

# RESPONSE TO SUBMISSIONS FOR MODIFICATION 07\_0140 MOD 3

October 2014



## INTRODUCTION

This document sets out responses to submissions received in relation to the notification and exhibition of section 75W Modification 07\_0140 Mod 3. The modification was put on exhibition by the then Department of Planning and Infrastructure from 21/11/2013 – 04/12/2013. This document also addresses the Statement of Commitments set out in Appendix B of the above approval determination document.

Modification 07\_0140 Mod 3 proposes a revised configuration of residential allotments for Lot 12 DP 1021340 (Lot 12) within the Blighton Precinct of the Pitt Town subdivision area in the north west sector of Sydney. Lot 12 is part of a larger 659 lot subdivision that was approved under the provisions of Part 3A of the Environmental Planning and Assessment Act (1979) on 10 July 2008.

Ten submissions were initially received from local and NSW government agencies and individuals as listed below:

- The Department of Planning and Infrastructure (now known as the Department of Planning and Environment)
- The Department of Primary Industries
- Hawkesbury City Council
- Office of Environment and Heritage - Heritage Division
- Office of Environment and Heritage – Regional Operations
- NSW Trade and Investment – Mineral Resources Branch
- Roads and Maritime Services
- State Emergency Services
- Gwen Day (individual)
- Johnson Property Group (submission withdrawn)

The submission from Johnson Property Group was withdrawn and so no responses are required or provided for that submission in this document.

## RESPONSE TO SUBMISSIONS TO MODIFICATION 07\_0140 MOD 3

ITEM	SUBMISSION / COMMENT	RESPONSE
	<b>GOVERNMENT AGENCIES</b>	
	<b>Department of Planning and Infrastructure</b>	
<b>1</b>	<p><i>Land owners consent</i></p> <p>As previously advised, you are required to provide the written consent of Johnson Property Group to the lodgement of your application before your application can be determined.</p>	<p>Written consent has been obtained and submitted to the Department of Planning and Environment (DP&amp;E)</p>
<b>2</b>	<p><i>Subdivision design and layout</i></p> <p>Address the proposed modified lot sizes and lot orientation against any design guidelines and development controls prepared under the provisions of Schedule 2 Part B of the Concept Plan.</p> <p>Address the implications for the development of Lot 11, DP 1021340 in accordance with the concept plan. Your response should consider whether the proposed indicative lot sizes for that lot (shown on the plan of proposed subdivision</p>	<p>The proposed lot sizes in this modification are consistent with the lot sizes in the original Master Plan approval. This modification only proposes a new orientation of lots within Lot 12. Schedule 2, Part B, Clause B3 of the Part 3A determination document (original approval) for the Pitt Town Subdivision Area states that “<i>the lot layouts for each precinct are considered to be indicative only.....</i>” The proposed lot sizes in this modification are considered generally consistent with the original approval because they are consistent with the lot size requirements in the Concept Plan. The orientation of lots has been changed but there are no additional lots proposed so there will not be any increased demand on services compared to the Concept Plan orientation.</p> <p>The owner of Lot 11 has submitted a revised lot configuration to DP&amp;E for consideration.</p>

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	<p>accompanying your application) will be capable of accommodating development, particularly on Lots 101, 106 and 108, and any implications for site coverage, setbacks and flood risk requirements.</p>	
<p><b>3</b></p>	<p><i>Open space</i></p> <p>The Department does not support any change in the designation of the open space on the northern boundary of the Blighton Precinct adjacent to the Hawkesbury River.</p> <p>Address any implications on the Statement of Commitments in respect of flora and fauna impacts namely, the 45 metre wide riparian corridor along the river, and public access to the Blighton Riverside Park.</p>	<p>Hawkesbury City Council (Council) have in the past indicated that they are unsure as to whether they have the resources to establish and maintain the open space on the northern end of the Blighton Precinct. The Proponent has requested Council to clarify their position on establishment and maintenance of the open space designated within the Master Plan. This has not yet been clarified. The Proponent accepts that the open space may be a dedicated area but is concerned as to whether it will be properly managed particularly in relation to fire, weeds and public safety. It has been suggested to Council that the open space land could be annexed to the adjacent private lot or there could be an agreement as to its dedication at a later date.</p> <p>There is no development or disturbance proposed in this modification for the riparian corridor in the Blighton Precinct. Consequently, there are no anticipated impacts on flora or fauna.</p>
<p><b>4</b></p>	<p><i>Heritage</i></p> <p>Address any implications for the heritage values of the site and the recommendations and conservation policies contained in the <i>Blighton Conservation Management Strategy</i> (Graham Brooks and Associates, 16 December 2005), particularly in terms of the Conservation Area which traverses the Blighton Precinct. Your response should address the identified Aboriginal, historical archaeological and historical cultural landscape values of the precinct.</p>	<p>Detailed heritage studies were conducted in the Blighton Precinct as part of the original Part 3A EA documentation. These include work done by:</p> <ul style="list-style-type: none"> <li>• Donald Ellsmore, Heritage Advisor – Report for the Working Group (2003)</li> <li>• Archaeological and Heritage Management Solutions (2005)</li> <li>• Mayne – Wilson and Associates (2005)</li> <li>• Graham Brooks (2005 &amp; 2007)</li> <li>• Brown Consulting (2008)</li> </ul>

