

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

Application number:	DA18/0520
Description of development:	Detached Dual Occupancy and OSSM
Classification of development:	Class 1a

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 2 DP 1097876
Property address:	836 - 842 Richmond Road, BERKSHIRE PARK NSW 2765

DETAILS OF THE APPLICANT

Name & Address:	Cook Constructions Pty Ltd PO Box 4279 PITT TOWN NSW 2756
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DECISION OF CONSENT AUTHORITY

In accordance with Section 4.18(1) (a) of the Environmental Planning and Assessment Act 1979, consent is granted subject to the conditions listed in attachment 1.

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

Date from which consent operates	10 January 2019
Date the consent expires	10 January 2024
Date of this decision	9 January 2019

POINT OF CONTACT

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

Assessing Officer:	Pukar Pradhan
Contact telephone number:	+612 4732 7726

NOTES

Reasons

The conditions in the attached schedule have been imposed in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 as amended.

Conditions

Your attention is drawn to the attached conditions of consent in attachment 1.

Certification and advisory notes

You should also check if this type of development requires a construction certificate in addition to this development consent

It is recommended that you read any Advisory Note enclosed with this notice of determination.

Review of determination

The applicant may request Council to review its determination pursuant to Division 8.2 of the Environmental Planning and Assessment Act 1979 within six months of receiving this Notice of Determination.

These provisions do not apply to designated development, complying development or crown development pursuant to Section 8.2(2) of the Environmental Planning and Assessment Act 1979.

Appeals in the Land and Environment Court

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

There is no right of appeal to a decision of the Independent Planning Commission or matters relating to a complying development certificate pursuant to clause 8.6(3) of the Environmental Planning and Assessment Act 1979.

Designated development

If the application was for designated development and a written objection was made in respect to the application, the objector can appeal against this decision to the Land and Environment Court within 28 days after the date of this notice.

If the applicant appeals against this decision, objector(s) will be given a notice of the appeal and the objector(s) can apply to the Land and Environment Court within 28 days after the date of this appeal notice to attend the appeal and make submissions at that appeal.

Sydney Western City Planning Panels

If the application was decided by the Sydney Western City Planning Panel, please refer to Section 2.16 of the Environmental Planning and Assessment Act, 1979 (as amended) for any further regulations.

ATTACHMENT 1: CONDITIONS OF CONSENT

General

- 1 The development must be implemented substantially in accordance with the plans below and stamped approved by Council, the application form, the BASIX Certificate number 913673S dated 26 March 2018 and any supporting information received with the application, except as may be **amended in red** on the attached plans and by the following conditions.

Drawing Title	Drawing Reference	Prepared by	Dated
Site Plan	01 (Revision A)	Cook Constructions	17/09/18
Ground Floor Plan	02	Cook Constructions	10/11/17
Elevations and Section	03	Cook Constructions	10/11/17
Sediment Control Plan	05	Cook Constructions	10/11/17
Concept Stormwater Plan	06	Cook Constructions	10/11/17
Schedules of External finishes	Job No 44	Cook Constructions	-

- 2 The work must be carried out in accordance with the requirements of the Building Code of Australia. If the work relates to a residential building and is valued in excess of \$20,000, then a contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.

{Note: Residential building includes alterations and additions to a dwelling, and structures associated with a dwelling house/dwelling such as a carport, garage, shed, rural shed, swimming pool and the like}.

- 3 **The development shall not be used or occupied until an Occupation Certificate has been issued.**
- 4 All new works shall be constructed in accordance with the provisions of the "Planning for Bushfire Protection" December 2006 document including "Addendum: Appendix 3" and "AS3959 - 2009 'Construction of buildings in Bushfire Prone Areas'". In this regard the following applies:
- Gutter and Valley Guards are to be installed in the development in accordance with Clause 4.3.5 of "Planning for Bushfire Protection" 2006; and
 - All development is required to comply with "Addendum: Appendix 3" of "Planning for Bushfire Protection" 2006 particularly Clause A3.7; and
 - The development is to be constructed to BAL- 12.50 construction under "AS3959-2009 'Construction of buildings in bushfire-prone areas'".
- 5 (a) An Asset Protection Zone for protection from bushfire shall be provided and maintained to the dwelling in accordance with the recommendations outlined in the Bush Fire Assessment Report prepared by Bushfire Consulting Services dated 9 May 2018, and in particular are to include the following:
- i. An Asset Protection Zone (APZ) for a distance of 23m to the northeast and 19m to the southeast, southwest and northwest as outlined in AS3959 Table and the NSW RFS document 'Standards for

