

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

Application number:	DA15/0371
Description of development:	Dwelling House (New), Shed and Septic Tank
Classification of development:	Class 1a , Class 10a

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 247 DP 752021
Property address:	307 - 321 Cranebrook Road, CRANEBROOK NSW 2749

DETAILS OF THE APPLICANT

Name & Address:	M Bastac 239 Mt Vernon Road MOUNT VERNON NSW 2178
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DECISION OF CONSENT AUTHORITY

In accordance with Section 81(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	8 October 2015
Date the consent expires	8 October 2017
Date of this decision	22 September 2015

POINT OF CONTACT

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

Assessing Officer:	Geoff Goodacre
Contact telephone number:	(02) 4732 7518

NOTES

Reasons

The conditions in the attached schedule have been imposed in accordance with Section 80A 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 Section 82A of the Environmental Planning and Assessment Act 1979 within 6 months of receiving this Notice of Determination.

You cannot make this request if the development is Designated Development, Integrated Development or State Significant development or if the application was decided by a Joint Regional Planning Panel.

Appeals in the Land and Environment Court

The applicant can appeal against this decision in the Land and Environment Court within six (6) months of receiving this Notice of Determination.

You cannot appeal if a Commission of Inquiry was held for the subject development application, or if the development is a State Significant Development.

An appeal to the Land and Environment Court is made by lodging an application to the Court in accordance with the Rules of the Court.

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. The objector cannot appeal if a Commission of Inquiry was held.

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.

Joint Regional Planning Panels

If the application was decided by a Joint Regional Planning Panel, please refer to Section 23H of the Environmental Planning and Assessment Act, 1979 (as amended) for any further regulations.

OTHER APPROVALS

APPROVAL BODIES

APPROVAL BODY NAME	DATE OF GENERAL TERMS OF APPROVAL	REF. NO.	NO. OF PAGES	RELEVANT LEGISLATION
NSW Department of Primary Industries - Water	5 August 2015	10ERM2015/0621	4	<i>Water Management Act 2000</i>

The approval bodies listed above have provided General Terms of Approval for this development in accordance with the relevant legislation. A copy of these General Terms of Approval is provided with this development consent notice. Compliance with the relevant State Government departments' General Terms of Approval are required in conjunction with the following conditions listed in Attachment 1: Conditions of Consent issued by Penrith City Council.

ATTACHMENT 1: CONDITIONS OF CONSENT

General

- 1 The development must be implemented substantially in accordance with the stamped-approved plans, the application form and any supporting information issued by Penrith City Council, except as may be amended in red on the attached plans and by the following conditions.

Title	Drawing/Reference	Issue	Prepared By	Dated
Proposed Residence	14313-9	J	Accurate design and Drafting	28.7.15
Proposed Shed as amended	<i>BS 1020/bastac</i>	8.9.15	Best Sheds	10.8.12
On-site Wastewater Management	165014-A	A	Envirotech	10.12.14
Waste Management Plan	164914-A	A	Envirotech	11.12.14
Environmental Site Assessment	164514	A	Envirotech	16.12.14
Stormwater Management Plan	164814-A	A	Envirotech	19.12.14
Vegetation Management Plan	179215-C	C	Envirotech	4.8.15
Flora and Fauna Assessment	164614-C	C	Envirotech	4.8.15
Bushfire Hazard Assessment	164414-C	C	Envirotech	19.5.15

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 The shed shall not be used under any circumstances for any commercial, industrial or habitable residential activity.

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

6 The carport is to be deleted from the proposed shed. The maximum length of the shed is reduced to 18m.

7 **Prior to the issue of a Construction Certificate** an updated/current BASIX Certificate for the proposed development is to be provided to the Principal Certifying Authority. The BASIX Certificate is to also indicate the correct site area size.

8 The dwelling shall be constructed in accordance with the provisions of the "Planning for Bushfire Protection" December 2006, and:

- The recommendations in the Bushfire Hazard Assessment report prepared by envirotech Ref 164414 revision C and dated 19.5.15
- The roof, eastern, southern and western elevations to a BAL 29 construction under AS3959-2009 "Construction of buildings in bushfire-prone area"
- The northern elevation to a BAL 19 construction under AS3959-2009 "Construction of buildings in bushfire-prone area"
- Should the shed be located within 10m of the dwelling, then the shed to a BAL 29 construction under AS3959-2009 "Construction of buildings in bushfire-prone area"

Prior to the Issue of a Construction Certificate, specification/details of compliance with the above is to be provided to the Principal Certifying Authority.

Demolition

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

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

Environmental Matters

- 11 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).

Certification that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan (s) for the development and "Managing Urban Stormwater: Soils and Construction 2004" shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site.

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development and the land, that was subject to the works, have 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.

- 12 All land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.
- 13 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.
- 14 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.

- 15 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, soils 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.”}

- 16 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.

- 17 Prior to an Occupation Certificate being issued, an 88B instrument is to be registered against the area of Lot 247 DP 752021 that is outside of the Asset Protection Zone (APZ) as specified in the Bushfire Hazard Assessment report (prepared by Envirotech, 13/3/2015) that stipulates that:
- a) The vegetation outside of the Asset Protection Zone (APZ) is to be retained and protected to offset the impacts of the proposed development. This applies to the entire area of the property outside of the Asset Protection Zone (APZ) excluding the driveway footprint.
 - b) This area is to be permanently fenced to restrict unnecessary access. The fence is to be of permanent metal, see-through fence of rural character.
 - c) No native vegetation (including shrubs and trees) is to be damaged in this area. No development, erection of structures, or other activities that may damage the vegetation such as grazing, agriculture, use of vehicles or establishment of tracks or paths is to occur within this protected area without the prior consent of Penrith City Council.
 - d) Metal signs are to be attached to the fence at 30m intervals that state:

WARNING – PROTECTED VEGETATION

*The vegetation beyond this point is ecologically important
(including trees, shrubs and groundcovers)*

No native vegetation is to be damaged in this area. No development, erection of structures, or other activities that may damage the vegetation such as grazing, agriculture, use of vehicles or establishment of tracks or

paths is to occur within this protected area without the prior consent of Penrith City Council.

e) A vegetation Management Plan applies to this area (Vegetation Management Plan, prepared by Envirotech, 4/8/2015).

