

03 March 2021



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ABN 49 546 344 354

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979

APPLICATION NO:	21/0772
APPLICANT:	PRIME MOSS VALE PTY LIMITED
OWNER:	PRIME MOSS VALE PTY LIMITED
PROPERTY DESCRIPTION:	Lot 3 DP 706194 Lot 12 DP 866036
PROPERTY ADDRESS:	32 LOVELLE STREET MOSS VALE NSW 2577
PROPOSED DEVELOPMENT:	Interim Wastewater Treatment System
DEFERRED COMMENCEMENT DETERMINATION:	24 February 2021
CONSENT TO OPERATE FROM:	TBA
DEFERRED COMMENCEMENT CONSENT TO LAPSE ON:	24 February 2026

Rights of Appeal

Pursuant to Section 8.7 of the *Environmental Planning and Assessment Act 1979*, an applicant for development consent who is dissatisfied with the determination of the application by Council authority may appeal to the Court against the determination. Pursuant to Section 8.10, an appeal may be made only within 12 months after the date the decision appealed against is notified.

Review of Determination

You have the right to request a review of determination under section 8.2 of the *Environmental Planning and Assessment Act 1979*, subject to the provisions of Division 8.2 Reviews.

Nancy Sample
Manager Development Assessment
(Determined by Full Council)

24 February 2021
Date of Determination

Working with you

SCHEDULE 1

CONDITIONS OF DEVELOPMENT CONSENT THAT MUST BE SATISFIED BEFORE THE CONSENT CAN OPERATE

1. That this consent shall not operate until an operational development consent for DA20/0227 has been granted for the residential development of the land. The 'land' is defined as being Lot 3 in DP 706194.

Evidence of compliance with the above conditions, sufficient to satisfy the Council as to those matters, must be provided within five (5) years of the date of this notice.

If satisfactory evidence is produced in accordance with this requirement, the Council shall give notice to the applicant of the date from which this consent operates.

If Council has not notified the applicant within a period of 28 days after the applicant's evidence is produced to it, the Council is, for the purposes only of section 8.7 of the *Environmental Planning and Assessment Act 1979*, taken to have notified the applicant that Council is not satisfied as to those matters on the date on which that 28-day period expires.

Reason: *To ensure that the Interim wastewater system remains ancillary to the residential use of the land (Chelsea Gardens Coomungie Lands).*

SCHEDULE 2 CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS

1. Development in Accordance with Plans and Documents

The development shall be implemented in accordance with the approved plans and supporting documents set out in the following table except where modified by any conditions of development consent.

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Context Plan for temporary on-site wastewater treatment system	B, 18001S1 – Sheet 1 of 3	JMD Development Consultants	16/10/2020
Sight Lines from H1 & H2 to STP	B, 18001S1 – Sheet 2 of 3	JMD Development Consultants	22/10/2020
Detail Plan and elevation of proposed temporary on-site wastewater treatment plant	C, 18001S1 – Sheet 3 of 3	JMD Development Consultants	27/10/2020
Statement of Environmental Effects	No. 321042/SEE01	Premise	27/10/2020
Land Capability Assessment for Recycled Water Application, Chelsea Gardens Estate, Moss Vale	Rev. 3 - SEEC Ref: 20000305	SEEC	06/11/2020
Geotechnical Report	Ref: 200677	Harvest Scientific Services	11/10/2006
Packaged Wastewater Treatment System (PWTS) Assessment Report	V02	Aerofloat Wastewater Treatment Specialists	15/10/2020
Letter in addendum to SEE – Addendum to Development Application (DA20/0227) -Proposed Stage 1 subdivision & concept development – 141 Yarrowa Road & 32 Lovelle Street Moss Vale	N/A	Premise	09/02/2021

Reason: To ensure the development is carried out in accordance with the approved plans and documentation.

2. Insistency between documents

In the event of any inconsistency between the conditions of this consent and the drawings/documents referred to above, the conditions of this consent shall prevail to the extent of the inconsistency.

Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents (as amended).*

3. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.
- (b) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Reason: *The condition is prescribed under clause 98 of the Environmental Planning and Assessment Regulation 2000.*

4. Erection of Signs

A sign must be erected in a prominent position on any site on which building work, is being carried out:

- (a) Showing the name, address and telephone number of the Principal Certifier (PC) for the work, and
- (b) Showing the name of the principal contractor (if any) for any 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.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: *The condition is prescribed under clause 98A of the Environmental Planning and Assessment Regulation 2000.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

5. Application for a Construction Certificate

The applicant shall apply to Council or a Principal Certifier (PC) for a Construction Certificate to carry out relevant works in accordance with the consent. The application for a Construction Certificate needs to be accompanied by detailed engineering plans, specifications and completed design checklists as per Council's found in Council's Engineering Design Specifications.

Reason: *A requirement under the provisions of the Environmental Planning and Assessment Act 1979.*

Note: *Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier (PC), and lodgement of Notice of Commencement.*

Note: *Please note that if demolition works forms part of the extent of works approved in the same application, then demolition must not commence prior to the issue of a Construction Certificate.*

6. Decommissioning Plan (including Environmental clean-up and remediation)

Prior to the issue of any construction certificate, a decommissioning plan is to be issued to Council for approval. This plan is to be commenced prior to the issue of the subdivision certificate for Stage 2.

Reason: *To minimise and manage associated pollution issues that may arise from the works*

7. Appointment of Principal Certifier (PC)

No work shall commence in connection with this Development Consent until:

- (a) A Construction Certificate for the building work has been issued by:
 - (i) the consent authority; or
 - (ii) a Principal Certifier (PC); and
- (b) the person having the benefit of the development consent has:
 - (i) appointed a Principal Certifier (PC) for the building work, and
 - (ii) notified the Principal Certifier (PC) that the person will carry out the building work as an owner-builder, if that is the case, and
- (b1) the Principal Certifier (PC) has, no later than 2 days before the building work commences:
 - (i) notified the Council of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (b2) the person having the benefit of the development consent, if not carrying out the work as an owner builder, has:

- (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (ii) notified the Principal Certifier (PC) of such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (c) the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

Reason: *To ensure that there is certainty as to the consent applying to the land.*

8. Damage Deposit for Council Infrastructure

A damage deposit in accordance with Councils Bonds Policy shall be paid to Council prior to the issue of the Construction Certificate.

This damage deposit shall be refunded upon completion of all works, on the issue of the Final Occupation Certificate. Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the damage deposit.

Note: *Full panel concrete footpath replacement in areas where connection to all services are required. This includes driveways and road concrete panels. This will stop differential settlement and maintain the integrity of council infrastructure and asset.*

Reason: *Protection of Council infrastructure.*

9. Developer to provide photos of damage to Council property

The developer must provide Council and the Principal Certifier (PC) with photos of any damage of Council property adjoining the development prior to the issue of the Construction Certificate.

Photos should include any damage to footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter and road pavement and the like.

Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the developer/owners / proponent's expense.

The construction supervisor is responsible to ensure that all contractors, sub-contractors, and delivery trucks use a designated access point to prevent damage to Council's property. Repairs to damaged Council property are to be carried out by the contractor/builder to Council's specification and supervision prior to issue of any Occupation Certificate.

Reason: *To ensure that Councils assets are protected.*

10. Section 68 Local Government Act 1993 Approvals

Prior to the issue of a Construction Certificate, an application under section 68 of the *Local Government Act 1993* shall be made to, and issued by, Wingecarribee Shire Council, for the following approvals:

- Stormwater
- Water
- Wastewater Treatment Plant Construction
- Wastewater Treatment Plant Decommissioning

Reason: *A requirement under the provisions of the Local Government Act 1993.*

11. Site Servicing

Driveway for access to treatment plant shall be designed to accommodate the movements of the largest vehicle servicing the plant.

Reason: *To ensure that the site can be serviced to Council requirements.*

12. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan shall be prepared in accordance with "Landcom's Blue Book" for sedimentation and erosion control plan by a suitably qualified person, and approved by Council prior to issue of the Construction Certificate.

