

COUNCIL ASSESSMENT REPORT

Panel Reference	2017SCL033
DA Number	2017/064
LGA	Strathfield
Proposed Development	Demolition of existing structures and construction of a waste transfer station processing up to 40,000 tonnes per annum.
Street Address	Nos. 63-65 Cosgrove Road, Strathfield South
Applicant/Owner	Ingham Planning Pty Ltd c/- Brett Brown
Date of DA lodgement	15 May 2017
Number of Submissions	Twenty (20) written submission (including 1 petition with 13 signatures) received
Recommendation	Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Waste facilities that are Designated Development
List of all relevant s79C(1)(a) matters	• relevant environmental planning instruments: ○ SEPP (Infrastructure) 2007 ○ SEPP 55 – Remediation of Land; ○ SEPP No. 33 – Hazardous and Offensive Development; ○ Strathfield Local Environmental Plan 2012; • proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: N/A • relevant development control plan: ○ Strathfield Consolidated Development Control Plan 2005 - Part D – ‘Industrial Development’; - Part H – ‘Waste Management’; - Part I – ‘Provision of Off-Street Parking Facilities’; - Part J – ‘Advertising Signs and Structures’; - Part N – ‘Water Sensitive Urban Design (WSUD)’; - Part L – ‘Notification’; and - Strathfield Direct Development Contributions Plan. • relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F: N/A • coastal zone management plan relevant regulations e.g. Regs 92, 93, 94, 94A, 288: ○ Section 92(b) of the Environmental Planning and Assessment Regulation 2000; and ○ Schedule 3 of the Environmental Planning and Assessment Regulation 2000
List all documents submitted with this report	Attachment 1 – Plans Attachment 2 – Submissions

for the Panel's consideration	
Report prepared by	Prity KC – Senior Planner
Report date	5 December 2017

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **Not Applicable**

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

SUMMARY

PROPERTY:	Nos. 63-65 Cosgrove Road, Strathfield South – Lot 1 in Deposited Plan 202168
DA NO.:	2017/064
APPLICATION TYPE:	Designated Development and Integrated Development
DEVELOPMENT PROPOSAL:	Demolition of existing structures and construction of a waste transfer station processing up to 40,000 tonnes per annum.
REPORT BY:	Prity KC
RECOMMENDATION:	APPROVAL
SUBMISSIONS:	Twenty (20) written submissions (including 1 petition with 13 signatures) received
ZONING:	IN1 General Industrial
DATE APPLICATION LODGED:	15 May 2017
APPLICANT:	Ingham Planning Pty Ltd c/- Brett Brown
OWNER:	Robert Younan & Elias Haddad

EXECUTIVE SUMMARY

Approval is sought for the demolition of existing structures and construction of a waste transfer station processing up to 40,000 tonnes per annum.

The application is classified as designated development under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

The application was notified in accordance with Council's adopted policy. Council received twenty (20) written submissions (including 1 petition with 13 signatures). The main issues the submissions raised are streetscape, car parking and vehicular access, traffic, noise and vibration, operational management, permissibility, site suitability, property devaluation, impacts on food business, dust and odour impacts.

The application was referred to NSW Environmental Protection Authority and NSW Roads and Maritime Services. No objections were raised subject to conditions.

The proposed development has addressed the Department of Planning and Environment's issued Secretary's Environmental Assessment Requirements (SEAR) as part of this application.

The proposed development generally satisfies the requirements within *SEPP (Infrastructure) 2007*, *SEPP 55 – Remediation of Land*, *SEPP No. 33 – Hazardous and Offensive Development*,

Strathfield Local Environmental Plan 2012 and Strathfield Consolidated Development Control Plan 2005

Accordingly the application has been recommended for approval, subject to conditions.

BACKGROUND

The background of the site is as follows:

9 November 2016	Department of Planning and Environment issued Secretary's Environmental Assessment Requirements (SEAR) for the preparation of Environmental Impact Statement.
17 November 2016	A pre-DA meeting was carried out between Council and the applicant with respect to a proposal for a waste/resource transfer station at the subject site.
15 May 2017	The subject development application was lodged.
30 June 2017	A request for additional information letter was sent to the applicant with respect to off-street parking, stormwater drainage, streetscape and submissions.
3 August 2017	Additional Information was submitted into Council with respect to requested additional information.
28 September 2017	The development application was briefed to the former Sydney Central Planning Panel.
12 October 2017	Additional information was requested with respect to waste material, truck routes and vehicle swept paths.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is a triangular shaped allotment with an area of 2,736m². The site has a frontage of 100m to Cosgrove Road. The site is predominately surrounded by industrial developments to the north, south and east and adjoins a freight railway line to the west. The subject land is approximately 450m south of the Hume Highway and 1.5km north of Punchbowl Road.

The site was previously used as a depot by NSW Roads and Maritime Services and currently contains a number of buildings and structures associated with the use.

An aerial photograph of the site is provided below.



Figure 1: Aerial photograph of subject site



Figure 2: Looking towards the norther end of the subject site from Cosgrove Road.



Figure 3: Looking towards the southern end of the subject site from Cosgrove Road.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for waste/resource transfer station and involves the following:

- Demolition of all buildings on site and the construction of a new industrial building comprising an area of 1280m². Some existing open concrete bays will be retained for reuse and the existing concrete slab that covers the majority of the site will be retained and made good where necessary.
- The application proposes an estimated maximum waste throughput of 40,000 tonnes. The amount in each stream is estimated as follows:
 - Metals – 4% (1,600 tonnes);
 - plastics – 15% (6,000 tonnes);
 - masonry – 4% (1,600 tonnes);
 - paper/cardboard – 13% (5,200 tonnes);
 - timber – 15% (6,000 tonnes); and
 - general waste – 49% (19,600 tonnes).
- Removal of six (6) trees – trees numbered 1, 2, 3, 4, 6 and 7.
- Construction for the weighbridge and associated office.

- The proposed building will have two (2) roller doors fronting Cosgrove Road which will allow trucks to use a 'left in/left out' movement and pass through the building where waste will be deposited and loaded.
- The proposed building will accommodate a range of machinery including a 'trommel' which will sort and separate material.
- The proposed building will also accommodate areas for sorting and temporary materials storage and office/amenities.
- A building identification sign of 37m²;
- Parking for 20 vehicles;
- Landscaping of the site;
- Provision of infrastructure, including water tanks to allow water reuse;
- Expected truck movement of 33 per day;
- Proposed Operating hours: 6am – 10pm, seven (7) days per week; and
- Maximum of 16 employees on site at any one time

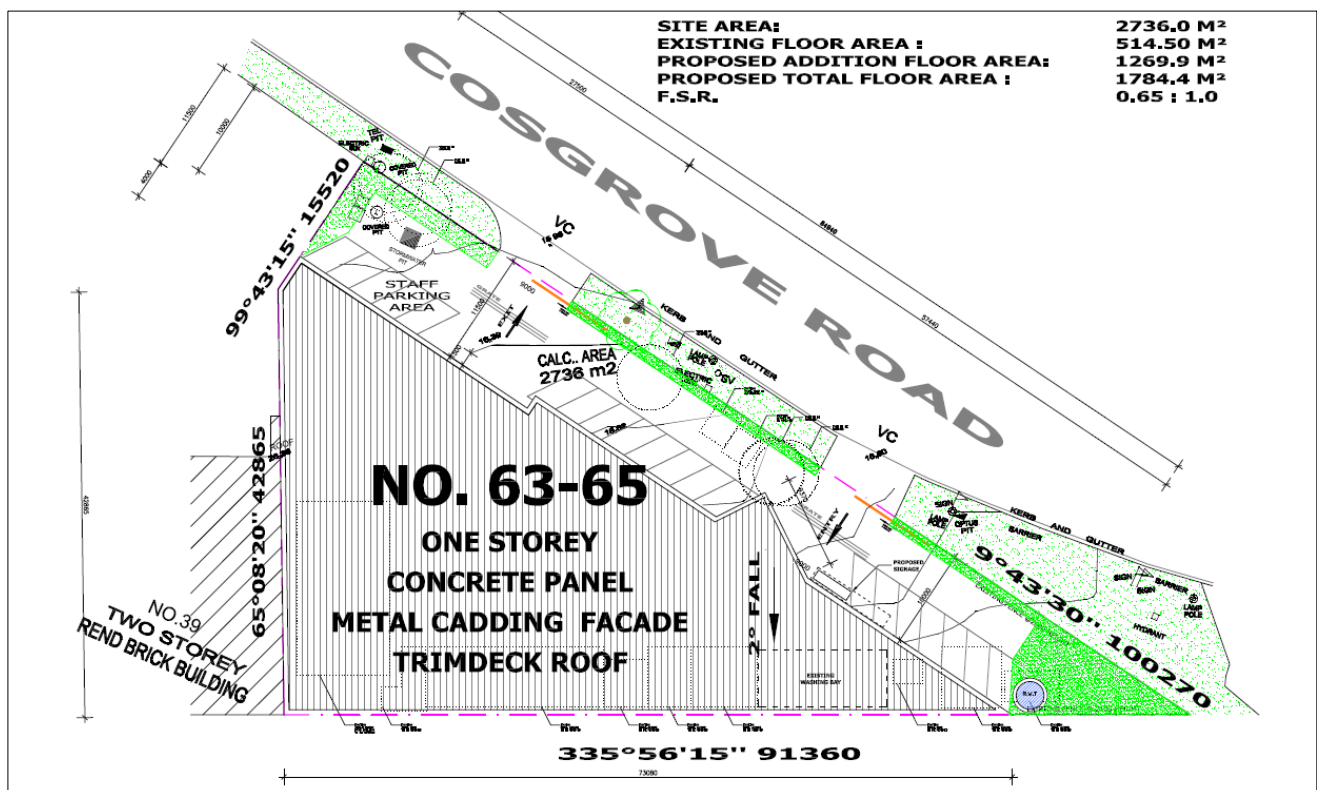


Figure 4: Site Plan

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Development Engineer raised no objection to the proposal, subject to the imposition of recommended conditions of consent.

Traffic Comments

Council's Traffic Engineer raised no objection to the proposal, subject to the imposition of recommended conditions of consent.

Waste Comments

Council's Environmental Projects Officer raised no objection to the proposal, subject to the imposition of recommended conditions of consent.

Tree Coordinator Comments

Council's Tree Coordinator raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

EXTERNAL REFERRALS

NSW Roads and Maritime Services (RMS)

The application was referred to RMS for comment given that the application is defined as Traffic Generating Development. No objections were raised to the development. Furthermore, RMS did not provide any conditions.

