

Appendix 1 – Conditions

General

1 A001

The development must be implemented substantially in accordance with the following plans:

Architectural and site plans numbered:-

- 1125-45 DA03 A dated 07/07/2015
- 1125-45 DA04 A dated 06/07/2015
- 1125-45 DA05 A dated 07/07/2015
- 1125-45 DA06 A dated 07/07/2015
- 1125-45 DA07 A dated 07/07/2015
- 1125-45 DA08 A dated 07/07/2015
- 1125-45 DA09 A dated 07/07/2015,
- 1125-45 DA10 A dated 07/07/2015
- 1125-45 DA11 A dated 07/07/2015
- 1125-45 DA12 A dated 07/07/2015
- 1125-45 DA13 A dated 07/07/2015
- 1125-45 DA14 A dated 07/07/2015
- 1125-45 DA15 A dated 07/07/2015
- 1125-45 DA16 A dated 07/07/2015
- 1125-45 DA17 A dated 07/07/2015
- 1125-45 DA18 A dated 07/07/2015
- 1125-45 DA19 A dated 07/07/2015

drawn by Kennedy Associates Architects;

- Engineering plans numbered 26877-29- SYD D02 and D003 (Revision B) dated 26/11/2015;
- Landscape Plan Number 1125-45 LA01 and L02 prepared by Patterson Design Studio dated 03/07/2015; and

stamped approved by Council, the application form, the BASIX Certificate and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

2 A005 - APPROVED BODY'S CONSENT (FOR INTEGRATED DAS)

A copy of the General Terms of Approval issued by the Rural Fire Services under Section 100B of the Rural Fire Services Act is included with the consent notice. The following matters are to be complied with by the applicant in the construction of the development and **prior to the occupation of the development.**

- At the commencement of building works and in perpetuity the property around each dwelling to a distance of 20 metres or the distance between the dwellings and property boundary (whichever distance occurs first), shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's

document 'Standards for asset protection zones'.

- Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- Property access roads shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006'
- arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

3 A019 - Occupation Requirements

The development is **not be used or occupied until** all conditions of the consent has been satisfied.

4. A Special (Crown Developments Certification)

In accordance with Section 109R of the Environmental Planning and Assessment Act 1979 Crown building work cannot be commenced unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:

- (a) the date of the invitation for tenders to carry out the Crown building work, or
- (b) in the absence of tenders, the date on which the Crown building work commences, except as provided by this section.

5. A CPTED Landscaping

- Dense, medium height vegetation with top to bottom foliage are to be avoided, particularly around walkways.
- Trees with dense low growth foliage are to be spaced or crown raised to avoid a continuous barrier.

6. A CPTED Building Security & Access Control

- The following are to be incorporated into the development:-
 - Install intercom, code or card locks or similar **for the main front gate of the development and a master key system to the main entries to the homes.**
 - Any areas throughout the broader site and in the group homes that are intended for staff access only must be appropriately secured to restrict access to residents.
 - Australian Standard 220 – door and window locks should be installed in all homes. Consider installing user/sensor electronic security gates at the property entrance.
 - If **invisigard screens are used** on windows and they should be operable from inside in case of emergencies. Ensure skylights and /or roof tiles cannot

be readily removed or opened from outside.

- Installation of monitoring alarm systems for the individual homes. Provide lockable gate on any side and rear access points.

7. [A CPTED Lighting](#)

The following are to be complied with:-

- Pedestrian pathways, laneways and access routes in outdoor public spaces are to be lit to the minimum Australian Standard of AS 1158. Lighting are to be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting are to be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting.
- Lighting is to have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways.
- Lights are to be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.
- All lighting are to be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly.

8. [A CPTED Residential Developments Building Identification](#)

Each individual group home is to be clearly numbered.

9. [A Special \(BLANK\)](#)

All property perimeter fencing shall be constructed of rural style see-through construction. Details of **all** fences are to be submitted to Council for consideration and approval **prior to construction and installation on the site.**

10. [A Special \(BLANK\)](#)

The group home development is to be utilised to provide permanent household accommodation for people with a disability or people who are socially disadvantaged.

Changes of use to the approved group homes to any other uses or conversion to residential use in the future will require a new development application and approval from Penrith City Council.

11. [A Special \(BLANK\)](#)

The number of residents occupying each group home are to be limited to maximum of 5 people and **generally** 2 staff at any given time.

12. [A Special condition](#)

A plan of management addressing the operation and management of the group home which addresses the Aging Disability and Home Care (ADHC) "Good Neighbouring Policy" is to be submitted and approved by Council **prior to occupation of the development.** This is to be generally consistent with the plan of implementation of ADHC's "Good Neighbourhood Policy" as outlined in Page 75 of the Social Impact Assessment document submitted with the application and adhered to at all times. The plan of management is also to ensure that any concerns that maybe raised by the neighbouring residents in Llandilo will be addressed and managed.

