelling at zero allotment.

- 5.10 All RMS (formerly the RTA) conditions are to be applied received from the SRDAC reference ID 09M1255v10-11, ID 09M1255 v6-9 and ID 09M1255 vol 2 –SYD09/00603.
- 5.11 Pedestrian, bus and cycle facilities are to be consistent with the Development Control Strategy.
- 5.12 All bicycle path construction is to be in accordance with the relevant provisions of the RMS' (formerly the RTA) NSW Bicycle Guidelines and AUSTRROADS Guide to Traffic Engineering Practice – Part 14 Bicycles.
- 5.13 The conditions outlined in the Bush Fire Safety Authority issued by the NSW Rural Fire Services dated 22 June 2011, shall be incorporated into the development where applicable.
- 5.14 All works/regulatory signposting associated with the proposed development are to be at no cost to the Roads & Traffic Authority.
- 5.15 Temporary on-site detention and erosion and sediment control basins shall be provided generally on accordance with the concept plans lodged for the development approval prepared by J Wyndham Prince, reference number 9111, sheets DA50 – DA56, revision B, dated 17/05/2011.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a qualified Hydrologic/Hydraulic Engineer and shall accompany the application for a Construction Certificate.

An operation and maintenance manual shall be approved by the Certifying Authority as part of the Construction Certificate documentation.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

- 5.16 Prior to the issue of a Construction Certificate a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Penrith City Council.
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- 5.18 Prior to the issue of the Subdivision Certificate street trees are to be planted in accordance with the street tree plan numbered WP V2d STP

Issue B dated 20/05/2011.

Prior to the planting of street trees, the street tree plan, plant species and location are to be approved by Penrith City Council. In this regard, please contact Council's **Development Services Unit** on 4732 7777.

- 5.19 Prior to the issue of a Subdivision Certificate all subdivision works in Village 2A are to be completed to the satisfaction of the Principal Certifying Authority.
- 5.20 Prior to the issue of a Subdivision Certificate the ultimate signalised treatment of the intersection of The Northern Road / Jordan Springs Boulevard (refer to RTA correspondence reference ID 09M1255 Vol 2 – SYD09/00603 dated 12 May 2011) is to be implemented to the satisfaction of the Roads & Traffic Authority.
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- 5.25 The existing tree schedule (attached to the Tree Plan) provided with this application is to be updated to include justification to substantiate the

proposed removal of all trees. These further details must be submitted to Council for consideration and approval prior to the issue of a Construction Certificate.

5.26 No remnant vegetation shall be removed from the land to be dedicated as Open Space without the prior approval of Penrith City Council.

6. Those who made a submission be advised of Council's decision.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

For

Against

Councillor Kaylene Allison
Councillor Prue Guillaume
Councillor Karen McKeown
Councillor Kath Presdee
Councillor John Thain
Councillor Jackie Greenow
Councillor Ross Fowler OAM
Councillor Mark Davies
Councillor Ben Goldfinch
Councillor Greg Davies

Councillor Kevin Crameri OAM

A LIVEABLE CITY

Councillor Kath Presdee left the meeting, the time being 8:11 pm.

3 [Tender Reference 11/12-12 - Roof Replacement and Rectification at Ripples Aquatic Centre](#)

84 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on Tender Reference 11/12-12 - Roof Replacement and Rectification at Ripples Aquatic Centre be received.
2. A contract be entered into between Bermagui Constructions Pty Ltd and Penrith City Council for the roof replacement and rectification works at Ripples Aquatic Centre for a sum of \$1,636,892.05 (ex GST).

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Cranebrook Road, Cranebrook - Speed Zone

Councillor John Thain requested that the Local Traffic Committee investigate and report on the possibility of providing 50 kph signs and ‘No U Turn’ signs along Cranebrook Road in the vicinity of Cranebrook Park.

Councillor Kath Presdee returned to the meeting, the time being 8:13 pm.

RR 2 Forrester Road, North St Marys - Traffic Signs

Councillor John Thain requested that the Local Traffic Committee investigate and report on whether a ‘No U Turn’ sign should be provided in the vicinity of Forrester Road, North St Marys to prevent traffic turning left out of Maple Street from doing u-turns at Griffith Street, causing congestion during morning peak hour.

RR 3 Northern Road, Llandilo

Councillor Kevin Crameri OAM requested that the Local Traffic Committee investigate and report on the possibility of extending the double white lines on Seventh Avenue, Llandilo across Northern Road, further east to prevent u-turns occurring in the vicinity of the main road.

RR 4 Rural Fencing

Councillor Kevin Crameri OAM requested a report to Council concerning rural fencing, in particular fencing surrounding houses in rural areas.

There being no further business the Chairperson declared the meeting closed the time being 8:15 pm.

I certify that these 25 pages are the Confirmed Minutes of the Extraordinary Meeting of Penrith City Council held on 11 April 2012.

Chairperson

Date