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	<p>Address any implications for the Statement of Commitments in respect of heritage impacts, particularly any current or future nomination of land within the voluntary conservation agreements (over the conservation or open space conservation zones) to the NSW Heritage Council for inclusion on the NSW State Heritage Register.</p>	<p>A Statement of Heritage Impact by Archex Designs (Greg Patch) has also been compiled to support this Modification 07_0140 MOD 3 application.</p>
<p><b>5</b></p>	<p><i>Traffic and access</i></p> <p>Address any implications for access to/servicing of Lot 11.</p> <p>Address the comments of the Barnson Traffic Assessment at 'Traffic Safety', particularly regarding intersection design angles, the preferable road desired outcome, and the traffic distribution figures at page 2, and clarify the name of the intersection referred to in the second paragraph of that section.</p>	<p>The proposed lot layout for Lot 11 involves the construction of a central access road that would be fully serviced as part of the roads construction. This road would then provide suitable access to residential dwellings as well as a conduit for the provision of services.</p> <p>The proposed development of Lots 11 and 12 in this modification does not involve any additional lot's and therefore dwellings or population. This means that there will be no increase in traffic volume to that which would have resulted from the Master Plan lot configuration and therefore no consequent increased impact on local or regional traffic flows or loads. The intersection angles referred to indicate that the existing intersection angle of the Master Plan internal road intersection with Hall Street is inappropriate as it is less than 70 degrees. The proposed layout showing an indicative lot and road layout for Lot 11 provides for the optimal 90 degrees intersection angle.</p>
<p><b>6</b></p>	<p><i>Miscellaneous</i></p> <p>Clarify the description in Appendix 3 of the proposed modification: page 3 refers to 11 lots and a 12th lot for public reserve whereas page 22 refers to the inclusion of public reserve within Lot 1.</p>	<p>As discussed above, Council are unsure as to whether they have the resources to develop and maintain the proposed public reserve (also referred to as the open space) in the Blighton Precinct. If Council prefer not to develop the public reserve then the Proponent has offered to include the reserve within Lot 1 and have it dealt with at a later stage. This can be done in a number of ways, including a deed of agreement</p>

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		about future dedication, condition of consent, etc. If the public reserve were to be included in Lot 1, the Proponent would then carry out basic management activities such as mowing for fire prevention and weed control.
	<b>NSW Department of Primary Industries</b>	
7	NSW Office of Water, Fisheries NSW, Crown Lands and Agriculture NSW have reviewed the proposed modification and advise no issues.	Noted
	<b>Hawkesbury City Council</b>	
8	<p><i>Minimum Lot Size Requirements</i></p> <p>The Blighton Precinct is affected by two differing minimum lot size requirements, with some of the land having a requirement of 4000m<sup>2</sup> and some 10000m<sup>2</sup>. Whilst the proposed subdivision layout for existing Lot 12 results in allotment sizes meeting these requirements (in particular proposed Lot 11), the application does not consider the necessity (or not) of amendment to the minimum lot size map, nor does it assess the implications of such change.</p> <p><i>Impact on Existing Lot 11</i></p> <p>The proposal does not consider or demonstrate how the minimum allotment size requirements of Hawkesbury Local Environmental Plan 2012 may affect the future subdivision design for Existing Lot 11. In particular, in their</p>	<p>The Proponent can address these matters in any future application to Council and this has been done in previous applications to Council. Council has advised that the Master Plan takes precedence over its LEP. However, if a revised LEP Lot Size Map is required then this is something that Council could do through a minor amendment to its LEP lot size provisions.</p> <p>It is noted that Council's Lot Size Map does not accurately accord with the lot sizes indicated in the Master Plan and so, even if Lot 11 was to be developed in accordance with the Master Plan layout this would be at</p>

