

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

Application number:	DA21/0167.01
Description of development:	S4.55 Modification to Remove OSSM and Install a Septic Holding Tank including Connection to Sewer Main
Classification of development:	Class 1a

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 6 DP 38628
Property address:	94 - 98 Nepean Avenue, PENRITH NSW 2750

DETAILS OF THE APPLICANT

Name & Address:	Renley Renovation 18 Empress Avenue ROUSE HILL NSW 5 NSW 2155
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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	1 July 2021
Date the consent expires	1 July 2026
Date of this decision	1 July 2021 as amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act.

POINT OF CONTACT

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

Assessing Officer:	Lawrence Ligato
Contact telephone number:	+612 4732 7427

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 twelve 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 twelve 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 56 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 56 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 numbered 2081-20Cc, drawn by Adan Creative Designs and dated 03-05-21 (Issue C), and stamped approved by Council, the application form, the BASIX Certificate and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

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

5 From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the property around the proposed dwelling must be maintained as an inner protection area (IPA), in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019, as follows:

1. North and east to the property boundary; and,
2. South and west for a distance of 50 metres.

When establishing and maintaining an IPA the following requirements apply:

1. Tree canopy cover should be less than 15% at maturity;
2. Trees at maturity should not touch or overhang the building;
3. Lower limbs should be removed up to a height of 2m above the ground;
4. Tree canopies should be separated by 2 to 5m;
5. Preference should be given to smooth barked and evergreen trees;
6. Large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
7. Shrubs should not be located under trees;
8. Shrubs should not form more than 10% ground cover; and
9. Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
10. Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
11. Leaves and vegetation debris should be removed

6 Prior to commencement of works relating to the connection to the sewer main, the Private Pipeline Deed of Agreement letter must be approved by Penrith City Council. The Private Pipeline Deed of Agreement letter must be filled in, signed and lodged by the owner/s of the subject land, along with the relevant fees paid and Applications lodged as per Clause 12 e) ii. of this Deed of Agreement (on page 6), as listed below:

- Council fee for a New Private Pipeline Agreement in accordance with Council's current Fees & Charges (\$950 for a Single Residential/Rural fee)
- Road Reserve Opening Permit application (the associated fees/bonds are calculated based off the total area of the Road Reserve being affected by works). Submit your Application by following this link:

<https://www.penrithcity.nsw.gov.au/services/otherservices/roads-paths-driveways#quick-link-2>

- Temporary Road Reserve Occupancy Application (only if occupying part of a Council-owned road reserve); \$250 Admin Fee + \$250 per day of occupancy

Penrith City Council (being the Roads Authority under the Roads Act) shall approve the works completed on or over the road reserve, prior to the issue of any **Occupation Certificate**. Contact Council's City Works Department on on (02) 4732 7777 to arrange an inspection of the works (and payment of inspection fees, if required).

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 7 On completion of the development and prior to the issue of an **Occupation Certificate**, the appointed Principal Certifier must ensure that the proposed landscape screen hedging is planted at a minimum height of 1m which are nurtured to and capable of attaining a minimum height of 3m at maturity in the locations as shown on the stamped approved plans.
- 8 The ancillary development (pool, additional driveway, shed, outbuilding) as shown in the stamped approved hold well & pressure pipe connection to mains plan does not form part of this application.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 9 The conditions contained within the stamped approved Sydney Water wastewater connection application - pump to sewer dated 25/06/2021 must be complied with at all times.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

Demolition

- 10 On completion of the development and prior to the issue of any **Occupation Certificate**, the appointed Principal Certifier must ensure that the existing dwelling and structures on the subject site are demolished as shown on the stamped approved plans.

The subject site is not to be adapted for use a dual occupancy development at any time.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 11 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 12 All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility.

Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition.**

13 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

14 **Prior to commencement of demolition works on site**, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

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

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

17 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

18 Demolition works will 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 demolition work is permitted on Sundays and Public Holidays.

In the event that the demolition relates to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the demolition works are not restricted to the hours stated above.

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

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

Environmental Matters

- 19 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 Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

The sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the land, that was subject to the works, has been stabilised and grass cover established.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

- 20 No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 21 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,
 - 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.

- 22 Cut and fill operations on the property are only permitted in conjunction with the building works as detailed on the approved plans and specifications, and shall not extend more than 2 metres past the defined building footprint.

Before any fill material is imported to site, a validation certificate issued by an appropriately qualified person is to be provided to the Principal Certifying Authority. The validation certificate must demonstrate that the fill

material is free from contaminants and weeds, that it is suitable for its intended purpose and land use, and that it will not pose an unacceptable risk to human health or the environment.

If Penrith City Council is not the Principal Certifying Authority, a copy of the validation certificate is to be submitted to Council for their reference.

{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.”}

23 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.

24 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.

25 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

26 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

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

Construction

28 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 onsite, 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 when the Occupation Certificate has been issued for the development.

29 Prior to the commencement of construction works:

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

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

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

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

30 The building shall be set out by a registered surveyor. A Survey Certificate shall be undertaken and submitted to the Principal Certifying Authority when the building is constructed.

31 The roof of the structure is to be a dull, non-reflective surface and colour. The external finishes of the dwelling are to be in accordance with the stamped approved colour schedule.

32 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.

- 33 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.
- 34 The rainwater tank supply must not be connected to drinking and bathing water tap outlets.
- 35 The 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.
- 36 Construction works or subdivision 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.

