

# Annexure 3

## Proposed Conditions of Consent (DA0120/2013)

In accordance with section 89(1)(b) of the Environmental Planning and Assessment Act 1979, the concurrence of the applicant be sought with respect to the following conditions:

### Prior to Work Commencing – Stage 1

#### *General*

- 1) Pursuant to section 68 of the Local Government Act 1993, the following approvals must be obtained:
  - (i) Carry out water supply work;
  - (ii) Carry out sewer work;
  - (iii) Carry out stormwater work; and
  - (iv) Trade waste agreement.
- 2) A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority). Council requires the following to be undertaken and payments made prior to the issue of a Compliance Certificate.

#### Water

- An appropriately sized water service is to be provided to cater for the development. If an upgraded water service is required the existing water service is to be removed and disconnected at the water main.
- Due to the size of the buildings, it may be necessary to provide a fire service on the site.
- All work on live water mains is to be carried out by Council at full cost to the developer.

#### Sewer

- Detailed engineering drawings for the gravity sewer system shall be prepared and submitted for approval by Council.
- Council's gravity sewerage system does not directly service this site, a private pumped system and associated sewer rising main and odour control is to be provided within private property.
- The responsibility for and the cost of operation and maintenance of the pumped system, including the sewer rising main and odour control shall be borne by the development / owner
- Proposed private rising main to discharge into a new private sewer manhole located within Lot1 DP999490.
- Connection to Council's existing sewerage system shall be provided by constructing a new gravity sewer main from the proposed manhole within private property to Council's existing manhole located adjacent to Lot1 DP999490. Council's existing manhole is to be epoxy coated to prevent corrosion from the pumped out sewerage.
- The pump out flow rate shall be restricted to 1.0L/s
- Work shall be undertaken in accordance with Council's Engineering Design Guidelines for Subdivisions and Developments.
- Work on live sewer mains shall be undertaken by Council at full cost to the developer.

#### Trade Waste

- A liquid trade waste application is to be submitted where it is proposed to pump liquid trade waste to Council's sewer.

#### Headworks

- Sewer - 5.24 ET x \$1,832 = \$ 9,600
- 3) Appropriate measures are to be implemented in relation to erosion and sediment control prior to work commencing. Such measures are to be maintained during the construction of the development.
  - 4) A sign is to be erected in a prominent position on the work site, the subject of this consent stating:
    - a. Unauthorized entry to the work site is prohibited
    - b. The name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
    - c. The name, address and phone number of the PCA by the owner

The sign is to be removed when the work has been completed.

- 5) Toilet facilities are to be provided, prior to the commencement of work, at or in the vicinity of the work site. Facilities are to be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be a standard flushing toilet, and must be connected to;

- a. a public sewer,
- b. if connection to a public sewer is not practicable, then the toilet is to be connected to an accredited sewage management facility approved by the council,
- c. if connection to a public sewer or an accredited sewage management facility is not practicable, then connection to some other sewage management facility approved by the council is required.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

#### *Traffic and Access*

- 6) The developer shall enter into a Works Authorisation Deed (WAD) with Roads and Maritime Services for all road works on Goonoo Goonoo Road.

#### *Stormwater Drainage*

- 7) The stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:-
  - (i) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage;
  - (ii) All surface flow paths from hardstand areas including the carpark must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development;
  - (iii) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted;

- 8) The suitability and capacity of the existing stormwater drainage network shall be confirmed to Council. In particular, the nature, function and capacity of the existing retention/detention basins at the rear of each lot shall be confirmed with respect to the servicing of the re-developed site. Calculations demonstrating the capacity of the network or otherwise shall be submitted to Council.
- 9) The applicant shall confirm to Council that concentrated stormwaters discharging from the site have a safe, legal and practical flow path to a natural watercourse without travelling over private land. If stormwater is to traverse over private land, the proponent shall confirm that appropriate arrangements have been made with the owner of that land for the discharge of stormwater, either through a written agreement or an easement for drainage purposes created in accordance with the Conveyancing Act, 1919.

#### **Prior to Work Commencing – Stages 2 and 3**

##### *General*

- 10) Appropriate measures are to be implemented in relation to erosion and sediment control prior to work commencing. Such measures are to be maintained during the construction of the development.
- 11) A sign is to be erected in a prominent position on the work site, the subject of this consent stating:
  - a. Unauthorized entry to the work site is prohibited
  - b. The name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
  - c. The name, address and phone number of the PCA by the owner

The sign is to be removed when the work has been completed.

- 12) Toilet facilities are to be provided, prior to the commencement of work, at or in the vicinity of the work site. Facilities are to be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be a standard flushing toilet, and must be connected to;

- a. a public sewer,
- b. if connection to a public sewer is not practicable, then the toilet is to be connected to an accredited sewage management facility approved by the council,
- c. if connection to a public sewer or an accredited sewage management facility is not practicable, then connection to some other sewage management facility approved by the council is required.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

#### **General – All Stages**

- 13) All building work must be carried out in accordance with the provisions of the Building Code of Australia and comply with the requirements of the Premise Standards.
- 14) The development must be carried out in accordance with the Development Application and accompanying plans (including any amendments made in red), drawings and other documents as amended by conditions of this consent. Any amendment to the development or to these conditions will require the consent of the Council.

