SCHEDULE OF DRAFT DEVELOPMENT CONSENT CONDITIONS

Conditions that Identify Approved Plans

1. The development being carried out in accordance with the development application, the drawings referenced below, amended Statement of Environmental Effects and Appendices dated 14 July 2016, document entitled 'Cotton Seed Distributors Ltd Preliminary Hazard Analysis' completed by CDM Smith Australia Pty Ltd and dated 8th July 2016, and the '*Traffic Impact Assessment'* completed by RoadNet and dated July 2016, except where amended by the following conditions.

DRAWING NO'S	REVISION	DRAWN BY	DATE
C0114 DA-00-100	2	Hill Lockart Architects	17/05/2016
C0114 DA-01-100	1	Hill Lockart Architects	17/05/2016
C0114 DA-01-101	3	Hill Lockart Architects	02/06/2016
C0114 DA-01-102	2	Hill Lockart Architects	02/06/2016
C0114 DA-01-103	1	Hill Lockart Architects	29/04/2016
C0114 DA-01-104	2	Hill Lockart Architects	14/06/2016
C0114 DA-02-101	1	Hill Lockart Architects	29/04/2016
C0114 DA-02-102	1	Hill Lockart Architects	29/04/2016
C0114 DA-02-103	1	Hill Lockart Architects	29/04/2016
C0114 DA-03-101	1	Hill Lockart Architects	29/04/2016
C0114 DA-03-102	1	Hill Lockart Architects	29/04/2016
C0114 DA-03-103	1	Hill Lockart Architects	29/04/2016
C0114 DA-04-101	1	Hill Lockart Architects	29/04/2016
C0114 DA-04-102	1	Hill Lockart Architects	29/04/2016
C0114 DA-04-103	1	Hill Lockart Architects	29/04/2016
C0114 DA-04-104	1	Hill Lockart Architects	29/04/2016
C0114 DA-05-101	2	Hill Lockart Architects	14/06/2016
C0114 DA-05-102	1	Hill Lockart Architects	29/04/2016
C0114 DA-05-103	1	Hill Lockart Architects	29/04/2016
C0114 DA-06-101	1	Hill Lockart Architects	29/04/2016
C0114 DA-06-102	1	Hill Lockart Architects	29/04/2016
C0114 DA-06-103	1	Hill Lockart Architects	29/04/2016
C0114 DA-07-101	1	Hill Lockart Architects	29/04/2016
C0114 DA-07-102	1	Hill Lockart Architects	29/04/2016
C0114 DA-08-101	1	Hill Lockart Architects	29/04/2016
C0114 DA-08-102	1	Hill Lockart Architects	29/04/2016

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

   (Reason: To ensure compliance with the approved development)

Operational Conditions imposed under EP&A Act and Regulations and other Relevant Legislation

4. All building work must be carried out in accordance with the provisions of the *Building Code of Australia* and any Australian Standards adopted there under.

   (Reason: Prescribed – Statutory)

5. The building shall comply with the requirements of the *Commonwealth Disability (Access to Premise Standard) 2010.*

   (Reason: Prescribed – Statutory)

6. All demolition work shall be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: Demolition of Structures.

   (Reason: Prescribed – statutory)

7. All works to increase the height of the earthen protection levy around the subject development site are to be carried out in accordance with the provisions of approval 90FW833648 granted by the NSW Department of Primary Industries Water as indicated in their letter dated 31/03/2016 and attached to the approved Statement of Environmental Effects at appendix J.

   (Reason: Prescribed – Statutory)

8. Pursuant to Clause 94 of the *Environmental Planning and Assessment Regulation 2000*, the existing Delinting Building must be brought into total conformity with the Building Code of Australia.

   (Reason: Fire Safety)

Conditions that must be Completed Prior to Issue of a Construction Certificate

9. Prior to the issue of any Construction Certificate evidence is to be provided to the Certifying Authority demonstrating payment of the prescribed Long Service Levy fee for the whole development.

   (Reason: To ensure that the requirements of the Long Service Levy Corporation are satisfied.)

10. Pursuant to Section 94A (1) of the Environmental Planning and Assessment Act 1979 and the Narrabri Shire Council Section 94A Development Contribution Plan, a levy of $453,458.06 shall be paid to Council in respect of the development, being 1% of the cost of carrying out the development as determined by Council in accordance with the plan.

Documentary evidence demonstrating payment of the above contribution is to be provided to Council and the Certifying Authority prior to the issue of any Construction Certificate.

