



Planning | Development | Management

23 April 2019  
Our Ref: 1281

Chief Executive  
Wollondilly Council  
PO Box 21  
PICTON NSW 2571

Dear Sir or Madam

**Attn: Aimee Lee**

**DA 156/2014 – Stages 1 and 2  
AMENDED LAYOUT PLAN  
MARION STREET THIRLMERE (WEST SIDE)**

We refer to the above matter and note Council issued consent to stage 3 of DP 156/2014 on 15 January 2018. At this time, stages 1 and 2 of DP 156/2014 remain undetermined.

We are now attaching three (3) copies of a revised plan of proposed subdivision for stages 1 and 2 of DPA 156/2014 and request the current application be amended, pursuant to cl.55(1) EPA Regulation 2000, such that it seeks consent for the attached proposed layout, rather than the version currently before Council.

**1. DETAILS OF PROPOSED AMENDMENT TO APPLICATION**

As required by cl.55(2) EPA Regulation 2000, the nature of the changes to the proposal are set out in the Table below.

<i>Detail</i>	<i>Proposed change</i>
<b>Plan of proposed subdivision</b>	<i>Plan by Paul Brandon of Australian Survey Solutions, Ref 190106 REV A dated 11 April 2019</i>
<b>Location of proposed road 1</b>	<i>The road position has been shifted slightly to the east in order to line up with the proposed road for the application adjoining to the north (45 Marion St (DA 229/2019)</i>
<b>Location of proposed road 2</b>	<i>The road position has been shifted to the south to avoid a four-way intersection with Highland Crescent</i>

P: (02) 9967 0500  
E: jeff@deepriver.com.au  
W: preciseplanning.com.au  
A: Level 15 88 Pitt Street, Sydney CBD, NSW 2000  
P: PO Box 426 Northbridge NSW 1560

Detail	Proposed change
<b>Shape of culdesac turning head</b>	The culdesac turning head at the southern end of proposed road 1 has been made an offset turning head in order to maintain better shaped lots around the circle.
<b>Stormwater strategy</b>	The proposed method of stormwater treatment has been amended, as set out in the Concept Stormwater Management Plan ('CSMP') prepared by Civplan Pty Ltd (Job-Drawing No 18030-1281-201, Rev 0 dated 27 March 2019). A letter is attached from the owner of 45 Marion Street and 56 Turner Street, consenting to the amendment to the application and consenting to the creation of all easements necessary to accommodate the proposed stormwater treatment strategy.
<b>Flora and fauna impacts</b>	The proponent has obtained a biobank statement from OEH which sets out the credit purchase and retirement required for the proposed subdivision
<b>Temporary turning head</b>	Addition of the temporary turning head benefiting stage 1 and burdening stage 2
<b>Type of development</b>	The existing application is integrated development. However, originally, approval from the [then] Mine Subsidence Board was not included as part of the integrated development requirement noted on the DA form. This proposed amendment to the application seeks to include SANSW concurrence as part of the integrated development process
<b>Satisfactory Arrangements Certificate (DPE)</b>	A Satisfactory Arrangements Certificate has already been issued by DPE for stage 3. An additional SAC would be required for stages 1 and 2 only.

**TABLE 1**  
Schedule of changes to application

It should be noted that the overall total number of lots to be created by each stage is consistent with the current proposal:

Stage 1 – 24 lots  
Stage 2 – 72 lots

**TOTAL – 96 lots**

## 2. WOLLONDILLY DCP 2016

Wollondilly Development Control Plan 2016

Volumes 1, 2 and 3 of WDCP are relevant to this proposal.

### **VOLUME 1 – General; PART 2 – General considerations for all development**

DCP reference	Response
<b>Part 1 - Preliminary</b> <b>Part 2 – General considerations for all development</b>	The proposed subdivision is categorised as a "medium subdivision" <ol style="list-style-type: none"> <li>1. The relevant safety and human health risks listed have been considered in the various specialist reports accompanying the application</li> <li>2. The road layout provides a high level of permeability. The east-west connection shown on the DCP structure plan cannot be achieved, because it relies on the use of an</li> </ol>





DCP reference	Response
	existing lot fronting Turner Street which is not included in the Urban Release Area
	3. The concurrence of SANSW will be required
	4. The future lots will be connected to a reticulated sewerage system
	5. The land is not located within a drinking water catchment
<b>Part 3 – Variations to this plan</b>	Noted
<b>Part 4 – Community engagement</b>	Noted
<b>Part 5 – Colonial Heritage (General)</b>	Noted. There are no items of heritage significance located either on or in the vicinity of the subject land.
<b>Part 6 – Heritage (Specific locations)</b>	N/A
<b>Part 7 – Aboriginal Heritage</b>	No assessment undertaken on this occasion
<b>Part 8 – Flooding</b>	Refer to the CSMP
<b>Part 9 – Environmental Protection</b>	Refer to Biobank Statement ID 70, which requires the purchase and retirement of fifty-five (55) ecosystem credits for stage 1 and a total of one hundred and forty three (143) ecosystem credits for stage 2.
<b>Part 10 – Tree removal</b>	Trees will be removed during the course of construction of the subdivision, as envisaged through the Biobank Statement process
<b>Part 11 – Landscaping</b>	Street tree plan will be provided for the Construction Certificate application
<b>Part 12 – Signage</b>	N/A