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	<p>indicative plan proposed Lots 105 and 106 may not meet the minimum size of 10000m<sup>2</sup></p> <p>It is noted that a Traffic Assessment was submitted in support of the application which concludes that the proposed modified lot layout will have no adverse traffic impacts on Hawkesbury Street and Hall Street. However, the modification application does not address the purpose of the internal road proposed by the Pitt Town Master Plan and thereby the likely impacts of the removal of this road. The application has not considered the impact of a proposed cul-de-sac in the Pitt Town development area that was intended to be based on a grid pattern of road for visual, heritage and accessibility reasons. Similarly the proposed cul-de-sac road has the potential to adversely impact on the visual impacts of any development on Lot 11 which was a particular matter that was addressed by the conditions in the original Concept Plan approval.</p>	<p>odds with the Lot Size Map within the LEP. This issue could be dealt with as an amendment to the LEP as a result of this modification, a modification to Lot 11 or when Council revise the LEP. As mentioned previously, Council was of the view that the Master Plan took precedence over the LEP. If it is now indicated that the Lot Size Map needs alteration then this does not impact on the proposal for Lot 12 as the proposed lots comply with the Lot Size Map in the LEP. It is debatable whether some of the Lots within the indicative plan for Lot 11 are in accordance with the LEP Lot Size Map. However, the Master Plan layout doesn't comply in any case. This is a matter that would need to be addressed at the time of a development proposal for Lot 11. This could be done using a lot layout complying with the Master Plan, the indicative layout in this proposal or another layout proposed by the owner of Lot 11.</p> <p>The original intent of the internal road was to provide access and services for the individual lot's within Lot's 11 and 12. This modification for Lot 12 and the indicative layout for Lot 11 has been designed to achieve this purpose i.e. to provide access and a serviced sealed road. The proposed cul-de-sac on Lot 11 does not detract from the visual amenity of the overall subdivision. Further to this point, the proposed lot layouts for Lot's 11 and 12 provide a more orderly arrangement of land parcels and are consistent and sympathetic with the adjoining subdivision to the east.</p> <p>As mentioned earlier the proposed development of both lots 11 and 12 by either the Master Plan layout or an altered layout is a very small development proposal. Either is well capable of being contained on the local road system and either provides adequate access and traffic management internal to the site.</p>



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	<p>The proposal suggests that a 'no through' road can be provided for access to future proposed lots on Existing Lot 11, however the traffic assessment does not provide details as to the likely impacts of this arrangement.</p> <p>In summary, Council has no "in principle" objection to the modified lot layout, however, the abovementioned matters must be addressed to retain the intended outcome of the original Concept Plan approval. Should that intent be suitably retained and the amended layout not impede the development potential and outcome of development on both these allotments, Council would have no objection.</p> <p>The application presented opines that certain information is not necessary for assessment of the subdivision application. However, please note that in accordance with the commitments of the Part 3A Approval', Hawkesbury Local Environmental Plan 2012 and Hawkesbury Development Control Plan 2002- <i>PartE Chapter 4- Pitt Town</i>, a heritage impact statement (indigenous, European and archaeological potential) will be required for assessment of any future development application. In addition, a site contamination assessment is also required as well as details demonstrating consistency with the Commitments of the Part 3A Approval.</p>	<p>As stated previously and noted in the Traffic Assessment, there are no proposed addition residential lot's which means that there will be no increase in traffic volume and therefore no discernible or actual impact on traffic flow.</p> <p>This is noted and will be addressed as part of any future development application with Council.</p>



