



Your ref: SSD 9774
File no: MC-19-00002

23 June 2022

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

Recipient Delivery Deana.Burn@planning.nsw.gov.au

Attention: Deana Burn

Dear Ms Burn,

SSD 9774 – State Significant Development Application for construction and operation of a resource recovery facility located at Honeycomb Drive, Eastern Creek

Thank you for your correspondence dated 8 June 2022 requesting our advice on the additional biodiversity and engineering information provided for the abovementioned State Significant Development Application.

The updated Stormwater Management Report and Biodiversity Development Assessment Report 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

Conditions SSD 9775 – Construction and operation of a resource recovery facility located at Honeycomb Drive, Eastern Creek

1. Engineering conditions

Advisory Conditions

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

General Conditions

1. All engineering works must be designed and undertaken in accordance with the relevant aspects of the following documents:
 - Blacktown City Council's Works Specification - Civil (Current Version)
 - Blacktown City Council's Engineering Guide for Development (Current Version)
 - Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to the relevant certifying authority with any application for Construction Certificate approval.
2. 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)
3. 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.
4. Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

The registered proprietor/lessee of lots 3 and 5 is to provide to Council's Water Sensitive Urban Design 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 Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au

5. Each year the registered proprietor/lessee is to provide to Council's Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au a report outlining all non-potable water used annually and the percentage of non-potable reuse. The nominated rate for all design reuse supplied and percentage reuse is:
 Lot 3 - 31.25 kL Rainwater Tank - 0.15 ML/yr at 65%.
 Lot 5 – 300 kL Rainwater Tank – 2.44 ML/yr at 84%
 Lot 5 – 40 kL Stormwater Tank – 0.82 ML/yr at 75%

Prior to Construction Certificate Conditions

1. A Construction 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.
2. All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
3. 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
Martens & Associates Pty. Ltd.	P1806739	PS02-A000	1	E	26/5/22
		PS02-B300	2	C	26/5/22
		PS02-B310	3	A	4/2/21
		PS02-E100	4	E	26/5/22
		PS02-E101	5	C	26/5/22
		PS02-E200	6	D	26/5/22
		PS02-E300	7	D	26/5/22
		PS02-E301	8	D	26/5/22
		PS02-E302	9	C	26/5/22
		PS02-E700	10	F	26/5/22
		PS02-EZ01	11	A	8/3/22

The following items are required to be addressed on the Construction Certificate plans:

- a) Provide a flood study assessment to the satisfaction of Council to demonstrate how the 1% Annual Exceedance Probability flow overtops the kerb and boundary in the cul-de-sac and is safely conveyed to the overland swale without adversely affecting the proposed building in lot 5. Section 5.3 of the Water Cycle Management Plan dated March 2022 prepared by Martens identifies a 1% Annual Exceedance Probability overland flow of 2.667 m³/s entering lot 5 and potentially lot 4 from the trapped low point at the end of cul-de-sac. Provide additional survey information around the cul-de-sac. Detail what measures are

required to direct these flows to the large channel through use of dwarf walls and/or swales within the development site to ensure no flow is blocked on the cul-de-sac, or adversely impacts 22 Hanson Place (lot 62). Consider a new crest in the driveway to eliminate flood flows down the driveway and into lots 4 and 5. Ensure the 1% Annual Exceedance Probability flow depth in the main channel to the basin is a minimum of 300 mm below the floor level of the building in lot 5.