(Reason: To provide funding for provision of community services and facilities)

11. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Council shall be submitted to the Certifying Authority prior to issue of any Construction Certificate. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

    (Reason: Stormwater management)

12. The person responsible for importing any Virgin Excavated Natural Material (VENM) to the site shall provide validation by way of a statutory declaration confirming the source and content of the fill to ensure that it is suitable for the proposed land use and free from contamination. Details are to be provided to Council prior to the issue of a Construction Certificate for any part of the development that is to utilise the VENM.

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

13. Prior to the issue of a Construction Certificate for the roadworks and accesses the applicant shall submit to the Certifying Authority a design for the sealed vehicular access for the main entrance and a compacted hardstand access for the truck and heavy vehicle access in accordance with approved plan number C0114 DA-01-102 and the following:

    (a) The separation (distance) between the proposed light and heavy vehicle accesses to Culgoora Road is to be in accordance with clause 7, Part 4 of *Austroads Guide to Road Design;* and
    (b) Vehicular access treatments servicing the proposed development are to be designed and constructed in accordance with Part 4A *Austroads Guide to Road Design;* and
    (c) Safe Intersection Sight Distance (SISD) is to be provided and maintain in accordance with Part 4A *Austroads Guide to Road Design* in both directions at the light and heavy vehicle accesses to Culgoora Road; and
    (d) Light and heavy vehicle parking, loading/unloading and manoeuvring areas are to be in accordance with *Australian/New Zealand Standard 2890.1 'Off Street Car Parking'*; and
    (e) Adequate turning area, storage room and vertical clearances are to be provided at the heavy vehicle access and internal manoeuvring areas for the largest type of vehicle that will visit the site during construction or operation. All vehicles are to enter and exit the site in a forward direction; and
    (f) Vehicular access routes to the site are to be in accordance with the *Traffic Impact Assessment* dated July 2016 submitted in support of the proposal; and
    (g) All vehicular accesses are to be constructed in accordance with Council's 'Rural vehicle Access Policy'.

    (Reason: To facilitate appropriate vehicular access to private sites, without disruption to pedestrian and vehicular traffic prior to the issue of an Occupation Certificate)

14. The Applicant shall lodge and pay for a Driveway Access Inspection Application with Council prior to the issue of a Construction Certificate for the accesses by the Certifying Authority.

    (Reason: To ensure appropriate access to the site can be achieved)

15. A total of one (1) car-parking space for use by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted to the Certifying Authority prior to the issue of a Construction Certificate for the car-park. All details shall be prepared in consideration of, and construction completed in accordance with Australian Standard AS2890.1 to achieve compliance with the Premise Standard and the relevant provisions of AS1428.1 and AS1428.4.

    (Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)

16. A total of eight-two (82) off-street car-parking spaces, including at least one (1) disabled accessible car-parking space and the eight (8) existing car-parking spaces shall be constructed, sealed, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards and industry best practice as appropriate. The plans shall also nominate the allocation of parking spaces for specific purposes as required by conditions of this consent. A certificate prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement shall be submitted to the Certifying Authority prior to the issue of a Construction Certificate for the car-park.

    (Reason: To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles)

17. All buildings must be designed and constructed to provide access and facilities for people with a disability in accordance with the Commonwealth Disability Discrimination Act 1992, the NSW Anti-Discrimination Act 1977, Building Code of Australia and the Premises Standard. Prior to the issue of each Construction Certificate for each building, the Certifying Authority must ensure that evidence of compliance with this condition is provided, from an appropriately qualified person, and that the requirements are referenced on the Construction Certificate drawings for each building.

    (Reason: To inform of relevant access requirements for persons with a disability)

18. Toilet amenities, ramps and access for people with disabilities are to be provided to and within each building. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted to the Certifying Authority for approval with each Construction Certificate for each building. All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Premise Standard and the relevant provisions of AS1428.1 and AS1428.4.

    Note: Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads.

(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)

19. For alterations and additions to an existing building, a certificate from a qualified practicing structural engineer (National Engineering Registration Board) must be submitted to the Certifying Authority prior to the issue of a Construction Certificate for the building. The certificate must state that the existing structure is adequate to support the new loads and that the design will comply with the relevant Australian Standards adopted by the Building Code of Australia.

    (Reason: To ensure the health and safety of the community and workers on the site)

20. Prior to the issue of any Construction Certificate a Construction Environmental Management Plan is required to be developed in accordance with the recommendations of Appendix O 'Environmental Site Assessment' dated March 2016 and submitted to the Certifying Authority. The plan shall include procedures for the identification, recording, and remediation of any significant site contamination potentially identified during construction.