**TABLE 2**

General considerations for all development  
Volume 1, WDCP 2016

## **VOLUME 2 – Urban Release Areas**

Requirements of WLEP	Response
<b>(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing</b>	The proposal involves 2 stages. The development of this land will not prejudice the development of other lots in the precinct
<b>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists</b>	The proposed road layout provides a high level of permeability and generally achieves the underlying objectives of the precinct structure plan., although not strictly consistent because the east west connection shown on the structure plan cannot be achieved as it relies on a lot fronting Turner Street which is not part of the Urban Release Area
<b>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain</b>	Refer to the street tree planting plan
<b>(d) a network of passive and active recreational areas</b>	Utilise existing facilities in Tahmoor, Thirlmere and Picton
<b>(e) stormwater and water quality management controls</b>	Refer to CSMP
<b>(f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural</b>	The land is bushfire prone – refer to original bushfire report. Refer to the CSMP regarding flooding. Refer to contamination report

Requirements of WLEP	Response
<i>hazards, the safe occupation of, and the evacuation from, any land so affected</i>	
<i>(g) detailed urban design controls for significant development sites</i>	The subject land is not a significant site
<i>(h) measures to encourage higher density living around transport, open space and service nodes</i>	The land is not specifically desirable for higher density living
<i>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses</i>	N/A
<i>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking</i>	Utilise existing facilities in Tahmoor, Thirlmere and Picton

**TABLE 3**

Urban Release Areas  
Volume 2, WDCP 2016

### **VOLUME 3 – Subdivision of land**

#### **PART 2 – General Requirements for All Development**

Element	Objective	Control	Response
2.1 Traffic and Transport	Various		The proposal has regard to the relevant objectives because it is compliant with the controls
		1. Compliance with Council's Design Specifications	Complies
		2. Access handle widths	Proposed lot 27 complies
		3. Access handles	Proposed lot 27 complies
		4. Access handles	N/A
		5. Road infrastructure enhancement	Complies
		6. Safe intersection sight distance	Complies
		7. LED lighting for new street lights	Noted
		8. Streetlight location near intersection	Noted
		9. Splayed corners 4 x 4	Complies
2.2 Wastewater	Various		The proposal has regard to the relevant objectives because it is compliant with the relevant controls
		1. Acceptable options for wastewater management	Sites will be connected to reticulated sewerage

Element	Objective	Control	Response
2.3 Stormwater		2. Pump out	N/A
		3. Unsewered land	N/A
	Various		The proposal has regard to the relevant objectives because it is compliant with the relevant controls
		1. Satisfactory stormwater arrangements	Refer to CSMP
		2. Medium and Large subdivisions	Refer to CSMP
2.4 Lot Shape	Various		The proposal has regard to the relevant objectives because it is compliant with the relevant controls
		1. Lots in zones other than residential	N/A
		2. Minimum widths and depths	Complies
		3. Where the controls do not apply	N/A
		4. Where the controls do not apply	N/A
		5. Exception for irregularly shaped lots	Noted, see lot 27
		6. Calculating minimum lot size	Noted
		7. Lots facing a culdesac	Noted
	Subdivisions designed to enhance landscape character		The proposal has regard to the relevant objective because it is compliant with the relevant controls
		1. Subdivision of land in environmental and rural zones	N/A
2.5 Landscape and character		2. Not 2 independent access handles along a boundary	N/A
		3. Landscaping along access handle	Noted, may be conditioned for proposed lot 27
		4. Specifications for landscaping along access handle	Noted, may be conditioned for proposed lot 27
		5. Landscaping along access handle not to obscure buildings at end of handle	Noted
		6. Street tree planting	Plan will be provided for CC application, may be conditioned
2.6 Corner allotments			
	Safe vehicular access		The proposal has regard to the



Element	Objective	Control	Response
2.7 Building envelopes 2.8 Environmental protection  2.9 Non-residential development Aboriginal heritage 2.10 Agricultural subdivision	and maximum streetscape amenity		objectives because it is compliant with the relevant controls
		1. Nominate building envelope	The survey plan nominates a potential building envelope on each corner lot
		2. Vehicle access point	Shown on plan of proposed subdivision
		3. Controls do not apply where there is an existing dwelling	N/A
			The provisions of 2.7 do not apply to this proposal
	Protection of significant native vegetation from establishment of APZs		The proposal has regard to the objective because it is compliant with the relevant controls
		1. Provide APZs outside significant stands of native vegetation	Complies
		2. Limit impacts on watercourses and vegetation	N/A
			The provisions of 2.9 do not apply to this proposal
			The provisions of 2.10 do not apply to this proposal

**TABLE 14**

Volume 3, Part 2, General requirements for all developments  
WDCP 2016

### ***Specific Requirements for Thirlmere East***

#### Objectives

The proposed development is consistent with the objectives where relevant.

#### Controls

1. The land is not within 30 metres of Redbank Creek.
2. There is a direct east – west link shown on the structure plan for the subject land. However, this link cannot be achieved because it relies on the use of a lot fronting Turner Street which is not included in the Urban Release Area
3. The habitat tree shown on the structure plan is not located on the subject land.
4. There is no nexus between the subject land and this guideline. It is unenforceable.

We trust these changes to the DA are acceptable to Council and look forward to a quick determination and approval.

Yours faithfully

**PRECISE PLANNING**



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**Jeff Bulfin**