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	<b>Office of Environment and Heritage - Heritage Division</b>	
9	<p>The Section 75W Modification Assessment Report prepared by Glenn Falson Urban and Rural Planning Consultant dated September 2013 states that a Statement of Heritage Impact is not required at this subdivision stage because the site has been the subject of previous studies including those relating to heritage matters (page 14).</p> <p>The Heritage Division does not support the view expressed in the report. The Heritage Division believes that it is critical that a Statement of Heritage Impact be prepared for the subject land because archaeological testing under a permit by the Department of Environment and Conservation has indicated the presence of an intact Aboriginal archaeological landscape of considerable antiquity in the northern portion of Lot 11 and 12 and Lots 14-16.</p> <p>Given these findings, the Heritage Division believes that a Statement of Heritage Impact is required to synthesise the conclusions of previous studies and demonstrate how the conclusions have been recognised or will be managed by proposed development.</p> <p>Any Statement of Heritage Impact that is prepared for the subject land should clearly identify its heritage significance, assess the impact of proposed development including subdivision and subsequent development that involves the excavation of land (dwellings, outbuildings, driveways and swimming pools) on the heritage significance of the subject</p>	<p>Detailed heritage studies were conducted in the Blighton Precinct as part of the original Part 3A EA documentation. These include work done by:</p> <ul style="list-style-type: none"> <li>• Donald Ellsmore, Heritage Advisor – Report for the Working Group (2003)</li> <li>• Archaeological and Heritage Management Solutions (2005)</li> <li>• Mayne – Wilson and Associates (2005)</li> <li>• Graham Brooks (2005 &amp; 2007)</li> <li>• Brown Consulting (2008)</li> </ul> <p>A Statement of Heritage Impact by Archex Designs (Greg Patch) has also been compiled to support this Modification 07_0140 MOD 3 application.</p>

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	<p>land and identify how the impact of the proposed development on any relic and or Aboriginal object or Aboriginal archaeological landscape may be mitigated. The Statement should also consider the impact of proposed development on the views and vistas of adjacent heritage items such as "The Manse" located in Punt Road.</p> <p>The Heritage Division further considers it important that proposed development on the subject land both recognises and appropriately interprets the heritage significance of both "Blighton" and the intact Aboriginal archaeological landscape.</p>	
	<b>Office of Environment and Heritage – Regional Operations</b>	
10	<p><i>Hawkesbury River Buffer Area</i></p> <p>The report suggests that Hawkesbury Council no longer has an interest in acquiring and maintaining the riverfront land that was identified for dedication as a public reserve in the approved Concept Plan. It is understood that acquisition of this land was part of the identified Section 94 contributions.</p> <p>As noted in the Pitt Town Concept Plan <i>Preferred Project Report</i> the reserve area provided an important buffer to the Hawkesbury River with environmental, water quality and scenic values. The report stated that <i>"the proposed open space will provide a minimum 45 metre wide buffer to the Hawkesbury River from the top of the river bank and in addition, no development will be permitted within the proposed Jots for a further 45 metres (due to flooding</i></p>	

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	<p><i>constraints), thus providing a setback in excess of 90 metres."</i> The land contains some vegetation and is part of a broader riparian corridor also proposed to be public open space.</p> <p>OEH considers that the area identified for dedication as a public reserve should not be included in Lot 1 but should remain a separate lot. If Council determines it does not have an interest in acquiring this land for open space then OEH recommends that the land not be absorbed into Lot 1 but rather be zoned for conservation (i.e. E2 Environment Conservation). It is anticipated that the Section 94 contribution plan would need to be amended accordingly and OEH considers that the funding should be used for a similar investment in open space in the Pitt Town area.</p> <p><i>Aboriginal Cultural Heritage</i></p> <p>The Pitt Town area is a landscape of high Aboriginal cultural and scientific significance. The Section 75W Modification Report states that the revised layout has the same number of lots and the lot sizes are consistent with the zoning rules in the Part 3A Concept Plan approval.</p> <p>It is noted that the revised layout retains the larger lot sizes (1 hectare) for the lots closer to the Hawkesbury River and in the area that was formerly identified as having significant Aboriginal heritage values. It is therefore considered that the revised layout will not result in an increased impact to</p>	<p>Noted. The Proponent accepts that the open space was dedicated as part of the Master Plan and has no issue with this arrangement. However, the Proponent is concerned that Council do not have the resources to develop or maintain the open space to manage fire risk, public safety or weed management. This will continue to be an issue even in the event that the open space is rezoned E2. The issue is management of the open space rather than dedication. Based on this the Proponent proposes that the open space be absorbed into Lot 1 with a caveat that it can be transferred to open space following a funded strategy by either Council or DP&amp;E / OEH for the proper management of the area. In the mean time the Proponent would manage the open space to control weeds and fire risk.</p> <p>Agreed and noted.</p>