    (Reason: To ensure the health and safety of the community and workers on the site)

Conditions That Must Be Addressed Prior To Any Commencement

21. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

    Note: A Construction Certificate issued by an Accredited Certifying Authority must be deposited with Council at least 48 hours prior to the commencement of any earthworks, engineering or building work on the site.

    (Reason: Prescribed Statutory)

22. In relation to the demolition or alteration of the existing building (or part of a building) on the site:

    (a) a report prepared by an appropriately qualified person (such as an Occupational Hygienist or Environmental Consultant) is to be submitted Council detailing whether any asbestos or hazardous materials exist on the site that are affected by the proposed building works. (e.g. lead in paints, ceiling dust, glass fibre insulation or asbestos based products).

    Note: If no hazardous materials are identified, the demolition may proceed in accordance with AS2601 and the following conditions, including dust control and WorkCover requirements.

    (b) should any hazardous materials be identified as per item (a), a Work Plan shall be submitted to the Certifying Authority with the Construction Certificate application and set out in accordance with AS2601 – Demolition of Buildings. The report shall contain details regarding:

(i) The type of hazardous material;
(ii) The level or measurement of the hazardous material in comparison to National Guidelines;
(iii) Proposed methods of containment; and
(iv) Proposed methods of disposal.

Details of signage to be provided on the site to comply with the provisions of the Occupational Health and Safety Regulation 2001, to ensure persons are warned, by the use of signs, labels or other similar measures, of the presence of asbestos or asbestos-containing material in a place at which construction work is being carried out.

(c) where unacceptably high levels of lead are found in a premises to be demolished soil samples from site are to be tested by a NATA Registered laboratory before and after demolition and submitted to Council. This will determine whether remediation of the site is necessary.
(d) the demolition must be undertaken in accordance with AS2601.
(e) any works involving asbestos based products must be undertaken in accordance with the requirements of the WorkCover Authority in relation to removal, handling and disposing of material, and the Work Safe Australia Asbestos Code of Practice. (Refer to the information publications provided in your approvals package for more specific information)

(f) all work involving lead removal must not cause lead contamination of air or ground, and the Work Plan submitted to comply with item (b) must comply with the requirements of *AS 4361.2-1998 : Guide to lead paint management - Residential and commercial buildings.* Particular attention must be given to the control of dust levels on the site.

Details demonstrating compliance with these requirements are to be approved by the Certifying Authority and submitted with the Construction Certificate.

Notes: Further details regarding requirements for removal of hazardous materials can be obtained from the WorkCover website or at www.lead.org.au.

Failure to comply with legislative requirements relating to the removal or handling of hazardous materials is likely to result in enforcement action, including fines or prosecution without prior warnings.

(Reason: To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily)

23. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum control techniques are to be in accordance with 'The Blue Book' published by Landcom provisions on Erosion and Sediment Control, or a suitable effective alternative method.

All required sedimentation control techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

24. Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

    Each toilet provided must:

    - be a standard flushing toilet, connected to a public sewer, or
    - if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
    - a portable toilet.

    The provision of toilet facilities must be completed before any other work is commenced.

    (Reason: To ensure the health and safety of the community and workers on the site)

25. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

    (a) stating that unauthorised entry to the work site is prohibited;
    (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
    (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

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

    This condition does not apply to building works being carried out inside an existing building.

    (Reason: Statutory requirement)

Conditions That Must Be Complied With During Demolition and Building Work

26. The person acting with this consent shall provide dust suppression as appropriate by continually dampening the site to ensure neighbouring properties are not inconvenienced by the effects of dust during construction activities.

    (Reason: To minimise construction impact on adjoining properties)

27. Unless otherwise approved by Council any person acting on this consent shall ensure that construction works involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours:

(a)	Monday to Saturday (inclusive)	**7.00am to 6.00pm,**
(b)	Sunday	**Nil**
(c)	Public Holidays	**Nil**

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

28. Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(Reason: To ensure public safety and amenity on public land)

29. Builder's sheds, waste containers and building materials to be utilised during construction shall be stored entirely within the site during the construction phase. All waste must be appropriately disposed of to a waste management facility and temporary building structures removed before the issuing of the Occupation Certificate.

