

**2010SYE045**

**DA 2010/104**

**Concrete Batching Plant – Lots 18, 19 & 20 Bellfrog Road, Greenacre**

**RECOMMENDED CONDITIONS OF CONSENT**

### Plans

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments “in red” and any variation as required by conditions of this consent:

Plan No/s.    001 – Rev E – Arrangement – Dated 2.6.10  
                  002 – Rev B – Plant Elevations – Dated 19.5.10  
                  003 – Rev B – Sections and Elevations – Dated 19.5.10  
                  004 – Rev F – Site Analysis and Water Management – Dated 2.6.10  
                  005 – Rev C – Shadows cast by silos – Dated 2.6.10

General Terms of Approval – Ref 10 ERM2010/0780 issued by NSW Office of Water – Dated 27.9.10.

Landscape Plan No/s. 01 – Rev C – Landscape Plan by Terras – Dated 9.6.10

Environmental Impact Statement, and appendices, by Insite Planning Services Pty Ltd – Issue H – Dated 30.6.10

A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction/demolition associated with this consent.

The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.

2. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

### Special Conditions

3. The operating hours of the development shall be limited to between 7am and 10pm seven days per week.
4. Recommendations made within Section 4.0 *Potential Impacts and Amelioration Measures* within the Biosphere Environmental Consultants P/L report titled *Impact Assessment, Redevelopment of Lots 18, 19 and 20, 1-7 Juno Parade, Greenacre, On the Green and Golden Bell Frog*, dated 13 June 2010, shall be incorporated into the development. Written confirmation from Biosphere Environmental Consultants P/L that the amelioration measures have been implemented and are satisfactorily in place shall be provided to Strathfield Municipal Council separately prior to the issue of the

- Occupation Certificate (including interim), and three months from the date of issue of the Occupation Certificate (including interim).
5. The Construction Certificate shall not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Approval has been provided to Council.
  6. A revised Landscape Plan in accordance with Strathfield Council's DCP requirements (Part D and I) is to be submitted to Council for approval prior to the issue of a Construction Certificate.
  7. A Construction Traffic Management Plan designed to minimise adverse noise and traffic impacts on the local residents, detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Council for approval prior to the issue of a Construction Certificate.
  8. Prior to the issue of a Construction Certificate, the applicant is to engage an expert in the field of electrolysis to prepare a report on the electrolysis risks to the development from stray currents from railway operations. The applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
  9. The final environmental noise site criterion nominated in Table 4 of the *Operational and Construction Noise Assessment* by Aecom are adopted and apply to the subject site and development.
  10. In respect of construction noise impact, the noise targets in Table 8 of the *Operational and Construction Noise Assessment* by Aecom (with the exclusion of the last two columns for sleep disturbance), and the construction periods set out in Table 9 are to be applied to the subject site and development.
  11. Prior to the issue of a Construction Certificate, an acoustic assessment report detailing the noise control measures that will be implemented in the development shall be provided to Council verifying compliance with the noise targets defined in Condition 2.8. This supplementary acoustic report is to specifically identify intermittent noise sources that may occur during operation and the resultant maximum noise levels obtained at residential receivers with the appropriate control measures that are to be incorporated to achieve compliance with the acoustic criteria set out in Condition 2.8.
  12. Written certification is to be provided to Strathfield Municipal Council certifying the implementation of noise control measures specified in the acoustic report prepared for the Construction Certificate, prior to an Occupation Certificate (including interim) being issued.
  13. An acoustic compliance test is to be undertaken within a period of 30 to 60 days of commencement of operations to verify compliance with the acoustic criteria set out in Condition 2.8 and submitted to Strathfield Municipal Council.
  14. An Operational Management Plan is to be submitted to Strathfield Municipal Council for written approval prior to the issue of an Occupation Certificate. The Operational Management Plan is to include, but not be limited to, issues including:

- Management of traffic
- Hours of operation
- Management of noise
- Environmental management
- Management of dust

The Operational Management Plan is to also detail a complaints system whereby members of the public are able to access a phone number to log complaints. The log is to be made available to Council on request.