Environmental Protection Authority (EPA)

The application was referred to EPA for comment. The EPA has issued General Terms of Approval dated 20 June 2017. The EPA states that the applicant will need to make a separate application to EPA to obtain an environment protection licence. The EPA also has identified a number of environmental issues for Council to consider in its overall assessment, including noise assessment, air quality and waste management.

The EPA notes the applicant is proposing to operate from 6am - 10pm, seven days a week. The applicant has not adequately assessed the noise impacts within the proposed hours of operation as the sleep disturbance potential has not been considered for the proposed night time period of operation between 6am and 7am. The EPA does consider it unacceptable for the facility to operate prior to 7am based on the information provided. The EPA requires operating hours commence at 7am. A condition has been recommended accordingly.

The EPA notes the material proposed to be received at the facility includes small quantities of green waste, clean and contaminated loads of glass and containers eligible for CDS. The EPA considers this waste material has the potential to generate odour. The applicant should note that the Licensee must not cause or permit the emission of any offensive odour from the premises under s129 of the *Protection of the Environment Operations Act 1997*. Accordingly a condition has been recommended.

EPA also states that, it is the EPA's experience of waste facilities like the facility proposed that the E-waste is not received intact. As the applicant is not requesting the receipt or storage of hazardous, restricted solid or liquid waste or identified appropriate controls for receipt of this type of waste, the EPA would not permit E-waste to be received at the facility.

Furthermore, the EPA notes a trade waste permit will be required for the facility if all water is not intended to be captured, treated and reused onsite.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

The application has been assessed pursuant to the heads of consideration of Section 79C of the Environmental Planning and Assessment Act and the relevant matters described in sub-section (1)(a), (b), (c), (d) and (e) of Section 79C have been considered within this report.

The following Environmental Planning Instruments (EPI's) are applicable to the assessment of the subject application:

- SEPP (Infrastructure) 2007;
- SEPP 55 – Remediation of Land;
- SEPP No. 33 – Hazardous and Offensive Development
- Strathfield Local Environmental Plan 2012;
- Strathfield Consolidated Development Control Plan 2005: and
 - Part D – 'Industrial Development';
 - Part H – 'Waste Management';
 - Part I – 'Provision of Off-Street Parking Facilities';
 - Part J – 'Advertising Signs and Structures';
 - Part N – 'Water Sensitive Urban Design (WSUD)';
 - Part L – 'Notification'; and
 - Strathfield Direct Development Contributions Plan.

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

State Environmental Planning Policy (Infrastructure) 2007

The proposed development was referred to RMS in accordance with the requirements of Clause 104 of the *State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)* as the proposal is classified as traffic generating development given the proposal waste transfer station.

Concurrence comments were received by RMS in correspondence dated 19 June 2017. RMS raised no issues and provided no conditions.

The proposal has been assessed against the relevant provisions of the *SEPP Infrastructure* and is considered satisfactory.

Pursuant to Clause 121(2) of the *SEPP*, the application is a permissible use within the IN2 Zone despite being prohibited under the *Strathfield LEP 2012*.

State Environmental Planning Policy No. 55 – Remediation of Land

The application has been assessed against the requirements of *State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)*. This Policy provides State-wide planning controls requiring that consent must not be granted to the carrying out of development on land unless it has considered whether the land is contaminated or requires remediation of the proposed use. The application submitted a combined Phase 1 and Phase 2 Environmental Site Assessment prepared by Aecom dated 24 August 2015.

The assessment involved: desktop review, site inspection, drilling of 10 boreholes, gauging, purging and sampling of three groundwater monitoring wells, laboratory analysis of selected soil and groundwater samples, surveying of groundwater monitoring wells, off-site disposal of soil cuttings and purged groundwater generated during the ESA, asbestos clearance inspection. The report concluded that no soil contamination was identified and the site is considered to be suitable for on-going commercial/industrial land use.

Accordingly, the site is suitable for the proposed development and no further assessment is required.

The provisions of *SEPP 55* have been satisfied.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 33: Hazardous and Offensive Development (SEPP 33) is a systematic approach for assessing development proposals for potentially hazardous and offensive industry or storage. *SEPP 33* introduces performance-based definitions of 'hazardous' and 'offensive' and sets out specific assessment requirements for such proposals.

“potentially hazardous industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or

minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

(a) to human health, life or property, or

(b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.”

“potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.”

The application states that the proposal is not one likely to potentially impact on human health or the biophysical environment, however impacts such as noise and traffic could potentially be offensive.

Clause 13 of the Policy requires the consent authority to consider the following matters in relation to both potentially hazardous and offensive industries:

“(a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and

(b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and

(c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and

(d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and

(e) any likely future use of the land surrounding the development.”

a) In relation to (a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development:

As per Planning Circular PS 11-008 (Planning and Assessment Guidelines for Hazardous Industry), the application has prepared a Preliminary Hazard Analysis to determine the likelihood of the application being potentially hazardous industry. The report concludes that subject to appropriate measures in place to deal with storage

and disposal of materials, the proposal involves minimal use of hazardous materials on site.

- b) In relation to *(b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply:*

The Environmental Protection Authority (EPA) was consulted as a licence is required for this proposed use. The EPA raised no objections subject to implementation of conditions.

- c) In relation to *(c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant*

The application includes a Preliminary Hazard Analysis prepared by Ingham Planning for the proposed development. The report concludes that *“the proposal involves minimal use of hazardous materials on site and the chances of accidental delivery of such materials to the site is also minimal. Where such a circumstance does arise, there appropriate measures will be in place to deal with this and any material will not be stored on site but disposed of immediately to an appropriate waste disposal facility”*.

- d) In relation to *(d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application):*

The application states that the location of the proposed development has been chosen based on the site being the central to the main market of business operations, the site is located within an industrial context in order to ensure compatibility with the surrounding land uses, and the site is located on a busy road and away from residential areas to ensure minimal noise impacts.

- e) In relation in *(e) any likely future use of the land surrounding the development*

The surrounding area is zoned General Industrial and Infrastructure and presently used for the purpose of industry and infrastructure. There are no current plans to change the land use surrounding the proposed development.

Accordingly, the provisions of *SEPP 33* have been satisfied.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2) Aims	Complies
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(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The proposed development is considered appropriate for the site and will integrate well with surrounding development.

Permissibility

The subject site is Zoned IN1 General Industrial under *Strathfield Local Environmental Plan (SLEP) 2012*.

The proposed development is defined as 'waste or resource transfer station.

A waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note. Waste or resource transfer stations are a type of waste or resource management facility—see the definition of that term in this Dictionary.

A waste or resource transfer station is prohibited within IN2 zone under *SLEP*. However the proposal is permissible pursuant to Clause 121(2) of *SEPP (Infrastructure) 2007*.

Pursuant to *SEPP (Infrastructure) 2007*, the proposal is permissible with consent in the IN1 zone.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 zone is included below:

Objectives	Complies
• To provide a wide range of industrial and warehouse land uses	Yes

• To encourage employment opportunities.	Yes
• To minimise any adverse effect of industry on other land uses.	Yes
• To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.	Yes

Comments: The proposed waste or resource transfer station would satisfy the zone objectives.

Part 4: Principal development standards

4.3 Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	12m	12m	Yes

	Objectives	Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Comments: The proposed development would have a building height of 12m and complies with the maximum building height control of 12m within the SLEP.

4.4 Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	1:1 (2,736m ²)	0.69:1 (1784.5m ²)	Yes

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development	Yes
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	Yes

Comments: The proposed development complies with the maximum floor spaces ratio control.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the *SLEP* are addressed below as part of this assessment:

6.1 Acid sulphate soils

The subject site is identified as having Class 5 soils and is located within 500m of Class 4 soils. However, the application does not involve works that would be below 5 metres Australian Height Datum and therefore the watertable is unlikely to be lowered below 1 metre Australian Height Datum on adjacent Class 4 land.

The proposed development therefore satisfied the requirements of Clause 6.1 of the *SLEP*.

6.2 Earthworks

Appropriate conditions of consent to be imposed to ensure compliance with the sediment, erosion control plan.

6.6 Erection or display of signage

The application proposes a building identification sign of 37m² in size at the front entrance of the building. It is considered that the signage would be consistent with the desired amenity and visual character of the area, is located in a suitable location and would provide effective communication. The sign is not considered to be visually dominating and also would be of high quality design and finish.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

Part D Industrial Development of the Strathfield Consolidated Development Control Plan (DCP) 2005

Density, Bulk and Scale

The proposed development complies with the maximum permissible building height and floor space ratio. The proposed density, bulk, scale and design is compatible with the existing streetscape and achieves the objectives of Part D.

Setbacks

The proposed development provides front setback ranging from 11.5m on the northern elevation and 10m on the southern elevation. Notwithstanding, a small section of the building near the front entrances (approximately 11m) encroaches within the front setback, resulting in a 5.2m setback for that portion. The proposed weighbridge structure encroaches within the front setback. The application states that the only way the weighbridge area can be accommodated within the building. The application also proposes 1-2 metre front landscaping along the street boundary. It is considered that the minor non-compliance with the front setback would not have adverse impact to the streetscape. Accordingly the proposal is considered acceptable.

Building requirements and materials

The application proposes metal cladding façade and ‘trimdek’ roof. The application also states that to reduce the overall bulk to the streetscape, the weighbridge roller door and the other roller door is treated with different materials.

Landscaping and Fencing

The proposed development provides 1-2 metre wide landscaping area at the front setback of the site. The concept landscape plan prepared by Moshonis Building Designers & Engineers indicates that the landscaping will include a range of Watergum trees, acacia trees and mixed cherry and gold clusters Grevillea. The application also proposes a 1.7m high front boundary fence and 2m high front gates.

Part H – ‘Waste Management’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

A Preliminary Waste Management Plan was submitted as part of the subject application. The plan specifies that a detailed waste management plan will be developed following engagement of a contractor to undertake the built works and will form part of a construction management plan.

The application also submitted an Operational Waste Management Plan (OWMP) prepared by Cheapest Load of Rubbish. The OWMP states that the matter to be processed will be primarily sourced from bulky household waste collections, and small retail and commercial strip outs.