Prior to the a Construction Certificate being issued, the required 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).

- 18 All trees that are scheduled for removal with a Diameter at Breast Height (DBH) of 30cm or greater, once felled in accordance with the Consent Conditions, are to be relocated into the bushland beyond the Asset Protection Zone within the lot under the guidance of an ecologist to provide additional fauna habitat.
- 19 The Vegetation Management Plan prepared by Envirotech and dated 4/8/2015 is to be implemented in it's entirety. Council may inspect the implementation of the vegetation management plan periodically to ensure compliance and satisfactory implementation.

BCA Issues

- 20 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

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

Construction

- 22 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.

- 23 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).

- 24 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.

- 25 The roof of the structure is to be a dull, non-reflective surface and colour. The external finishes of the dwelling are to compliment and blend with the established streetscape and amenity of the area.

Prior to the issue of a construction certificate a schedule of external finishes complying with the above is to be provided to the Principle Certifying Authority.

26 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.

27 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.

28 The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

29 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.

30 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

31 All land required for vehicular access within the site is to be stabilised.

32 An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council prior to the issue of a Construction Certificate. The bond is based upon the estimated value of the works with a bond of \$500 payable for the subject development.

The bond is refundable once a final inspection has been carried out by Council's Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works. Contact Council's City Works Department on 4732 7777 or visit website to obtain the form and request for final inspection.

33 **Prior to the issue of a Construction Certificate**, a S138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:

- Vehicular crossings
- Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
- Road occupancy or road closures

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. Contact Council's **City Works Department** on (02) 4732 7777 for further information regarding the application process.

34 The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by (envirotech Environmental and Engineering Consultancy Services), reference number (DWG-164814-A), revision (1), dated (19.12.2014).

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design Policy.

35 **Prior to the issue of a Construction Certificate**, the Certifying Authority shall ensure that the proposed development is compatible with the recommendations of the Stormwater Management Plan prepared by (envirotech Environmental and Engineering Consultancy Services), reference number (REF-164814-A), revision , dated (19 December 2014).

36 **Prior to the issue of an Occupation Certificate**, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Penrith City Council.

37 Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works within the road reserve have been inspected and approved by Penrith City Council.

Landscaping

38 No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within 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

39 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

- 40 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.

- 41 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

- 42 The on-site sewage management (OSSM) system shall be installed and operated in accordance with the recommendations contained in the Wastewater Report (prepared by Envirotech, date 10 December 2014, ref 165014 - A) and the Effluent Management Area Plan (prepared by Envirotech, date 10 December 2014, ref DWG 165014-A), and the conditions of this consent.

Prior to the issue of the Construction Certificate the make and model of an aerated wastewater treatment system (AWTS) to be installed at the site shall be submitted in writing to Penrith Council. The AWTS shall be accredited by NSW Health and a copy of the accreditation certificate, along with the conditions of accreditation and the summarised specification of the AWTS shall also be provided.

Prior to the issue of the Occupation Certificate and before the OSSM system can be used, a compliance certificate shall be presented to Penrith Council. The certificate shall confirm that the AWTS has been installed and is operating in accordance with the conditions of its accreditation by NSW Health. The compliance certificate shall be prepared by the AWTS manufacturer, or the manufacturer's agent.

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.

43 All wastewater generated on the site is to be diverted to an aerated wastewater treatment system accredited by NSW Health for treatment. The treated effluent, and shall be disposed of by way of trenches 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, date 10 December 2014, ref DWG 165014-A). The two trenches shall each have a minimum length of 15m, and be at least 0.6m wide.

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, date 10 December 2014, ref 165014-A), and
- the Effluent Management Area Plan (prepared by Envirotech, date 10 December 2015, ref DWG 165014-A), and

The system is to be utilised for a 5 bedroom dwelling or daily wastewater load of 900 litres in accordance with Wastewater Report (prepared by Envirotech, date 10 December 2014, ref 165014-A). Any dwelling approval on the site greater than this may require a new wastewater report for Council's consideration.

44 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 aerated wastewater treatment tank(s) and associated disposal trenches 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.

45 The treatment tank, drainage and the effluent management area shall not be altered without the prior approval of Council. In addition, the wastewater treatment tank shall not be buried or covered.

46 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.

47 The effluent disposal area shall be such that:

- the trenches are installed in accordance with the recommendations set out in the report prepared by Envirotech, dated 10 December 2014, ref 165014-A
- the distribution line is to be buried from the treatment tank to the designated disposal area;
- the treated wastewater is evenly irrigated across the entire designated disposal area;
- there is a minimum 100mm cover of absorbent soil covered with grass. The area to be prepared should include up to 2.5m either side of the trench;

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

49 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 or UV disinfection unit
- replenishment of the disinfectant,
- all pumps and switches,
- the air blower, fan or air venturi,
- the alarm system,
- the effluent disposal area
- 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.

- 50 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.
- 51 No concreting, driveways, vehicles or any other structure or access way is to be located over any portion of the effluent management area.
- 52 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.
- 53 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.
- 54 The effluent management area shall be protected from possible stock damage.

55 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.

SIGNATURE

Name:	Geoff Goodacre
Signature:	

For the Development Services Manager