

Proposed Draft Conditions

PART A SCHEDULE OF CONDITIONS – DEFERRED COMMENCEMENT CONDITIONS

DEFERRED COMMENCEMENT CONSENT has been granted to the Application in accordance with the provisions of Section 80(3) of the Environmental Planning and Assessment Act 1979 (as Amended).

THIS CONSENT WILL BECOME VALID AND MAY BE ACTED UPON SUBJECT TO MEETING THE FOLLOWING REQUIREMENTS.

1. Goulburn Mulwaree Council Requirements:

Approval under Section 138 of the Roads Act issued by Goulburn Mulwaree Council must be obtained for the required works to Marulan South Road and construction completed to the satisfaction of Goulburn Mulwaree Council prior to issue of a Certificate of Completion, including:

- Pavement Condition

A revised Pavement Condition Report shall be prepared by an independent consultant and shall be submitted to Council for assessment and approval to have the pavement strengthened to comply with Council's Standards for Engineering Works 2013 and Goulburn Mulwaree Development Control Plan 2009 (as amended). Council's Standards can be found electronically on Council's web <http://www.goulburn.nsw.gov.au/Information/standards-engineering-works.aspx>

The s94 Plan states that "a pavement shall have a minimum remaining life of 10 years". The haulage route along Marulan South Road shall be investigated for this standard and rectified where deficient.

The Pavement Condition Report must be prepared and approved before construction commences and after construction is complete. Copies of the reports must be provided to Goulburn Mulwaree Council. Any damage resulting from construction traffic, except that resulting from normal wear and tear, must be repaired at the Proponent's cost. Alternatively the Proponent may negotiate an alternative arrangement for road damage with Goulburn Mulwaree Council.

Reason: Because it is in the public interest that the design of those aspects of the development complies with Council's Engineering Guidelines. Section 79C(1)(c) (d) and (e) of the Environmental Planning and Assessment Act, as amended.

- Width

The Design and Construction of the public road Marulan South Road providing access to the site shall be upgraded to comply with the haulage route standards as set out in *Goulburn Mulwaree Development Control Plan 2009* (as amended) including 7m wide sealed carriageway, 1m wide shoulder with 500mm seal and 8m wide culverts and bridges and in accordance with Council's Standards for Engineering Works 2013 at the developer's expense. The applicant is to submit 3 copies of Engineering plans, specifications and calculations in relation to the road construction.

Reason: The carriageway width of the road is to be sufficient to cater for heavy vehicles. Because it is in the public interest that the design of those aspects of the development comply with Council's Engineering Guidelines. Section 79C(1)(c) and (e) of the Environmental Planning and Assessment Act, as amended.

It is the applicant's responsibility to ensure:

- All traffic control measures are to be installed and maintained in accordance with AS1742.3 and the Roads and Traffic Authority Manual – 'Traffic Control at Worksites';
- Public liability insurance to the value of \$20 million and workers compensation insurance is maintained for the duration of the works; and
- Sufficient Public liability insurance and workers compensation insurance is maintained for the duration of the works; and
- Whether the proposed works affects any Public Utility Authority installation. The following Authorities should be consulted:
- Dial Before You Dig Ph.: 1100 (for telephone, gas, electricity)

- Work as Executed Drawings

At the conclusion of the construction of the road works, work-as-executed drawings must be submitted. The preferred format for WAE drawings is hard copy as well as computer disk using autocad software.

- Certification by Supervising Engineer

Upon completion of the works, the developer's supervising engineer must provide documentation certifying compliance with the design plans, Council's engineering standards.

It will be necessary to confirm by a Surveyor's Report that the completed roadworks have been carried out in accordance with approved plans and details submitted with the application for road works.

Reason: So that Council may ensure that the construction is in accordance with Council's requirements, so that a permanent record of the design as constructed may be held by Council, to assist in future maintenance. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- Inspections

The applicant is to arrange an inspection of the development works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works. Inspections shall be booked at Customer Service and at least 48 hours notice is to be given of readiness for inspection.

48 hours notice is to be given to Council for an inspection, for the following components of construction (where required):

- Roadworks
- Sub-grade earthworks prior to gravel
- Kerb & gutter completed
- Gravel test results available
- Compacted gravel base completed
- Sealing completed

The current charge at 2015/2016 Financial year is \$194 per crossing.

Note: Council retains the right to alter, repair, or in extreme cases, remove and replace any work for which approval has not been obtained, or that has not been carried out in accordance with these conditions. The work would be undertaken at the owner's full costs, recoverable in accordance with Section 218 of the Roads Act 1993.

- Plans

A "Soil and Water Management Plan" (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be submitted to Council. The measures shall be in accordance with Council's Standards for Engineering Works 2013 and the Department of Housing's "Blue Book". The plan is to be approved by Council with the s138 consent.

A Certificate of Practical Completion for all civil works within private property (road, access, drainage, on-site detention etc.) is to be submitted to the Principal Certifying Authority.

"Traffic Management Plan" that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Council. The safety precautions are to be in accordance with the requirements of the RTA's "Traffic Control at Work Sites" manual. The plan is to be prepared and endorsed by a person with current RTA certification and provided to the Council for approval.

