



Blacktown
City Council

Your ref: SSD 29999239
File no: MC-21-00007

2 August 2022

NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Recipient Delivery bruce.zhang@planning.nsw.gov.au

Attention: Mr Zhang

Dear Mr Zhang,

SSD 29999239 – Rooty Hill Materials Recycling Facility

Thank you for your correspondence dated 7 July 2022 requesting our advice on the proposed State Significant Development Application at 600 Woodstock Avenue, Rooty Hill. The proposal is a State Significant Development proposal under section 4.36 of the *Environmental Planning and Assessment Act 1979*.

The Response to Submission Report and associated documents have been carefully reviewed by our officers. Further to our earlier submission on this application we are now able to withdraw our objection to the proposed development subject to the conditions attached to this letter being imposed as conditions on any development consent granted.

If you would like to discuss this matter further, please contact Judith Portelli, our Manager Development Assessment, on 9839 6228.

Yours faithfully

Peter Conroy
Director City Planning and Development

Connect - Create - Celebrate

Council Chambers - 62 Flushcombe Road - Blacktown NSW 2148

Telephone: (02) 9839 6000 - DX 8117 Blacktown

Email: council@blacktown.nsw.gov.au - Website: www.blacktown.nsw.gov.au

All correspondence to: The Chief Executive Officer - PO Box 63 - Blacktown NSW 2148

Attachment A

1. Planning conditions

Prior to Construction Certificate Conditions

1. A provision parking plan is required to be submitted which sets aside an area for an additional 70 car parking spaces within the site should staff numbers grow in the future or for a future use of the site in accordance with Blacktown Development Control Plan 2015.

During Construction Conditions

2. The recommendations within the Aboriginal Cultural Heritage Assessment Report prepared by Artefact Heritage dated 31 January 2022 are to be implemented.
3. The recommendations within the Site contamination assessment prepared by WSP dated 17 December 2021 are to be implemented

Prior to Occupation Certificate Conditions

4. A final site contamination validation report prepared by a qualified geoscientist is to be submitted following the completion of demolition works.

Operational Conditions

5. The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
6. Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and Australian Standard 1428.1 - 2009.
7. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) are to be designed in accordance with AS 2890.1 – 2004 and Australian Standard 2890.2 – 2002 for heavy vehicles.
8. The design of the car parking area is to ensure that all vehicles must enter and leave the development in a forward direction.
9. Provision for adequate sight distance needs to be made for both pedestrian and vehicular movement at all driveways in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1 to ensure safety of pedestrians on the footpath system and motor vehicles along the driveways.
10. A minimum of 40 car parking spaces are required to be provided on site, and are to be designed in accordance with Australian Standard 2890.1.
11. All required internal driveways and car parking spaces shall be line-marked and sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

12. All vehicular entrance / exit points are to be clearly signposted and visible from the street and site at all times. The signage shall distinguish which driveways are for truck entry and those for car entry.
13. The car parks, all open space areas, pedestrian footpath areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for safety and convenience.
14. Chainwire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.
15. All landscaping shall be completed in accordance with the approved landscape plan and shall be maintained at all times.
16. All loading and unloading operations shall take place at all times wholly within the confines of the land within the designated loading areas. All unloading activities are to be conducted in a manner that does not impact on the amenity of adjoining owners. Loading and unloading operations are not to obstruct internal driveways or car parking spaces at any time. All vehicles awaiting loading or unloading are also required to be contained onsite or schedule arrival so there is no congestion in the local street network.
17. All vehicles are to enter and leave the site in a forward direction.
18. The hours of operation of the development shall be:
Approved hours of operation: 24 hours, 7 days a week.
19. Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection.
20. Vandal proof security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.
21. Instructions regarding procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times.
22. The operator of the facility must always comply with the Plan of Management for the operation of this facility.