(Reason: To ensure that public places and road reserves are not obstructed)

30. All demolition work shall be carried out strictly in accordance with following:

(a) The person acting with this consent shall notify adjoining residents seven (7) days prior to demolition. The notification shall be made in writing on A4 size paper and clearly specify the location of the demolition, date it is to commence and the individual or company to carrying out the work. This notification shall be placed in the letter box of every premise (including residential flat or unit, if any) either side, immediately at the rear of and directly opposite the demolition site.
(b) Written notice is to be given to Council prior to the commencement of any demolition work. The written notice shall include the date demolition work will commence and detail the name, address, business, home, contact phone number and licence number of the demolisher. The following building inspections must be undertaken by Council / Certifying Authority:

I. A pre commencement inspection when all the site works are installed on the site and prior to demolition commencing.
II. A final inspection when the demolition works have been completed.

(c) Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, licence number, contact number and site address.
(d) Prior to demolition, the applicant must erect a 2.4m high temporary fence, hoarding between the work site and any public property (footpaths, road, reserves etc). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or the site is otherwise unoccupied.
(e) Demolition is to be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: Demolition of Structures.
(f) The hours of demolition work are limited to between 7:00am and 6:00pm on weekdays. No demolition work is to be carried out on Saturdays, Sundays or public holidays.
(g) Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Department of Environment and Climate Change NSW.
(h) Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.

(i) During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles.
(j) All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.
(k) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
(l) Care must be taken during demolition to ensure that existing services on the site (ie, sewer, electricity, gas, and phone) are not damaged. Any damage caused to existing services must be repaired at by the relevant authority at the applicant's expense.

(m) Suitable erosion and sediment control measures in accordance with the Soil and Water management plan must be erected prior to the commencement of demolition works and must be maintained at all times.
(n) If the property was built prior to 1987 an asbestos survey prepared by a qualified occupational hygienist is to be undertaken. If asbestos is present then:

I. A WorkCover licensed contractor must undertake removal of all asbestos.
II. During the asbestos removal a sign **"DANGER ASBESTOS REMOVAL IN PROGRESS"** measuring not less than 400 mm x 300 mm is to be erected in a visible position on the site to the satisfaction of Council.
III. Waste disposal receipts must be provided to Council / Certifying Authority as proof of correct disposal of asbestos laden waste.
IV. All removal of asbestos must comply with the requirements of WorkCover and Narrabri Shire Council.
V. An asbestos clearance certificate prepared by a qualified occupation hygienist must be provided at the completion of the demolition works.

31. The applicant shall bear the cost of all restoration works to Council's property damaged by the applicant or his/her contractors during the course of this development.

(Reason: To ensure protection of public infrastructure)

32. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to Council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred public authorities)

33. The applicant shall bear the cost of all works associated with the development that occur on Council property.

(Reason: To ensure the proper management of public land and funds)

Conditions which must be complied with prior to Issue of Occupation Certificate

34. The buildings and developed area are not to be used or occupied until a final inspection has been carried out for each building and developed area and the relative Occupation Certificate has been obtained from the Principal Certifying Authority.

(Reason: To ensure the requirements of the Environmental Planning & Assessment Act 1979 are satisfied)

35. The development shall be connected to an on-Site Sewage Management System. Such a system requires approval from Council to install, construct or modify under s68 Local Government Act. A current Approval to Operate is required before the issue of any Occupation Certificate for the buildings connected to the system.

    Note: An application to install an on-site sewage management system must be accompanied with a Wastewater Management Plan including Site and a Soil Assessment by a suitably qualified person.

    (Reason: To ensure compliance with the Australian Standard & Local Authority requirements)

36. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Principal Certifying Authority, prior to the issue of an Occupation Certificate for any building, that the installation and performance of the mechanical systems complies with:

    (a) The Building Code of Australia;
    (b) Australian Standard AS1668 and other relevant codes;
    (c) The development consent and any relevant modifications; and,
    (d) Any dispensation granted by the New South Wales Fire Brigade.

    (Reason: To ensure compliance with approved plans)

37. Pursuant to Clause 94 of the *Environmental Planning and Assessment Regulation 2000*, the existing Delinting Building must be brought into total conformity with the Building Code of Australia. Prior to an Occupation Certificate being issued for the building the Principal Certifying Authority must ensure that the whole building is brought into conformity with the Building Code of Australia by complying with Clause A0.4 of the BCA.

    (Reason: Fire Safety)

38. Prior to the issue of the Occupation Certificate for the on-site car parking area and accesses, all required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas shall be fully constructed, sealed, line marked, sign posted and numbered in accordance with this consent, appropriate Australian Standard 2890.1: 2004 Parking Facilities and industry best practice.