The Erosion and Sediment Control Plan shall include scaled drawings and detailed specifications which can be referred to onsite by project management staff or project construction supervisor. Items to be shown on the Plan shall include:

- (a) Locality of the site, a north point and scale.
- (b) Existing contours of the site including catchment area boundaries and indications of direction of fall.
- (c) Location of and basic description of existing vegetation.
- (d) Diversion of uncontaminated up-slope run-off around the disturbed sites.
- (e) Location of significant natural areas requiring special planning or management including waters, floodplains, seasonally wet areas, areas prone to ponding/water logging, unstable slopes etc.
- (f) Nature and extent of earthworks, including cut and fill roadworks.
- (g) Location of all soil and material stockpiles.
- (h) Location of site access, proposed roads and other impervious areas.
- (i) Existing and proposed drainage patterns.
- (j) Location and type of proposed erosion and sediment control measures.
- (k) Site rehabilitation proposals, including final contours.
- (l) Time of placement of sediment controls.
- (m) Staging of works and how the plan is to be implemented for each stage or activity on site.
- (n) Maintenance schedule.

Reason: *To minimise soil erosion and sediment movement during construction.*

13. Landscape Plan

A Landscape Plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent shall be submitted to Council for approval prior to the issue of the Construction Certificate.

The plan shall include the following information:

- Location of all existing and proposed landscape features including materials to be used;
- Delineate and identify all trees to be retained, removed or transplanted;
- Existing and proposed finished ground levels;
- Top and bottom wall levels for both existing and proposed retaining and free-standing walls;
- Detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity;
- Pot size at planting out stage, and
- Soil treatment prior to planting out, fertilizing and water maintenance schedule.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development. Final design to be agreed with Council.

Reason: *To ensure appropriate landscaping treatments are applied to facilitate amenity.*

14. Long Service Levy Payments

The payment of a long service levy as required under part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to Council prior to the issue of a Subdivision Works Certificate. Council can act as an agent for the Long Services Payment Corporation and the levy can be paid at Councils Office.

Reason: *Statutory requirement*

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

15. Notice of Commencement

No work shall commence until a notice of commencement form has been submitted (form will be attached with issue of a Construction Certificate or Subdivision Works Certificate or available from Council's website), giving the Principal Certifier (PC):

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a Principal Certifier (PC) (either Wingecarribee Council or another Principal Certifier).
- (c) Details of the Principal Contractor or Owner Builder:

- Name
 - Builders Licence Number or Owner Builder Permit Number
 - Principal Contractor Company Name
 - Principal Contractor ABN
 - Address of Principal Contractor or Owner Builder
 - Email Address
- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit.
- (e) Details demonstrating compliance with development consent conditions relevant prior to commencement of the development been satisfied.

Reason: *Statutory requirement.*

Advice: *Attached Notice of Commencement form to be completed.*

16. Principal Certifier (PC) Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- The Principal Certifier (PC) by showing the name, address and telephone number of the Principal Certifier (PC);
- The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Advice: *Where Council is the PCA, signage is available from Council.*

Reason: *Statutory requirement.*

17. Construction Certificate

No work shall commence until a:

- (a) Construction Certificate is obtained from either the Wingecarribee Shire Council or an Accredited Certifier; and
- (b) Construction Certificate lodged with Council obtained from an Accredited Certifier (together with associated plans and documents) - a fee applies for this service.

Reason *Statutory requirement.*

18. Developers Representative during Construction of Works

A minimum of 48 hours prior to commencement of any construction works on site the Developer shall nominate to Council in writing their representative (Construction Supervisor) who will be responsible for all aspects of construction and site control, including Traffic Control, Sediment and Erosion Control and liaison with Council Officers and all other Authorities.

Details to be submitted include: -

- 1 Name of Representative:
- 2 Company:
- 3 Position:
- 4 Contact phone:
- 5 Contact fax:
- 6 After Hours Contact:
- 7 Signature of Representative:
- 8 Signature & Acceptance of representative by the Developer:
- 9 Council requires that the nominated "Construction Supervisor" either hold qualifications acceptable for Corporate Membership of the Institute of Engineers, Australia, or be Approved by the Director and/or has proven experience and suitable relevant qualifications for the control, supervision and management of civil engineering works as required for carrying land development.

Prior to commencing any works on site, the representative shall:

- 10 Inform Council in writing of their intention 7 days before entering the site.
- 11 Submit to Council a proposed Schedule of Works.

The Developer may be required to arrange for Council to peruse all other contract documentation prior to the contractor arriving on site to commence work (Schedule of Works, Specifications Bill of Quantity, traffic control plan and Soil and water management plan).