2. Building Conditions

Advisory Notes

1. A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
2. **Demolition**
Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working

methods may be obtained from the following organisations and publications (including those which may supersede such publications):

- (a) Safework NSW (Ph: 13 10 50) – “Short Guide to Working with Asbestos”,
- (b) NSW Office of Environment & Heritage (Ph: 9995-5000) – “A Guide to Keep Your Family Safe from Lead”, “A Renovators Guide to the Dangers of Lead”,
- (c) “Code of Practice for the Safe Removal of Asbestos” 2nd Edition– National Occupational Health and Safety Commission:2002 (2005),
- (d) Australian Standard 4361.1-1995 – Guide to Lead Paint Management (Industrial Applications),
- (e) Australian Standard 4361.2-2017 – Guide to hazardous paint management Lead paint in residential, public and commercial buildings, and
- (f) Australian Standard 2601-2001 – The demolition of structures.

3. Identification Survey

The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

4. No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

Prior to Construction Certificate Conditions

5. A Construction Certificate or Subdivision Works Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

6. **Building Code of Australia 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 ongoing 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:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) a combination of (a) and (b).

7. **Site Works and Drainage**

- a. Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified

person. Details of such site works shall accompany the Construction Certificate.

- b. Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159 mm per hour over an average recurrence interval of 20 years. The design shall:
 - (a) be in accordance with Australian Standard 3500.3, and
 - (b) provide for drainage discharge to an existing Council drainage system, and
 - (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.
- c. Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.

8. Building Additions

The design of the building addition or attachment shall not compromise the Building Code of Australia structural design criteria of any portion of the existing building.

Prior to Development Works Conditions

9. Safety/Health/Amenity

- a. Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
 - (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.
- b. A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
 - (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

10. Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

11. All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.
12. A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40 mm or larger aggregate placed 150 mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
13. Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.

14. **Notification to Council**

The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

15. **Sydney Water Authorisation**

Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

Prior to Demolition Works Conditions

16. **Safety/Health/Amenity**

- a. Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry to the site. Notices complying with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be fixed to the fencing at appropriate places to warn the public.

- b. A sign shall be erected in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- c. Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 17. Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 18. The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:
 - date/s, hours and duration of the works.
 - contact name and phone number of the applicant
 - contact name and phone number of the licensed demolisher
 - SafeWork NSW contact number 131050, and email address contact@safework.nsw.gov.au

During Construction Conditions

19. Safety/Health/Amenity

- a. The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- b. A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
 - (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- c. Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

- d. All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- e. Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- f. Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

20. Building Code of Australia Compliance

All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

21. Surveys

The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifier to verify the approved position of each structure in relation to the property boundaries.

22. Nuisance Control

- a. Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- b. The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

23. Stormwater Drainage

Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:

- (a) being drained to an effective drainage system.
- (b) if draining to kerb use an approved kerb outlet and sewer grade PVC or RHS

24. Waste Control

The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

During Demolition Works Conditions

25. Safety/Health/Amenity

- a. Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition

works. Notices lettered in accordance with AS 1319-1994 and displaying the works "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.

- b. A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- c. The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- d. Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- e. All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable SafeWork NSW requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2005 (if applicable)
- f. All plant and equipment used on the land shall be operated by a competent person. Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.
- g. A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- h. Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.
- i. All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- j. The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.

26. Nuisance Control

- a. Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- b. Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7 am and 6 pm, Monday to Friday, and 8 am to 1 pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.
- c. The waste material sorting, storing and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of the demolition works.

Prior to Occupation Certificate Conditions

27. An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
28. Prior to commencement of the occupation or use of the whole or any part of a new building, or commencement of a change of building use for the whole or any part of an existing building, it is necessary to obtain an Occupation Certificate from the Principal Certifier in accordance with the provisions of Section 6.9 of the Environmental Planning and Assessment Act 1979.
29. **Temporary Facilities Removal**
 - a. Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
 - b. Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
 - c. Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
 - d. Any temporary builder's sign or other site information sign shall be removed from the land.
 - e. Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.
30. **Fire Safety Certificate**

A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).
31. Retaining wall(s) and/or other effective methods to retain excavated or filled ground (other than those sites works which may be Exempt Development under an Environmental Planning Instrument), together with any associated groundwater drainage system, shall be constructed and/or provided in accordance with the plans attached to the Construction Certificate.