Engineering

37 All roadworks, stormwater drainage works, signage, line marking, associated civil works and dedications required to effect the consented development shall be undertaken by the applicant at no cost to Penrith City Council.

38 An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's Asset Management Department on 4732 7777 or visit Penrith City Council's website for more information.

39 Prior to the issue of any Construction Certificate, a Section 138 Roads Act application, including payment of application and inspection fees together with any applicable bonds, shall be lodged with and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following:

- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b) Road opening for utilities
- c) Road occupancy or road closures (including temporary construction work zones)
- d) The placement of hoardings, structures, containers, waste skips, signs etc. in the road reserve
- e) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

Contact Penrith City Council's Asset Management Department on 4732 7777 or visit Penrith City Council's website for more information.

Note:

- Where Penrith City Council is the Certifier for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
- All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate as applicable.

40 Stormwater drainage from the site shall be discharged to a level spreader system. The stormwater drainage system shall be designed in accordance with Penrith City Council's Stormwater Drainage Specification for Building Developments. The design shall ensure that the development has no adverse impact on adjoining properties by the diversion, damming or concentration of stormwater flows. The proposed method of stormwater discharge shall be detailed in the Construction Certificate issued by the Certifier.

- 41 Prior to the issue of any Construction Certificate, the Certifier shall ensure that all habitable floor levels are in accordance with the stamped approved plans with a minimum floor level of RL 27.4m AHD (adopted flood level + 0.5m freeboard).
- 42 Prior to the issue of any Construction Certificate, the Certifier shall ensure that the garage floor level is a minimum of RL 27.0m AHD.
- 43 Prior to the issue of any Construction Certificate, the Certifier shall ensure that:
- a) Off street access and parking complies with Penrith City Council's Development Control Plan and AS2890.1.
 - b) Sight distances at the street frontage have been provided in accordance with AS2890.1.
- 44 A certificate by a registered surveyor verifying that all habitable floor levels are at or above RL 27.4m AHD (adopted flood level + 0.5m freeboard) shall be submitted upon completion of the building to that level. No further construction of the building is to be carried out until approval to proceed is issued by the Certifier.
- 45 Upon completion of all works in the road reserve, all verge areas fronting and within the development are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.
- 46 Prior to the issue of any Occupation Certificate, the Principal Certifier shall ensure that all works associated with a S138 Roads Act approval have been inspected and signed off by Penrith City Council.

Landscaping

- 47 All landscape works are to be constructed in accordance with the stamped approved plan and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

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.

48 No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed other than those within 3 metres of the proposed building footprint or as shown on the approved plans without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

Payment of Fees

49 Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.

Certification

50 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 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 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.

51 An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the development.

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

52 The sewer pumpwell and connection to Sydney Water's sewer main shall be installed and operated in accordance with the:

- “Environmental and Health Protection Guidelines On Site Sewage Management for Single Households”
- Council's On-Site Sewage Management and Greywater Reuse Policy,
- Econocycle 1000 PUMPWELL NSW Health Accreditation documentation,
- the Amended Site Plan 'Hold well and pressure pipe connection to mains' for 94-98 Nepean Av, Penrith,
- Sydney Water's requirements,
- And, the conditions of this consent.

Prior to the issue of the ‘Approval to Operate’, a Commissioning Certificate for the pumpwell system shall be provided to Penrith City Council for approval. This Certificate shall be prepared by a licensed plumber and certify that the pump to sewer system is operating in a satisfactory manner to discharge all wastewater from the premises to Sydney Water's sewer main. A Works As Executed site plan is to be included showing the location of all sewerage infrastructure.

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.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

53 All wastewater generated on the site is to be diverted to a sewer pumpwell and connection to Sydney Water's sewer main.

The sewer pumpwell and connection to Sydney Water's sewer main shall be installed and managed in accordance with the:

- “Environmental and Health Protection Guidelines On Site Sewage Management for Single Households”
- Council's On-Site Sewage Management and Greywater Reuse Policy,
- Econocycle 1000 PUMPWELL NSW Health Accreditation documentation,
- the Amended Site Plan 'Hold well and pressure pipe connection to mains' for 94-98 Nepean Av, Penrith,
- Sydney Water's requirements,
- And, the conditions of this consent.

The system is to be utilised for a 5 bedroom dwelling or daily wastewater load of 900 litres. Any dwelling approval on the site greater than this may require a wastewater report for Council's consideration.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

54 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 pumpwell 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.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 55 The pumpwell and connection to Sydney Water's sewer main shall not be altered without the prior approval of Council. In addition, the pumpwell shall not be covered.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 56 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.

- 57 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 58 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 59 There shall be no effluent runoff from the subject property to adjoining premises, public places or reserves.

- 60 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 61 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 62 The contents of the existing septic tank are to be removed by a licensed waste contractor and deposited to an approved waste facility. The disconnected tank shall be removed, demolished or filled with clean soil and garden lime. Documentation of the collection and disposal of waste are to be retained and provided to Council on request.

- 63 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 64 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

- 65 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

Act 1979.

66 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

67 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

68 Condition removed.

As amended on 2 November 2021 under Section 4.55 of the Environmental Planning and Assessment Act 1979.

SIGNATURE

Name:	Lawrence Ligato
Signature:	

For the Development Services Manager