



**Development Description:** Depot – Construction and operation of a depot.

***General Conditions***

1. The development shall take place in accordance with the following approved plans, specifications and documentation:
  - A010 Rev 'B' prepared by Brewster Murray and dated 26 March 2014;
  - A020 Rev 'B' prepared by Brewster Murray and dated 26 March 2014;
  - DA-03/E prepared by Brewster Murray and dated May 2013;
  - DA-04/D prepared by Brewster Murray and dated May 2013;
  - DA-05/E prepared by Brewster Murray and dated May 2013;
  - DA-07 prepared by Brewster Murray and dated May 2013;
  - 2368-3.1 prepared by Precinct Landscapes and dated 1 May 2013;
  - C01 Rev 'C' prepared by Dennis Bunt Consulting Engineers and dated 13 March 2013;
  - C02 Rev 'C' prepared by Dennis Bunt Consulting Engineers and dated 13 March 2013;
  - C03 Rev 'C' prepared by Dennis Bunt Consulting Engineers and dated 13 March 2013; and
  - C04 Rev 'C' prepared by Dennis Bunt Consulting Engineers and dated 13 March 2013

... except as modified by the conditions of this consent.

2. The development shall comply with the provisions of the National Construction Code/Building Code of Australia (BCA).
3. The development shall comply with the Disability (Access to Premises – Buildings) Standards 2010.
4. This development falls within the Sewerage Scheme, controlled by Hawkesbury City Council. Therefore Hawkesbury City Council is the approving authority for all sewer works.

The applicant should consult with Council's Waste Management Branch regarding any possible new work or upgrades to existing Council sewer mains related to this application.

***Prior to Certification of Crown Building Works***

5. Trade waste details are to be submitted to and approved by Hawkesbury City Council's Waste Management Branch prior to the certification of the Crown building works.
6. Jemena Asset Management Pty Ltd, on behalf of Jemena Gas Networks, advise that a high pressure Trunk Main is located within 87 Railway Road North (Lot 201 DP: 1067862).

Details of Jemena's assets are as follows:

Northern Trunk Main DN 500 High Pressure Pipeline (Licence 7) located in a 24.385 wide easement.

The DN 500 high pressure gas main is designed, constructed and operated in accordance with Australia Standard AS2885 'Pipelines – Gas and liquid petroleum'. AS2885 requires the preparation of a Safety Management Study (SMS) where development may result in a change in land use or change risk exposure to the pipeline.

The SMS required under AS2885 is a formal process to ensure that all relevant risk issues are properly addressed for the continuous safe operation of the pipeline in the changed environment. No construction activities are permitted until such time that the design and construction has been reviewed, assessed and accepted by Jemena.

Jemena may be contacted on (02) 9397 9000 or [enquiries.nsw@jemena.com.au](mailto:enquiries.nsw@jemena.com.au) to arrange for this review.

All costs associated with the risk assessment will be borne by the Applicant and/or landowner.

The Crown building works are not to be certified until written confirmation of the acceptability of the development is received from Jemena.

7. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.

***Prior to Commencement of Works***

8. Compliance with Section 109F of the *Environmental Planning and Assessment Act 1979* – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to Council prior to the commencement of works.
9. At least two (2) days prior to the commencement of works, the Applicant shall advise Council of their intention to commence work. The Applicant shall advise Council of the name, address and number of the primary contact for this development prior to the commencement of work.
10. A sign displaying the following information is to be erected adjacent to each access point and is to be easily seen from the public road:
  - (a) Unauthorised access to the site is prohibited.
  - (b) The owner of the site.

- (c) The person/company carrying out the site works and telephone number (including twenty-four [24] hour seven [7] days a week emergency numbers).
- (d) The name and contact number of the person certifying the works.

The sign is to be maintained for the duration of the works.

***During Construction***

11. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7:00am – 6:00pm and on Saturdays between 8:00am – 4:00pm.
12. Toilet facilities shall be provided for workers throughout the course of building operations. Such facilities are to be provided within the vicinity of the development site.
13. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
14. The construction site shall be secured at all times against the unauthorised entry of persons or vehicles.
15. The site shall be kept clean and tidy during construction and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
  - (a) The site shall be secured to prevent the depositing of any unauthorised material.
  - (b) Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
  - (c) Dust control measures (e.g. vegetative cover, mulches, irrigation, barriers and stone) shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
  - (d) All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
  - (e) Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
  - (f) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - (g) Building operations shall be undertaken only within the site.
16. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:

- (a) must preserve and protect the building from damage; and
- (b) if necessary, must underpin and support the building in an approved manner; and
- (c) must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The person acting in accordance with this Consent is liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

17. The buildings shall be set out by a Registered Surveyor. The Survey Certificate of the buildings showing the position of the external walls and floor levels under construction and in compliance with the approved plans shall be obtained at an early stage of construction. Any easements must be shown on the Survey Certificate.
18. Any wash bay areas are to be bunded/graded so as to direct water/waste to a collection pit, which then discharges to the Council's sewer system.
19. All floors within the workshop shall be sealed to enable containment of spills/leaks.
20. All entrances and exits to the workshop are to be bunded.
21. Bunding is to be designed and installed in accordance with:
  - Office of Environment and Heritage (OEH) – 'Storing and Handling of Liquids: Environmental Protection Participant's Manual (2007)';
  - Department of Environment and Conservation Guidelines 'Surface water management on the covered forecourt areas of service stations';
  - Australian Standard 1940:2004 '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'.
22. Off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan.
23. Disabled parking shall be provided in accordance with AS2890.6:2009.
24. Heavy duty layback and footway vehicular crossings shall be constructed for the development in accordance with the approved plans. The crossings shall be constructed in accordance with Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification. Prior to works commencing the applicant shall consult with Asset Services and Recreation regarding fees to be paid, the works required and to organise inspections for a Compliance Certificate.
25. On-site detention shall be provided to maintain a stormwater discharges from site from the 1 in 100 year ARI storm to the 1 in 20 year ARI storm post-development flows.