Failure to comply with the requirements as set out above will result in an immediate stop work order.

Reason: *Statutory requirement.*

19. Fencing of the Construction Site

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

Reason: *To ensure that the safety of the public is not compromised.*

20. Erosion and Sediment Control

Erosion and sediment control measures (as per the approved Erosion and Sediment Control Plan) shall be installed prior to the commencement of works.

Reason: *To ensure that sediment does not leave the site as a result of the construction of the development.*

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

21. Approved Plans to be available on site

Endorsed Council approved plans, specifications, documentation and the consent shall be made available on site at all times during construction.

Reason: *To ensure compliance with approved plans.*

22. Imported 'Waste-derived' Fill Material

The only waste derived fill material that may be received at the development site is:

- Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997* (POEO); or
- Any other waste-derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material

Note: *Any waste-derived fill material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority.*

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

Resource recovery exemptions are available on the NSW EPA website at <http://www.epa.nsw.gov.au/waste/>.

Reason: *To ensure that imported fill is of an acceptable standard for environmental protection purposes.*

23. Earthworks, retaining walls and structural support

Any earthworks (including any structural support or other related structure for the purposes of the development):

- (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
- (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and

- (c) that is fill brought to the site-must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
- (d) that is excavated soil to be removed from the site-must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.

Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in October 2013 by Safe Work Australia.

Reason: *Structural safety.*

24. Damage to Adjoining Properties

All precautions shall be taken to prevent any damage likely to be sustained to adjoining properties. Where damage occurs to adjoining property all necessary repair or suitable agreement for necessary repairs shall be undertaken by the applicant in consultation with, and with the consent of, the affected property owner.

Reason: *Structural safety.*

25. Unexpected Finds Protocol

The applicant must ensure that they have taken all reasonable precautions to prevent harm to Aboriginal objects. If Aboriginal objects are identified during works then all work must stop and Heritage NSW must be contacted immediately by contacting Environment Line on 131 555 or emailing: info@environment.nsw.gov.au.

Reason: *To protect heritage values*

26. Erosion and Sediment Control Plan Compliance

All site works shall be carried out in accordance with the approved Erosion and Sediment Control Plan. Implementation of the Erosion and Sediment Control Plan shall be supervised by personnel with appropriate qualification and experience in erosion and sediment control.

Note: *In the event of non-compliance with the approved plan, Council Officers have the ability to issue Penalty Notices, being an on the spot fine and/ or orders.*

Reason: *To ensure that the environment is protected.*

27. Prevention of Nuisance

All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the carrying out of works in the development.

Reason: *Health and amenity.*

28. Approved hours of Construction/Demolition

Construction/demolition activities shall be limited to the following hours:

DAY	HOURS
Monday to Saturday	7:00am to 5:00pm
Sunday	Nil
Public Holidays	Nil

Reason: *To ensure that the amenity of the surrounding area is not compromised as a result of the construction of the proposal.*

Note: *Any variation to these hours shall require Council consent via the lodgment of an application under section 4.55 of the Environmental Planning and Assessment Act 1979.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

29. Occupation Certificate

In accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*, an application for an Occupation Certificate, shall be made on completion of the works and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifier (PC) is required to be satisfied, amongst other things, that:

- All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- Any preconditions to the issue of the certificate required by a development consent have been met.

Reason: *To comply with the provisions of the Environmental Planning and Assessment Act 1979.*

Note: *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of Section 6.10 of the Environmental Planning and Assessment Act 1979 unless an Occupation Certificate has been issued in relation to the building or part.*

Note: *The applicant is to ensure that works associated with the Section 138 (Roads Act) approval and Section 68 (Local Government Act) approval are completed and inspected by Council.*

30. Construction of a road

Construction of all-weather access road from Stage 1 of the subdivision to proposed treatment plant prior to the operation of the plant.

Reason: *To ensure that the development includes reasonable access*

31. IPART consideration

Documentary evidence must be provided to the effect that a Licence has been granted under the Water Industry Competition Act (WCAT) 2006 for the design, installation and operation of the Interim Wastewater System prior to the issue of any Occupation Certificate, or alternatively, evidence that a Licence is not required must be provided to the Certifier by the Independent Pricing and Regulatory Tribunal (IPART).