3. Natural Areas Conditions

1. As identified in the Biodiversity Development Assessment Report prepared by Cumberland Ecology dated 21/02/2022, prior to operational commencement of clearing works the class and number of ecosystem credits in Table 1 must be retired to offset the biodiversity impacts of the proposal.

The requirement to retire credits in this condition may be satisfied by payment to the Biodiversity Conservation Fund, administered by the NSW Biodiversity Conservation Trust, of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator. A link to the Biodiversity Conservation Trust website, for directions on payment can be found at:
<https://www.bct.nsw.gov.au/frequently-asked-questions#Q1>

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to Council prior to operational commencement.

Impacted plant community type (PCT)	Number of ecosystem credits	Containing HBT	IBRA sub-region	Plant community type(s) that can be used to offset the impacts from development
849 Cumberland Plain Woodland in the Sydney Basin Bioregion	4	No	Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site	Cumberland Plain Woodland in the Sydney Basin Bioregion This includes PCT's: 849, 850

2. Tree protection fencing inset within the Lot is needed for adequate tree protection zones for protection of all trees rooted outside of the Lot, prior to commencement of any works. See the Arborist report by Bradshaw Consulting for specifications.
3. Council requires an amended Landscape Plan. Given saline soils and shading by the proposed building, tree planting at a minimum 200 L pot size is required. This will give a greater chance of establishment success. Incorporation of native shrub species that will replace those remnant on site to be removed for the proposal, such as *Asperula conferta*, *Polymeria calycina*, *Bursaria spinosa*, *Daviesia acicularis* and *Pultenaea microphylla* is also required. Likewise, tree species *Allocasuarina littoralis* is a local species growing on site, suited to the salty soils and providing potential resources to local native birds. Also recommend Autumn planting when soil temperatures are conducive to root growth to give a greater chance of successful establishment.

These alterations to the Landscape Plan will assist achieving the stated aims given in the Biodiversity Development Assessment Report, the Landscape Plan and the

Environmental Impact Statement of replacement plantings of Threatened Ecological Communities Cumberland Plain Woodland; increasing canopy cover; and providing screening along the street frontages to soften the visual impact of the development.

4. A Construction Environment Management Plan (CEMP) is needed.

The Construction Environmental Management Plan will show the staging of works to set out how damage to neighbour's trees and street trees will be prevented; vehicle access roads and construction traffic management; stockpiling areas; an unexpected finds protocol; a procedure for controlling the introduction and spreading of weeds and pathogens, including hygiene protocols and the arrangements for monitoring; erosion and sediment control; noise, and dust control. The Applicant must: (a) not commence construction of the development until the Construction Environment Management Plan is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the Construction Environment Management Plan approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

5. The Applicant must not commence any construction works on site until the temporary sediment basin has been commissioned.
6. Prior to clearing works commencing a Biodiversity Management Plan will be required.

This will comprise of a detailed site plan and an accompanying report in a legible format prepared by a person who has qualifications and experience in respect of ecology.

The Biodiversity Management Plan is to relate to the land within the proposal Lots and must contain full details of the actions proposed to be taken with respect to the management of fauna that may be displaced from the site during the course of carrying out the development. The Biodiversity Management Plan is to be consistent with the NSW Department of Planning, Industry and Environment "Code of Practice for injured, sick and orphaned protected fauna" 2011 (the Code). The Biodiversity Management Plan must include the following:

- a. A fauna rescue and release procedure. Given tree removal is required then a licensed wildlife carer or ecologist will be required on site as a fauna handler ('Rescuer' under the Code) during tree removal works.
- b. a release site within 100m of the site is to be nominated by the Project Ecologist prior to clearing
- c. If tree hollows are found during tree removal they are to be salvaged and placed in retained or nearby bushland areas under the direction of an ecologist. For all tree hollows, not able to be salvaged, they are to be replaced with nest boxes or artificial hollows with three nest boxes / artificial hollows for every one hollow removed.
- d. A procedure for dealing with unexpected threatened species finds. The procedure must include, as a minimum, the following:

- i. stop work arrangements in the immediate area of the threatened species;
- ii. notification and communication protocol;
- iii. consultation with the specialists to assess the significance of the find; and
- iv. a list of approvals, licences or permits likely required prior to recommencing works.