- b) Revised Drainage Plans by Martens Project No. 1806739 Planset PS02 are to be provided to address the following to the satisfaction of Council:
- i. Provide step irons or ladders to all access points in the rainwater tanks, stormwater tank, splitter pit and gross pollutant traps.
 - ii. Provide Floodway Warning Signs for the main swale/channel from the cul-de-sac and the upstream catchment flow swale from Grevillea Street in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005.
 - iii. Detail Confined space entry warning signs on the drainage plans adjacent to all entries into the rainwater tanks, stormwater tank and gross pollutant traps in accordance with Council's Engineering Guide for Development 2005.
 - iv. In Lot 3 detail the roof downpipe and drainage system to demonstrate that all the roof area from the Production and Sales Offices is directed to the minimum 31.25 kL (below overflow) rainwater tank
 - v. In lot 5 detail the roof downpipe and drainage system to demonstrate that a minimum 9,490 m² of roof area is directed to the minimum 6 x 50 kL (below overflow) rainwater tanks.
 - vi. The Stormwater tank is a minimum of 40 kL before overflow. Also amend drawing E200 (D) accordingly.
 - vii. On drawing E101 (C) show the pipes from 1A103-01 to 1A101-07 as minimum 375 mm reinforced concrete pipes.
 - viii. Detail any drainage requirements arising from the Flood Study Assessment.
 - ix. Provide planter box detail for the planter box along Hanson Place.
 - x. On drawing E101(C) detail how an eductor truck and other maintenance vehicles can reach the large estate gross pollutant trap and the estate bioretention basin clear of the main building and allowing entry and egress from this area in a forward direction. Show turning circles.
 - xi. Nominate both the Jellyfish units as JF3250-28-5. Nominate the proposed gross pollutant trap within lot 3 as OS1112 and the gross pollutant trap within Lot 5 as OS1618.

- xii. On drawing E200 (D) amend the note for Section B-B to after “Automatic Water Source Control Device” add “To Obtain Reuse Water from the Stormwater Tank When Rainwater Tank Empty”.
- xiii. On drawing E200 (D) amend the “Proposed Underground Stormwater Tank Layout” by nominating the Jellyfish unit as JF3250-28-5 and the gross pollutant trap as OS1618.
- xiv. On drawing E200 (D) amend the “Proposed Underground Stormwater Tank Layout” by providing a splitter pit between the Jellyfish unit and the gross pollutant trap (no baffle required). Size the outlet pipe/orifice to the Jellyfish to match the flow rate of the Jellyfish (currently 152.5 l/s) and direct the overflow to pit 1A601-02.
- xv. On drawing E200 (D) amend the “Proposed Underground Stormwater Tank Layout” by providing a section through the large splitter pit showing the floatables baffle.
- xvi. On drawing E200 (D) amend the “Swale Section” by nominating a maximum slope of 1% and note the swale to be turfed.
- c) An experienced Drainage Engineer registered with National Engineering Register and supported by a DRAINS or other hydraulic modelling is to certify that the internal drainage system is capable of carrying the 5% Annual Exceedance Probability flows from the fully paved site without surcharge at any pits and that the 1% Annual Exceedance Probability flows can reach the respective detention basin by surface and/or pipe flows. Allow for the starting hydraulic grade line at splitter pit 1A602-02 for the top of flow over the weir in the design storm.
- d) Written Council approval is required where the water quality devices currently nominated on the plan are to be amended subject to a supporting Model for Urban Stormwater Improvement Conceptualisation in accordance with the Water Sensitive Urban Design developer handbook.
- e) Provide details for permanent coloured interpretive signage minimum A1 size to be installed to highlight the water quality improvement process and water conservation. The sign is to be in accordance with section 14 of the Water Sensitive Urban Design developer handbook. Provide a sign for Lot 3 and Lot 5. Locate the signs in a prominent location.
- f) Amended architectural plans are required for buildings, or parts of buildings, that are not affected by the Building Sustainability Index, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards Scheme for any water use fittings. Minimum Water Efficiency Labelling and Standards 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. Water efficient washing machines and dishwashers are to be specified.
- g) For Lot 3 an experienced chartered hydraulic engineer is to prepare and certify a detailed Lot 3 Non-Potable Water Supply Plan for all toilet/urinal flushing. The plan is to show the rainwater pipe and tank arrangement including:
 - i) a first flush or pre-treatment system,
 - ii) a pump with isolation valves for toilet reuse and irrigation off-take and a warning light to indicate pump failure;
 - iii) a solenoid controlled mains water bypass for the pump supplying water for the toilets.
 - iv) flow meters on the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage;
 - v) providing a minimum rainwater tank size of 31.25 kL before overflow;
 - vi) ensuring all the rainwater reuse pipes are coloured purple;
 - vii) an inline filter.
 - viii) ensuring that all Sydney Water requirements have been satisfied
- h) A hydraulic engineer or water treatment engineer experienced in the reuse of Stormwater is to certify that the water quality treatment provided to the stormwater for dust suppression ensures it is fit for purpose.
- i) For Lot 5 an experienced chartered hydraulic engineer is to prepare and certify a detailed Lot 5 Non-Potable Water Supply Plan for all dust suppression. The plan is to show the pipe and tank arrangement including:
 - i) a first flush or pre-treatment system for the 6 x 50 kL (before overflow) rainwater tanks;
 - ii) a pump with isolation valves for dust suppression flows from the rainwater tanks and a warning light to indicate pump failure;
 - iii) an automatic switching device at the rainwater tanks to source flow from the Stormwater Tank when the rainwater tanks are empty.
 - iv) a pump with isolation valves for dust suppression flows from the Stormwater Tank and a warning light to indicate pump failure;
 - v) an automatic solenoid switching device at the Stormwater Tank to source flow from the mains water for dust suppression when the Stormwater Tank is empty;
 - vi) flow meters on the solenoid controlled mains water bypass line at the Stormwater tank, the pump outflow from the Stormwater Tank and the pump outflow line from the Rainwater Tanks, to determine actual non-potable usage;
 - vii) providing a minimum Stormwater Tank size of 40 kL before overflow;
 - viii) incorporating any additional treatment measures on the Stormwater Tank to ensure it is fit for purpose