Any engineering works covered by the Council's adopted 'Standard Engineering Works, 2013' are to be carried out in accordance with that document.

Reason: These conditions have been imposed to ensure drainage/stormwater is appropriately managed.

2. **NSW Department of Primary Industries (Office of Water)**

Should the proponent wish to use the bore for any purpose other than stock watering or domestic use, an amended works and use application must be applied for. Under the Greater Metropolitan Water Sharing Plan rules, an appropriate Water Access License (WAL) would need to be secured and a commensurate volume of groundwater entitlement would need to be traded and transferred to the subject WAL which attaches to the work (the bore).

Suitable evidence is to be supplied to Council demonstrating that appropriate water allocations including relevant approvals/licenses have been secured for the development.

Note: Should water from the authorised bore be required for quarrying activities, the proponent would be required, under the Water Management Act, to apply for an amendment to the purpose of the work.

ADVISING

Refer to NSW Primary Industries Office of Water letter dated 3 February 2014 for full details of their response to the application.

DEFERRED COMMENCEMENT NOTES:

1. Nothing in this deferred commencement consent permits the commencement of any works or development as proposed in this application and included in Part B until the receipt of confirmation of valid development consent from Council.
2. This deferred commencement consent will lapse if the above requirement has not been satisfied within five (5) years of the date of the deferred commencement consent.
3. Following compliance with the above conditions of Deferred Commencement Consent, written confirmation of Consent will be forwarded to you from Council.
4. Once the consent is valid, the development will also be subject to the following conditions outlined in Part B below.

PART B SCHEDULE OF CONDITIONS – OPERATIONAL CONDITIONS

PART 1. GENERAL CONDITIONS

1. The development is to be carried out generally in accordance with the plans and details submitted with the application and supporting information received with the application except where varied by the following conditions of consent. The development consent incorporates the plans and documents stamped and detailed below:

Document/ Plan No	Date	Description	Drawn by
1139	November 2013	Environmental Impact Statement “Proposal Expansion of Eastern Sand and Gravel Facility Lot 21 DP867667 709 Marulan South Road, Marulan South	Laterals Planning,
137042_Re p_Rev1	8/11/2013	Air Assessment Report for Eastern Sand and Gravel Pty Ltd, 709 Marulan South Road	Benbow Environmental
5111-1.1R	20/11/2013	Environmental Noise Impact Limestone Processing Facility – Proposed Expansion Marulan South Road, Marulan	Day Design Pty Ltd
AM/ML	11/11/2013	Traffic Impact Assessment Proposed Expansion of Limestone Processing Facility Eastern Sand and Gravel, Marulan South	ML Traffic Engineers
	undated	Letter from Pejar LALC “Aglime Proposed Development – Lot 21 DP 867667, 709 Marulan South Road, Marulan	Pejar Local Aboriginal Land Council
12000059- WCMS_01D RAFT	20/11/2013	Surface Water Assessment Marulan South Aglime Facility. DGR Reference 688	SEEC Morse McVey
Proj. No. 12000059; Drawing No. STW01; Rev 01	15/10/13	Concept Surface Water Drainage Plan prepared by Strategic Environmental & Engineering Consulting	Strategic Environmental & Engineering Consulting
1139	15/10/2013	Site Development (Sheets 1 to 4)	Laterals Planning
1139 DAO1-PS (A)	10/10/ 2013	Floor Plan (Proposed Product Storage Shed)	Laterals Planning
1139 DAO2-PS (A)	22/3/2013	Elevations - East and West (Proposed Product Storage Shed)	Laterals Planning

1139 DAO3-PS (A)	10/10/ 2013	Elevations –North and South (Proposed Product Storage Shed)	Laterals Planning
1139 DAO1-RMS (A)	10/10/ 2013	Floor Plan (Proposed Raw Material Storage Shed)	Laterals Planning
1139 DAO2-RMS (A)	10/10/ 2013	Elevations - East and West (Proposed Raw Material Storage Shed)	Laterals Planning
1139 DAO3-RMS (A)	10/10/ 2013	Elevations - North and South (Proposed Raw Material Storage Shed)	Laterals Planning
1139 DAO1-PPS (A)	11/10/ 2013	Floor Plan (Proposed Primary Processing Shed)	Laterals Planning
1139 DAO2-PPS (A)	5/4/ 2013	Elevations - East and West (Proposed Primary Processing Shed)	Laterals Planning
1139 DAO3-PPS (A)	5/4/ 2013	Elevations –North and South (Proposed Primary Processing Shed)	Laterals Planning
1139 DAO1-SPS (A)	10/10/ 2013	Floor Plan (Proposed Secondary Processing Shed)	Laterals Planning
1139 DAO2-SPS (A)	10/10/ 2013	Elevations - East and West (Proposed Secondary Processing Shed)	Laterals Planning
1139 DAO3-SPS (A)	10/4/ 2013	Elevations –North and South (Proposed Secondary Processing Shed)	Laterals Planning
1139 DAO1-2S (A)	10/10/ 2013	Ground Floor Plan Section (New Silos)	Laterals Planning
1139 DAO2-2S (A)	10/10/ 2013	First Floor Plan (New Silos)	Laterals Planning
1139 DAO3-2S (A)	10/10/ 2013	East Elevations (New Silos)	Laterals Planning
1139 DAO4-2S (A)	10/10/ 2013	North Elevations (New Silos)	Laterals Planning
1139 DAO5-2S (A)	10/10/ 2013	South Elevations (New Silos)	Laterals Planning
1139 DAO6-2S (A)	10/10/ 2013	West Elevations (New Silos)	Laterals Planning
1139 DA-01 (A)	10/10/ 2013	Ground Floor Plan Section (New Silos)	Laterals Planning
1139 DA-02 (A)	10/10/ 2013	First Floor Plan (New Silos)	Laterals Planning
1139 DA-03 (A)	10/10/ 2013	East Elevation (New Silos)	Laterals Planning
1139 DA-04 (A)	10/10/ 2013	Northern Elevation (New Silos)	Laterals Planning
1139 DA-05 (A)	10/10/ 2013	South Elevation (New Silos)	Laterals Planning
1139 DA-06 (A)	10/10/ 2013	West Elevation (New Silos)	Laterals Planning