13. **A Special condition**

The development is to be serviced by four (4) mini buses as a transport system for residents on site as outlined within the Statement of Environmental Effects submitted in support of the Development Application.

Demolition

14. **B002 - DISPOSAL TO APPROVED LANDFILL SITE**

Prior to commencement of any construction or earth works all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All excavated material not used on site shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided as part of the Crown Certification process **prior to commencement of any earthworks or construction works**.

15. **B003 - ASBESTOS**

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any construction works commence on the site**.

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

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

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

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

16. **B004 - Dust**

Dust suppression techniques are to be employed during any earth works and construction works to reduce any potential nuisances to surrounding properties.

17. **B005 - Mud/Soil**

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

18. **B006 - Hours of work**

Any earth works and construction works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm

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

Environmental Matters

19. [D001 - Implement approved sediment& erosion control measures](#)

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.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

20. [D002 - Spraygrass](#)

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

21. [D005 – No filling without prior approval \(may need to add D006\)](#)

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.

22. [D006 - No filling without prior approval \(Use always, except for bulk earthworks/ major fill operations\)](#)

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."}.

As part of the Crown certification process, if it 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.

23. [D009 - Covering of waste storage area](#)

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

24. [D010 – Appropriate disposal of excavated or other waste](#)

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 Council as part of the Crown certification process as part of the waste management documentation.

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

25. [D014 - Plant and equipment noise](#)

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

BCA Issues

26. [E001 - BCA compliance](#)

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed to satisfy provisions, or
- b. formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- c. a combination of (a) and (b).

Health Matters and OSSM installations

27. [F006 - Water tank & nuisance](#)

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

Utility Services

28. [G002 - Section 73 \(not for](#)

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

The Section 73 Compliance Certificate is to be obtained **prior to the completion of construction works and/or occupation the development.**

29. [G004 - Integral Energy](#)

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

In the event that a pad mounted substation is necessary to service the development, Penrith

City Council shall be consulted over the proposed location of the substation before the construction commencement of the development as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

30. [H002 - All forms of construction](#)

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).
- d. If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
 - if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
 - the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
 - any such hoarding, fence or awning is to be removed when the work has been

completed.

31. [H041 - Hours of work \(other devt\)](#)

Earth works and construction works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm No work is permitted on Sundays and Public Holidays.
- Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

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

Engineering

32. [K101 - Works at no cost to Council](#)

All roadwork, stormwater, associated civil works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

33. [K202 - Works and Structures - Minor Works in the public road](#)

Prior to the occupation of the development, the following works are to be carried out to the satisfaction of Council:

- i. Rural vehicular crossings
- ii. Regrading of the table drain in Fourth Avenue west of the development site. Any alterations to existing vehicular crossings and utility services required as a result of the regrading works are to be undertaken at no cost to Council.
- iii. The placement of hoardings, structures, containers, waster skips, signs etc. on the road reserve.

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

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

Note:

1. Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued with the approved works.
2. All works associated with the Roads Act approval must be completed prior to the

Occupation of the development.

34. [K202A - Infrastructure Bond](#)

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 commencement of any construction works**. The bond shall be determined accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City 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 Council's website to obtain the form and request for final inspection.

35. [K210 - Stormwater Management](#)

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Wood & Grieve Engineers, reference 26877-29-SYD, drawing No's D02 & D03, revision B, dated 26-11-15 and drawing No's D01, D04 & D05, revision A, dated 07-07-15.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and submitted to Council for information.

Prior to commencement of any construction works, as part of the Crown certification process the stormwater management system it to be designed in accordance with Penrith City Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design (WSUD) Policy.

36. [K222 - Access, Car Parking and Manoeuvring – General](#)

Prior to the commencement of any construction works the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

37. [K224 - Construction Traffic Management Plan](#)

Prior to the commencement of any construction works the Certifying Authority shall ensure that a Construction Traffic Management Plan (CTMP) has been submitted and approved by Penrith City Council. Approval of the CTMP may require endorsement from the Local Traffic Committee. The CTMP shall include but not limited to the following, vehicle routes, number of construction vehicles, hours of operation, access arrangements, pedestrian management, parking management for patrons. The CTMP shall be certified by an appropriately accredited person and/or Roads and Traffic Authority Traffic Controller. The CTMP shall ensure that adequate parking is provided for the development and not severely impacted by the construction of this development.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note:

1. A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

38. **K407- Major Filling/ Earthworks**

All earthworks shall be undertaken in accordance with AS 3798 and Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/
Superintendent **as part of the Crown certification process.**

39. **K501 - Penrith City Council clearance – Road works**

Prior to the occupation of the development, all works along the Fourth Avenue required by condition number 33 have been inspected and signed off by Penrith City Council.