Reason: To ensure that any applicable requirements of the WCAT are met

32. Section 68 Local Government Act Final

The applicant is to ensure that the works associated with the Section 68 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

Reason: To ensure that the development is completed as per this consent and the approved plans.

33. Civil Engineering works and services

All civil engineering works and services are to be constructed in accordance with the Wingecarribee Shire Council Engineering Plans and Specifications, relevant Standards and approved engineering plans prior to the issue of the Occupation Certificate.

Reason: To ensure that the works and services are constructed in accordance with the approved plans.

34. Certification of Internal Civil Works

On completion of the works and prior to the issue of the Occupation Certificate, certification from a professional engineer who has appropriate experience and competence in the relevant registered area of practice, shall be submitted to Council detailing that all the internal civil works (i.e. internal driveways, paths and stormwater drainage system, including any onsite detention) are in accordance with the approved plans and specifications.

Reason: To ensure that the development meets relevant construction standards

CONDITIONS TO BE SATISFIED POST TEMPORARY USE / DECOMMISSIONING

35. Section 68 Local Government Act Final

The applicant is to ensure that the works associated with the Section 68 approval for the decommissioning of wastewater treatment plant is completed and inspected by Council.

Reason: To ensure that the development is completed as per this consent and the approved plans.

36. Management of contaminated land

The land is to be remediated as required by the decommissioning plan previously provided and approved by Council with advice from Water NSW.

Reason: To protect the environment

CONCURRENCE CONDITIONS

37. Concurrence - Water NSW

Concurrence has been granted by Water NSW for the development pursuant to *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*. The conditions provided by Water NSW are provided below and form part of this Notice of Determination.

General

1. The site layout, staging and works shall be as specified in the Statement of Environmental Effects prepared by Premise (dated 27 October 2020), detailed in the Package Wastewater Treatment System (PWTS) Assessment Report prepared by Aerofloat (Australia) Pty Ltd (dated 15 October 2020), and shown on the Context Plan for On-Site Wastewater Treatment System (Ref. 180001S1; Sheets 2 and 4 of 4 Issue E, date 10.12.2020) prepared by John M. Daly & Associates Pty Ltd. No revised site layout, staging or works that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1 - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Wastewater Management

2. The Package Wastewater Treatment System (PWTS), including the effluent irrigation scheme shall be designed, located, and installed in accordance with the recommendations in the Package Wastewater Treatment System Assessment Report prepared by Aerofloat (Australia) Pty Ltd (dated 15 October 2020) and the Land Capability Assessment for Recycled Water Application prepared by Strategic Environmental and Engineering Consulting (dated 6 November 2020).
3. The Package Wastewater Treatment System (PWTS) shall:
 - have treatment capacities and effluent irrigation scheme constructed and commissioned in stages corresponding the sub-stages of Stage 1 of the subdivision described in DA 20/0227:

PWTS Cumulative Stage	Maximum Cumulative Treatment Capacity (kL/d)	Cumulative Effluent Irrigation Area (ha)	Commission prior to Equivalent Subdivision Certificate for Stage (subject to DA20/0277)
1	80.0	3.19	1A
2	159.4	6.36	1B

- be decommissioned as soon as adequate capacity is reached at the Moss Vale Sewage Treatment Plant to connect and receive wastewater from Stage 1 of the subdivision described in DA 20/0227.