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	Aboriginal objects and is generally in accordance with the Part 3A Concept Plan approval.	
	<b>NSW Trade &amp; Investment- Mineral Resources Branch</b>	
11	NSW Trade & Investment- Mineral Resources Branch has no issues to raise.	Noted
	<b>Roads and Maritime Services</b>	
12	RMS has reviewed the subject application and has no objection to the modification of the Pitt Town Concept Plan.	Noted
	<b>State Emergency Services</b>	
13	The current matter before the Department of Planning and Infrastructure is at a level of detail that could not usually be reviewed by the NSW SES due to this strategic focus. However, the Service did provide detailed commentary on flood risk and emergency management issues at the strategic level relating to the proposed Pitt Town Precinct during the period 2002 to 2007.	The adjacent submission / comment from the SES is an excerpt only but provides a summary of their position on the Pitt Town subdivision. Given that this modification does not propose any additional lots in relation to the original Concept Plan no increase in population will result. This means that there will not be any knock on effect for issues such as flood evacuation.
	<b>GENERAL PUBLIC</b>	
	<b>Gwen Day</b>	
14	With respect for the planned development I would like to say that the infrastructure, i.e. roads and by-ways cannot cope with the existing traffic, let alone more	Noted. This modification does not propose any additional lots and therefore impacts on traffic. It is the Proponents understanding that that incremental road upgrades in the local area are occurring..

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	<p>vehicles.  I went to a meeting this past August when it was tabled that funding for the by-pass was almost completed.  I would ask that no more development can take place until the by-pass has been initiated by the Hawkesbury Council.  The developer has developed roads within the estate, but the council roads are sorely lacking, with some being no more than goat tracks and are considerably unsafe for further traffic. This I know from first hand experience having almost been side swiped a few times.</p>	
	<b>Johnson Property Group</b>	Submission withdrawn

# RESPONSES TO THE STATEMENT OF COMMITTMENTS

IMPACT	NATURE OF POTENTIAL IMPACT	MITIGATION MEASURES / ENVIRONMENTAL SAFEGUARDS	COMMENTS
Flooding	Need to ensure that houses are built on flood free land	Building envelopes will be specified on the Design Guidelines to be submitted with future Development Applications and will be enforced through covenants to be included in S88B Instruments	Building envelopes can be provided for each lot in accordance with Council DCP requirements. There is adequate area on each lot to provide for dwelling sites. All lot's are above the 17.3 metre 1:100 year flood level.
Water Quality	<p>Possibility of increased levels of nutrients and contaminants in stormwater runoff.</p> <p>Likelihood of increased flow rates of stormwater in some catchments.</p> <p>Possibility of groundwater contamination.</p>	Provide details of the proposed water quality control and detention measures with relevant applications for development approval, including a Construction Environmental Management Plan. This Management Plan is to include consideration of impacts on groundwater and details of the proposed bio-filtration basin within the ecological area of Bona Vista.	Not applicable as this refers to the Bona Vista area of the Pitt Town subdivision development.
Geotechnical	Possibility of disturbing acid sulphate soils if excavations are deeper than 1.5 metres.	If excavations below 1.5 metres are proposed within Blighton, Cleary of Thornton Precincts prepare an Acid Sulphate Soils Management Plan prior to obtaining a Construction Certificate.	There are no excavation works proposed below 1.5 metres.
	Possibility of contamination associated with previous orcharding	Within the Thornton property, undertake sampling and contamination testing to determine the contamination status around former orchard and filling areas prior to obtaining development approval for this land.	Not applicable. Lot 12 is in the Blighton Precinct. Any land contamination investigations will be done as part of a Development Application to Council.