### General

15. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
16. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
17. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
18. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
19. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

### Parking/Traffic Matters

20. All vehicles associated with the approved use shall be parked within the parking spaces on the site and not on adjacent footpath, access driveways or landscaped areas.
21. A sign shall be erected in a suitable location on the site advising that parking is available for visitors/customers.
22. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
23. All vehicles entering and leaving the site shall be driven in a forward direction only.
24. The (14) off-street car parking spaces together with access driveways shall be available at all times to employees and customers.

25. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
26. Reconstruct the footpath, kerb and gutter to Council's specifications for the full frontage of the development site at the completion of all building works.

**Drainage/Stormwater**

27. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to the existing system. TO BE TREATED PRIOR TO DISPOSAL.
28. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the requirements of Council's Stormwater Management Code and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
29. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with Council's Stormwater Management Code. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
30. Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.
31. **Prior to the issue of an Occupation Certificate/use of the building,** written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.

In addition, detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

32. For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:-
  - (a) After the excavation of pipeline trenches.
  - (b) After the laying of all pipes prior to backfilling.
  - (c) After the completion of all pits and connection points.

A minimum of 48 hours notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours. Work is not to proceed until the works are inspected and approved by Council.

33. Grated drains shall be provided along the property boundary at the vehicular crossing(s) and are to connect to the internal drainage system.

#### **Site Operation**

34. The operation of the site, delivery and despatch of goods, material and the like to and from the premises shall only take place between 7am and 10pm.
35. No retail sale of any goods shall take place directly from the site.
36. Any proposed lighting of the site shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill and details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
37. All trucks and service vehicles leaving the site shall go through a suitably constructed on-site wash down area to ensure no tracking of material occurs onto adjoining roads. Details of the vehicle wash down area shall be submitted to the Principal Certifying Authority for approval **prior to installation.**
38. A “Hotline” service shall be established at full cost to the applicant to allow any persons affected by site-related activities to make enquiries about such activities or register a complaint. This service shall allow affected persons to make contact via telephone, electronic mail and facsimile. The service shall be operational at all times and a logbook of complaints shall be kept and be available for review by Council upon request, with a summary provided to Council at three (3) monthly intervals, until such time as Council advises in writing that the frequency of the summary reports is varied or is no longer required to be maintained.

#### **Construction Matters**

39. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**
40. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
41. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
42. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.

If the existing ground levels are altered during construction, Council may require a survey plan of the finished ground levels to be prepared and submitted **prior to the issue of an Occupation Certificate** to determine if there have been changes to the

pre-development levels and if there are any impacts on adjoining properties as a result.

43. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
44. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

#### **Building Matters**

45. The proposed metal roof shall be of a pre-coated, low-reflective finish in a dark, recessive colour which is compatible with the building design and surrounding development.
46. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street.

#### **Sustainability**

47. Water collected in the rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for the following purposes and not for human consumption:
  - Toilet flushing;
  - Garden irrigation;
  - Car washing and similar outdoor uses; and
  - Fire fighting.

#### **Fire Safety Measures**

48. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate**.
49. As soon as practicable after a final safety certificate is issued, the owner of the building to which it relates:
  - shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to the Commissioner of NSW Fire Brigades;
  - shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to Council for registration; and
  - shall ensure the current fire safety schedule is prominently displayed in the building.

50. The following is a schedule of existing and/or new essential fire or other safety measures required to be installed, and the minimum standard to which these measures must be designed, installed and/or maintained under Part 7B of the Environmental Planning & Assessment Regulation:

New Measures

Essential fire or other Safety Measures	Minimum Standard Performance			
		Building Code of Australia (BCA96A1) Part/Clause/Specification		Australian Standard No. or other reference
1. Access panels, doors & hoppers to fire resisting shafts	C1-3	C3.13/5	Spec C1.1/8	
2. Automatic fail safe devices	C	C3.6, D2.21/2	Spec C3.4	
3. Automatic fire detection & alarm systems	E G	E2.2, G3.8	Spec E1.7/G3.8	1851 (Pt8) 1989 1603, Pt1/4/6, 3786 1670-1995
4. Automatic fire suppression systems	C	C2.3, E1.5	Spec E1.5/G3.8	1851 (Pt3) 1985 2118.1/4/6 1995
5. Emergency lighting	E	E4.2, 4.4		2293 (Pt1) 1987/88/92
6. Emergency lifts	E	E3.4		1735.2 1993
7. Emergency warning and inter-communication systems	E H	E4.9	Spec G3.8	2220- 1989/89/93
8. Exit signs	E	E4.5-4.8		2293 (Pt1/2) 1987/88/92
9. Fire control centres and rooms	E	E1.8	Spec E1.8	
10. Fire dampers	C E			1668 (Pt1/2) 1991
11. Fire doors	C3	C3.4	Spec C3.4	1851 (Pt7) 1984 1905 (Pt1) 90 (Pt2) 89
12. Fire hydrant systems	E	E1.3		1851 (Pt4), 2419.1 1996
13. Fire seals protecting openings in fire	C	C3.4/D1.12 C3.12/15	C3.4/D1.12	4702-1995
14. Fire shutters	C2/3	C3.4	Spec C3.4	1905 (Pt2) 1989
15. Fire windows	C	C3.2	Spec C3.4	
16. Hose reel systems	E	E1.4		1851 (Pt2) 1989 1221-1991, 2441-1988



17.	Lightweight construction	C	C1.8	Spec C1.8	
18.	Mechanical air handling systems	CEH	E2.2/7 H1.2	Spec E2.2/6 G3.8, H1.2	1851 (Pt6) 1983 1668 (Pt1/2) 1991
19.	Perimeter vehicle access for emergency vehicles	C	C2.4		
20.	Portable fire extinguishers	E	E1.6		1851 (Pt1) 1989, 2444- 1995
21.	Safety curtains in proscenium opening	H	H1.3	Spec H1.3	
22.	Smoke and heat vents	C	C2.3	Spec E2.6/G3.8/H1.2	1851 (Pt5) 1981, 2427- 1983
23.	Smoke dampers	E2 H1			
24.	Smoke detectors and heat detectors	C, D, E, G	C3.5-8/11 E2.4	Spec E2.2/G3.8	1603 (Pts 1/2/4/6) 3786
25.	Smoke doors	C, D	C2.5/3.4 D2.6	Spec C3.4	
26.	Solid-core doors	C	C3.11		Self closing & tight fitting solid-core door(s) not less than 35 mm thick
27.	Stand-by power systems	CHE GH			
28.	Wall wetting sprinkler and drencher systems	C	C3.4	Spec C3.4	
29.	Warning and operations signs	CEG H			
30.	Other				

#### Existing Measures

To a standard of performance not less than that which applied at the time of design and installation of the measure.

#### **Air Quality**

51. Any noise generated on the premises from the use at any time shall not have any detrimental effect on the occupants of any adjoining residential dwellings.
52. In the event of Strathfield Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Strathfield Council specifying the proposed methods for the control of odour emanating from the premises. Such measures are to be



installed at no cost to Strathfield Council and may require further development consent.

53. In the event of Strathfield Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Strathfield Council specifying the proposed methods for the control of noise emanating from the premises. Such measures are to be installed at no cost to Strathfield Council and may require further development consent.

#### **Disabled Access**

54. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
55. Sanitary facilities for persons with disabilities shall be provided in the building in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
56. A carparking space for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

#### **Waste Management**

57. Submission of a comprehensive Waste Management Plan to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.** Such plan shall address demolition, construction and operation waste arising from the development and shall include:-
- type and likely quantity of waste arising from the demolition and construction activities;
  - storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
  - type and likely quantity of trade and operational waste arising from the proposed development, including storage and collection details. Note: Strathfield Council does not provide a trade waste service;
  - provision for a suitable number of 240 litre garbage bins and 240 litre recycling bins for the residential development;
  - storage, disposal, collection and recycling arrangements for all trade and operational waste; and
  - fitout details of any garbage/waste enclosures and storage areas.

Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved

waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.

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**Integrated Development**

59. Compliance with the conditions required by the NSW Office of Water by letter dated 27 September 2010 attached as Annexure to this consent.