The Biodiversity Management Plan should discuss the different types of fauna that might occur and how they would be handled and locations of where they would be released. If there are no suitable locations on the site, they should identify appropriate relocation sites and identify whether any translocation licences would be required. For example, Cumberland Plain Land Snail. If there is no suitable habitat for them to relocate them to then they will need to find an appropriate site, apply for a translocation licence and receive approval. The record will need to be reported to BioNet as well.

7. Prior to any work commencing, a Project Ecologist is to be appointed. Within 14 days of the works, the ecologist is to provide a report on the tree clearance works, to be provided to Council through the Natural Areas Team.

4. Open Space Conditions

1. Trees 6 - 42, as indicated in the Arboricultural Impact Assessment (AIA) by Bradshaw Consulting Arborists on 24 December 2021, can be removed as part of this development. (NOTE: Trees 6, 27, 28 and 29 are live public road verge trees) They are located within the site in a position where they cannot be retained due to the proposed infrastructure and bulk earthworks or where encroachment will have an adverse impact on its roots and crown for viability and stability, have a low retention value, and they are in poor condition and/or health.
2. Trees 1 – 5 (live public road verge trees) are to be retained and protected as detailed in Section 8 Tree Protection Plan, Section 10 Tree Protection Specifications of the AIA. Tree protection measures are to be implemented as per Australian Standard AS4970 2009 Protection of trees on development sites and the tree protection plan contained within the AIA. The tree protection measures are to be installed before construction commences.
3. A monetary tree preservation bond is applicable to Trees 1 – 5, which is required to be paid prior to construction commencing. The Applicant is to pay a tree preservation bond, as per Council's Goods and Services Pricing Schedule, to ensure the retention and protection in line with *AS:4970-2009 Protection of Trees on Development Sites*.

The bond amount will be returned 12 months following the issue of the final occupation certificate following the submission of the final report by the Applicant's project Arborist indicating the trees are in good health, and this is confirmed following an inspection by an authorised officer from Council's tree management section.

4. Two inspection fees as per Council's Goods and Services Pricing Schedule will be applicable for the authorised officer to inspect the tree protection measures implemented before construction commencing and following a request to return the tree preservation bond as noted above.
5. A Project Consulting Arborist must be appointed before demolishing any existing structures or earthworks. They must register with the builder before any works commence so that the builder can be inducted as to important times when the Arborist will be required on-site. Hold points, inspections and certification are carried out as per Section 5 of the Arboricultural Impact Assessment. Upon completing the development works, a final assessment of the trees shall be undertaken by the Project Arborist, and future recommended management strategies will be implemented as required. The final assessment report is to be presented to Council to advise the retained trees (as per the AIA) health to determine any Bond return to the applicant.
6. Amended street tree detail plans are required to be submitted to Council for review and approval prior to construction that show root control devices at the back of the kerb and the back of the footpath. Alternatively, a Root director could be used.

Also, the tree is to be centred between the footpath and the back of the kerb. If no pathway is being installed, then the tree is to be located 600-700mm back of the kerb.
7. Standard street tree bonds are required to be paid to Council according to the current goods and services pricing schedule. The trees will need to be maintained by the developer for 12 months after the issuing of a Practical Completion certificate for the installation of them.

5. Engineering and Drainage Conditions

Advisory Notes

1. If the applicant wishes for Council to issue the Construction Certificate or Subdivision Works Certificate as nominated in the 'Prior to Construction Certificate/Subdivision Works Certificate please:
 - Complete application form
 - Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

General conditions

2. Design and Works Specification

All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- a) Blacktown City Council's Works Specification - Civil (Current Version)
- b) Blacktown City Council's Engineering Guide for Development (Current Version)

- c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- d) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M
- e) On Site Stormwater Detention Handbook - Upper Parramatta River Catchment Trust FOURTH Edition.
- f) Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