    (Reason: Ensure provision of proper parking and vehicle access facilities)

39. Prior to the issue of the Occupation Certificate for the on-site car parking area the two (2) existing vehicle access points identified for removal in the submitted documentation are required to be removed and the road shoulder restored to the satisfaction of Council.

    (Reason: Ensure safe access facilities are maintained)

40. Prior to the issue of the Final Occupation Certificate for the completed development the applicant is to provide a reliable bulk and potable water supply for use to service the development.

    (Reason: To ensure appropriate water supply is provided to service the development)

41. Prior to the issue of the Final Occupation Certificate for the completed redevelopment the following shall be prepared and approved by the Principal Certifying Authority:

    (a) A comprehensive Emergency Plan and detailed emergency procedures for the development. The plan shall be prepared in accordance with the Department of Planning and Infrastructures Publication *Hazardous Industry Planning and Advisory Paper No.1 Industry Emergency Planning Guidelines;* and
    (b) A Safety Management System, covering all on-site operations and any associated transport activities involving hazardous materials. The System shall clearly specify all safety-related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to safety procedures. The System shall be consistent with the Department of Planning and Infrastructures publication *Hazardous Industry Planning Advisory Paper No. 9 – Safety Management.*

    (Reason: To ensure premise is operated to minimise danger to employees and the public)

42. Upon completion of works and prior to the issue of the final Occupation Certificate for the completed redevelopment, the person entitled to act on this consent shall provide to Council the following information;

    (a) the total tonnage of all waste and excavated material disposed of from the site;
    (b) the disposal points and methods used; and
    (c) a copy of all disposal receipts are to be provided

    (Reason: To ensure responsible disposal of waste material)

43. The site is to be fully landscaped in accordance with the submitted and approved landscape plan numbered C0114 DA-01-102 prior to the issue of the final Occupation Certificate for the completed redevelopment.

    (Reason: To ensure appropriate management of erosion)

44. Prior to the issue of a Final Occupation Certificate for the completed redevelopment the two (2) lots subject to this application, being Lot 1 DP 8738839 and Lot 2 DP 612166, are to be consolidated into one (1) Lot. Documentary evidence is to be provided to the Principal Certifying Authority demonstrating that the Linen Plan has been lodged with the Department of Property and Information.

    (Reason: Ensure proper management of the premises and compliance with the Building Code of Australia).

45. Prior to the issue of the Final Occupation Certificate for the completed redevelopment a scheduled is to be submitted to and approved by Council, which documents the proposed timeframes for conducting and reporting to Council routine soil monitoring and sampling of

all land on which seed treatment residues are disposed, to ensure active ingredient concentrations from the continued operations on site are not increasing or accumulating overtime in accordance with Appendix Q 'Review of Land Application of Seed Treatment Residue' of the approved Statement of Environmental Effects.

(Reason: Ensure the continued operations site do not contaminate the land).

46. A Site Management Plan is required to be submitted to the Certifying Authority prior to the issue of the final Occupation Certificate for the completed development in accordance with the recommendations of Appendix O 'Environmental Site Assessment' dated March 2016. The plan shall include procedures for the mitigation of significant contamination, if any, that emerges post-development, to ensure the continued safe operation of the site.

(Reason: To ensure the health and safety of the community and workers on the site)

Conditions that must be complied with at All Times

47. Any use of a building or structure shall not commence until an Occupation Certificate for each building or structure has been issued by the Principal Certifying Authority and has been lodged with Council.

(Reason: To ensure compliance with all conditions of consent)

48. The owner of the land shall certify to Council every year that the essential services installed in all buildings for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

(Reason: Statutory requirement)

49. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

(Reason: Safety and amenity)

50. All newly planted trees on site must be appropriately maintained on an on-going basis. Maintenance includes watering, weeding, removal of rubbish from tree bases, pruning, fertilizing, pest and disease control and any other operations required to maintain a healthy robust tree.

(Reason: Neighbourhood amenity)

51. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the Development.

(Reason: Environmental protection)

52. At all times the site is to be appropriately managed and product stored on-site is to be stored in a tidy and manner to minimise any offensive visual impact.