1139 DA-01 FSC (A)	10/10/ 2013	Floor Plan – Roof Plan (Proposed Fuel Store Cover)	Laterals Planning
1139 DA-02 FSC (A)	10/10/ 2013	Elevations (Proposed Fuel Store Cover)	Laterals Planning
1139 DA-01 WW (B)	10/10/ 2013	Ground Floor Plan + Sections (Wheel Washer Details)	Laterals Planning
1139/3	October 2014	Ecological Assessment For Proposed Output Increase Existing Limestone Processing Facility 709 Marulan South Road, Marulan South, NSW. Lot 21 DP 867667	Laterals Environmental
1139	31/10/2014	Cover letter to revised Flora and Fauna Assessment For Proposed Expansion of Eastern Sand and Gravel Facility – Lot 21 DP867667 709 Marulan South Road	Laterals Environmental
PJW.th.2 012 Aglime	8/11/2012	Aglime Fertilizers Pty Ltd proposal to expand existing limestone processing facility Lot 21 DP 867667 709 Marulan South Road, Marulan	PJ Donnellan & Co Solicitors and Attorneys
1139	7/8/2014	Letter response to submissions received.	Laterals

If there is any inconsistency between the Conditions of Approval and a document listed above, the Conditions of Approval shall prevail to the extent of the inconsistency. If there is any inconsistency between documents listed above (other than the Conditions of Approval) then the most recent document shall prevail to the extent of the inconsistency.

ADVISING

The EPA general terms approval GTAs relate to the development as proposed in the documents and information currently provided to the EPA by Council. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

ADVISING

No advertising signs are approved as part of this Development Consent. Any signs not complying with Council's Exempt Development provisions will require separate development consent.

2. The Scheduled Development Work (eg. construction) or Scheduled Activities (eg. processing more than 30,000 tonnes per annum of limestone) associated with the proposed expansion are not permitted onsite until Scheduled Development Work and Scheduled Activity licences are issued by the EPA.
3. Under this consent, the proponent has development consent for staged construction and operation including:
 - a. Year 1-2 -25,000 to 70,000 tonnes per annum
 - b. Year 3-4 – 70,000 to 90,000 tonnes per annum
 - c. Year 5 onwards – 90,000 to 120,000 - tonnes per annum.

These production rates are based on construction of facilities on-site in accordance with the Laterals EIS dated November 2013 and Environment Protection License from EPA.

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

4. The following approval bodies have given general terms of approval or concurrence in relation to the development, as referred to in Section 91 & 93 of the *Environmental Planning and Assessment Act 1979* for integrated development and Section 79B of the *Environmental Planning and Assessment Act 1979* for concurrence:

- a) **NSW Environmental Protection Authority have issued their General Terms of Approval for scheduled activities under the *Protection of the Environment Operations Act 1997***

Administrative conditions

1. Information supplied to the EPA

- 1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:
- the development application DA/180/1314 submitted to Goulburn Mulwaree Council on 25 November 2013;
 - the environmental impact statement *"Proposed Expansion of Eastern Sand and Gravel Facility, Lot 21 DP 867667, 709 Marulan South Road, Marulan South"* relating to the development; and
 - all additional documents supplied to the EPA in relation to the development.

2. Fit and Proper Person

- 2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Limit conditions

3. Pollution of waters

- 3.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, section 120 of that Act must be complied with in and in connection with the carrying out of the development.