- ix) ensuring all the reuse pipes are coloured purple;
 - x) an automatic inline filter for each pump.
 - xi) ensuring that all Sydney Water requirements have been satisfied
4. Under the Environmental Planning and Assessment Act 1979 a Construction Certificate is required. These works include but are not limited to the following:
 - Drainage construction
 - Water quality treatment
 - Earthworks
 - Inter-allotment drainage (created within the subject lot)
 5. Under *Section 68 of the Local Government Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
 - Any works within a Council Reserve
 - Any works on adjoining land (outside the subject site boundaries)
 - Inter-allotment drainage on adjoining land
 6. 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
 - Any works on adjoining land (outside the subject site boundaries) Vehicular crossings
 - Path Paving
 7. If the estimated cost is \$25,000 or greater proof of long service levy payment is required.
 8. Any ancillary works undertaken shall be at no cost to Council.
 9. Submit written permission from the affected property owner for any works proposed on adjoining land.
 10. Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.
 11. Drainage from the site must be connected into Council's existing drainage system.
 12. Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.
 13. Stormwater quality treatment system shall be designed in accordance with Council's Engineering Guide for Development and Development Control Plan Part J - Water Sensitive Urban Design and Integrated Water Cycle Management.
 14. Plans to demonstrate the construction a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

15. The construction of path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2010.

Proposed locations and widths are to be approved by Blacktown City Council's Co-ordinator Engineering Approvals. Cycleways/ shared pathways are to include line marking and signposting in accordance with the requirements of Austroads "Guide to Road Design" Part 6A and the Roads and Maritime Services NSW Bicycle Guidelines November 2003.

During Construction Conditions

1. 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.
2. A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.
3. 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.
4. 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.
5. Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
6. 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.
7. 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.

8. 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.

9. All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* or *Local Government Act 1993* must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum 24 hours' notice. Councils Development Overseers may be contacted on 02 9839 6586 between 6 am – 7 am, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

10. 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.
11. Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.
12. Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current Roads and Maritime Services Work Zone Traffic Management Plan accreditation and photo card for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2009.
13. Traffic control devices/facilities (i.e. barricades, signs, lights, etc.) required by the certified Traffic Control Plan must be setup, installed, monitored and maintained and by a person who holds a current Roads and Maritime Services accreditation and photo card to implement Traffic Control Plans.
14. Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Roads and Maritime Services Traffic Controller accreditation and photo card and carry it with them.
15. The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified Roads and Maritime Services accredited work site traffic controllers will ensure a smooth transition with

other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2009.

16. Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a person who holds a current Roads and Maritime Services accreditation to prepare a Work Zone Traffic Management Plan. This plan must satisfy all the requirements of AS 1742.3 – 2009 and the current version of the Roads and Maritime Services *Traffic Control at Work Sites* manual and shall be submitted to Council prior to implementation.
17. For Lot 3 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 landscape watering are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.

Prior to Occupation Certificate Conditions

18. 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.
19. 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.
20. 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.
21. Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
22. Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
23. 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.
24. Any temporary builder's sign or other site information sign shall be removed from the land.
25. 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.