IMPACT	NATURE OF POTENTIAL IMPACT	MITIGATION MEASURES / ENVIRONMENTAL SAFEGUARDS	COMMENTS
	within Thornton Precinct.		
	Need to identify geotechnical requirements for residential development within Cattai Precinct.	Within Cattai Precinct, include a geotechnical investigation covering sub-surface testing for contamination and salinity as part of an application for development of this land. If the investigation reveals saline soils the Development Application is to include measures for minimising impacts on groundwater.	Not applicable.
	Need to ensure appropriate construction materials within Brighton, Cleary, Thornton and Cattai Precincts.	Within Brighton, Cleary, Thornton and Cattai Precincts, the Construction Certificate Application should specify that construction materials, such as concrete, steel, brick etc used for proposed development should be appropriate for a mildly aggressive site.	This is a matter for later detailed plans for Construction Certificates for road works and for subsequent Development Applications for houses.
Ground Water	Need to ensure adequate subsurface drainage.	Incorporate appropriate subsurface drainage measures into Construction Certificate plans.	This will be included in Construction Certificate plans.
Air Quality	Need to minimise air quality impacts.	Future applications for development approval should include provisions for walking and cycling paths and for bus routes to reduce car usage.	Existing Hawkesbury Street is appropriate for walking and cycle use without dedicated paths. There is no proposed bus route along this “dead end” section of Hawkesbury Street. The indicative cul-de-sac road shown on Lot 11 would be very low traffic and would not require a dedicated cycle path. A bus route would not likely be proposed for this road.
Flora and fauna	Need to ensure the existing limited environmental values of the site are retained and enhanced.	Future Development Applications should include a landscape plan showing retention of as many existing canopy trees as practical within the residential area, taking into account the risks of retaining large native species close to dwellings.	The site is largely cleared of vegetation due to past orcharding practices. No clearing of residual vegetation is proposed.

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	Need to ensure that the riparian corridor along the River is retained and enhanced.	<p>Within the Blighton, Cleary and Thornton Precincts, landscape works are to include details of provisions to preserve a 45 metre wide riparian corridor along the Hawkesbury River. The landscaping plans are to ensure retention and regeneration of native species within the riparian corridor.</p> <p>Mitigation measures identified in the Ecology Lab – Aquatic Habitat Survey dated 29 November 2007 associated with the construction and operation of the boat ramp will form part of a future Development Application to approve and construct the boat launch site.</p>	<p>The future ownership and management arrangements for the open space / riparian land remain unresolved at present. Therefore it is not possible to propose landscaping works at present.</p> <p>The boat ramp is not on Lot 12. This is an issue for the owner of Lot 11.</p>
Heritage	Need to ensure that the heritage values of the site are protected during construction and in the longer term.	The proponent is to pursue the establishment of a Voluntary Conservation Agreement (VCA) or similar form of protection over the Conservation Zone (Public Ownership) and Open Space Conservation Zone (Private Tenure) within Blighton Precinct (refer to Figure 11 of the EA), including measures to protect the identified Aboriginal, Historical Archaeological and Historic Cultural Landscape values.	Detailed heritage investigations were carried out across the Blighton Precinct as a component of the Part 3A EA documentation. The Proponent therefore proposes that any further Heritage work in the form of a Heritage Impact Statement be developed and lodged as part of a Development Application to Council once DP&E have approved the proposed lot re-configuration in this modification
		The proponent is to nominate the land within the Voluntary conservation Agreement (VCA) over the Conservation Zone (Public Ownership) and Open Space Conservation Zone (Private Tenure) to NSW Heritage Council for inclusion on the NSW State Heritage Register and for inclusion as a Heritage item on the Hawkesbury LEP.	As above.
		Prior to obtaining a Construction Certificate for	Will be done prior to applying for a

IMPACT	NATURE OF POTENTIAL IMPACT	MITIGATION MEASURES / ENVIRONMENTAL SAFEGUARDS	COMMENTS
		development within any precinct containing known archaeological artefacts, the proponent is to undertake any required archaeological salvage work in accordance with Section 90 of the National Parks and Wildlife Act 1974 (Amended 2001) and/or the Heritage Act 1977 and generally in accordance with the relevant AHMS reports.	Construction Certificate.
		An archaeological assessment and impact assessment should be undertaken as part of the documentation for the Cattai Precinct Development Application.	Not applicable.
		Prior to Development Approval for Blighton Precinct, the proponent is to prepare and submit for approval a Heritage Interpretation Plan that communicates the complementary and overlapping Aboriginal and Historic heritage values of the land to the public and to those who will live in close proximity to the land.	Detailed heritage investigations were carried out across the Blighton Precinct as a component of the Part 3A EA documentation. The Proponent therefore proposes that any further Heritage work in the form of a Heritage Impact Statement be developed and lodged as part of a Development Application to Council once DP&E have approved the proposed lot re-configuration in this modification
Visual Impacts	Mitigating the visual impacts of development.	<p>The applications for development of Bona Vista and Fernadell Precincts are to include:</p> <ul style="list-style-type: none"> <li>• Retention of the existing Casuarina trees in the existing street reservation;</li> <li>• Location of large lots along Bathurst St with access denied to new lots fronting Bathurst Street.</li> <li>• Larger lots along the historical roads of Johnston Street;</li> <li>• Retention of the curtilage around Bona Vista homestead and buildings;</li> </ul>	Not applicable.