4. Waste

- 4.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.
- 4.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

5. Noise limits

- 5.1 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of 36 dB(A) at any time.
- 5.2 Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 meters of a dwelling where the dwelling is more than 30 meters from the boundary, to determine compliance with the LAeq (15 minute) noise limits in condition 5.1.
- 5.3 The noise emission limits identified in condition 5.1 apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of a temperature inversion
Noise impacts that may be enhanced by temperature inversions must be addressed by documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions.
Where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.
- 5.4 A Noise Impact Assessment validation assessment must be conducted within 3 months of completion of each of Step 1, Step 2 and Step 3, as detailed in Section 4.1.2 of the environmental impact statement *"Proposed Expansion of Eastern Sand and Gravel Facility, Lot 21 DP 867667, 709 Marulan South Road, Marulan South"*. The Noise Impact Assessment validation assessment must be carried out to verify whether or not actual noise levels at nearest sensitive receivers comply with the noise limits predicted in the Noise Impact Assessment. This assessment must be carried out in accordance with the methods prescribed in the EPA's Industrial Noise Policy (2000).
- 5.5 All operations at the premises must be undertaken within enclosed buildings, with the exception of the delivery of raw product, and dispatch of end product.

6. Hours of operation

- 6.1 Activities at the premises must only be undertaken within the permitted times specified in the table below:

Activity Type	Permitted hours of Operation, Mondays - Fridays	Permitted hours of Operation Saturdays	Permitted hours of Operation and Public Holidays
Construction Work	7.00am to 5:00pm	8:00am to 1:00pm	None
Receipt of raw materials	5.00am to 7:00pm	None	None
Primary Crushing and screening	5.00am to 7:00pm	6:00am to 4:00pm	None
Other activities at the premises	5:00am to 10:00pm	5.00am to 4.00pm	5.00am to 4.00pm

- 6.2 These hours of operation do not apply to the delivery of material outside the hours of operation permitted by condition 6.1, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is to be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.
- 6.3 The hours of operation specified in condition 6.1 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

Operating conditions

7. Dust

- 7.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.
- 7.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

8. Stormwater/sediment control - Construction Phase

- 8.1 An Erosion and Sediment Control Plan (ESCP) must be prepared by the proponent prior to construction of the expansion commencing and implemented during the construction phase. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in the *Blue Book - Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

9. Stormwater/sediment control- Operation Phase

- 9.1 Stormwater Management Plan must be prepared for the operational phase development and must be implemented by the proponent throughout the operational phase. The plan must make provision to minimise and mitigate the impacts of stormwater run-off from the premises on waterways. The Plan should be consistent with the Stormwater Management Plan for the catchment. The Plan should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

Monitoring and recording conditions

10. Monitoring records

- 10.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions 10.2 and 10.3.
- 10.2 All records required to be kept by the licence must be:
in a legible form , or in a form that can readily be reduced to a legible form ;
kept for at least 4 years after the monitoring or event to which they relate took place; and
produced in a legible form to any authorised officer of the EPA who asks to see them.
- 10.3 The following records must be kept in respect of any samples required to be collected : the
date(s) on which the sample was taken ;
the time(s) at which the sample was collected;
the point at which the sample was taken ; and
the name of the person who collected the sample.

11. Requirement to monitor concentration of pollutants discharged

- 11.1 For each monitoring/ discharge point or utilisation area specified below (by a point number) , the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency , specified opposite in the other columns :

Monitoring Points WSL 1, WSL3, WSL4 Water and Land

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Quarterly	Grab sample
Electrical	microsiemens/cm	Quarterly	Grab sample
Total Phosphorus	mg/L	Quarterly	Grab sample
Total Nitrogen	mg/L	Quarterly	Grab sample
Dissolved Oxygen	%	Quarterly	Grab sample
Turbidity	NTU	Quarterly	Grab sample
Oil and Grease	Visible	Quarterly	Grab sample
Aluminium	IJg/L	Quarterly	Grab sample
Arsenic	IJg/L	Quarterly	Grab sample
Zinc	IJg/L	Quarterly	Grab sample
Copper	IJg/L	Quarterly	Grab sample
Lead	IJg/L	Quarterly	Grab sample
Silver	IJg/L	Quarterly	Grab sample
Nicke	IJg/L	Quarterly	Grab sample
Boron	IJg/L	Quarterly	Grab sample
Manganese	IJg/L	Quarterly	Grab sample
Cadmium	IJg/L	Quarterly	Grab sample

Note: Monitoring Points WSL 1, WSL3, and WSL4 are as detailed in the "Surface Water Assessment, Marulan South Aglime Facility, DGR Reference 688", prepared by Strategic Environmental and Engineering Consulting, 20 November 2013 .

- 11.2 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition 11.1 must be done in accordance with:
the EPA's Approved Methods Publication; or

if there is no methodology required by the EPA's Approved Methods Publication or the general terms of approval or
in the licence under the *Protection of the Environment Operations Act 1997* in relation to the development or
the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted,
unless otherwise expressly provided in the licence.

Reporting conditions

12.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges) , provide a summary of complaints relating to the development , report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Attachment- Mandatory Conditions for all EPA licences

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

- This includes:
the processing, handling, movement and storage of materials and substances used to carry out the activity; and the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

- All plant and equipment installed at the premises or used in connection with the licensed activity :

must be maintained in a proper and efficient condition ; and must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies .

- The record must include details of the following:
the date and time of the complaint ;
the method by which the complaint was made;
any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
the nature of the complaint ;
the action taken by the licensee in relation to the complaint , including any follow-up contact with the complainant; and
if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

- The licensee must complete and supply to the EPA an Annual Return in the approved form comprising a Statement of Compliance; and
a Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- Where this licence is transferred from the licensee to a new licensee,
the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
Note: An application to transfer a licence must be made in the approved form for this purpose.
- Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on in relation to the surrender of a licence- the date when notice in writing of approval of the surrender is given; or in relation to the revocation of the licence -the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- (a) the licence holder; or
- (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

- The request may require a report which includes any or all of the following information:
 - the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
 - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
 - any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

- b) Water NSW have issued their concurrence under clause 11 of *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* in their letter dated 14/4/2015 and their conditions have been incorporated into the consent below:**

General

- i. The site layout, works and staging shall be as specified in the Environmental Impact Statement (dated November 2013) and shown on the Site Development Plans (Plan No 1139; Sheets 1-4; dated 15/10/2013) both prepared by Laterals Planning, except where varied by the following conditions. No

revisions to the site layout or works or staging that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1- Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Stormwater Management

- ii. All stormwater treatment and management measures shall be implemented as specified in the Surface Water Assessment Report (dated 20 November 2013) and shown on the Concept Surface Water Drainage Plan (Proj. No. 12000059; Drawing No. STW01; Rev 01; dated 15/10/13) both prepared by Strategic Environmental & Engineering Consulting, except where varied by these conditions.
- iii. A bio-retention basin shall be designed, located and constructed, in Stage 1 of the development, as shown on the Concept Surface Water Drainage Plan (Proj. No. 12000059; Drawing No. STW01; Rev 01; dated 15/10/13) prepared by Strategic Environmental & Engineering Consulting, and shall incorporate the following specifications and requirements:
 - designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems (FAWB 2009)
 - a minimum surface area of 100 square metres and minimum filter area of 60 square metres
 - sediment traps installed at the main inlet points
 - an extended detention depth of 300 mm
 - a filter depth (excluding transition layers) of 500 mm above the underdrains
 - a network of underdrains with at least a 1.5 metre spacing
 - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
 - planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
 - permanently protected from vehicle damage by guardrails, bollards, or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
 - protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is re-vegetated or stabilised.
- iv. No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.
- v. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Reason for Conditions 2 to 5 – To ensure appropriate stormwater treatment and quality control measures are designed, and implemented so as to achieve a sustainable neutral or beneficial impact on water quality.

Wastewater Management

- vi. The improvements to the existing effluent irrigation area listed in Section 5.2 of the Surface Water Assessment Report (dated 20 November 2013) shall be carried out.

Reason for Condition 6 - To ensure that all wastewater is disposed of and is managed in a manner that has a sustainable neutral or beneficial effect on water quality over the longer term.

Operational Environmental Management Plan

- vii. An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate for Stage 1 of the development. The OEMP shall include but not be limited to:
 - details on the location, description and nature of stormwater management structures such as pits, pipes, swales, wheelwash, sediment trap, bio-retention basin, dams (ponds) and rainwater collection system
 - details on the location, description and nature of effluent management system such as pits, pipes, aerated wastewater treatment system and irrigation system

- an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater and effluent management structures, including the frequency of such activities
- the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and procedures for managing and notification of water quality emergencies, and
- checklists for recording inspections and maintenance activities.

Reason for Condition 7 – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

Construction Activities

- viii. A Soil and Water Management Plan shall be prepared by a person with knowledge and experience in the preparation of such plans for all works proposed or required as part of the development. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book". The Plan shall be developed in consultation with Water NSW prior to the commencement of construction and be to the satisfaction of Council.
- ix. Effective erosion and sediment controls shall be installed prior to any construction activity including site access, and shall prevent sediment or polluted water leaving the site or entering any stormwater drain or natural drainage system. The controls shall be regularly maintained and retained until works have been completed and ground surface stabilised or groundcover re-established.

Reason for Conditions 8 & 9 - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.

- 5. The prescribed conditions under Division 8 of the Environmental Planning and Assessment Regulations 2000 must be complied with.

PART 2. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- 6. Plans and specifications demonstrating compliance with the Building Code of Australia are to be submitted with the application for a Construction Certificate.
- 7. An application under Section 68 of the Local Government Act is to be submitted to and approved by Council for the effluent irrigation area upgrading, stormwater drainage, water service including backflow prevention for protecting any water supply which is used for a potable purpose and fire service. Hydraulic Engineers details of the required effluent irrigation area upgrading, stormwater drainage, water service including backflow prevention for protecting any water supply which is used for a potable purpose and fire service, shall be submitted with the Section 68 application.
- 8. These hydraulic engineer's details are to be approved by Council prior to issue of the Construction Certificate.
- 9. The proponent shall ensure that any lighting associated with the development:
 - Complies with the Australian Standard AS 4282 (INT) Control of Obtrusive Effects of Outdoor Lighting (as amended); and
 - Is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties.
- 10. All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund shall be designed and installed in accordance with the:
 - Requirements of all relevant Australian Standards; and
 - DECCW's Environmental Protection Manual Technical Bulletin Bunding and Spill Management.
- 11. A schedule of proposed colours and materials is to be submitted with the application for a Construction Certificate. These colours and materials should be sympathetic with the character of the locality.
- 12. A landscape plan and remnant management plan is to be prepared by a suitably qualified person and submitted to Council for approval prior to issue of a Construction Certificate. This plan is to indicate species, height and location of plantings as proposed by the recommendations of the Air Impact Assessment Report prepared by Benbow Environmental (November 2013) and Surface Water Assessment Report prepared by SEEC (November 2013).

