



Department of
Primary Industries
Office of Water

ENTERED

10 MAR 2014

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Our ref: 10 ERM2014/0073
Our file:
Your ref: DA2014/15.1

The General Manager
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

FAIRFIELD CITY COUNCIL

-4 MAR 2014

Attention: Sunnee Cullen

TO:	S. Cullen
FILE:	14/00473
DOCID:	A884580
CRM:	
SCAN DATE:	7-3-14

28 February 2014

Dear Ms Cullen

Re: Integrated Development Referral – General Terms of Approval

Dev Ref: DA2014/15.1

Description of proposed activity: Proposed 8 storey residential flat building as 3 separate towers and basement parking

Site location: 187-192 Restwood Road Prairewood

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find the Office of Water's General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

- The Office of Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- The Office of Water requests notification of any legal challenge to the consent.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, the Office of Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

The attached GTA are not the controlled activity approval. The applicant must apply (to the Office of Water) for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office of Water) and proof of Council's development consent.

Application forms for the controlled activity approval are available from the undersigned or from the Office of Water's website:

www.water.nsw.gov.au [Water licensing](#) > [Approvals](#) > Controlled activities

The Office of Water requests that Council provide a copy of this letter to the applicant.

The Office of Water also requests that Council provides the Office of Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Mohammed Ismail
Water Regulation Officer
Office of Water - Water Regulatory Operations Sydney

General Terms of Approval

for work requiring a controlled activity approval
under s91 of the Water Management Act 2000

Our Reference: 10 ERM2014/0073

File No:

Site Address: 187-192 Restwood Road Prairewood

DA Number: DA2014/15.1

LGA: Fairfield City Council

Number	Condition
Plans, standards and guidelines	
1	These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA2014/15.1 and provided by Council. Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.
2	Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
3	The consent holder must prepare or commission the preparation of: (i) Erosion and Sediment Control Plan
4	All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx
5	The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.
6	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
Drainage and Stormwater	
7	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.
8	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
END OF CONDITIONS	

www.water.nsw.gov.au

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The General Manager
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

Our ref: 10 ERM2014/0073
File No: 9057823
Your Ref: DA2014/15.1

Attention: Liam Hawke

17 September 2014

Dear Mr Liam

Re: Proposed modification to integrated development – DA2014/15.1
Controlled activity described as: Proposed 8 storey residential flat building as 3 separate towers and basement parking
Located at: 187-192 Restwell Road Prairewood

I refer to Council's letter dated 22 August 2014 advising of the proposed modification or amendment to an integrated development proposal for the abovementioned property.

Based on a review of the information provided the Office of Water confirms the existing **General Terms of Approval** (for 'works' requiring a Controlled Activity Approval under the *Water Management Act 2000*), issued on **28 February 2014** remain valid for the amended proposal and no amendments to the General Terms of Approval are necessary.

Further information on Controlled Activity Approvals under the *Water Management Act 2000* can be obtained from the NSW Office of Water's website
www.water.nsw.gov.au – Go to: Water-Licensing > Approvals > Controlled-activities.

The Office of Water should be notified if any further amendments result in more than minimal change to the proposed development or in additional works on waterfront land.

Please direct any questions regarding this correspondence to **Mohammed Ismail, at mohammed.ismail@dpi.nsw.gov.au**.

Yours sincerely

Mohammed Ismail
Water Regulation Officer
NSW Department of Primary Industries
Office of Water
Water Regulatory Operations, Water Regulatory Operations Sydney