    (Reason: Ensure the appropriate and tidy management of the site and minimise impact on adjoining land)

53. At all times the development is to comply with the document entitled 'Cotton Seed Distributors Ltd Preliminary Hazard Analysis' completed by CDM Smith Australia Pty Ltd and dated 8th July 2016. This includes but is not limited to the following recommendations to ensure risks are reduced to ALARP levels:

    Emergency Response

    (a) An Emergency Response Plan should be developed in consultation with the emergency services and relevant regulatory authorities. This should be reviewed regularly and plant personnel shall be familiar with the contents of the emergency plan.
    (b) Adequate emergency response materials and equipment such as clean-up equipment, chemicals for neutralizing or decontaminating spills and absorbent materials shall be readily available.
    (c) Regular inspection and maintenance of emergency response inventory is required.

    Hydrochloric Acid Storage

    (d) To further reduce risk and consequences of the potential hazards the following recommendations are provided for the FRP acid storage tank:

    Australian Standards and Best Practice

    I. It is recommended that the following standards are implemented as minimum acceptable safety requirements for storage facilities, operating procedures, emergency planning and fire protection:
        - Australian Standard (AS) 3780-2008 – The storage and handling of corrosive substances (Section 5);
        - AS4452 – The Storage and handling of toxic substances; and
        - AS 2430.3.7–2004 – Classification of hazardous areas.

    Bund Design

    II. The AS 3780 requirements are minimum standards:
        - The minimum distance between the top inside perimeter of the bund and any protected place or boundary shall be 3 m and between a tank and the bund is 1 m, if tank under pressure this should be increased.
        - The construction materials of the bund shall be substantially immune to attack by any corrosive substance that they may be required to contain, sufficiently impervious to retain and enable spillage recovery and designed to withstand the hydrostatic pressure expected to be exerted on them when they are full.
        - The point at which any pipe passes through the wall of a bund shall be sealed to prevent leakage from the compound.
        - Provision shall be made such that entry and exit by personnel into and out of the compound,
          under both normal conditions and emergency conditions, shall be ergonomically safe.

Tank Design

III. The AS 3780 requirements are minimum standards:

- The minimum separation distances for bulk containers from protected places and the boundaries of the premises shall be 8 m.
- All bulk containers, including their bases, shall be designed and constructed in such a manner as to be resistant to all likely sources of corrosion. Particular attention shall be paid to areas where accidental spillage is likely to affect the external surface of the container (e.g. around vents or surfaces adjacent to filling points).
- Every bulk container shall be installed on supports or a properly prepared plinth and constructed of non-combustible, corrosion resistant materials or be suitably protected by coatings. The supporting structure shall be designed in accordance with the Australian Standard appropriate to the type of construction (e.g. AS 4100 for steel, AS 3600 for concrete) and any welded-on support, bracket or other fitting shall be welded in such a manner as to prevent penetration of water that is likely to cause corrosion of the tank (e.g. weep holes shall be at the lowest point of mounting pads).
- All tanks shall be fitted with vents of design and capacity such that blockage by corrosive residues or deposits is avoided; and the pressure or vacuum resulting from filling, emptying or atmospheric changes cannot cause the maximum allowable operating stresses of the tank to be exceeded.
- Where a bulk container will be pressurized for the purpose of product transfer, the fittings and the pipework shall be designed for the maximum pressures that might develop.
- All liquid lines connected at or below the liquid level of the bulk container shall be fitted with a shut-off valve at the nozzle through which liquid is transferred into or out of the container.
  Where the capacity of the container exceeds 100 m3, all liquid outlet shut-off valves shall also be fitted with a remote means of activation. In all cases, the open and closed positions for the valves shall be clearly marked.
- Provision shall be made to enable the complete and safe draining of transfer hoses and filling lines prior to decoupling them.
- Where the fill tube is to extend below the surface of the liquid, it shall be provided with a siphon breaker (a splash plate may also be fitted).
- Filling through the top of the tank should be used wherever possible.
- Any transfer point (the point where the pipework from a bulk container terminates) be suitably anchored and provided with a quick-action shut-off valve (self-closing type) if the transfer point is positioned at or below the highest level of liquid in the container or pipework.
- All pipes shall be colour coded in conformity with AS 1345 and be well supported, and protected from potential damage by traffic. Flexible hoses shall not be used, except at transfer points.
- Valves, pumps, flow metres, other accessories and lubricants shall be suitable for use with the corrosive substance to be handled.
- The use of screw fittings should be avoided wherever possible.
- Where the corrosive substance is capable of forming a hazardous zone (see AS/NZS 2430.3 series), electrical equipment installed in such a zone shall comply with the requirements of those Standards.
- Electrical equipment shall be suitably protected against corrosion. Where such equipment is attached to a fixed tank, it shall be protected from exposure by use of a suitable enclosure (see AS 60529).