The OWMP states that the type of material the waste transfer facility would be receiving would include the following:

- Domestic, including deceased estates and Commercial property clean outs
- Landscape and domestic yard clean up or residuals
- Storm damaged property including insurance claim matter requiring disposal

- Nominal quantities of building debris generated by licensed builders
- Clean and contaminated loads of paper/plastic/cardboard /timber and glass
- Bulky household and light commercial wastes including furnishings/whitegoods/
- E-waste and renovation residuals
- Light demolition matter from commercial strip outs and renovations predominantly being timber/plasterboard and glass
- Green waste – small quantities only
- Wood waste – pallets/timber crates and other wood products
- Bulk Paper/Cardboard/Plastic and glass both separated and mixed
- Containers eligible for CDS
- Other matter which falls within the bound of the EPA Environment Protection Licence (EPL) licence sought for the facility

The plan specifies that at maximum, the operating capacity would be approximately 80 to 95 tonnes per day, based on a six day per week operation. The annual capacity would be a maximum of 40,000 tonnes. The average vehicle movements of waste or recyclable matter per day (including export of spoils) will be approximately 33.

The primary objective of the operation would be to sort, then process further unseparated wastes to enable capture of recyclable or reusable matter.

Resources targeted are:

- Paper and Cardboard
- All plastics
- Glass
- Container Deposit Scheme (CDS) being bottles/cans etc. that qualify for the container deposit refund
- All Metals
- Wood/timber
- Reusable furniture, appliances, tools and building material
- E-waste
- Selected green waste suitable for chipping offsite
- Small quantities of masonry brick sand and soil
- Any other non-hazardous and non-putrescible matter that has the ability to be reused or recycled
- All residual waste will be removed from site on a regular basis to be deposited at an EPA licensed landfill facility.

The OWMP provides details of the procedures, waste handling including transport, identification, receipt, stockpiling and quality control, hazardous waste management (including asbestos and contaminated waste). The plan also states that an Operational Environmental Management Plan (OEMP) would be prepared as part of the Environment Protection Authority licence application process. The OEMP will consider EPA's Waste Less and Recycle More strategy and the Waste Avoidance and Resource Recovery Strategy.

The application was referred to NSW EPA. The EPA states that, it is the EPA's experience of waste facilities like the facility proposed that the E-waste is not received intact. As the applicant is not requesting the receipt or storage of hazardous, restricted solid or liquid waste or identified appropriate controls for receipt of this type of waste, the EPA would not permit E-waste to be received at the facility. Accordingly a condition has been recommended.

The application was also referred to Council's Waste Management Officer. No objections were raised subject to conditions.

Part I – 'Provision of Off-Street Parking Facilities' of the Strathfield Consolidated Development Control Plan (DCP) 2005

Part I of the SCDCP does not provide a specific off-street parking rate for a Waste transfer facility nor do the RMS Traffic Generating Development Guidelines. The application has submitted a Traffic Impact Assessment prepared by Traffix.

The assessment report proposes a total of 20 parking spaces to cater for all 16 staff and as well as 4 car spaces for potential visitors to the facility.

Vehicular access to the site is proposed to be maintained via the two existing accesses on Cosgrove Road. It is proposed all vehicles enter site at the south entry. Trucks shall enter the weighbridge, circulate through the warehouse to deposit the load and exit via the north access.

Part J Advertising Signs and Structures

The previously mentioned, the application proposes a building identification sign of 37m² in size at the front entrance of the building. It is considered that the signage would be consistent with the desired amenity and visual character of the area, is located in a suitable location and would provide effective communication. The sign is not considered to be visually dominating and also would be of high quality design and finish.

Part N – 'Water Sensitive Urban Design (WSUD)' of the Strathfield Consolidated Development Control Plan (DCP) 2005

Part N of the Strathfield Consolidated Development Control Plan 2005 requires new development to meet the water conservation and stormwater quality targets established for Strathfield LGA. The proposed development included MUSIC modelling and a stormwater plan. The application was reviewed by Council's Stormwater Engineer for review and was satisfied that water sensitive urban design has been incorporated into the design principles and Council's requirement has been met. Subject to conditions, the proposed development satisfies Part N of the SCDCP.

79C(1)(iia) any planning agreement or draft planning agreement

The proposed development is not subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979.

79C(1)(iv) matters prescribed by the regulations

Environmental Planning and Assessment Regulations 2000 – Designated Development:

The proposed use is designated development pursuant to the EP&A Act and Regs. In this regard Schedule 3 of the EPA Regs indicates development that is designated and includes Clause 32 - Waste management facilities or works. This Clause states:

“(1) Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:

(a) that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:

(i) that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or

(ii) that comprises more than 100,000 tonnes of "clean fill" (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or

(iii) that comprises more than 1,000 tonnes per year of sludge or effluent, or

(iv) that comprises more than 200 tonnes per year of other waste material, or

(b) that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:

(i) that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or

(ii) that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or

(iii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or

(c) that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or

(d) that are located:

(i) in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or

(ii) in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or

(iii) within a drinking water catchment, or

(iv) within a catchment of an estuary where the entrance to the sea is intermittently open, or

(v) on a floodplain, or

(vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.

(2) This clause does not apply to:

(a) development comprising or involving any use of sludge or effluent if:

(i) the dominant purpose is not waste disposal, and

(ii) the development is carried out in a location other than one listed in subclause (1) (d), above, or

(b) development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or

(c) development for which State Environmental Planning Policy No 52--Farm Dams and Other Works in Land and Water Management Plan Areas requires consent."

The proposal is considered to be designated development as it is a waste/resource transfer station with an intended capacity of more than 30,000 tonnes a year as referred to in (b) above. The subject site is within 500m of a residential zone as referred to in (d) above.

Environmental Planning and Assessment Regulations 2000 - Clause 92:

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian

Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are recommended to ensure the prescribed conditions of consent including compliance with the *Building Code of Australia*.

79C(1)(v) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Noise, Vibration and Air Quality

A noise, vibration and air quality assessment report has been prepared by Wilkinson Murray dated 12 April 2017.

The assessment report has been prepared in accordance with the following guidelines:

- NSW Industrial Noise Policy (INP) (EPA, 2000);
- NSW Road Noise Policy (RNP) (DECCW, 2011);
- Interim Construction Noise Guideline (ICNG) (DECC, 2009);

- Assessing Vibration: A technical guideline (DEC, 2006); and
- Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016).

The NSW EPA has recommended that the hours of operation for the facility are to be decreased from 6am till 10pm, to 7am till 10pm based on the available information. A condition of consent is recommended to this effect.

Noise:

The assessment report has given consideration to the impact of the proposal on both adjoining industrial properties and the nearest residential properties in Gregory Street, Mcencroe Street, Cave Road, Rebecca Road and Cosgrove Road. The noise assessment considered the existing noise environment, operation noise criteria, construction noise criteria and traffic noise criteria.

The noise from the day to day operation has been modelled using the noise prediction software CadnaA. The operation of the facility does not vary between day, evening and the AM shoulder period. The noise model included topography and surrounding buildings, assuming all equipment and plant running continually for the entire period; and sound power level from equipment and plant as previously stated. The predicated operational noise levels are below the noise criteria.

The noise from construction of the waste transfer facility has been modelled using noise predication software CadnaA and assumed based on all equipment and plant running continually for the entire period, construction occurring during recommended construction hours, use of truck to transport building materials, use of cranes and hand tools. The predicated construction noise levels are below the noise criteria.

The noise from traffic is based on that the period of highest traffic flow will occur between 2:00pm and 4:00pm with approximately 15-20 movements per hour. It is expected that this traffic will be split between a north and south Cosgrove Road approach. The report states that *“For the purpose of being conservative in this assessment, it will be assumed that each vehicle approaches and departs the site from the south direction, past the residential area. The additional 40 truck movements per hour results in a relative increase in the LAeq,1hr of 0.8dB. This is below the 2dB criterion limit established in the NSW Road Noise Policy for existing residences and other sensitive land uses affected by additional traffic on existing roads generated by land use developments.”*

The assessment report concludes that the proposal will be within the relevant noise criteria and therefore no additional mitigation measures are required due to noise produced from construction, general operation of the site or increase of traffic in the surround area.

Despite the recommendation of the submitted acoustic report, the NSW EPA has found that the report lacks the appropriate information regarding the operation of the facility before 7am. Therefore, based on the information provided, the NSW EPA has recommended that the facility only operate from 7am onwards. A condition of consent is recommended to this effect.

Vibration:

There are no Australian Standards that address the potential for vibration to cause building damage. In this instance the more stringent German Standard DIN 4150 – 1999 Structural vibration: Part 3: Effects of Vibration on Structures, (DIN 4150-3-1999) Part 3 have been adopted. The assessment concludes that *“no significant sources of vibration have been identified for this facility. The most significant vibration source will come from the dumping of loads from the truck onto the ground. This will not cause high enough level to be at risk of causing building damage or impacting on human comfort. A detailed assessment of potential vibration impacts is therefore not considered necessary”*.

Air Quality:

The assessment report has given consideration to potential operations that would generate air quality impacts including vehicle entering and leaving the site, trucks dumping waste material, trammel operating, waste material on conveyors, fugitive dust on hardstand areas, and wind erosion off exposed areas and/or stockpiles. The report also recommends dust control measures. The report concludes that subject to appropriate control measures, the proposal will not pose an unreasonable risk in relation to this issue. All of these measures will be included as part of the OEMP.

Tree Management

The development proposes to remove of six (6) trees (trees 1, 2, 3, 4, 6 and 7) from the site for the construction of the proposed development. The application submitted an Arborist Assessment prepared by Urban Tree Care dated 1 February 2017. Trees 1, 2 and 3 are She-oak *Casuarina cunninghamiana*, tree 4 is Bottlebrush *Callistemon sp*, tree 6 is a Honey Bracelet Myrtle, *Melaleuca armillaris*, and tree 7 is a Paperbark, *Melaleuca quinquenervia*. All these six trees are considered not significant to be retained. The removal of these trees will facilitate the works for the proposed development. The proposed development proposes to retain and protect tree 5 located on the nature strip. Subject to tree protection conditions, the proposed development is considered acceptable.

Traffic

The proposed development includes provision of (20) off-street parking spaces. The application has submitted a Traffic Impact Assessment prepared by Traffix.

The assessment report states that the site will generate a maximum of 33 truck movements per day and up to 32 passenger vehicle movements per day. This volume of traffic spread over a typical 8

hour work day represents 8 vehicle movements (in or out) per hour or 1 vehicle every 7-8 minutes. Furthermore, these trips are split between the two directions (with vehicles approaching from the south and departing to the north). The report concludes that this level of traffic generation would have a negligible impact upon the surrounding road network, as it is well within the range of typical traffic fluctuations.

Accordingly, the traffic impacts of the proposed development are considered to be negligible, with no external improvements to the network considered to be required as a result of the development.

Council's traffic team raised no objection to the proposed development subject to conditions.