The plan shall also include:

- (a) All existing and proposed site structures.
- (b) Vegetation required to be removed (minimum extent possible and sustainable best use for the felled timber/vegetation and any presence of hollows);
- (c) Implementation, management and monitoring strategies to ensure the establishment and ongoing maintenance of landscaped areas and remnant vegetation area. The following activities shall be prohibited within the habitat conservation zone
 - Collection of bush rock
 - Collection of Firewood
 - Grazing
 - Clearing
- (d) A fencing plan.

Reason: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended.

ADVISING

Council's Landscape Planner can provide a list of suitable plant species upon request.

13. Hydraulic Engineers details of the sanitary drainage and water service including backflow prevention (for potable water supply) and fire service shall be approved by the Water Authority prior to inspections being carried out on the water service and sanitary drainage.

In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage *Notice of Work (NoW)* must be completed and returned to Council for its records, no later than 2 business days before the work concerned is carried out. The *Notice of Work* is to identify what plumbing and drainage work is carried out by a particular plumber/drainage. On completion of the plumbing and drainage work and prior to Council's Final Inspection of the plumbing and drainage work, the plumber/drainage is to submit to Council a *Certificate of Compliance (CoC)* and a *Sewer Service Diagram*.

The *Notice of Work (NoW)*, *Certificate of Compliance (CoC)* and *Sewer Service Diagram* forms are available from Council's website.

All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS 3500 and the *Plumbing and Drainage Act 2011* and the following stages of construction are to be inspected by Council as the Water and Sewer Authority.

Forty-eight (48) hours notice is required prior to these inspections.

- Plumbing and Drainage before backfilling.
- Pressure testing or waterpipes within the building prior to fixing of linings, if this work is proposed.
- Final inspection of water plumbing and effluent drainage.

ADVISING

Inspections fees must be paid prior to commencing any plumbing and drainage work. If Council is not the nominated Principal Certifying Authority (PCA) it will be necessary to pay plumbing and drainage fees.

Reason: To ensure the development is provided with water and sewer services meeting relevant standards

PART 3. PRIOR TO COMMENCEMENT OF BUILDING WORK

14. Nominate a Principal Certifying Authority (PCA) and the PCA is to notify the consent authority and Council of their appointment, two (2) days prior to commencing work.

PART 4. DURING CONSTRUCTION

15. If any previously undetected Aboriginal site or relic is uncovered or unearthed during any activity, work at that location must cease immediately and advice on appropriate action be obtained from Pejar LALC in conjunction with NSW Department of Environment and Heritage.
16. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with WorkCover requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.
17. In the erection or demolition of a building, if the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided and adequate provision for drainage must be made. Approval is required for any retaining walls over 600mm in height or within 1000mm of the boundary.

18. The applicant or developer will be required to pay the full cost of restoration to the road reserve, nature strip, street trees, should any damage occur during construction.

PART 5. PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

19. An Occupation Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Reason: Because it is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

20. The applicant is to comply with all requirements of the NSW Rural Fire Service *Planning for Bushfire Protection 2006* (as amended). Details to be submitted to the PCA showing compliance with the *Planning for Bushfire Protection 2006* (as amended).

21. Landscaping is to be installed in accordance with the approved Construction Certificate Plan referenced. The landscaping must be maintained in accordance with the details provided on that Plan for the life of the development.

Reason: This condition has been imposed to minimise the impact of the Development on the environment and on adjoining properties.

22. A works as executed drawing of all stormwater drainage work shall be submitted to the Council at final inspection stage.

23. A final inspection of water plumbing and sanitary drainage must be conducted by Council as the Water and Sewer Authority before occupation of the development.

A Certificate of Compliance (CoC) and a Sewer Service Diagram prepared by the plumber(s) who submitted the Notice of Work must be issued to Council prior to issue of the occupation of the development.

Reason: To ensure the development is provided with water and sewer services meeting relevant standards

24. A code of conduct for truck drivers will be required to be submitted to Council for approval prior to issue of the Occupation Certificate and shall restrict haulage times so as not to coincide with school bus runs or school drop off/collection times.

Reason: This condition has been imposed to minimise the impact of the Development on the environment and on adjoining properties.

25. Gazettal of the remainder of Marulan South Road as a B Double route will be required following compliance with the road construction standards and prior to issue of any Occupation Certificate.

26. The maintenance period is 24 months and commences on the date of issue of the Subdivision Certification, Occupation Certificate, or equivalent.

The maintenance bond is an amount of 2.5% of the value of the total engineering works (minimum amount \$1,000). This bond is held by council to cover any defects or omissions which may arise or become apparent in the maintenance period. The maintenance bond is to be paid to Goulburn Mulwaree Council prior to issue of the Occupation Certificate.