3. **Other Necessary Approvals**

A separate application will be required for the following approvals, under the Local Government Act 1993 and/or the Roads Act 1993.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

4. **Other Matters**

No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

Prior to Construction Certificate Conditions

- 5. All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate or Subdivision Works Certificate can be issued.
- 6. A Construction Certificate or Subdivision Works Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.
- 7. The engineering drawings referred to below are not for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application

Construction Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
NORTHROP Civil & Structural Engineers	211274	DAC01.01	1	06	14.06.22
		DAC01.21	2	05	14.06.22
		DAC02.01	3	08	14.06.22
		DAC04.01-02	4-5	08	14.06.22
		DAC05.11-14	6-9	05	14.06.22
		DAC05.31-32	10-11	04	14.06.22
		DAC05.33	12	01	14.06.22
		DAC05.41	13	03	13.05.22

8. The development under SSD-29999238 must at all times maintain the water quality system to achieve the following minimum pollutant removal targets of Part J of Blacktown Development Control Plan 2015 for the duration of the development:

Required percentage reductions in post development average annual load of pollutants

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Hydrocarbons	90

9. The registered proprietor is to provide to Council's Water Sensitive Urban Design (WSUD) Compliance Officer a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer WSUD@blacktown.nsw.gov.au.
10. Each year the registered proprietor is to provide to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au a report outlining all non-potable water used annually and the percentage of non-potable reuse under SSD-29999238. Design reuse supplied is 1.02 ML/yr at 80% reuse.
11. A Chartered Structural Engineer, registered with the National Engineering Register, must certify the structural design for pier footings adjacent to the detention and rainwater tank to be founded a minimum of 300mm below the underside of the tanks. The depth of piers away from the tanks will be subject to the zone of influence.
12. For the rainwater tank, an experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply Plan for non-potable water uses on the development works under SSD-29999238 including all toilet/urinal flushing and landscape watering. The plan is to show the rainwater pipe and tank arrangement including:
- a first flush or pre-treatment system,
 - a pump with isolation valves,

- iii. control panel and a warning light to indicate pump failure;
 - iv. an automatic solenoid controlled mains water bypass;
 - v. flow meters on the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage and % reuse;
 - vi. a warning light to indicate pump failure;
 - vii. ensuring all the reuse pipes and taps are coloured purple
 - viii. an automatic backwash inline filter;
 - ix. providing offtake(s) for the irrigation system from the tank
 - x. providing 3 external reuse taps near the vehicular entry along Woodstock Avenue and 3 taps at the rear external wall of the building (minimum 6 taps in total) for general wash down and reuse;
 - xi. fitting rainwater warning signs to all external taps using rainwater.
 - xii. providing a minimum tank size of 82 kL below overflow;
 - xiii. ensuring that all Sydney Water requirements have been satisfied.
13. An experienced irrigation specialist is to prepare and certify a detailed Landscape Watering Plan for non-potable landscape watering. The plan is to show the irrigation layout based on non-potable water supply point from the rainwater tank, including:
- i. isolation valve for maintenance or during water restrictions
 - ii. a timer and control box for landscape watering, allowing for seasonal variations and split systems
 - iii. detailing what areas are subject to spray irrigation and what areas to drip irrigation
 - iv. detailing filter requirements to ensure the finer irrigation systems do not block.
 - v. determining irrigation zones as required
 - vi. designed to automatically achieve a minimum average usage rate of 720.80 kL/yr at (0.4 kL/yr/m²) including increasing the frequency of watering by a minimum 50% above average for the hotter months and reducing for the cooler months
 - vii. ensuring all the reuse pipes and taps are coloured purple
 - viii. fitting warning signs to all external taps using non-potable water
14. Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets
 - ii. 3 star showerheads
 - iii. 5 star taps (for all taps other than bath outlets and garden taps)
 - iv. 3 star urinals
 - v. Water efficient washing machines and dishwashers are to be specified.
15. Provide details for a permanent coloured interpretive signage minimum A1 size to be installed to highlight the water conservation, on-site detention and water quality processes. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures the rainwater tank, on-site detention tank and gross pollutant trap and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the tanks.