Council recognises the considerable level of coordination required to facilitate the construction of the proposed development. As such, a condition of consent has been recommended to ensure a construction traffic management plan is prepared having consideration for implications of the excavation and construction phases of the development. This is to include route mapping of truck movements so as to minimise disruption of residential streets.

Visual Impacts

The proposed building generally complies with the relevant Council development controls. The building is an industrial form that is compatible with the nature of surrounding development. Landscaping will be provided within the 10m building setback and this will further reduce the bulk and scale of the building when viewed from the public domain. It is considered that the proposal development would not result in any visual impacts and is considered acceptable.

Waste management

A Preliminary Waste Management Plan was submitted as part of the subject application. The plan specifies that a detailed waste management plan will be developed following engagement of a contractor to undertake the built works and will form part of a construction management plan.

The application also submitted an Operational Waste Management Plan (OWMP) prepared by Cheapest Load of Rubbish. As already discussed, the OWMP provides details of the procedures, waste handling including transport, identification, receipt, stockpiling and quality control, hazardous waste management (including asbestos and contaminated waste). The plan also states that an Operational Environmental Management Plan (OEMP) would be prepared as part of the Environment Protection Authority licence application process.

Subject to conditions, the proposal is considered acceptable.

Hazards and Incident Management

The proposed development does not involve the collection of hazardous waste. The application states that a careful review of material on pick up will ensure that the chances of hazardous material being collected is minimised. Further, if hazardous material is detected when tipping occurs within the facility, there will be no storage of the material on-site and it will be removed immediately to an appropriate waste disposal facility. Such procedures will be outlined in detail in the Operational Environmental Management Plan to be prepared as required by the EPA licence.

Furthermore, the application states there will also be procedures in place to deal with accidents within the site e.g. spillage of chemicals. Such incidents will be outlined further in the Emergency and Incident Response Plan to be prepared as part of the EPA license application.

Soil and Water

The proposed development only involves the processing of dry, non-putrescible waste. The tipping of waste activity will occur within the building and the majority of the site is covered by a concrete slab. The application states that there will be no materials kept outside of the building and thus would not affect soil or water. Therefore generally only clean runoff will be collected by the proposed stormwater system. The submitted stormwater management plan will include a water tank for the reuse of water. The application further states that whilst washing down within the building is not part of the operational procedures, a trade waste permit will be sought to allow appropriate runoff to be disposed of via Sydney Water sewer system. Subject to conditions, the proposed development would not have adverse impact to soil and water.

79C(1)(c) *the suitability of the site for the development*

The proposed development is well located as there are minimal adjoining properties, to minimise the impacts of the proposal on nearby properties, especially residential properties. The only direct neighbours are to the north and these businesses are not orientated toward the site but to the street frontage. The property across Cosgrove Road is a very large building with no openings facing the street. To the rear, there are rail yards. The nearest residential property is approximately 350m away with intervening 24 hour industrial uses. The site is located on a busy road which connects two arterial roads, this means that traffic associated with the development will not be discernible from existing traffic and that trucks will not have to pass through quiet residential streets to access markets. Overall, the proposed development is for the purposes Waste Transfer Facility is suitable for the subject site.

79C(1)(d) *any submissions made in accordance with this Act or the regulations*

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 23 May 2017 to 23 June 2017. Twenty (20) written submissions (including 1 petition with 13 signatures) were received during this time raising the following concern:

Streetscape

Objections has raised concerns with respect to streetscape presentation, in particular with respect to materials and finishes, front setback and building height.

Comments: A small part of the building encroaches within the 10m front setback. This element is a feature of the overall design and adds to the overall quality of the appearance of the building in the streetscape. The northern part of the building is setback greater than 10m, again adding to the articulation and quality of the building appearance. It is also noted that the building has a significantly lower FSR than is permitted, meaning reduced bulk and scale.

The permitted building height is 12m and the proposal complies with this control. The use of metal cladding is very typical for industrial style buildings such as this and the use of articulation and appropriate detailing ensures a high quality appearance.

Landscaping

Objections have raised concerns with respect to the proposed landscaping and the removal of trees from the subject site.

Comments: The proposed development provides 1-2 metre wide landscaping area at the front setback of the site. The concept landscape plan prepared by Moshonis Building Designers & Engineers indicate that the landscaping will include a range of Watergum trees, acacia trees and mixed cherry and gold clusters Grevillea.

The development proposes to remove of six (6) trees (trees 1, 2, 3, 4, 6 and 7) from the site for the construction of the proposed development. The application submitted an Arborist Assessment prepared by Urban Tree Care dated 1 February 2017. Trees 1, 2 and 3 are She-oak *Casuarina cunninghamiana*, tree 4 is Bottlebrush *Callistemon sp*, tree 6 is a Honey Bracelet Myrtle, *Melaleuca armillaris*, and tree 7 is a Paperbark, *Melaleuca quinquenervia*. All these six trees are considered not significant to be retained. The removal of these trees will facilitate the works for the proposed development. The applicant states that the new landscaping will assist in providing vegetation that can screen the proposed building when viewed in the approaches to the site. And in regard to the existing vegetation, it is considered that there is no consistency or quality in the existing landscaping of the site. It is considered that an overall better outcome will be achieved by the new planting proposed in the submitted landscape plan.

Parking and access

Objections have raised concerns with respect to the proposed parking and access arrangement.

Comments: The application proposes 20 car spaces and access into the site from the southern side of the site and exit from the northern side of the site off Cosgrove Road. The applicant has submitted additional drawing prepared by 'Traffix consultants' demonstrating that the parking areas can be appropriately accessed

Noise and vibration

Objections have raised concerns with respect to noise and vibration impacts.

Comments: As discussed previously, the application has submitted a noise and vibration impact assessment which demonstrates that noise from the proposed use can be suitably managed and will not unreasonably affect neighbours.

Operational management

Objections have raised concerns with respect to the operational management of the site.

Comments: The application submitted an Operational Waste Management Plan (OWMP) prepared by Cheapest Load of Rubbish. As already discussed, the OWMP provides details of the procedures, waste handling including transport, identification, receipt, stockpiling and quality control, hazardous waste management (including asbestos and contaminated waste). The plan also states that an Operational Environmental Management Plan (OEMP) would be prepared as part of the Environment Protection Authority licence application process.

Land use conflict

Objections have raised concerns with respect to the permissibility and land use.

Comments: The proposed development in IN1 zone is permissible with consent in accordance with *SEPP (Infrastructure) 2007*. Furthermore, the applicant states the subject site is within an industrial area and residential uses are located a significant distance away. Thus the subject site was chosen as the preferred location for such a use.

Dust and odour

Objections have raised concerns with respect to the dust and odour impacts from the proposed development.

Comments: The applicant states the proposed use will not receive putrescible waste and as such the potential of odour impacts is minimal. As indicated in the submitted air quality report, dust impacts can be suitably managed.

Size and shape of land

Objections have raised concerns with respect to size and shape of the subject site.

Comments: The subject site is irregular in shape. Notwithstanding, the site generally complies with Council controls. Furthermore, the applicant states the wide frontage makes it ideal for a use where large trucks must enter and leave in a forward direction.

Impact on food business

Objections have raised concerns with respect to impact on food business on Gould Street due to potential attraction of vermin and insects.

Comments: The proposed development would operate primarily indoors. An Operational Environmental Management Plan will be prepared as part of the EPA licence. The EPA license would ensure the processing, handling, movement and storage of materials and substances are carried out in a competent manner. Subject to this condition, the development would not create any impact on food business or attract vermin or insects.

Property devaluation

Objections have raised concerns with respect to devaluation of a nearby food manufacturing business.

Comments: Section 79C of the Act does not consider property devaluation as matter of consideration. Notwithstanding, the proposed development is permissible with consent in the zone and would be keeping with the industrial nature of the surrounding developments with respect to bulk, scale and materials and finishes. Accordingly, it is considered that the proposed development would not have adverse impact to the existing food manufacturing business.

Traffic

Objections have raised concerns with respect to traffic impacts.

Comments: The application has submitted a Traffic Impact Assessment prepared by Traffix. The traffic report concludes the traffic impacts of the proposed development are considered to be negligible, with no external improvements to the network considered to be required as a result of the development. The proposed development would not create adverse impact to the existing traffic movements. Notwithstanding, conditions of consent has been recommended including Construction Traffic Management Plan, and Sightline distance compliance.

79C(1)(e) *the public interest*

The public interest is best served by the consistent application of relevant Environmental Planning Instruments, Development Control Plans and Council policies. As discussed throughout this report,

the proposed development has been assessed against the relevant statutory provisions and is satisfactory. Therefore approval of the proposal would not be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
 - or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$0.00
Provision of Major Open Space	\$72,253.72
Provision of Local Open Space	\$16,359.33
Provision Roads and traffic Management	\$0.00
Administration	\$1,363.28
TOTAL	\$89,976.33

CONCLUSION

The application has been assessed having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*, the *Strathfield Local Environmental Plan 2012* and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval.

RECOMMENDATION

That DA2017/064 for the demolition of existing structures and construction of a waste transfer station processing up to 40,000 tonnes per annum at Nos. 63-65 Cosgrove Road Strathfield, be APPROVED subject to the following conditions:

CONDITIONS OF CONSENT

SPECIAL CONDITIONS (SC)

1. NSW ENVIRONMENTAL PROTECTION AUTHORITY – GENERAL TERMS OF APPROVAL (SC)

Administrative conditions

Note: Mandatory conditions for all general terms of approval

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application no. 2017/062 submitted to Strathfield Council on 15 May 2017; and
- any environmental impact statement Environmental Impact Statement Resource Transfer Station at 63-65 Cosgrove Road South Strathfield and associated appendices relating to the development.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L2. Waste

L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

L2.3 The maximum amount of waste received at the Premises must not exceed 40,000 tonnes per year.

L3. Hours of operation

L3.1 Activities at the premises may only be carried out between 7am - 10pm Monday to Sunday.

L3.2 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L3.1 if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L3.3 The hours of operation specified in conditions L3.1 and L3.2 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

L3. Noise Limits

L3.1 The project must be designed, built and operated in accordance with the Environmental Impact Statement and Proposed Waste Transfer & Recovery Facility- Noise & Air Quality Impact Assessment, dated April 2017.

L.4 Odour

L4.1 No condition of the licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: The POEO Act states that no offensive odour may be emitted from particular premises unless potentially offensive odours are identified in the licence and the odours are emitted in accordance with conditions specifically directed at minimising the odours are permitted.

Operating conditions

01. Dust

01.2 Activities occurring at the premises must be carried out in a manner that will minimise the generation of dust.

01.3 The premises must be maintained in a condition which prevents the emission of dust from the premises.

01.4 The licensee must ensure that no material, including sediment or oil, is tracked from the premises.

01.5 Trucks entering and leaving the premises that are carrying loads must be covered at all times except during loading and unloading.