IMPACT	NATURE OF POTENTIAL IMPACT	MITIGATION MEASURES / ENVIRONMENTAL SAFEGUARDS	COMMENTS
		<ul style="list-style-type: none"> <li>• Retention of the park adjacent the Bona Vista homestead; and</li> <li>• Retention of the rectilinear street layout pattern.</li> </ul> <p>The applications for development of Blighton and Cleary Precincts are to include;</p> <ul style="list-style-type: none"> <li>• Large lots are located along the historical roads of Hall Street and Punt Road;</li> <li>• The houses edging the elevated land cannot build dwellings with finished floor levels below RL 17.3m AHD; and</li> <li>• The houses edging to elevated land are to have landscape and fencing style controls (open style rural fencing) for their lots extending northwards down the slope.</li> </ul> <p>Future Development Applications should provide larger lots along the Cattai Road frontage.</p>	<p>The proposed lot layout's in this modification have been designed to comply with this requirement.</p> <p>All land to accommodate dwellings in this subdivision is well above 17.3m.</p> <p>Not applicable to Lot 12. However, this will need to be applied to Lot 11.</p> <p>Not applicable.</p>
Safer by Design	Need to ensure public surveillance.	Future applications for development approval should include provisions of pathways and cycle ways in accordance with the Safer by Design Guidelines.	No pathways or cycle ways are proposed for this relatively small development.
Public Transport	Need to show bus routes	The plans accompanying the relevant Development Application are to show the internal bus route complying with the HCC DCP.	There is no bus route internal to this site or to adjoining Lot 11.
Impact on watercourses	Need to gain approval from DWE for development within riparian zones.	The proponent will negotiate with the Dept of Water and Energy (DWE) in relation to the preparation of plans for development of land adjacent to the watercourse in Thornton Precinct.	Not applicable. This refers to the Thornton Precinct.
Blighton Riverside	For public access.	Prior to development approval of the Blighton, Cleary	It is not known if JPG has had any

IMPACT	NATURE OF POTENTIAL IMPACT	MITIGATION MEASURES / ENVIRONMENTAL SAFEGUARDS	COMMENTS
Park & Boat Ramp		<p>and Thornton precincts, JPG will use its best endeavours to negotiate with Council in good faith for the transfer to Council of the Blighton Riverside Park Land in a manner which secures public ownership of the Blighton Riverside Park Land and its care and maintenance.</p> <p>If such an agreement between JPG and Council cannot be reached, the Developer will retain the land in private ownership, but on the basis that it is fully accessible to the public and adequately cared for and maintained.</p>	<p>negotiations with Council. It is also not known if Council want to own the riverside land that is shown in the Master Plan as this land is not shown as Public Reserve land (or by any similar name) within Council's LEP which is a later instrument than the Pitt Town Master Plan.</p> <p>Whilst the subdivision layout proposed shows the land as a Public Reserve the land could also be included within lot 1 on Lot 12 if required.</p>
Proposed onsite Sporting Facility.	AHD level of Amenities building.	During detail design of the proposed onsite sporting fields, investigate AHD levels for the amenities building to see if it is possible for it to be raised above the 1 in 100 year flood level.	Not applicable.
Other commitments made in the EA include:		Lodge contour and design plans with each Development Application.	Will be done for future Development Application to Council.
		Lodge plans showing lot numbers, dimensions and areas, together with details of easements and covenants with each Development Application.	As above. There are no proposed easements.
		JPG will provide controls for the Minister to declare as Complying Development Controls by way or order under Section 75P(2)(d) of the Environmental Planning & Assessment Act 1979 for all housing in the Pitt Town Residential Precinct.	Not a matter for Lot 12 owners.
		Consideration of Total Water Catchment Management	Catchment management will be incorporated

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		schemes, particularly for use of stormwater caught in water quality and detention ponds for irrigating playing fields.	into any construction and design proposals to Council within a future Development Application.
		The 88B instruments for allotments within Blighton, Cleary and Thornton Precincts will include restrictions on the types of development permitted in the rear of lots on or below the escarpment to reduce visual impacts.	This applies to Lot 11 and could form a condition of consent.
		Landscape plans, including themes for each Precinct, proposals for each road type, species lists and pathway and cycleway layouts will be submitted with each Development Application.	This will be provided at the time of Development Application to Council.