During the maintenance period council may direct the developer to rectify any omission or defect in the work which existed at the time of Notification of Completion or becomes apparent prior to the expiration of the maintenance period. If defects or omissions are not rectified within one month, council may rectify the omission or defect and apply the maintenance bond as payment of the cost for the rectification.

The maintenance period of any rectification work will be extended a further 24 months, however, at the expiration of the original 24 month maintenance period, the amount of the maintenance bond will be reduced in accordance with the value of the work under maintenance.

The nature of some defects e.g. water main breaks, may necessitate council's immediate action to rectify, in which case, the developer is responsible for reimbursing council's costs.

Upon expiration of the maintenance period, it will be the developer's responsibility to request council to the release of the maintenance bond.

The requirement for the developer to rectify defects and omissions in accordance with this clause holds true after the expiration of the maintenance period in the case that such defects and omissions are undiscoverable by normal means but come to light at a subsequent time.

Reason: These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation:

27. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

- That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
- That, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

PART 6. ONGOING OPERATION

28. Section 94 Development Contributions [Monetary Contribution]

In accordance with the provision of s80A(1) and s94 of the Environmental Planning and Assessment Act 1979 contributions are required toward the provision of road maintenance in accordance with the Section 11.0 Goulburn Mulwaree Section 94 Development Contributions Plan 2009 (Amendment No. 1) of which a copy may be inspected at the offices of the Council during ordinary business hours or at www.goulburn.nsw.gov.au.

Relevant Contributions Plan	GMS94DCP 2009
Rate 1516 financial year	\$0.327558/tonne
Quarry - Heavy Vehicle Movements estimated at:	<p>\$0.327558/tonne x 70,000 max production = \$22,929.06 (based on 1516 rate) for years 1 & 2</p> <p>\$0.327558/tonne x 90,000 max production = \$29,480.22 (based on 1516 rate) for year 3 - 4</p> <p>\$0.327558/tonne x 120,000 maximum production = \$39,306.96 (based on 1516 rate) for year 5 onwards</p>

The total contribution payable is to be indexed in accordance with the applicable contributions plan between the date of the consent and the date of each payment of the contribution. The contribution is to be paid in full annually or as otherwise agreed to by Council.

Reason: This condition has been imposed to ensure the adequate provision of public facilities required as a result of the development.

29. The proponent shall have in place an Environmental Management Plan which:

- a. Describes the procedures that would be implemented to:
 - i. Keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - ii. Receive, handle, respond to, and record complaints;
 - iii. Resolve any disputes that may arise during the course of the development;
 - iv. Respond to any non-compliance; and
 - v. Respond to emergencies;

- The Environmental Management Plan shall also Include :

- a. Copies of the various strategies, plans, programs that are required under the conditions of consent; and
- b. A clear plan depicting all the monitoring being carried out for the development.
- c. The operative requirements, a discussion on the extent of compliance and the remedying actions;
- d. A listing of all selected remedial criteria and the rationale for their selection;
- e. Include all reasonable measures to ensure that there is minimal impact on the environment and amenity of the area;
- f. include details of environmental performance measures and monitoring to be used for the evaluation of construction and operative works, and what contingencies will be taken to address any identified adverse environmental impacts; and
- g. include the requirements of relevant concurrence and consent authorities issued to date for the site.

30. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Concurrence or Approval Agencies, Council or the PCA.

31. The Environmental Protection Licence Report is to be provided concurrently to Council with the submission of the same to the EPA.

32. The owner of the building shall:

- Furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building;
- Ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed;
- Ensure the safety of fire exits;
- Ensure doorways and paths of travel are not obstructed;
- Ensure that offences relating to fire exits do not occur within the building.

The owner of the building shall:

- cause a copy of the certificate to be furnished to Fire and Rescue NSW it is preferred this is done electronically via the following email address afss@fire.nsw.gov.au; and
- cause a further copy of the certificate to be kept at the building.

NOTES

1. This Notice of Development Consent is issued by Goulburn Mulwaree Council as the Authority responsible in respect of development under the provisions of the Goulburn Mulwaree Local Environmental Plan 2009.
2. The cutting down, lopping, injury and destruction of trees is regulated by Goulburn Mulwaree Local Environmental Plan 2009 and Goulburn Mulwaree Development Control Plan 2009. A person who contravenes, causes or permits the controls in relation to trees to be contravened is guilty of an offence. Trees designated to be removed on the approved plans under this consent may be removed unless specified otherwise in the conditions in this consent. All other trees on the site covered by Council's controls referred to above must be retained.
3. Division 8 (Appeals and Related Matters) Part 4 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
4. This consent will lapse unless the development is physically commenced within five (5) years from the Date of Operation of this consent, in accordance with Section 95 of the Environmental Planning and Assessment Act 1979 as amended.
5. **Dial Before You Dig**
Underground assets may exist in the vicinity of your development. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in New South Wales). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig Service, modification of the Development Consent (or a new Development Application) may be necessary. Individuals owe owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property by contacting the Dial Before You Dig service in advance of any construction or planning activities.
6. *Telecommunications Act 1997 (Commonwealth)*
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and its assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