02. Process and Management

02.1 All activities must be carried out in a suitably enclosed shed and a concrete hardstand.

02.2 Each type of waste stored on site for recovery/recycling must be stockpiled separately.

02.3 Sampling and validation of waste must be undertaken in accordance with the conditions specified in the Environmental Protection Licence

03. Emergency response

03.1 The licensee must prepare, maintain and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises.

NOTE: The licensee must develop their PIRMP in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations Act 1997 (the POEO Act) and the POEO Regulations.

Monitoring and recording conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the licence must be:
in a legible form, or in a form that can readily be reduced to a legible form;
kept for at least 4 years after the monitoring or event to which they relate took place; and
produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

- the time(s) at which the sample was collected;
- the point at which the sample was taken; and
- the name of the person who collected the sample.

Reporting conditions

Note: Mandatory condition to be used on all general terms of approvals

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on

compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Attachment- Mandatory Conditions for all EPA licences

Administrative conditions

Other activities

(To be used on licences with ancillary activities)

This licence applies to all other activities carried on at the premises, including:

- truck and other vehicle parking

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner. This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

- a. must be maintained in a proper and efficient condition; and
- b. must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;

- the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.
- The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

- a. the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b. the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on .

- a. in relation to the surrender of a licence- the date when notice in writing of approval of the surrender is given; or
- b. in relation to the revocation of the licence - the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and b. the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or

- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a. where this licence applies to premises, an event has occurred at the premises; or
- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;

g. any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

(Reason: Ensure compliance with NSW EPA requirements)

2. SIGHT DISTANCE (SC)

Sight distances from the proposed vehicular crossings to vehicles on Cosgrove Road are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

(Reason: Safety)

3. E-Waste (SC)

As per the EPA's recommendation, no E-Waste is to be permitted to be treated on site. Accordingly all required documents are to remove the reference of E-Waste material.

(Reason: to satisfy EPA requirements)

GENERAL CONDITIONS (GC)

4. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Application No. 2017/064:

Drawing No.	Title/Description	Prepared by	Issue / Revision	Date
8138/16	(Concept) Site Plan	Moshonis Building Designers &	-	August 2016

		Engineers		
8138/16	(Concept) Floor Plan	Moshonis Building Designers & Engineers	-	August 2016
8138/16	South East Elevation, North Elevation, West Elevation	Moshonis Building Designers & Engineers	-	August 2016
TX.03	Swept Path Assessment – Staff Vehicles reversing in to southern spaces and reversing out of northern spaces entering/ exiting site in a forward direction	TRAFFIX	B	25-Jul-17
8138/16	(Concept) Landscape Plan	Moshonis Building Designers & Engineers	-	August 2016
8138/17	Streetscape	M Groupe		July 2017
01776_C100	Cover Sheet, Drawing Index, General Notes & Locality Sketch	C & M Consulting Engineers	01	08.05.2017
01776_C201	General Arrangement Plan	C & M Consulting Engineers	02	03.08.2017
01776_C601	Catchment Plan	C & M Consulting Engineers	01	08.05.2017
01776_C621	Bio-Retention Plan, Section \$ Details	C & M Consulting Engineers	01	08.05.2017
01776_C701	Sediment & Erosion Control – Plan	C & M Consulting Engineers	01	08.05.2017
01776_C702	Sediment & Erosion Control	C & M Consulting	01	08.05.2017

	– Details	Engineers		
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Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Application No. 2017/064:

Title / Description	Prepared by	Issue/Revision	Date
Environmental Impact Statement	Ingham Planning	-	May 2017
Detail Survey	Cedar Surveying Services Pty Ltd		30.05.2016
Operational Waste Management Plan	Cheapeast Load of Rubbish	-	May 2017
Status of Site Environmental Conditions	EI Australia	-	7 February 2017
Phase 1 and 2 Environmental Site Assessment	Aecom	-	24 Aug 2015
Noise and Air Quality Impact Assessment	Wilkinson Murry	C	12 April 2017
Traffic Impact Assessment	Traffix	16.371r01v04	02.05.2017
Waste Management Plan	Younan		26.04.2017
Stormwater Management Plan	C & M Consulting Engineers	Rev A	May 2017
Arborist Assessment	Urban Tree Care		1 February 2017
Preliminary Hazard Analysis (PHA)	Ingham Planning	-	No date
Secretary's Environmental Assessment Requirements (SEAR) 1103	NSW Planning & Environment		9.11.2016
Comments to Public submissions	Ingham Planning		29 August 2017

In the event of any inconsistency, the conditions of this consent shall prevail.

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

5. CONSTRUCTION HOURS (GC)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

6. CONSTRUCTION WITHIN BOUNDARIES (GC)

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Where gates must be installed, they must be installed so they do not open onto the road reserve.

(Reason: Approved works are to be contained wholly within the subject site.)

7. DEMOLITION – GENERALLY (GC)

Alteration and demolition of the existing building is 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 not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)

8. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

- a) payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- b) provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

9. LANDSCAPING – CANOPY TREES IN FRONT SETBACK (GC)

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary (existing trees may be included). New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

Species shall be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the landscape character of the locality is maintained.)

10. LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)

The development consent only permits the removal of trees numbered 1, 2, 3, 4, 6 and 7 as identified within the Arborist Assessment prepared by Urban Tree Care dated 1 February 2017.

(Reason: To ensure appropriate tree removal.)

11. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULED (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

12. LIGHTING (GC)

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

13. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

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

- a) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- b) the Principal Contractor by showing the Principal Contractor's name, address and

- telephone number (outside of work hours) for that person; and
- c) the sign must state that unauthorised entry to the work site is prohibited.

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

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

(Reason: Statutory requirement.)

14. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- a) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- b) Demolition must be carried out by a registered demolition contractor.
- c) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- d) No blasting is to be carried out at any time during construction of the building.
- e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- f) Adjoining owner property rights and the need for owner's permission must be observed at all times (where required under real property law), including the entering onto land for the purpose of undertaking works.
- g) Any demolition and excess construction materials are to be recycled wherever practicable.
- h) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- i) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including offensive odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- j) All waste must be contained entirely within the site.
- k) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- l) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- m) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- n) Any materials stored on site must be stored out of view or in such a manner so as

- not to cause unsightliness when viewed from nearby lands or roadways.
- o) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
 - p) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - q) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - r) Any work must not prohibit or divert any natural overland flow of water, other than is necessitated as a consequence of the approved construction works.
 - s) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
 - t) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

15. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

16. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

17. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority)

from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2014 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (CC)

18. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

19. ACCESS – DISABLED TOILETS (CC)

Plans and details of the disabled toilet/s complying with the relevant Australian Standards, the Building Code of Australia, and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

20. ARBORIST REPORT – INITIAL (CC)

The applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works and determine best practices (e.g. minimise compaction, soil build up and or excavation within the Tree Protection Zone) to ensure the longevity of the trees to be retained. The arborist is to prepare and submit, to the satisfaction of the Principal Certifying Authority, a report prior to the issue of a Construction Certificate, documenting the measures to be employed and certifying that they have been implemented.

(Reason: Qualified assessment of impact of proposed works on trees to be retained on the site.)

21. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)

All architectural drawings, specifications and related documentation shall comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

In the case of residential building work for which the [Home Building Act 1989](#) requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by the consent commences.

Details demonstrating compliance with this condition are to be submitted to the Principle Certifying Authority, prior to issue of the Construction Certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

22. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

23. CAR PARKING - VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS (CC)

The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and AS/NZS 2890.1:2004 - Off-Street Car Parking Code.

Vehicular manoeuvring paths are to be prepared demonstrating that all vehicles can enter or depart the site in a forward direction without encroaching on required car parking spaces.

(Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.)

24. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

25. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- a) Detailed information on any approvals required from other authorities prior to or during construction.
- b) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- d) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- e) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- f) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- g) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- h) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding

either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

- Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
- Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
- Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
- The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

26. COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)

- a) Works Permit
(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)
A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.
- b) Standing Plant Permit
This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.
- c) Skip Bin Permit
This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.
- d) Temporary Full or Part Road Closure Permit
This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.
- e) Hoarding Permit
This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.
- f) Work Zone Permit
This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.
- g) Ground Anchoring Permit
This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

27. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

- a) Compliance with the approved Soil and Water Management Plan.
- b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- c) All uncontaminated run-off is diverted around cleared or disturbed areas.
- d) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- e) All erosion and sediment controls are fully maintained for the duration of demolition/ development works.
- f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- h) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- i) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.

28. FIRE SAFETY SCHEDULE (CC)

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) which should be implemented in the building premises must be submitted with the Construction Certificate application, in accordance with Part 9 of Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

(Reason: Compliance with the Environmental Planning and Assessment Act 1979.)

29. HAZARDOUS GOODS AND WASTE (CC)

Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover requirements and AS1940-2004 - The Storage and Handling of Flammable and Combustible Liquids.

Hazardous waste must be contained, managed and disposed of in a responsible manner in accordance with the Protection of Environment and Operations Act 1997, NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.

Material Safety Data Sheets of all hazardous substances used, such as bleaches and nail products must be kept on site and readily available to all staff. Staff must be trained how to safely use and store these chemicals prior to the commencement of work.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

(Reason: Health and safety.)

30. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following completion of works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to; plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

31. NOISE AND VIBRATION MANAGEMENT PLAN (CC)

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be in compliance with:

- a) Construction noise management levels established using the Interim Construction Noise Guideline (DECC, 2009);
- b) Vibration criteria established using the assessing vibration: Technical guideline (DEC, 2006) (for human exposure); and
- c) The vibration limits set out in the German Standard DIN 4150-3: Structural Vibration-effects of vibration on structures (for structural damage)

The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- i) identification of activities carried out and associated noise sources;
- ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;

- iv) noise and vibration monitoring, reporting and response procedures;
- v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

32. SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$0.00
Provision of Major Open Space	\$72,253.72
Provision of Local Open Space	\$16,359.33
Provision Roads and traffic Management	\$0.00
Administration	\$1,363.28
TOTAL	\$89,976.33

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

33. PUBLIC RISK INSURANCE

A Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed

works, must be obtained with a copy also provided to Council.

The Policy is to note Council as an interested party. The copy is to be provided to Council, prior to the issue of a Construction Certificate.

34. SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)

A security (damage deposit) of \$12,200.00 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the Building Code of Australia.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

35. STORMWATER - RAINWATER RE-USE (CC)

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

36. STORMWATER - SILT ARRESTORS AND GROSS POLLUTANT TRAPS (CC)

Silt and gross pollutant traps shall be fitted in all new stormwater pits and designed in accordance with Council's specification for the management of stormwater. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Environmental protection.)

37. WORKS WITHIN THE ROAD RESERVE

Detailed drawings including long and short sections and specifications of all works within existing roads (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 and all fees and charges paid, prior to the issue of a Construction Certificate.

Detailed drawings and specifications are to be prepared and certified by an appropriately qualified Civil Engineer.

Upon completion of the works, the Applicant is to provide to Council with electronic copies of 'Work as Executed Plans'. The plans are to show relevant dimensions and finished levels and are to be certified by a surveyor.

The Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works.

All civil engineering works adjacent/near/outside 63-65 Cosgrove Road, Strathfield are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works.)

38. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- a) description of the demolition, excavation and construction works;
- b) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- c) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- d) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- e) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- f) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- g) proposed hours of construction related activities and vehicular movements to and from the site;
- h) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- i) any activities proposed to be located or impact upon Council's road, footways or any public place;

- j) measures to maintain public safety and convenience;
- k) any proposed road and/or footpath closures;
- l) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- m) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- n) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- o) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- p) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- q) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- r) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- s) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

39. TREE BONDS (CC)

A tree bond of \$6,600.00 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

40. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

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

41. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

- a) The Building Code of Australia;
- b) Protection of the Environment Operations Act 1997; and
- c) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the mechanical ventilation system complies with the relevant requirements/standards.)

42. WASTE –WASTE STORAGE ROOMS (CC)

Bulk waste storage and waste storage rooms must be constructed of solid material: cement rendered and steel trowelled to a smooth even surface. The door to the waste room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The waste room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.

(Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.)

43. WASTEWATER CONTROL (CC)

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater and liquid trade waste (including grease traps or grease arrestors). The applicant must provide a copy of the Authority to connect to the sewer system prior to the issue of a Construction Certificate.

There is to be no discharge of wastewater to the stormwater system.

(Reason: To ensure suitable disposal of waste water.)

44. WATER SUSTAINABILITY - WATER SENSITIVE URBAN DESIGN (CC)

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. Details shall demonstrate compliance with the water conservation and stormwater quality targets set out under Sections 3.1 and 3.2 respectively under Part N of the SCDP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

45. WATER SUSTAINABILITY – GENERALLY (CC)

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not

for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

46. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE (CC)

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (CW)

47. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)

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

- a) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- b) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- c) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- d) The person having the benefit of the development consent, if not carrying out the

work as an owner-builder, has:

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

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

(Reason: Statutory requirement.)

48. NOTICE OF COMMENCEMENT (CW)

No work shall commence until the following details are submitted to Council:

- a) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- b) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- c) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

49. TREE PROTECTION MEASURES (CW)

Tree protection measures must be erected around Tree 5 prior to works in accordance with AS 4970-2009 Protection of trees on development sites.

(Reason: Tree protection.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

50. FILL MATERIAL (DW)

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

- a) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- b) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be

provided to the Principal Certifying Authority on request.

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

51. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

52. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

53. WORKS NEAR TREES (DW)

All required tree protection measures are to be maintained in good condition for the duration of the construction period in accordance with AS 4970-2009 Protection of trees on development sites.

(Reason: Tree Protection.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (OC)

54. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

All surplus vehicular crossings and/or kerb laybacks must be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council. The nature strip is to be restored and the footpath area reinstated. All of the above are to be restored to the satisfaction of Council's Engineer and at full cost to the applicant, prior to the issue of any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

55. DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

(Reason: Maintenance and environment.)

56. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or
- ii) the car parking arrangement and area; and/or
- iii) any related footpath crossing works; and/or
- iv) the proposed basement pump and well system; and/or
- v) the proposed driveway and layback; and/or
- vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of any Occupation Certificate.

(Reason: Asset management.)

57. LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- a) methods of excavation or construction used to carry out the works;
- b) any damage sustained by the tree/s as a result of the works;
- c) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- d) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

58. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate

has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

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

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

59. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

(Reason: Adequate stormwater management.)

60. STORMWATER – COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility on-site detention.

61. VENTILATION SYSTEMS – MECHANICAL (OC)

The mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate demonstrating compliance with the above.

(Reason: To ensure the mechanical exhaust ventilation system complies with the relevant requirements/standards.)

62. VENTILATION SYSTEMS – NATURAL (OC)

The natural ventilation system shall be designed, constructed and installed in accordance with the provisions of:

- i) The Building Code of Australia; and

- ii) Protection of the Environment Operations Act 1997.

Details demonstrating compliance with this condition shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate.

(Reason: To ensure any natural ventilation systems comply with the relevant regulations/standards.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)

63. FIRE SAFETY ANNUAL STATEMENT (OU)

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- a) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- b) Prominently displayed in the building. (Reason: Fire safety)

64. HOURS OF OPERATION

The hours of operation of the approved 'waste transfer station' must not exceed the following, without the prior approval of Council:

Days	Approved hours of operation
Mon-Friday	7am-10pm
Saturday	7am-10pm
Sunday and public holidays	7am-10pm

The premises must not open for business on Sundays or Public Holidays.

This condition does not apply in respect of refrigeration equipment/or machinery used for the preparation of or cooking of baked goods, unless they create a nuisance or were not part of the original consent.

(Reason: Ensure industry operates between approved hours.)

65. CARPARKING (OU)

Any employee vehicles must be required to park on site at all times.

(Reason: To reduce off site car parking.)

66. NOISE – REQUIREMENTS FOR INDUSTRIAL (OU)

The use of the premises shall comply with the requirements of the NSW Environment Protection Authority Industrial Noise Policy 2000 and shall not give rise to the transmission of offensive noise as defined in the Protection of the Environment Operation Act 1997 (NSW)

(Reason: Noise control and amenity.)

67. POLLUTION – COMPLIANCE WITH PEOA 1997 GENERALLY (OU)

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection.)

68. STAFF RESTRICTION GENERALLY (OU)

A maximum number of 16 staff are permitted to work on the premises at any one time. Any increase to this number requires a section 96 modification application be submitted to Council for approval.

(Reason: Environmental amenity.)

Attachments

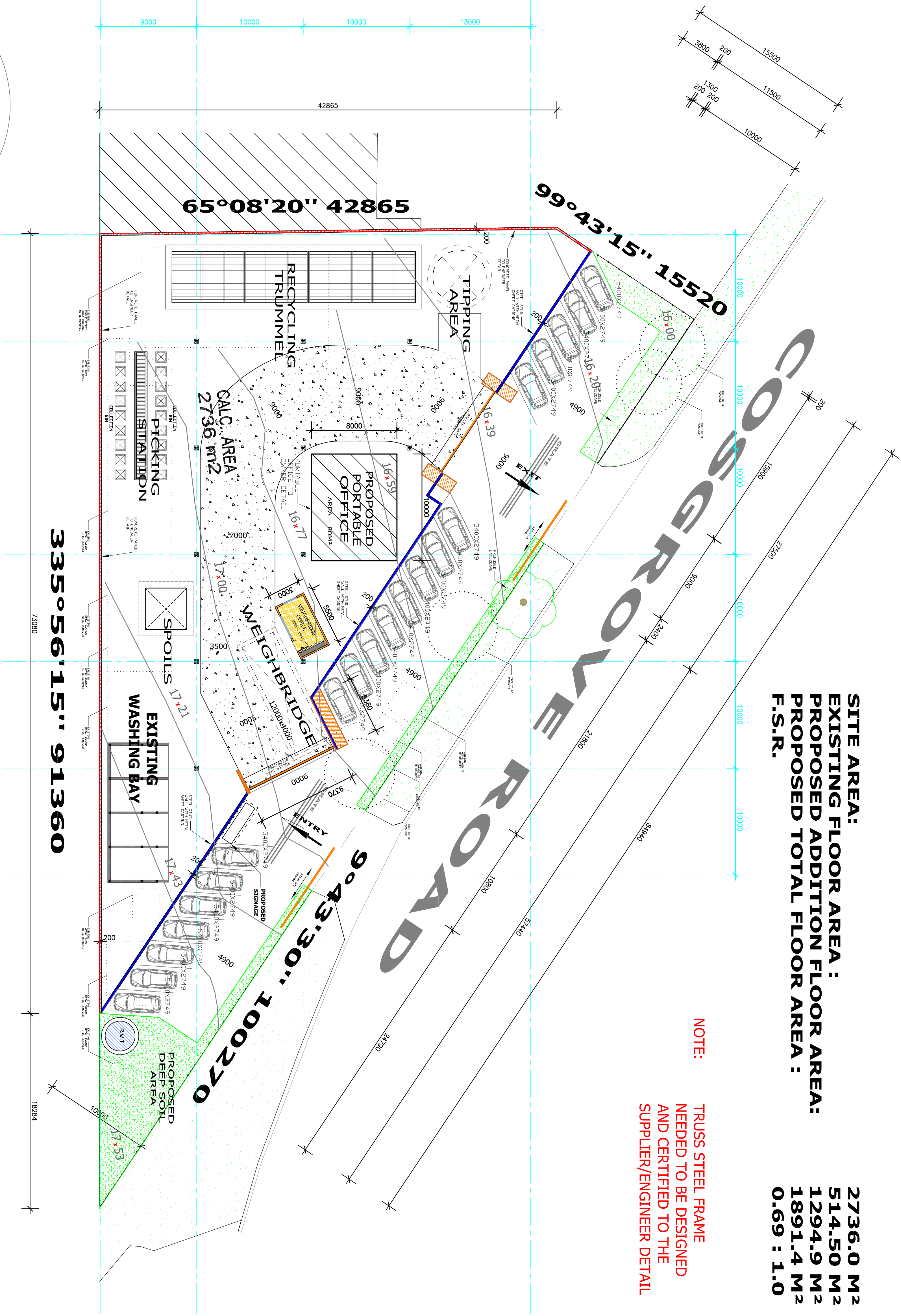
1. Architectural Plans
2. Submissions

Attachment 1

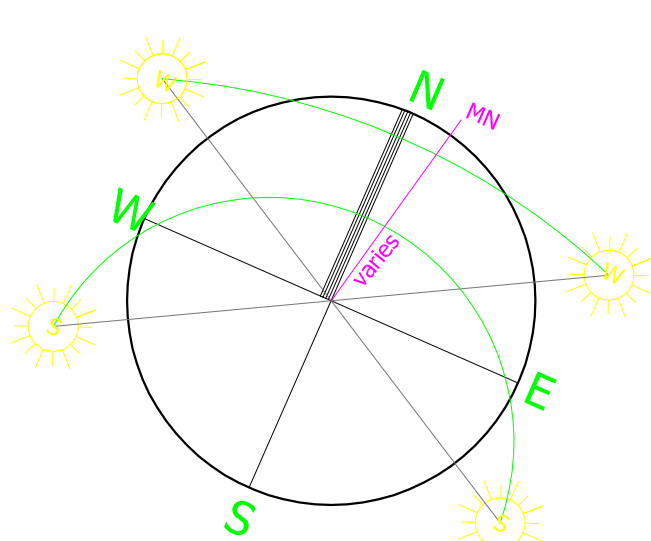
SITE AREA:
EXISTING FLOOR AREA :
PROPOSED ADDITION FLOOR AREA:
PROPOSED TOTAL FLOOR AREA :
F.S.R.