Asset Protection Zones' and shall be provided and maintained for the term of the development.

ii. The Asset Protection Zone (APZ) shall be maintained as follows:

- minimise fuel levels at ground level that can be set alight by a bushfire,
- vegetation does not provide a path for the transfer of fire to the development - that is fuels are discontinuous,
- no trees are to overhang the building,
- trees should be well spread out and not form a canopy,
- trees or shrubs that retain dead material or deposit excessive quantities of fuel in a short period of time should not be planted within the IPA,
- trees and shrubs should be located far enough from the building that the radiant heat they produce or direct flame contact will not ignite the house,
- wooden sheds, combustible material, large areas or quantities of garden mulch, stacked flammable building materials etc, shall not be sited in the IPA.

iii. The entire Asset Protection Zone shall be maintained as an IPA in a fuel free condition..

(b) Prior to the issue of an Occupation Certificate, a 'positive covenant' shall be registered over the land to which the development relates to in order to ensure that the Asset Protection Zone of 23m and 19m is provided and maintained around the dwelling house for the term of the development.

(c) During the construction of the development, documentation and associated legal paperwork shall be forwarded to Penrith City Council for consideration and endorsement which notes Council's interest in the positive covenant before the positive covenant is registered with Land and Property Information (a division of the Department of Lands).

6 A **Construction Certificate** shall be obtained prior to commencement of any building works.

Demolition

7 Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

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

Environmental Matters

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

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

- 10 No fill material shall be imported to the site until such time as a Validation Certificate(with a copy of any report forming the basis for the validation) for the fill material has been submitted to, considered and approved by Council. The Validation Certificate shall:
- state the legal property description of the fill material source site,
 - be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
 - clearly indicate the legal property description of the fill material source site,
 - provide details of the volume of fill material to be used in the filling operations,
 - provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
 - (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

- 11 All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.
- 12 All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

- 13 The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

BCA Issues

- 14 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:
- (a) complying with the deemed to satisfy provisions, or
 - (b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
 - (c) a combination of (a) and (b).

Health Matters and OSSM installations

- 15 The rainwater tank must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.

Utility Services

- 16 A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority before an Occupation Certificate is issued for the development.

- 17 **Prior to the issue of a Construction Certificate**, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

Construction

18 Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction. The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage, but no more than 2 signs, stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works on site, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed on completion of earthworks or construction works and when a Compliance Certificate has been issued by the Principal Certifying Authority certifying that the development has complied fully with the development consent and, where required, been constructed in accordance with the Construction Certificate.

19 Prior to the issue of the Occupation Certificate, clothes drying facilities shall be positioned and screened from public view.

20 The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.

- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the Manufacturer's Specifications, and
- Sydney Water and NSW Health requirements.

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

- 21 The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:
 - roof catchment areas must be kept clear of overhanging vegetation,
 - gutters must have sufficient fall to downpipes to prevent pooling of water,
 - overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
 - for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
 - appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.
- 22 The rainwater tank supply must not be connected to drinking and bathing water tap outlets.
- 23 The rainwater tank pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.
- 24 Construction works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:
 - Mondays to Fridays, 7am to 6pm
 - Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
 - No work is permitted on Sundays and Public Holidays.

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

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

Landscaping

- 25 **Prior to the release of the Construction Certificate**, a detailed landscape plan including several indigenous trees located along the front boundary and internal driveway as shown in red on the approved site plan shall be submitted to Council for consideration and approval.

All landscape works are to be constructed in accordance with *Part C 6 Landscape Design* of the Penrith Development Control Plan 2014.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

- 26 All landscape works are to meet industry best practice and the following relevant Australian Standards:
- AS 4419 Soils for Landscaping and Garden Use,
 - AS 4454 Composts, Soil Conditioners and Mulches, and
 - AS 4373 Pruning of Amenity Trees.

- 27 Existing landscaping is to be retained and maintained at all times.