The wording and details are available from Chapter 14 of Council's Water Sensitive Urban Design developer handbook and is to be approved by Council.

16. The Civil Engineering Plans by NORTHROP (Job no. 211274 dated 14 June 2022) are to be amended to include the following:

a) Drawings DAC04.01 (08) and DAC04.02 (08):

- i) All On-Site Detention tank lids are to be grated.
- ii) Show how the roof water gets to the rainwater tank. Provide a separate system for roof water and surface drainage. Pits between the roof lines (i.e. charged pipes) are to be sealed.
- iii) Charge line cleanout pits are to be provided at the low point of all charge line systems for the rainwater tanks to facilitate cleaning of the system.
- iv) Detail Confined space entry warning signs on the drainage plans adjacent to all entries into the rainwater tank, on-site detention tank and gross pollutant trap in accordance with Council's Engineering Guide for Development 2005.
- v) Provide an on-site stormwater detention (OSD) warning plaque as per the Upper Parramatta River Catchment Trust guidelines
- vi) All pits deeper than 1.2 m must provide step irons at 300 cts.
- vii) Review the pit size as 600 * 600 mm pits are limited to 600 mm maximum depth and 600 * 900 mm pits are limited to 900 mm depth. Pits greater than 900 mm depth are all to be minimum 900 * 900 mm. All pits within the proposed development must comply with these requirements.
- viii) The levels in existing street Pit 04/05 are to be confirmed by registered surveyor.
- ix) Increase Pit 04/03 to minimum 1200 x 1200 mm.
- x) Increase Pit 04/04 to minimum 1200 x 1500 mm or 1500 x 1500 mm.
- xi) Provide a grated trench drain along the boundary at the vehicle crossing fronting Kellogg Road. Discharge the outlet pipe to Pit 01/04.

b) Drawing DAC05.31 (04) and DAC05.32 (04):

- i) Increase the rain water tank volume to minimum 82 KL below the overflow. Amend the rain water tank dimensions and notes as required.
- ii) The size of the on-site detention tank is to be amended and provide minimum storages of 950 m³ below the emergency overflow weir and 626.30 m³ below the 50% Annual Exceedance Probability (AEP) overflow weir.
- iii) Ensure when calculating the actual storages that the 1% AEP storm event does not count the overflow pit and the 50% AEP storm event does not count either the overflow pit, or the control pit.
- iv) Set the 1% AEP Top Water Level (TWL) to RL 42.47 and 50% AEP TWL RL 41.75. Ensure consistency across the drawings.
- v) Provide minimum 2 x 600 x 1200 mm grates for the overflow and control pits.
- vi) Provide a minimum 900 x 900 mm grated access above the 50% AEP orifice.

- vii) On "OSD BASE PLAN" amend the 375 mm on-site detention outlet pipe to 750 mm diameter.
 - viii) The starting / lowest level in the base of the on-site detention tank is to be the centreline of the 50% AEP orifice, currently RL 40.03.
 - ix) Provide a note on Section A and Section B for the step irons to be provided at 300 cts.
- 17. Civil Engineering Report by NORTHROP (revision 3 dated 19 January 2022) is to be amended to include the changes and reflect the civil engineering plans accordingly.
- 18. An experienced Drainage Engineer registered with National Engineering Register and supported by a DRAINS or similar hydraulic calculation is to certify that the proposed internal drainage system is capable of carrying 1% AEP (100 year ARI) flows to the detention tank.
- 19. **Construction Certificate Requirements**
 Under the Environmental Planning and Assessment Act 1979 a Construction Certificate is required. These works include but are not limited to the following:
 - On-site stormwater detention
 - Water quality treatment
 - Earthworks
 The above requirements are further outlined in this section of the consent.
- 20. **Roads Act Requirements**
 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
 - Any works within Council's road reserve
 - Vehicular crossings
 The above requirements are further outlined in this section of the consent.
- 21. If the estimated cost is \$25,000 or greater proof of long service levy payment is required.
- 22. Any ancillary works undertaken shall be at no cost to Council.
- 23. Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.
- 24. **Drainage**
 Drainage from the site must be connected into Council's existing drainage system.
 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.
- 25. Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