- Every fixed tank shall be fitted with an appropriate means of indicating the level of its contents. The safe fill level of a tank shall be clearly marked on the level-indicating device. Where the indication of the liquid level is not continuously available to the person filling the tank, the tank shall be fitted with a high-level alarm and an extra-high-level cut-off device capable of stopping the filling operation immediately.
- Every fixed tank shall have an overflow line installed which meets the AS3780 requirements.

IV. Other recommended considerations:
- Fiberglass tanks are not always designed to withstand pressure or vacuum so proper venting is critical, especially if the product is to be loaded into the tank with air pressure. The tank manufacturer should be consulted for a recommendation on proper vent openings and pressure/vacuum relief systems.
- Fiberglass storage tanks should also be equipped with two 24-inch manways, 3-inch flanged nozzles and 3-inch flanged product inlet line. The tank manufacturer should be consulted for a recommendation on proper vent openings and pressure/vacuum relief systems.
- A pressure/vacuum relief device should be in place in addition to the tank vent.
- A fume scrubber to eliminate the release of irritating and corrosive vapours. The scrubber backpressure can make a large difference in the pressure in the storage tank during and immediately after unloading. A typical packed column scrubber or re-circulating scrubber exerts very little back pressure; however, venting into the bottom of a vessel below a liquid head may exert a back-pressure above the tank design in routine venting operations.

Construction

V. To the extent feasible, all fittings and pipes associated with the acid system should be in the bund, or protected from moving plant equipment by barriers or bollards.

Filling of Tank

VI. To further reduce risk and consequences of the potential hazards the following recommendations are provided for the unloading of hydrochloric acid from road tankers into the storage tank:
- Develop a SOP which requires attended operation at all time and implements the requirementsof AS 3780:2008 – Storage and handling of corrosive substances.
- A safety shower complying with AS 4775 (or a plunge bath) and eye-wash facilities (also complying with AS 4775) shall be located within 7 m of, but not closer than 2 m to, any product transfer point.
- The fire sprinkler system should include a water spray that can be used for suppressing vapour releases. To the extent feasible, all fittings and pipes associated with the acid system should be in the bund, or protected from moving plant equipment by barriers or bollards.
- Product transfer shall not be commenced until all essential gauges, valves, fittings and connections are illuminated to a level of at least 50 lux.

Operations

VII. The operations should comply with AS3780 requirements for controlled entry, clear access, lighting, ventilation, safety information, safety checks, handling precautions, signage and work permit for work and maintenance in these areas.

VIII. The tank and all its appurtenances should be subject to a management of change system and periodic monitoring for mechanical integrity.

IX. Frequently inspect scrubber systems for evidence of obstructions and proper operation to minimize back pressure build-ups.

X. Maintenance of the bunded area to ensure no collection of rainfall which would reduce the capacity.

LPG Storage

(e) Reducing the risks associated with operating an LP Gas facility to As Low As Reasonably Practicable (ALARP) can be achieved with suitable design and engineering standards, safe operations, and comprehensive and rigorous maintenance programmes combined with effective staff training programmes. As the 30,000 L LPG tank is greater than 125 m from the public road it is considered to be a Class A site under the AS1596. It is recognised that the bullet vessel will be owned and supplied by Elgas or a third party gas supplier, as such, obligations on the design and the maintenance and testing will remain with the owner of the pressure vessel.

Australian Standards and Good Practice

XI. AS1940 – The storage and handling of flammable and combustible liquids;

XII. AS1596 – The storage and handling of LP Gas; and

XIII. AS1210 – Pressure vessels

XIV. World LP Gas Association's, Guide to Good Industry Practices for Bulk LP Gas Installations:
http://www.wlpga.org/wp-content/uploads/2015/09/gbp-guide-to-good-industry-practicesfor-bulk-lp-gas-installations.pdf

LPG Safety Recommendations

XV. **Fire deluge system -** sprinkler or fire hydrant in vicinity of LPG storage to enable cooling of the tank in the event of a fire nearby or from jet fire from leak in tank to reduce risk of explosion.

XVI. **Pressure testing –** leakage testing of the pipework to be undertaken in accordance with the AS1596 minimum requirements.

XVII. **Impact protection -** vessel and pipework need to be protected from physical impact – bollards would need to be installed around the bullet to ensure no impact from vehicles or moving plant.

XVIII. **Separation distances** – appropriate separation distances to protected places, doors, ignition sources.

XIX. **Ignition sources** - control of ignition sources around the storage and pipework areas. Ignition sources shall not fall within a hazardous area as defined in AS 2430.1 and AS/NZS 2430.3 series.

