



**Department of
Primary Industries**
Water

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General Manager
Penrith City Council
PO Box 60
PENRITH NSW 2751

Our ref: IDAS1104021
Our file: V17/8276#87
Your ref: DA17/1247

Attention: Development Services Department

21 February 2018

Dear Sir/Madam

Re: Integrated Development Referral – General Terms of Approval

Dev Ref: DA17/1247

Description: Place of Public worship including Hindu Temple (Mandir), Assembly Hall, Community Kitchen and Dining Hall, Monks Residence, Landscaped Areas, internal roads, car parking and associated site works

Location: 230-242 Aldington Road KEMPS CREEK

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Industry - Water General Terms of Approval (GTA) for part of the proposed development 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, Department of Industry - Water requests these GTA be included (in their entirety) in Council's development consent. Please also note Department of Industry - Water requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

Department of Industry - Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, Department of Industry - Water recommends the following condition be included in the development consent:

The attached GTA issued by Department of Industry - Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to Department of Industry - Water for a Controlled Activity Approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to Department of Industry - Water together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the Department of Industry - Water website at:
www.water.nsw.gov.au > [Water licensing](#) > [Approvals](#).

Department of Industry - Water requests that Council provide a copy of this letter to the development consent holder.

Department of Industry - Water also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours Sincerely



Ian Forbes
Water Regulation Officer
Water Regulatory Operations
NSW Department of Primary Industries – Water

General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS1104021
Issue date of GTA:	21 February 2018
Type of Approval:	Controlled Activity
Description:	Place of Public worship including Hindu Temple (Mandir), Assembly Hall, Community Kitchen and Dining Hall, Monks Residence, Landscaped Areas, internal roads, car parking and associated site works
Location of work/activity:	230-242 Aldington Road KEMPS CREEK
DA Number:	DA17/1247
LGA:	Penrith City Council
Water Sharing Plan Area:	Greater Metropolitan Region Unregulated River Water Sources

The GTA issued by DPI Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to DPI Water for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
Design of works and structures	
GT0009-00004	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Crown Lands and Water Division, and obtained, for a controlled activity approval under the Water Management Act 2000.
Erosion and sediment controls	
GT0006-00003	The following plan(s): - Erosion and Sediment Control Plan; Storm Water Management Plan must be: A. prepared in accordance with Managing Urban Stormwater: Soils and Construction, Volume 1 (Landcom, 2004), as amended or replaced from time to time, and B. submitted with an application for a controlled activity approval.
GT0014-00003	A. The consent holder must ensure that any proposed materials or cleared vegetation, which may: i. obstruct water flow, or ii. wash into the water body, or iii. cause damage to river banks, are not stored on waterfront land, unless in accordance with a plan held by Crown Lands and Water Division as part of a controlled activity approval. B. When the carrying out of the controlled activity has been completed, surplus materials must be removed from waterfront land.
GT0021-00001	The proposed erosion and sediment control works must be inspected and maintained throughout the carried out; construction or operation period of the controlled activity and must not be removed until the site is fully stabilised.
Plans, standards and guidelines	
GT0001-00001	A. The application for a controlled activity approval must include the document(s) listed in Schedule 1. B. The document(s) must be prepared by a suitably qualified person.
GT0002-00170	A. This General Terms of Approval (GTA) only applies to the proposed activities described in the plans and associated documents found in Schedule 1, relating to Development Application DA17/1247 provided by Council to Crown Lands and Water Division. B. Any amendments or modifications to the proposed activities may render the GTA invalid. If the proposed controlled activity is amended or modified, Crown Lands and Water Division, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.
GT0004-00002	A. A security deposit must be provided, if required by Crown Lands and Water

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	Division. B. The deposit must be: i. a bank guarantee, cash deposit or equivalent, and ii. equal to the amount required by Crown Lands and Water Division for that controlled activity approval.
GT0005-00059	A. The application for a activities approval must include the following plan(s): - A. The application for a activities approval must include the following plan(s): - Site plan, map and/or surveys; Civil Engineering Plans; Works Schedule; Bridge/Culvert Design/Plans; Stormwater Outlet Structure Design Plan ; Soil and Water Management Plans; Erosion and Sediment Control Plan; Statement of Environmental Effects; Vegetation Management/Rehabilitation Plan that includes details of riparian corridor rehabilitation works and itemised costings. B. The plan(s) must be prepared in accordance with Crown Lands and Water Division's guidelines located on the website http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity .
GT0030-00001	The application for a controlled activity approval must include plans prepared in accordance with Crown Lands and Water Division's guidelines located on the website as follows: http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity .
Rehabilitation and maintenance	
GT0007-00003	When the proposed controlled activity is completed, and the rehabilitation plan has been implemented, maintenance of the site must be carried out for a period of 2 years in accordance with that rehabilitation plan submitted as part of the controlled activity approval, and approved by Crown Lands and Water Division.
GT0011-00001	A rehabilitation plan for the waterfront land must be provided as part of a controlled activity approval application.
Reporting requirements	
GT0016-00002	The consent holder must inform Crown Lands and Water Division in writing when any proposed controlled activity carried out under a controlled activity approval has been completed.

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by DPI Water for integrated development associated with DA17/1247 as provided by Council:

- • Overland Flow Assessment_Wood & Grieve Engineers_33696_6/11/17
- • Bushfire Assessment_Harris Environmental Consultants_2383BF_20/11/17
- • Statement of Environmental Effects_ Stimson & Baker Planning_Nov 2017
- • Staging Plan_DDC Architects_16079-DA-04_23/11/17_A
- • DA Cost Estimate_DonaldCantWattsCorke_S18130