26. On-Site Detention

- a. On-site detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)175M On-site detention requirements - Sheet 20, or an S3QM Certificate
- b. A registered engineer (NER) must certify that:
 - The structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
 - The on-site stormwater detention system will perform to meet the on-site stormwater detention requirements and function hydraulically in general accordance with Council's Engineering Guide for Development, DCP Part J - Water Sensitive Urban Design and Integrated Water Cycle Management, S3QM Deemed to comply tool and Council's Standard Drawing A(BS)175M.
- c. The following documents shall be submitted to accompany the on-site detention design in accordance with the design:
 - Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
 - On-site detention detailed design submission and calculation summary sheet
 - A maintenance schedule that complies with Council's Water Sensitive Urban Design maintenance guidelines, signed and dated by the designer
 - S3QM Deemed to Comply On-site detention summary details

27. Vehicular Crossings

Plans to demonstrate the construction of a residential vehicular crossing to Council's standard A(BS)102S.

During Construction Conditions

28. The proposed CDS 1009 unit supplied by Rocla is not to be replaced with a smaller device. The CDS 1009 unit can only be replaced with the following products which have similar treatable flow rates:
 - i. OceanSave OS-1112 supplied by Ocean Protect
 - ii. Vortceptor SVO.096 supplied by Spel
29. A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the toilets and urinals are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.

30. Notification of Works

A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this

consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.

31. Insurances

Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000 Indemnity and Workers Compensation.

32. Service Authority Approvals

Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

33. Soil Erosion and Sediment Control Measures

- a. Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- b. Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- c. All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

34. Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.

Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Where Council is appointed as the Principal Certifying Authority for the development, compliance certificates issued by accredited certifiers in lieu of council inspections will only be accepted by prior agreement or by Council request. All compliance certificate(s) must certify that the relevant work has been completed in

accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

35. Public Safety

The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

36. Site Security

Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

Prior to Occupation Certificate conditions

37. Road Damage

The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

38. Compliance with Conditions

An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

39. Temporary Facilities Removal

- a. Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- b. Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- c. Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- d. Any temporary builder's sign or other site information sign shall be removed from the land.
- e. Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

40. Fee Payment

Any fee payable to Council as part of a Construction, Subdivision Works, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

41. Surveys/Certificates/Works As Executed plans

- a. A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A colour soft copy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering WAE plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.
- b. The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines.
- c. A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.
- d. A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- e. The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

When Council has been nominated or defaulted as the nominee for engineering compliance. Final inspections can be arranged through Councils Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

42. Easements/Restrictions/Positive Covenants

- a. Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
 - (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version)
 - (b) The standard format for easements and restrictions as accepted by the Lands Title Office.
- b. Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services (LRS) over the on-site detention storage areas and outlet works.