40. **K503 - Works as executed – General and Compliance Documentation**

Prior to the occupation of the development, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation **shall be prepared/submitted as part of the Crown certification process** in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.

An original set of Works-As-Executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council.

41. **K504 - Stormwater Compliance**

Prior to the occupation of the development, as part of the Crown certification process **the applicant shall ensure** that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
 - b) Overland flowpath works
- Have been satisfactorily completed in accordance with the approved **as part of the Crown certification process** and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design. Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

42. **K505 - Restriction as to User and Positive Covenant**

Prior to the occupation of the development a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Overland flowpath works
- c) the development is to be used only for group homes

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development.

43. **K601 - Stormwater Management system operation and maintenance**

The stormwater management systems shall continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

44. **K Special (BLANK)**

All car parking and manoeuvring must be in accordance with AS2890.1-2004; AS2890.6-2009 and Council's requirements

45. **K Special (BLANK)**

All car spaces are to be sealed/line marked and dedicated for the parking of vehicles only and not be used for storage of materials/products/waste materials etc.

46. **K Special (BLANK)**

The required sight lines around the driveway entrances are not to be compromised by landscaping, fencing or signage.

Landscaping

47. **L001 - General**

All landscape works are to be constructed in accordance with the stamped approved plan 1125 - 45 LA01; 1125 - 45 LA02 & 1125 - 45 LA03 dated 03/07/2015 prepared by Paterson Design Studio, Sections F5 "Planting Techniques", F8 "Quality Assurance Standards" and F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

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

the property.

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

48. [L002 - Landscape construction](#)

The approved landscaping for the site must be constructed by a landscape professional.

49. [L003 - Report requirement](#)

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a landscape professional or a Landscape Consultant.

i. Implementation Report

Upon completion of the landscape works associated with the development **prior to the occupation of the development**, an Implementation Report must be submitted **as part of the Crown certification** process attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a landscape professional or a Landscape Consultants.

An Occupation of buildings should not occur until such time as a satisfactory Implementation Report has been received. A copy of the satisfactory Implementation Report is to be submitted to Council.

ii. Maintenance Report

On the first anniversary of the date of the **occupation of the development**, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a landscape professional or a Landscape Consultants.

50. [L006 - Aust Standard](#)

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

51. [L008 - Tree Preservation Order](#)

No trees are to be removed, ringbarked, cut, topped or lopped or willfully 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.

Development Contributions

52. [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$944.00** is to be paid to Council **prior to commencement of this development** (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

53. [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$ 9,026.00** is to be paid to Council **prior to commencement of this development** (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith

54. [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Local Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, **\$ 3,263.00** is to be paid to Council **prior to commencement of this development** (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Local Open Space may be inspected at

Council's Civic Centre, 601 High Street, Penrith.

Payment of Fees

55. **P001 - Costs**

Any roadworks, dedications and drainage works associated with the development are to be carried out at the applicant's cost.

56. **P002 - Fees associated with Council land**

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.

Operation of OSSM

57. **R101 - Operational Approval prior to use**

The on-site sewage management (OSSM) system shall be installed and operated in accordance with the conditions of this consent.

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.

Prior to the issue of the Approval to Operate, the system specifications are to be provided to Council.

58. **R102 - OSSM System Type and Disposal Area**

All wastewater generated on the site is to be diverted to a Pump Out system (primary and collection tank system). The contents of the collection tank are to be removed weekly by a licensed waste contractor and deposited to an approved waste facility. Documentation of pump out collections are to be kept and may be request by Council.

Sealed tanks are to be installed.

The collection well shall have a graduated dipstick of copper material not less than 13mm in diameter. The highest graduation is to indicate when the collection well is full.

The suction line must be of 50mm galvanised iron and fitted with a gate valve and approved locking device at the front boundary.

Suitable access is to be provided for collection by the licensed waste contractor.

The Onsite Sewage Management system is to have a high water level float alarm installed. The alarm is to be audible within each of the Managers' Offices.

- The system is 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 system is to be utilised for a daily wastewater as outlined in the Wastewater Report (prepared by Wood & Grieve, dated 2 December 2015). Any daily wastewater load greater than this may require a new wastewater report for Council's consideration.

59. [R103 - Council inspections for Installation](#)

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

In this regard, the septic tank(s) 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.

60. [R104 - No alterations without approval](#)

The septic tank and drainage lines shall not be altered without the prior approval of Council. **Access to the tanks must be available at all times.**

61. [R105 - Plumbing Code of Australia](#)

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.

62. [R109 - No effluent runoff](#)

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

63. [R113 - Decommission old system](#)

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

64. [R116 - Diversion of stormwater from EMA](#)

All stormwater and seepage shall be diverted away from the septic tank by using an agricultural drain or earthen bund and dish drain.