XX. **Ventilation** - nearby construction, fences, walls, vapour barriers, or the like shall permit free access around and cross-ventilation for the tank.

XXI. **Vapour barrier or fire wall or thermal screen** – consider a between the LPG tank and the hydrochloric storage and bund areas to minimise any chance of cumulative impacts.

(Reason: Ensure the development is carried out in a safe manner)

54. Management and application of residues from the proposed redevelopment is to continue in line with current practices conducted onsite and the document 'Review of Land Application of Seed Treatment Residue, Shenstone, 2952 Culgoora Road Wee Waa 2388 Cotton Seed Distributors Ltd June 2016' and attached to the approved Statement of Environmental Effects at Appendix Q.

    (Reason: To ensure the site remains free from contamination)

55. Continued routine soil monitoring is required to be carried out in accordance with the plan to be approved by Council as per condition 45 of this consent to ensure that active ingredient concentrations are not increasing or accumulating over time on all land on which seed treatment residues are disposed, pursuant to the recommendations of Appendix Q 'Review of Land Application of Seed Treatment Residue' of the approved Statement of Environmental Effects.

    (Reason: To ensure the site remains free from contamination)

56. All loading and unloading operations shall be carried out wholly within the confines of the site or the loading bays designated by the approved plans. No unloading/loading is permitted to be undertaken within the footpath or roadway unless approved by Council.

    (Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity)

57. All vehicles are to enter and exit the site in a forward direction.

    (Reason: To ensure that the development does not adversely affect traffic or pedestrian amenity)

58. Vehicular access routes to the site are to be in accordance with the *Traffic Impact Assessment* dated July 2016 submitted in support of the proposal. Vehicles travelling to and from the site are not to do so via the unformed public road, west of the subject land, connecting Culgoora Road to the Kamilaroi Highway (HW29) adjacent to Golf Club Road, identified in Figure 3.3 on page 14 of the *Traffic Impact Assessment* dated July 2016.

    (Reason: To ensure that the development does not adversely affect public roads and the safety of people travelling to and from the development do so via the safest route)

59. All external lighting shall comply with the provisions of Australian Standard 4282-1997 – 'Control of the obtrusive effects of outdoor lighting'.

    (Reason: To protect the amenity of the area)

60. No consent is given or implied for any form of illumination or floodlighting to any sign.

    (Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties)

61. All external lighting is to be of a fully shielded design and directed in a downward position.

(Reason: To minimise upward light spill)

62. The landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan.

    (Reason: To ensure the visual amenity of the streetscape is maintained)

63. Unless otherwise approved by Council at all times stormwater from the development including all hard standing and overflows from rainwater tanks is to be collected and disposed of by way of properly constructed stormwater lines to:

    (a) The existing gated culvert discharge point in the north-western corner of the subject site in accordance with the Stormwater Management Plan report by Rowen Meyer & Associates dated 26/04/2016 and attached at Appendix I of the approved Statement of Environmental Effects.

        Stormwater discharges are required to be protected from contaminants by separation from waste streams by self-contained pipe work and roofing/bunding of potential contamination areas.

    (Reason: To ensure suitable disposal of stormwater)

64. The Applicant shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.

    (Reason: Neighbourhood amenity)

65. The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the Development.

    (Reason: Environmental protection and neighbourhood amenity)

66. The Applicant shall ensure that the noise generated by the operations on-site does not constitute offensive noise (as defined by the *Protection of the Environment Operations Act 1997*) at any private residential receiver.

    (Reason: Neighbourhood amenity)

67. All advertising signs which are not exempt development specified by an Environmental Planning Instrument shall be subject to a separate development application which is to be submitted to and approved by Council.

    (Reason: To protect the amenity of the locality)

68. Access gates must be hung so they do not encroach on the footpath or roadway.

    (Reason: To protect the safety of pedestrians in the locality)

69. At all times that the site is operating, a copy of the CSD Flood Evacuation Plan, detailed on page 49 and 50 of the amended Statement of Environmental Effects dated 14 July 2016, is to

be provided at all entrance and exit points to the following buildings to ensure details of the correct evacuation procedure in the event of flooding are known to staff and site visitors;

- The administration building;
- The laboratory building; and
- The finished good warehouse building.

(Reason: Ensure the development is carried out in a safe manner)

Advisory Notes

- Prior to construction work commencing you should ensure that all services have been clearly located and identified by contacting “Dial before you Dig” by telephoning 1100.