43. A Chartered Civil Engineer registered with the National Engineering Register, is to certify that:
- i. the interpretative water quality sign has been correctly installed.
 - ii. all other signage and warning notices have been installed;
 - iii. Rainwater tank is a minimum of 82 kL below the overflow and collects roof water from a minimum of 6120 m² of roof area.
 - iv. the minimum detention storage of 626.30 m³ has been provided below the 50% AEP overflow weir and a minimum of 950 m³ has been provided below the emergency overflow weir;
 - v. the orifice sizes match the approved plan;
 - vi. all the other requirements of the approved drainage plans have been undertaken.
44. A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
- i. all the requirements of the detailed Non-Potable Water Supply Plan have been installed to the required locations.
 - ii. all the non-potable water uses including toilet/urinals are being supplied by the rainwater tanks.
 - iii. the flow meters have been installed on the solenoid-controlled mains water bypass line and the pump outflow line to determine non-potable usage and actual percentage of reuse.
 - iv. The initial flow meter readings are detailed in the certificate;
 - v. the pumps, alarms and all other systems are working correctly;
 - vi. a minimum of 6 external wash down taps have been installed providing 3 external reuse taps near the vehicular entry along Woodstock Avenue and 3 tapes at the rear external wall of the building for general wash down and reuse
 - vii. Rainwater warning signs are fitted to all external taps using rainwater.
 - viii. For the rainwater tank the water from at least two wash down taps and four toilets have been tested to show no chlorine residual.
 - ix. A signed, works-as-executed Rainwater Supply is to be provided to Council's Water Sensitive Urban Design Compliance Officer
WSUD@blacktown.nsw.gov.au
45. An experienced irrigation specialist, is to certify that:
- i. All the non-potable landscape water uses are being supplied by rainwater;
 - ii. All the requirements of the detailed Landscape Watering Plan have been installed to the required locations.
 - iii. The automatic timer has been set up for time and frequency to deliver on average, 720.80 kL/year and the system has been designed to adjust for twice the rate in summer and half the rate in winter.
 - iv. The pumps, alarms and all other systems are working correctly;
 - v. The water from at least two garden taps, or two sample points for the landscape watering system have been tested to show no chlorine residual.
 - vi. Rainwater warning signs are fitted to all external taps using rainwater.
 - vii. A signed, works-as-executed Landscape Watering Plan is to be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au

46. A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 5 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. 3 star Water efficient washing machines and dishwashers have been used.
47. Prior to the issue of the Occupation certificate, the applicant shall submit to Council's Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au documentation that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system installed on the property. The documentation is to include the final version of the Stormwater management report and certified and signed stormwater Works-as-executed plans. *The WSUD system comprises rainwater tank, on-site detention tank and CDS 1009 GPT.*
48. Prior to the issue of the Occupation certificate, the applicant shall provide a Positive covenant and Restriction on the use of land over the WSUD systems installed on the property. The Positive covenant and Restriction on the use of land is to be accordance with Appendix F of Council's Engineering Guide for Development. The Positive covenant and Restriction on the use of land is to be endorsed by Council and lodged with New South Wales Land Registry Services. The applicant shall submit documentary evidence of the lodgement and execution of the Positive covenant and Restriction on the use of land to Council prior to the issue of the final Occupation certificate.
49. Prior to the issue of the Occupation certificate, the Applicant shall provide a Maintenance schedule for the WSUD system installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au for approval.
50. The Applicant shall enter into a Maintenance Agreement with a maintenance contractor for the WSUD system installed on the property. The Maintenance Agreement is to be in accordance with the Maintenance schedule approved by Council. The maintenance contractor is to possess the qualifications and licences, if any, required to undertake the maintenance works in accordance with Council and New South Wales policy and legislation. The Maintenance Agreement must be maintained for the life of the development. The Applicant shall submit a copy of the executed Maintenance agreement to Council for approval. The Maintenance Agreement can be replaced with an alternative Maintenance Agreement of the same or better standard. In the event that the Applicant enters into a replacement Maintenance Agreement the Applicant must, as soon as practically possible, forward a copy to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au.

51. Inspections

Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

6. Environmental Health Conditions

During Construction Conditions

1. The recommendations contained in the Acoustic Report prepared by Acoustic Works, dated 20 May 2022 are to be implemented during construction works
2. The Construction Noise and Vibration Management Plan prepared by Acoustic Works, dated 20 May 2022 is to be implemented during construction works.
3. The recommendations contained in the Air Quality Assessment prepared by Northstar Air Quality Pty Ltd, dated 9 February 2022 are to be implemented during construction works. Council is to be provided with a copy of the Air Quality Management Plan which is required to be implemented.

Prior to Occupation Certificate Conditions

4. Council is to be provided with a copy of the Air Quality Management Plan which is required to be implemented as part of the Air Quality Assessment prepared by Northstar Air Quality Pty Ltd, dated 9 February 2022.

Operational Conditions

5. The recommendations contained in the Acoustic Report prepared by Acoustic Works, dated 20 May 2022 are to be complied with at all times.
6. The recommendations contained in the Air Quality Assessment prepared by Northstar Air Quality Pty Ltd, dated 9 February 2022 are to be complied with at all times.