GUIDELINES for applying to Council for a CONSTRUCTION CERTIFICATE

1. Plans and specifications demonstrating compliance with the Building Code of Australia are to be submitted with the application for a Construction Certificate.
2. If you have applied to Council for the Construction Certificate for, the applicant is to provide plans, specification and/or other information demonstrating compliance with the following Codes and Standards and parts of the Building Code of Australia.
 - Plans, details and specifications, which show compliance with the Building Code of Australia, are to be submitted with the application for a Construction Certificate
 - F2.5 - Doors to sanitary compartments
 - F2.3 – Sanitary Facilities.
 - F2.4 - Facilities for people with a disability
 - D2.13 & D2.16 – Stairs & Balustrades
 - Section C of the BCA – Fire Resistance. In particular details showing how compliance with Part C2 is going to be achieved for the large isolated buildings together with the Fire Resistant Construction measures for the buildings.
 - Section D of the BCA – Access and Egress and Access for People with a Disability

- Section E of the BCA - Services and Equipment. Fire Hydrants and Fire Hose Reels are required to be installed in accordance with the BCA. Hydraulic Engineers details of the fire service are to be provided with the application for a Construction Certificate.
 - Section J of the BCA – Energy Efficiency. A report showing compliance with all parts of this section is to be provided with the application for a Construction Certificate.
 - AS 1288 - Glazing Materials
 - AS 3660.1 – Termites
 - AS 1668 - Mechanical Ventilation details are to be provided with the Construction Certificate application if it is proposed to install mechanical ventilation.
 - Structural Engineers details of the footings, floor slab and structural components of the building must be submitted with the application for a Construction Certificate.
3. Hydraulic Engineers details of the wastewater management system, stormwater drainage including backflow prevention (of the potable supply) and fire service shall be submitted with the application for a Construction Certificate.

GUIDELINES when Council is appointed as the Principal Certifying Authority (PCA) to carry out mandatory inspections under Section 109E(3) of the Environmental Planning and Assessment Act and Clause 162A of the Regulations

1. If Council is the nominated Principal Certifying Authority (PCA), Council requires the following extra stages of construction to be inspected. Forty-eight (48) hours notice is required prior to these inspections.
 - Steel reinforcing before pouring of concrete slab.
 - Framework before cladding or lining is fixed.
 - Sealing of the wet areas before wall linings are fixed and before floor and wall tiling is fixed.
2. In accordance with Section 109E(3) of the Environmental Planning and Assessment Act and Clause 162A of the Regulations the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority (PCA).
Forty-eight (48) hours notice is required prior to these inspections.
 - a) After excavation for, and prior to the placement of any footings; and
 - b) Prior to pouring any in-situ reinforced concrete building element; and
 - c) Prior to covering of the framework for any floor, wall, roof or other building element; and
 - d) Prior to covering waterproofing in any wet areas; and
 - e) Prior to covering any stormwater drainage connections; and
 - f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

ADVISING

When Council is nominated as the PCA for the project inspections can be carried out in the following manner:

- Inspections c) and d) and Hot and Cold Water Plumbing inspection can be carried out together and
- Inspections e) and External Sewer Inspection can be carried out at the same inspection.

Also if Council is nominated as the Principal Certifying Authority for the project the following details are required prior to carrying out the inspections:

- Timber Frame - Truss and Bracing Details.

3. The proposal is to be set out by a Registered Surveyor and a Survey Report is to be submitted to the Principal Certifying Authority to ensure compliance with the Development Application. If the Principal Certifying Authority has concerns with the set out of the building a Survey Report may be requested prior to pouring of the slab or once the outer wall location is determined.
4. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

- That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
- That, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

ADVISING

Matters requiring attention and consideration if Council is the nominated Principal Certifying Authority;

Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected must be installed in the building in accordance with Australian Standard 2444 - Portable Fire Extinguishers - Selection and Location, as required by E1.6 of the *Building Code of Australia*.

An emergency lighting system must be installed within the buildings as required by E4.2 of the *Building Code of Australia*.

Exit signs must be installed in the buildings as required by E4.5 and E4.6 of the *Building Code of Australia*.

The Fire Safety Certificate may include the following fire safety measures listed in the Schedule. (to be assessed with the Construction Certificate Application)

Schedule of Fire Safety Measures

Essential Service

Performance Standard

Emergency Lighting

AS 2293.1-2005, BCA E4.2, E4.4

Exit Signs

AS 2293.1-2005, BCA E4.5, E4.6, E4.8

Fire Hose Reels

AS 2441-2005, BCA E1.4

Fire Hydrants

AS 2419.1-2005, BCA E1.3

Smoke Hazard Management

BCAE2

Portable Fire Extinguishers

AS 2444-2001 BCA E1.6

The exit doors shall satisfy the requirements of D2.20 and D2.21 of the *Building Code of Australia*

Any person who fails to comply with the provisions of the *Local Government Act 1993* Section 124 and/or clause 121B of the *Environmental Planning and Assessment Regulation*, the Principal Certifying Authority is entitled to make an order against the owner or manager of a premises (in the case where adequate fire safety is not promoted or maintained).