26. 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.
27. A Work-as-Executed plan signed by a Registered Engineer 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 Work-as-Executed plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.
28. A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished floor levels required by this consent have been achieved. The certificate must acknowledge that works and the construction of the floors have been complete. All levels must be to Australian Height Datum.
29. A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished surface levels for lot(s) required by this consent have been achieved and/or have been maintained in accordance with those established at the time of creation of the lot. The certificate must acknowledge that works have been complete. All levels must be to Australian Height Datum.
30. A Certificate from a Registered Engineer must be lodged with Council verifying that pier and beam style construction was used adjacent to the easement to the depth of the invert of the pipeline.
31. A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.
32. A certificate from a Registered Engineer must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
33. This development requires separate approvals under the Roads Act 1993 and / or Local Government Act 1993. Prior to the issue of an Occupation Certificate, the applicant must obtain written confirmation from Council that these works have been completed to its satisfaction.
34. Any covenant(s) 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 covenants, easements and restrictions as accepted by the Land Registry Services.

35. Restrictions and/ or positive covenant must be endorsed by Council and lodged with NSW Land Registry Services over the overland flow-path.
36. 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.
37. A Chartered Civil Engineer registered with National Engineering Register, is to certify that:
- i. For Lot 3 a minimum 31.25 kL rainwater tank has been provided collecting all the roof water from the Production and Sales Offices.
 - ii. For Lot 5 a minimum 6 x 50 kL rainwater tanks have been provided collecting roof water from a minimum 9,490 m² of roof area;
 - iii. For Lot 5 a minimum 40 kL stormwater tank have been provided
 - iv. the interpretative water quality signs have been correctly installed;
 - v. all other signage and warning notices have been installed;
 - vi. all the other requirements of the approved drainage plan have been undertaken.
38. For Lot 3 a plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
- i. All toilet/urinal flushing is being supplied by rainwater;
 - ii. All the requirements of the detailed Lot 3 Non-Potable Water Supply Plan have been installed.
 - iii. The flow meters have been installed on the pump outflow to the toilets and the solenoid controlled mains water bypass 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; and
 - vi. The water from at least three toilets has been tested to show no chlorine residual.
 - vii. A signed, works-as-executed Lot 3 Non-Potable Water Supply Plan has been provided to Council's Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au
39. For Lot 5 a plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
- i. All dust suppression is being supplied by rainwater or stormwater;
 - ii. All the requirements of the detailed Lot 5 Non-Potable Water Supply Plan have been installed to the required locations.
 - iii. The flow meters have been installed on the pump outflow from the rainwater tanks, the pump outflow from the stormwater tank and the solenoid controlled

mains water bypass at the stormwater tank to determine non-potable usage and actual percentage of reuse;

- iv. The three initial flow meter readings are detailed in the certificate;
 - v. The pumps, alarms and all other systems are working correctly; and
 - vi. Non-potable water warning signs are fitted to all external taps using rainwater/stormwater.
 - vii. A signed, works-as-executed Lot 5 Non-Potable Water Supply Plan has been provided to Council's Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au
40. A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by Building Sustainability Index, comply with the minimum standards defined by the Water Efficiency Labelling and Standards Scheme for any water use fittings. Minimum Water Efficiency Labelling and Standards 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.
41. Prior to the issue of the Occupation certificate, the applicant shall provide a Positive covenant and Restriction on the use of land over the Water Sensitive Urban Design system installed on the property for lots 3 and 5. 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. Note: this assessment noted filter baskets (OceanGuards) gross pollutant traps (OceanSaves), Jellyfish, rainwater tanks and Stormwater Tanks.
42. Provide reciprocal rights-of-way over Lots 3, 4 and 5 along the vehicle route from lot 3 Hanson Place through to the building on lot 5 and back out to the cul-de-sac. The right-of-way must be registered with NSW Land Registry Services.
43. Provide drainage easements with a restriction to user over the pipelines within lot 5 that collect pipe flows from Lot 4 and extend the easements to the regional basin. The drainage easements and restriction to user must be registered with NSW Land Registry Services.
44. 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 Water Sensitive Urban

Design 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. Note this assessment noted gross pollutant traps, rainwater tanks and Stormwater Tanks.