2736.0 M²
514.50 M²
1294.9 M²
1891.4 M²
0.69 : 1.0

NOTE:
TRUSS STEEL FRAME
NEEDED TO BE DESIGNED
AND CERTIFIED TO THE
SUPPLIER/ENGINEER DETAIL



- WARNING**
- Plan compiled from information at land title office as regards dimensions and these are subject to final survey.
 - All details and features shown hereon have been plotted in relation to the occupations (fences and/or walls, etc.) These occupations have not yet accurately located in relation to the boundaries. The details and features and contours are shown to scale plot accuracy only, copying may distort the scale.
 - Services structures shown hereon are those that were shown on the plan and are not to be taken as a guarantee of their location. Further services may be present prior to any construction or excavation on site the relevant authorities should be contacted for possible location of further underground services and detailed of all services.
- LEGEND**
- SL SURFACE LEVEL
 - GB GARDEN BED
 - TOP TOP OF FENCE
 - TOW TOP OF WALL
 - DS DOOR STEP
 - D DOOR
 - SD SLIDING DOOR
 - W WINDOW
 - DW DOWNER WINDOW
 - PP POWER POLE
 - SMH SEWER MANHOLE LID
 - DW OBSCURE GLASS WINDOW
 - Q CENTRELINE
 - TK TOP OF KERB
 - TG TOP OF GUTTER
 - TR TREE/PLANT
 - DP OPTUS POLE
 - EB ELECTRICAL BOX



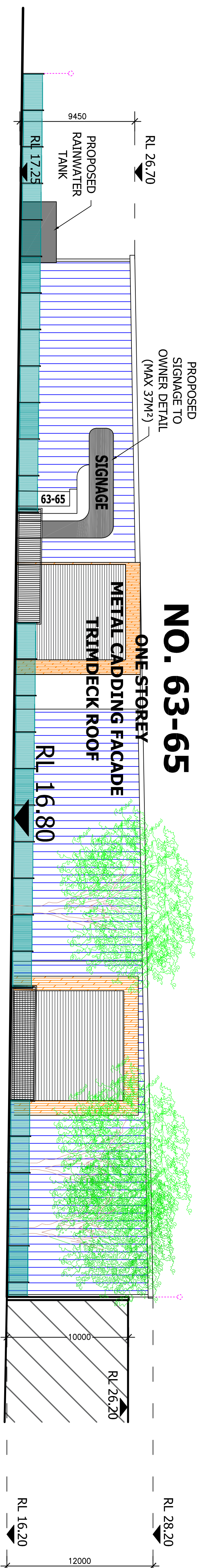
(CONCEPT) FLOOR PLAN

NORTH

SCALE 1:200

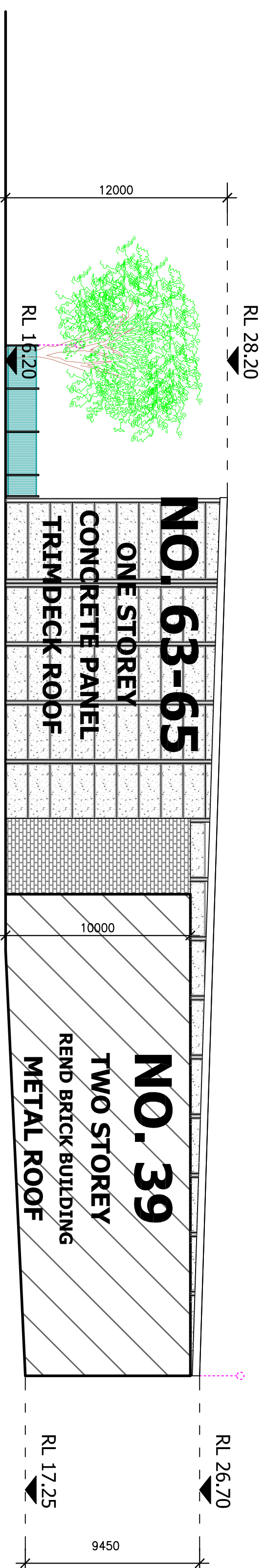
M.B.E.D.
MOSHONIS BUILDING
DESIGNERS & ENGINEERS
Suite 3F - Unit 1
No.4 Belgrave Street
Kogarah N.S.W. 2217
Australia
Tel: 02 9553 8777
Fax: 02 9553 7177
Email : john@mbd.com.au
anthony@mbd.com.au
sam@mbd.com.au

PROPOSED ALTERATIONS AND ADDITIONS
63-65 COSGROVE ROAD, STRATHFIELD SOUTH
FOR : MR. YOUHAD
DRAWN BY : SAM C.S. LAI SCALE 1:200 A1
DATE: AUGUST 2016 SHEET : 2
DRAWING No.8138/16



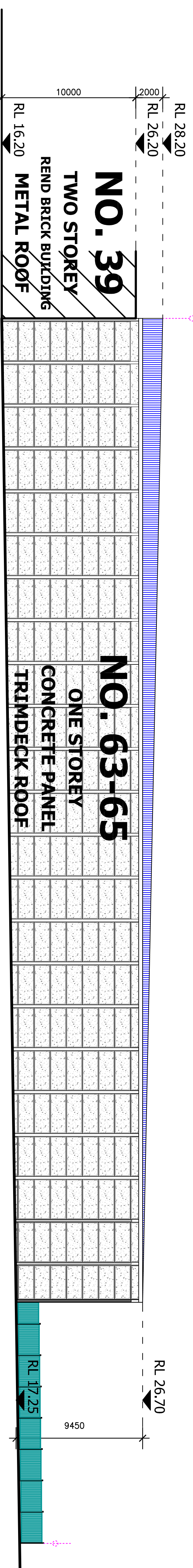
SOUTH EAST ELEVATION

SCALE 1:200



NORTH ELEVATION

SCALE 1:200



WEST ELEVATION

SCALE 1:200

WARNING

1. Plan is compiled from information at land title office and other sources. The plan shows the location of the relevant structures and these are subject to final survey.
2. All details and features shown hereon have been plotted in relation to the occupations. The fences are shown in relation to the boundaries and are not accurately located in relation to the boundaries.
3. The details and boundaries and contours are shown to scale plot accuracy only, copying may distort the scale plot.
4. Services structures shown hereon are those that were visible at the time of survey and have been located by field survey. Further services may be present but are not shown hereon. The relevant authorities should be contacted for possible location of further underground services and detailed of all services.

SPECIAL NOTES :

All Dimensions to be Site Checked Prior to any Commencement of Building Works by Builder

The setback dimensions shown on this plan are approximate, and based on measurements taken from the house to the fences on site. The dimensions may vary slightly during construction subject to a surveyor's peg-out from the actual boundaries.

NOT FOR CONSTRUCTION-

(These plans shall not be used other than for the sole purpose for the Consultant to prepare their works . No responsibility will be taken by the author if these plans are altered in any way)

M.B.E.D.

**MOSHONIS BUILDING
DESIGNERS & ENGINEERS**

Suite 3F - Unit 1

**No.4 Belgrave Street
Kodarah N.S.W. 2217**

Australia

Tel: 02 9553 8777

Fax: 02 9553 7177

Email : john@mbed.com.au

anthony@mbed.com.au

sam@mbed.com.au

PROPOSED ALTERATIONS AND ADDITIONS

63-65 COSGROVE ROAD, STRATHFIELD SOUTH

FOR : MR. YOUHAD

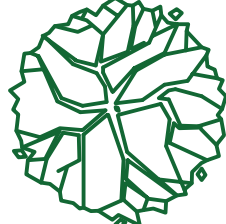
DRAWN BY : SAM C.S. LAI SCALE 1:200 A1

DATE: AUGUST 2016

DRAWING No.8138/16 SHEET : 3

SITE AREA:
EXISTING FLOOR AREA :
PROPOSED ADDITION FLOOR AREA:
PROPOSED TOTAL FLOOR AREA :
F.S.R.

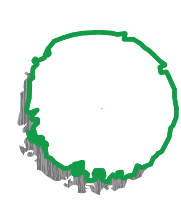
2736.0 M2
514.50 M2
1269.9 M2
1784.4 M2
0.65 : 1.0