26. The construction of a concrete lined surcharge flow path in accordance with the positive covenant burdening Lot 202 is required .
27. All necessary works are to be carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
28. The connection of the site drainage to the existing Council pit in Precision Place is to be inspected by Council under the provisions of Section 138 of the Roads Act 1993 and Section 68 of the Local Government Act 1993. Inspection fees will be charged in accordance with Council's standard fees and charges. Confirmation that works are satisfactory is required prior to the issue of the use/occupation of the buildings.
29. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification.

***Prior to Use***

30. Registration of a plan of survey consolidating the site into a single allotment is required. Documentary evidence is to be submitted prior to use/occupation of the buildings.
31. A Compliance Certificate from Hawkesbury City Council (as the local sewer authority) that the development is suitably connected to the reticulated sewerage system is required to be submitted.
32. A Compliance Certificate from Hawkesbury City Council's Building & Development Branch confirming completion of internal and external drainage must be obtained.
33. A Trade Waste Agreement must be entered into with the Hawkesbury City Council for the discharge of trade waste to Council's sewer.
34. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
35. A Plan of Management for the on-site stormwater detention facilities shall be submitted to and approved by Council. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance.

The owner shall enter a positive covenant with Council which provides the following:

- (a) The registered proprietors will at all times maintain, repair and keep the on-site stormwater detention facilities in a good and safe condition and state of repair, in accordance with the approved design to the reasonable satisfaction, at all times, of Council, having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and
- (b) The liability under the Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and
- (c) Council only will be entitled to release or modify the Covenant.

All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner or applicant.

36. Submission of a report by the Design Engineer stating the conformance or otherwise of the On Site Detention (OSD) of the stormwater system in relation to the approved design is required.
37. Works-As-Executed drawings for the On Site Detention of Stormwater System which indicate the following shall be submitted to and approved by Council:
  - (a) Invert levels of tanks, pits and pipes,
  - (b) Surface levels of pits and surrounding ground levels,
  - (c) Levels of surrounding kerb,
  - (d) Floor levels of buildings,
  - (e) Top of kerb levels at the front of the lot; and
  - (f) Extent of inundation.
38. A full set of final construction plans (including building and civil works) shall be submitted to Hawkesbury City Council prior to the use/occupation of the buildings.
39. A copy of the Final Fire Safety Certificate for the buildings is to be provided to Hawkesbury City Council for its records.

### ***Ongoing Operation***

40. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that the relevant fire safety measures have:
  - (a) been assessed by a properly qualified person, and
  - (b) found, when it was assessed, to be capable of performing to at least the standard required by the Final Fire Safety Certificate.
41. All vehicles must enter and exit the property in a forward direction.
42. All vehicles being loaded or unloaded shall stand entirely within the property.
43. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
44. Any activity carried out in accordance with this approval shall not give rise to offensive noise, air pollution (including odour) or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
45. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive noise, air pollution (including odour) or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
46. In accordance with the requirements of Part 5.7 of the 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.

47. All mechanical repairs shall be conducted within the workshop.
48. Vehicles and equipment shall only be washed/hosed down/degreased/steam cleaned within a roofed wash bay that drains to the sewer system in accordance with Council requirements.
49. 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; and
  - Office of Environment and Heritage (OEH) – ‘Storing and Handling of Liquids: Environmental Protection Participant’s Manual (2007)’.
50. All chemicals, materials and liquid storage containers (including but not limited to 44 gallon drums, 1000 litre plastic bulk storage containers) associated with the use of the site, including empty containers, shall be stored in a bunded area.
51. All waste shall be stored in a designated area and suitably disposed of by an appropriate waste contractor. Under no circumstances is waste from the activity to be disposed of through Council’s waste collection services.
52. No contaminated waste water or liquid waste shall be discharged into Council’s stormwater system.

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The reasons for the imposition of these conditions are those matters in 79(c)(1) of the Environmental Planning and Assessment Act 1979 as are relevant to the subject development.

### **Advisory Notes**

- This consent operates from the *consent date* shown on the top of this notice and will lapse unless the development is commenced within five (5) years from this date.
- The drainage plans approved with the development application are not approved for construction.

An Engineering Design Certificate and Construction Compliance Certificate will be required for the on-site stormwater detention system. This can be issued by Council or an appropriately qualified private certifier.

- The land is within the Hawkesbury City Council Sewerage Catchment. A separate application shall be submitted to Council for any alterations or connections to the sewer mains. The applicant shall consult with Council regarding acceptable discharge limits to the sewerage system.
- No signage has been approved with this consent.

The installation of signage would be subject to the ‘exempt development’ provisions of Schedule 2 of the Hawkesbury Local Environmental Plan 2012, State Environmental Planning Policy (Exempt and Complying Development Codes) 2007 or require the submission of a development application.

- The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- Building work in close proximity to the boundary may be a sensitive matter for each property owner and can often end in an unsatisfactory relationship between the neighbours. You are advised that the consent given to undertake work in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act 1991 that gives certain rights to adjoining owners, including use of the common boundary. In the absence of any structure standing well clear of the common boundary you need to make yourself aware of your legal position, which may involve a survey to identify the allotment boundary.
- The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
- Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- The applicant is advised to consult with:
  - Sydney Water;
  - the relevant electricity supply authority;
  - the relevant gas supply authority; and
  - the local telecommunications carrier

... regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works.