Section 94

- 28 This condition is imposed in accordance with Penrith City Council's Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$ 507.00** is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The invoice accompanying this consent should accompany the contribution payment. The Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

- 29 This condition is imposed in accordance with Penrith City Council's Contributions Plan(s) for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$ 6,097.00** is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The invoice accompanying this consent should accompany the contribution payment. The Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

- 30 This condition is imposed in accordance with Penrith City Council's Contributions Plan(s) for Local Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$ 2,204.00** is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The invoice accompanying this consent should accompany the contribution payment. The Contributions Plan for Local Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

Certification

- 31 Prior to the commencement of any earthworks or construction works on site, the proponent is to:

(a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act 1979, and accompanying Regulation, and

(b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing of site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

- 32 **An Occupation Certificate is to be obtained** from the Principal Certifying Authority on completion of all works and prior to the occupation of the dwelling.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Operation of OSSM

- 33 The on-site sewage management (OSSM) system and effluent management area shall be installed and operated in accordance with the:
- “Environmental and Health Protection Guidelines On Site Sewage Management for Single Households”
 - Australian Standards AS1547:2012,
 - Council’s On-Site Sewage Management and Greywater Reuse Policy,
 - current (at the time of installation) NSW Health Accreditation documentation,
 - the Wastewater Report (prepared by EnviroTech, date 3 September 2018, ref 18-6055-A2), and
 - the Effluent Management Area Plan (prepared by EnviroTech, date 3 September 2018, ref 18-6055-A2, Drawing Number DWG-18-6055-A2)
 - And, the conditions of this consent.

Prior to the issue of the ‘Approval to Operate’, a Commissioning Certificate for the OSSM system shall be provided to Penrith City Council for approval. This Certificate shall certify that the aerated wastewater treatment system (AWTS) has been installed and is operating in accordance with the conditions of its NSW Health accreditation documentation.

Prior to the issue of the Occupation Certificate and before the OSSM system can be used, an ‘Approval to Operate’ for the OSSM system is to be sought from and issued by Penrith City Council.

- 34 All wastewater generated on the site is to be diverted to a Aerated Wastewater Treatment System and be disposed of by way of semi fixed surface irrigation in the approved effluent management area. The effluent management area is to be located in accordance with the stamped approved Effluent Management Area Plan (prepared by EnviroTech, 3 September 2018, REF-18-6055-A2) and have a minimum area of 694m².

The system and effluent management area are to be installed and managed in accordance with the:

- “Environmental and Health Protection Guidelines On Site Sewage Management for Single Households”
- Australian Standards AS 1547:2012,
- Council’s On-Site Sewage Management and Greywater Reuse Policy,
- the Wastewater Report (prepared by EnviroTech, 3 September 2018, REF-18-6055-A2), and
- the Effluent Management Area Plan (prepared by EnviroTech, date 3 September 2018, ref 18-6055-A2, Drawing Number DWG-18-6055-A2)

The system is to be utilised for a 4 bedroom dwelling or daily wastewater load of 750 litres in accordance with Wastewater Report (prepared by EnviroTech, 3 September 2018, REF-18-6055-A2). Any dwelling approval on the site greater than this may require a new wastewater report for Council’s consideration.

- 35 Penrith City Council is both the consent authority and certifying authority for the installation of the On-Site Sewage Management System (OSSM). **It is your responsibility to contact Council's Development Services Department to organise all inspections required for the installation of the system.**

In this regard, the septic tank(s) and disposal area(s) will need to be inspected on completion of the system's installation (before backfilling occurs) and prior to its commissioning, to ensure compliance with those conditions specific to the installation of the system.

A copy of the satisfactory inspection reports carried out by Council shall be submitted to the Principal Certifying Authority if Council is not the Principal Certifying Authority.