45. Prior to the issue of the Occupation certificate, the applicant shall provide a Maintenance schedule for the Water Sensitive Urban Design systems installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and Water Sensitive Urban Design inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council's Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au for approval.
46. The registered owner/lessee shall enter into a Maintenance Agreement with a maintenance contractor for the Water Sensitive Urban Design 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 Water Sensitive Urban Design Compliance Officer at WSUD@blacktown.nsw.gov.au.

2. Planning Conditions

Prior to Construction Certificate Conditions

1. The recommended soil management strategies in Preliminary Salinity Assessment prepared by Martens dated June 2019 are to be identified on the Construction Certificate plans and implemented during construction.

During Construction Conditions

2. The dust mitigation measures in the Air Quality and Greenhouse Gas Assessment prepared by ERM dated 15 January 2021 are to be implemented.

Operational Conditions

3. The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
4. Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and Australian Standard 1428.1 - 2009.
5. 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.

6. The design of the car parking area is to ensure that all vehicles must enter and leave the development in a forward direction.
7. Provision for adequate sight distance is to be made for both pedestrian and vehicular movement at the proposed driveway in accordance with Section 3.2.4 Australian Standard 2890.1 and Figure 3.2 of Australian Standard 2890.1, to ensure safety of pedestrians on the footpath system and motor vehicles along the new driveway.
8. A minimum of 32 car parking spaces are required to be provided on site, and are to be designed in accordance with Australian Standard 2890.1.
9. 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.
10. 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.
11. Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
12. 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.
13. Chainwire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.
14. All landscaping shall be completed in accordance with the approved landscape plan and shall be maintained at all times.
15. 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.
16. All vehicles are to enter and leave the site in a forward direction.
17. The hours of operation of the development shall be:
Approved hours of operation: 24 hours, 7 days a week.
18. 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.
19. Vandal proof security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.

20. 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.
21. A Plan of Management is to be prepared to ensure the effective ongoing management of the site. The Plan of Management is to include a requirement that a qualified hygienist is to supply a certificate/report to confirm that no asbestos or other contaminants are present in the materials brought to the facility for processing from a construction site. This certificate/report is to be brought with the driver of the truck delivering the materials from the construction site and is to be given to the operator of the facility upon arrival before the truck can enter.
22. The operator of the facility must always comply with the Plan of Management for the operation of this facility.
23. A daily log book is to be kept at the premises. This log book is to be made available for Council inspection at any time on request and must record:
 - the date and time of delivery
 - the registration number of every delivery truck,
 - tonnage of materials being delivered,
 - qualified hygienist certificate/report number
 - location and source of material being delivered

3. Environmental Health Conditions

During Construction Conditions

1. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
2. Any asbestos material is to be handled and treated in accordance with the WorkCover document "*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.
3. Bunding is to be designed and installed in accordance with:
 - Department of Environment and Conservation Guidelines - Technical BU Bunding and Spill Management;
 - Department of Environment and Conservation Guidelines "Surface water management on the covered forecourt areas of service stations";
 - Australian Standard 1940-1993: The storage and handling of flammable and combustible liquids; and
 - Australian Standard/New Zealand Standard 4681:2000: The storage and handling of Class 9 (miscellaneous) dangerous goods and articles.
4. All entrances and exits to the building are to be banded.

5. All floors within the factory shall be sealed to enable containment of spills/leaks.
6. The processing area is to be constructed so that all water/waste generated by the activity is confined to the area and directed to a drain/collection pit that discharges to the Sydney Water sewer system. The discharge/connection to the sewer system shall comply with the requirements of Sydney Water.

Operational Conditions

7. Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
8. A Trade Waste Agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system.
9. Sufficient supplies of appropriate absorbent materials and/or other appropriate spill clean up equipment shall be kept on site to recover any liquid spillage. Liquid spills must be cleaned up using dry methods only and shall not give rise to an offence under the Protection of the Environment Operations Act 1997.
10. Vehicles shall only be washed on the premises within approved wash bay(s).
11. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
12. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
13. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
14. The storage and handling of liquids associated with activities on the premises is to be carried out in accordance with the requirements of;
 - NSW Workcover;
 - Australian Standard 1940:2004 The Storage and Handling of Flammable and Combustible Liquids; and
 - Environment Protection Authority Guidelines - Technical BU Bunding and Spill Management.

4. Natural Areas Conditions

1. The stormwater management system designed by Martens 2022 “Water Cycle Management Plan” V8 dated 30/5/2022 must be included in any development consent granted.