4. No lots post-Stage 1 of the subdivision as described in DA 20/0227 shall be connected to the Package Wastewater Treatment System.
5. Stage 3 of the PWTS shall not be constructed and commissioned until issuance of a Subdivision Certificate for Stage 2 of the proposed Coomungie-Chelsea Gardens Concept Master Plan as described in DA 20/0227.
6. The sewage pumping station, denoted SPS 1 on the Context Plan for On-Site Wastewater Treatment System (Ref. 180001S1; Sheet 2 of 4, Issue E, date 10.12.2020) prepared by John M. Daly & Associates Pty Ltd shall:
 - be installed to collect and convey sewage to the PWTS from Stage 1 and future Stage 2 of the subdivision described in DA 20/0227
 - be fitted with telemetry, have standby pumps and provision for emergency power, and
 - ensure that all electrical components of the pumping station be located above the 0.01 Annual Exceedance Probability (AEP) flood level of Whites Creek or otherwise have sealed "gatic" covers that prevent any infiltration of floodwaters into the pump well.
7. A minimum of 1,346 cubic metres of wet weather storage for treated effluent for each stage of the PWTS (total 2,692 cubic metres prior to commissioning of Stage 2 of the PWTS) be provided to allow for days when effluent irrigation is not possible due to saturated ground conditions.
8. Effluent irrigation management shall:
 - be by surface irrigation with fixed sprinkler points using quick-coupling valves or similar, with sprinklers to be rotated throughout the irrigation area or movable sprinkler systems such as pivot or linear farm irrigation systems
 - have the irrigation system designed such that different fields of the irrigation area to be utilised at any one time
 - incorporate flushing line(s) that can be returned to the inlet chamber of the PWTS
 - be hydraulically designed and clean water tested to ensure there is uniform delivery to all parts of the irrigation area, and
 - be fenced off to prevent the likelihood of livestock and/or vehicle damage.
9. Pump(s) with sufficient capacity shall be provided to ensure effective and even delivery of effluent to and throughout the irrigation area(s).
10. All effluent shall be fully assimilated within the boundaries of proposed Lot 1183 property and all sewage infrastructure shall be located within suitably defined easements.
11. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater treatment and effluent management systems.

Reason for Conditions 2 to 11 – To ensure that the package wastewater management system is appropriately designed, located, and constructed to have a sustainable neutral or beneficial effect on water quality over the longer term.

Operational Environmental Management Plan

12. An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to allowing the commissioning of Stage 1 of the Package Wastewater Treatment System and associated effluent irrigation scheme.

The Plan shall:

- include details on the location, nature and operation of wastewater treatment structures and effluent management areas such as sewage pump stations, storage tanks, treatment systems, chemical dosing systems, sand filters, any biosolids and management, screw press, pumps, monitoring equipment and effluent irrigation areas
- provide details about storage and management of chemicals, including spill management
- outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all wastewater management structures and effluent irrigation areas, including the frequency of such activities
- identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and procedures for managing and notification of water quality emergencies, and
- include checklists for recording inspections, monitoring and maintenance activities.

13. Prior to allowing the commissioning of Stage 1 of the Package Wastewater Treatment System and associated effluent irrigation scheme, a monitoring program for the system including effluent irrigation scheme shall be developed by a person with knowledge and experience in the preparation of such monitoring programs. The monitoring program shall include:

- daily wastewater flow inflow
- monthly effluent quality
- monthly system control, including details of any exceedances of design flows.
- irrigation schedule
- annual soil testing
- generation and disposal of sludge, and
- the management measures be implemented if monitoring shows the system is not operating effectively or may be causing adverse environmental impacts.

14. Monitoring and performance reports, prepared by a person with knowledge and experience in the preparation of such reports, shall be submitted to Council and Water NSW, initially on a six-monthly basis after commissioning of Stage 1 of the system, for the first year with future requirements to be determined by system performance.

15. The package wastewater treatment system shall be monitored, maintained and managed as per the Operational Environmental Management Plan.

Reason for Conditions 12 to 15 – To ensure that the on-site wastewater management system is appropriately designed, located, constructed, and maintained to have a sustainable neutral or beneficial effect on water quality over the longer term.

Other

16. Council shall not allow commissioning of any stages of the Package Wastewater Treatment System (PWTS) until Council has received the certification from the installers and approved the relevant stage of the PWTS as being consistent with these conditions.

Reason for Condition 16 – To ensure that the development overall achieves a sustainable neutral or beneficial effect on water quality over the longer term.

Construction Activities

17. A Soil and Water Management Plan shall be prepared for all works required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall:
- be developed prior to the issuance of a Construction Certificate and be to the satisfaction of Council
 - meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)
 - include controls that prevent sediment or polluted water leaving the site or entering any stormwater drain or natural drainage system, and
 - specify how suitable groundcover will be achieved within required timeframes delete if not relevant.
18. The Soil and Water Management Plan shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained, and retained until works have been completed and ground surface stabilised or groundcover re-established.

Reason for Conditions 17 & 18 – To manage adverse environmental and water quality impacts during the construction phase of the development to minimise the risk of erosion, sedimentation, and pollution within or from the site during this phase.

END OF CONDITIONS