- 36 The septic tank, drainage and irrigation lines and effluent management area shall not be altered without the prior approval of Council. In addition, the septic tank shall not be buried or covered.
- 37 All house drainage and sanitary plumbing shall be carried out in accordance with the requirements of the Plumbing and Drainage Act 2011 and the Plumbing Code of Australia.
- 38 The design of the irrigation system for the effluent management area is to be such that:
- The distribution line is to be buried from the tank to the designated disposal area.
 - The moveable irrigation line and sprinklers (including the plume from the sprinklers) situated within the disposal area can not exceed the designated boundaries of the disposal area.
 - The treated wastewater can be evenly irrigated across the entire designated disposal area, **avoiding the drip line of native trees.**
 - Sited so as not to contaminate the natural watercourse that traverses the subject property.
- 39 All irrigation pipework and fittings shall comply with AS2698 "Plastic Pipes and Fittings for Irrigation and Rural Applications". In this regard:
- the irrigation system is not to be connected to/not capable of connection to the mains water supply,
 - standard household fittings, soaker hoses, garden sprinklers and standard water hose fittings are not to be used,
 - all distribution lines of the irrigation system to any standpipe shall be buried to a minimum 100mm below finished surface level,
 - spray irrigation equipment connected to distribution lines shall be fixed, and
 - spray irrigation shall only use low pressure, low volume spray heads which are not capable of producing aerosols. The spray shall have a maximum plume height 400mm and a plume radius of not more than 2 metres.
- 40 There shall be no effluent runoff from the subject property to adjoining premises, public places or reserves.
- 41 A minimum of two signs shall be erected within the effluent management area. These signs are to state "RECLAIMED EFFLUENT - NOT FOR DRINKING - AVOID CONTACT". The signage shall be maintained for the term of the development.
- 42 The owner/occupier shall enter into an annual service contract with the manufacturer, distributor or other person authorised (in writing) by Penrith City Council to service the aerated septic tank(s) every three (3) months from the date of commissioning in the following manner:
- i. A three monthly service shall include a check on all mechanical, electrical and functioning parts of the aerated system including:

- the chlorinator,
- replenishment of the disinfectant,
- the UV disinfection unit,
- all pumps and switches,
- the air blower, fan or air venturi,
- the alarm system,
- the effluent disposal area and irrigation spray outlets / sub-surface irrigation lines and filters,
- the slime growth on the filter media, and
- the operation of the sludge returns system.

ii. The following field tests are to be carried out at every service:

- free residual chlorine using DPD colorimetric or photometric method,
- pH from a sample taken from the irrigation chamber,
- dissolved oxygen from a sample taken from the final aeration or stilling chamber (although recommended) is optional.

iii. On the yearly anniversary date of the commissioning of the system, an annual service of the system shall also be carried out which includes a check on the sludge accumulation in the septic tank (primary treatment tank) and the clarifier, where appropriate.

iv. For systems which utilise the sewage treatment principle of activated sludge or contact aeration, a sludge bulking test, known as a SV30 Test, shall also be conducted on an annual basis. This test is to determine whether the accumulated sludge is bulking, indicating that the aeration compartment(s) will require desludging.

v. On completion of each service, a service report sheet is to specify all service items and test results, the amount of chlorine compound provided, parts replaced (if applicable), the date the service was conducted and the technician's name. A copy of the service report is to be:

- given to the property owner and another to the applicant (if not the same), and
- forwarded to Penrith City Council.

Each service agent shall provide a registered business office which, if unattended during business hours, is provided with a telephone answering device or service. A means of reporting a malfunction or breakdown outside normal business hours shall be available. In the event of a breakdown or malfunction, the service agent shall, within 24 hours of the breakdown or malfunction, ensure that temporary repairs are carried out to the aerated system to ensure continued operation of the system. This may necessitate provision of adequate spare parts and temporary replacement blowers and irrigation pumps where repairs cannot be completed on site.

- 43 The effluent management area is to be turfed to the satisfaction of Council. Where a specific variety of turf is identified in the approved Wastewater Report that variety is to be installed and maintained.
- 44 No concreting, driveways, vehicles or any other structure or access way is to be located over any portion of the effluent management area.
- 45 All stormwater and seepage shall be diverted away from the septic tank and the disposal area by using an agricultural drain or earthen bund and dish drain.
- 46 Orchards, vegetable gardens or any other plant species that can be used for the purposes of human consumption are not to be planted within the effluent management area. Effluent from the on-site sewage management system is not to be used on fruit or vegetables grown for human consumption.
- 47 The effluent management area shall be protected from possible stock damage.

48 No wastewater associated with the on-site sewage management system is to be applied or irrigated within the drip line of any native trees within the effluent management area.
It is the responsibility of the applicant to ensure the ongoing health of the trees in relation to the effluent management area.

49 **Prior to the issue of the Construction Certificate**, the NSW Health Accreditation and system specification documentation for the proposed Aerated Wastewater Treatment System is to be submitted to Council for approval. If Council is not the certifying authority, a copy of Council's written approval is to be provided to the Private Certifying Authority.

SIGNATURE

Name:	Pukar Pradhan
Signature:	

For the Development Services Manager