- 15) All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent shall be completed prior to occupation of the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979.
- 16) All landscaping works are to be carried out in accordance with the endorsed Landscape Plan prepared by Arcadia, Job No. 12-073, Drawing No's 000, 001, 101, 102 and 501 dated 16 July 2012. Approval is not granted for the removal of any trees not identified for removal on these plans. The landscape embankments and gabion walls located adjacent to Entry No. 3 shall not be permitted (as amended in red on the plan).

#### **During Demolition Works – All Stages**

- 17) During the demolition phase of the development all Asbestos Containing Material (ACM) and Potentially Asbestos Containing Material (PACM) must be managed as per the recommendations made under **Section 7.7.1 – “ACM Generally”** of the Hazmat Services report titled **“Asbestos Survey of Tamworth Depot Goonoo Goonoo Road, Tamworth NSW”**. Specifically Page 12 of that report must be implemented and adhered to.

#### **During Construction – All Stages**

##### *General*

- 18) Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-

***Monday to Friday - 7.00am to 5.00pm;***

***Saturday - 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;***

***No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises***

The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, 1997, in the event that the building operations cause noise to emanate from the property on Sundays or Public Holidays or otherwise than between the hours detailed above.

- 19) Stockpiles of topsoil, sand aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies or road surfaces and located wholly within the site with measures in place to prevent erosion or movement of sediment in accordance with the approved erosion and sediment control management plan.
- 20) Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
- 21) The road reserve is not to be used for construction purposes or placing of building materials (without Council's prior consent) to ensure safe and unobstructed access for pedestrians and motorists. Where necessary, application may be made by contacting Council's Development and Approvals Division.
- 22) Any damage caused to the road reserve during building operations shall be rectified by the Developer or the builder to the satisfaction of Council to ensure the integrity of Council's road infrastructure is maintained on an acceptable standard.

- 23) A site rubbish enclosure shall be provided on site for the period of the proposed construction works.
- 24) All external lighting shall be designed and installed in accordance with Australian Standard AS4282 - The Control of the Obtrusive Effects of Outdoor Lighting to avoid light spill and prevent contribution to sky glow.

#### *Traffic, Parking and Access*

- 25) All parking bays shall be permanently marked out on the pavement surface and clearly indicated by means of directional signs to facilitate the orderly and efficient use of on-site parking facilities.
- 26) On-site car parking accommodation shall be provided for a minimum of twenty six (26) vehicles for staff and visitors (including one disabled space) and eighteen (18) workshop vehicles, to ensure the provision of adequate on-site parking facilities commensurate with the demand likely to be generated by the proposed development. Such being set out generally in accordance with the details indicated on the submitted plans, except as otherwise provided by the conditions of this consent.
- 27) The direction of traffic movement within the site shall be clearly indicated by means of suitable signs and pavement markings to ensure that clear direction is provided to the drivers of vehicles entering and exiting the site.
- 28) The existing internal road network providing access between the existing substation in Lot 1 DP999490 and the site depot in Lot 1 DP516989 should be maintained at all times where practical. Access between the Lots using the external road network will not be permitted.
- 29) All works associated with the classified road reserve shall be undertaken at full cost to the developer and the satisfaction of RMS.
- 30) The current AUSTROADS Guidelines and Australian Standards should be adopted when designing the driveway accesses and any necessary road works on Goonoo Goonoo Road.
- 31) All internal driveways, parking areas and vehicular turning areas are to be constructed with a base course of adequate depth to suit design traffic (the design vehicle shall be the B99 Vehicle or a 19m articulated truck as defined in AS2890.1, as deemed appropriate), and shall be sealed with an asphalt wearing surface and properly maintained to facilitate the use of vehicular access, parking facilities and pedestrian movements and to minimise any associated noise and dust nuisance.

#### *Stormwater Drainage*

- 32) Any flows (stormwater or otherwise) entering the piped stormwater drainage system from the workshop area are to be directed through a water quality treatment device to remove potential oil contamination and to ensure no polluted waters are permitted to enter the downstream drainage network or a natural watercourse.

#### **Prior to Occupation – All Stages**

- 33) Prior to occupation of each building, the developer shall complete all roads works under the WAD to practical completion, as determined by the RMS.

## Continued Operations

- 34) The landscaped area of the development is to be maintained at all times.
- 35) All vehicular movement to and from the site shall be in a forward direction to ensure that the proposed development does not give rise to vehicle reversing movements on or off the Public Road with consequent traffic accident potential and reduction in road efficiency.
- 36) The sealing of all vehicular parking, manoeuvring and loading and unloading areas are to be maintained at all times.
- 37) The pavement markings of all vehicular parking areas, directional pavement markings and internal traffic signage are to be maintained at all times.
- 38) Noise from the operation of this activity is not to exceed the more stringent of the two following criteria:
  1. **Intrusiveness Criteria** – noise from the operation of this activity (measured as an  $L_{Aeq(15min)}$ ) must not exceed the background noise level (measured as an  $L_{A90(15 min)}$ ) at the nearest affected receptor by more than  $5_{dB(A)}$ ; OR
  2. **Amenity Criteria** - noise from the operation of this activity (measured as an  $L_{Aeq(15min)}$ ) must not exceed:
    - $50_{dB(A)}$  during the **Daytime** (7am to 6pm Monday to Saturday; or 8am to 6pm on Sundays or Public Holidays)
    - $45_{dB(A)}$  during the **Evening** (6pm to 10pm)
    - $40_{dB(A)}$  during the **Night** (the remaining periods).