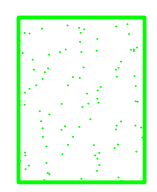
**PROPOSED
WATERGUM TREE
(TOTAL OF 2)**



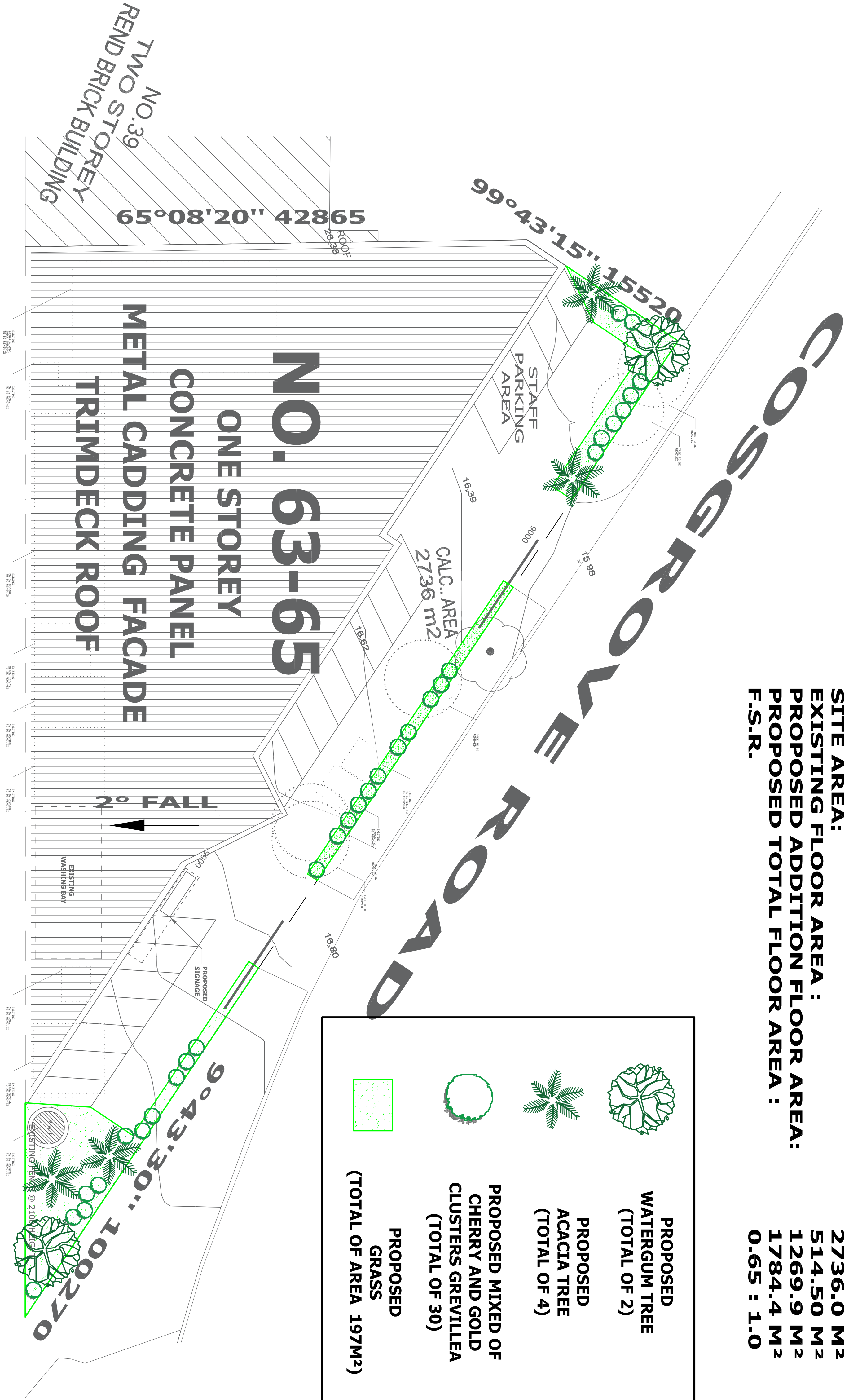
**PROPOSED
ACACIA TREE
(TOTAL OF 4)**



**PROPOSED MIXED OF
CHERRY AND GOLD
CLUSTERS GREVILLEA
(TOTAL OF 30)**



**PROPOSED
GRASS
(TOTAL OF AREA 197M²)**



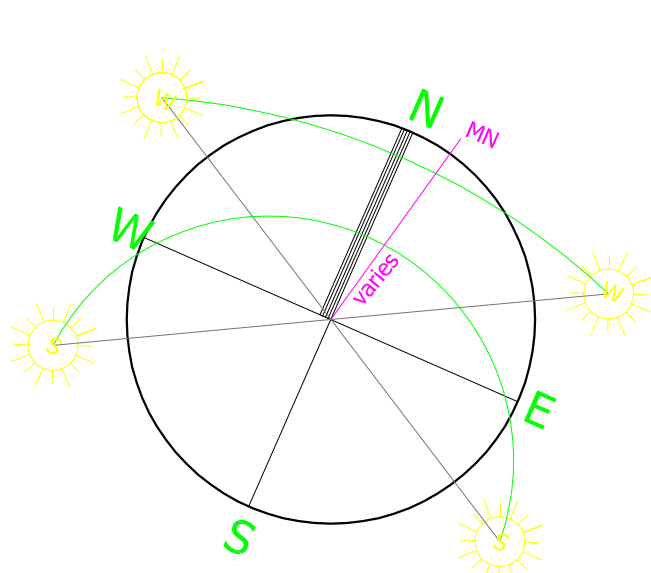
(CONCEPT) LANDSCAPE PLAN



SCALE 1:200

WARNING
1. Plan Compiled from information at land title office as regards dimensions and these are subject to final
2. All details and features shown hereon have been plotted in relation to the occupations (fences and/or wall, etc.) These occupations have not yet accurately located in relation to the boundaries.
3. The details and features and contours are shown to scale plot accuracy only, copying may distort the scale
4. Services structures shown hereon are those that were used for the purpose of the survey and are not to be used for any construction or excavation on site the relevant authorities should be contacted for possible location of further underground services and detailed of all services

LEGEND	
SL	SURFACE LEVEL
GB	GARDEN BED
TOP	TOP OF FENCE
TOW	TOP OF WALL
DS	DOOR STEP
D	DOOR
SD	SLIDING DOOR
V	WINDOW
DW	DOVER WINDOW
PP	POWER PILE
SMH	SEWER MANHOLE LTD
DW	OBSCURE GLASS WINDOW
Q	CENTRELINE
TK	TOP OF KERB
TG	TOP OF GUTTER
TR	TREE/PLANT
DP	OPTUS POLE
EB	ELECTRICAL BOX



M.B.E.D.
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No.4 Belgrave Street
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Tel: 02 9553 8777
Fax: 02 9553 7177
Email : john@mbed.com.au
anthony@mbed.com.au
sam@mbed.com.au

PROPOSED ALTERATIONS AND ADDITIONS
63-65 COSGROVE ROAD, STRATHFIELD SOUTH
FOR : MR. YOUHAD
DRAWN BY : SAM C.S. LAI SCALE 1:200 A1
DATE: AUGUST 2016 SHEET : 7
DRAWING No.8138/16

GENERAL NOTES:

- EARTHWORKS NOTES:

- SEDIMENT & EROSION CONTROL NOTES:

- STORMWATER NOTES:

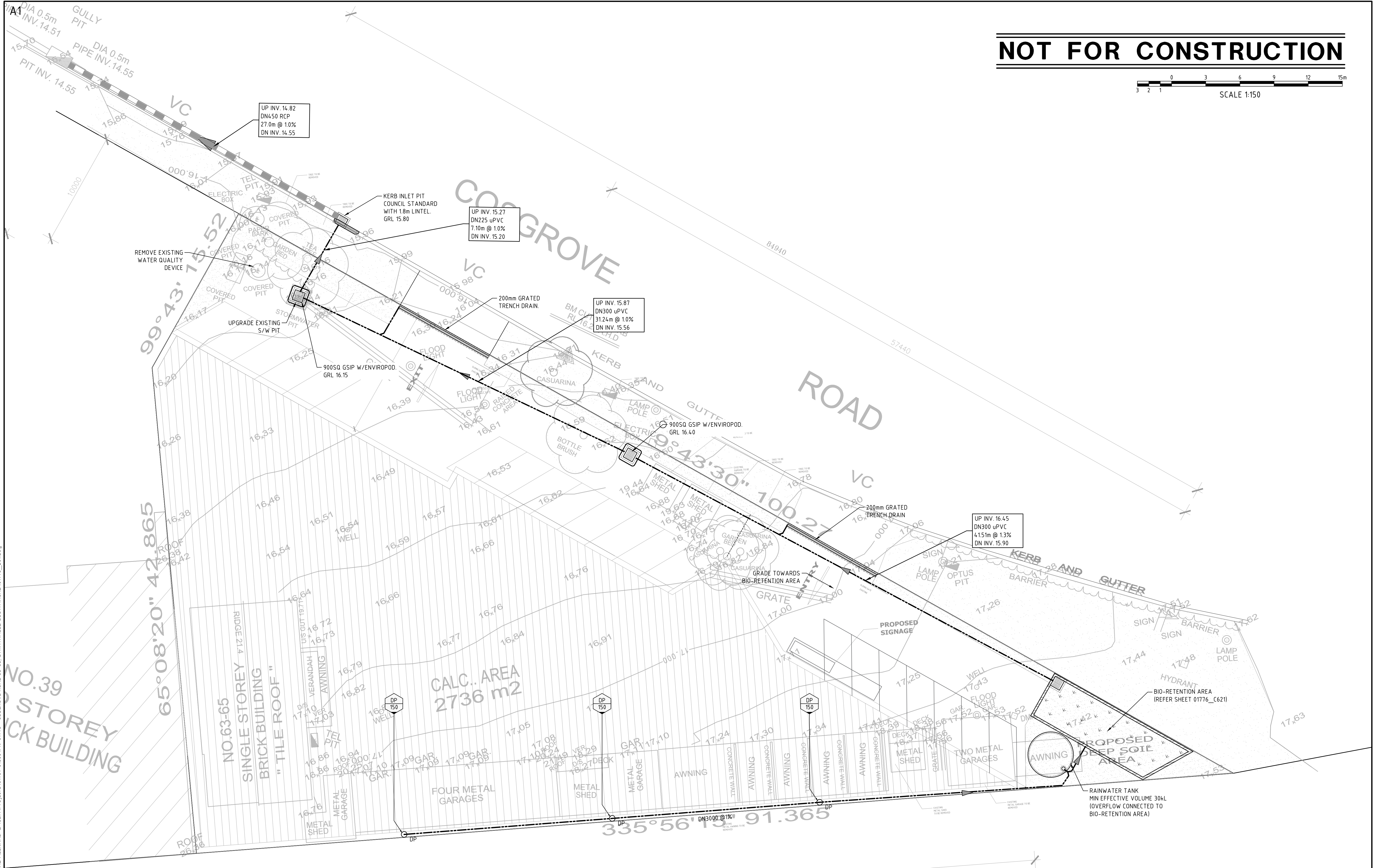
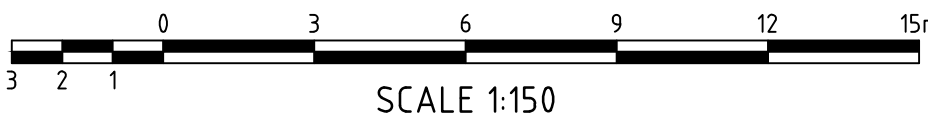
- | AS SIEVE | SAND | 7mm ROCK |
|-----------|--------|----------|
| SIZE (mm) | | |
| 9.5 | 100 | 100 |
| 6.7 | - | 75-100 |
| 4.75 | 90-100 | 20-55 |
| 2.36 | 75-100 | 0-15 |
| 1.18 | 50-90 | |
| 0.6 | 20-60 | |
| 0.3 | 10-30 | |
| 0.15 | 2-10 | |
| 0.075 | 0-3 | 0-2 |

- LOCALITY SKETCH
NOT TO SCALE

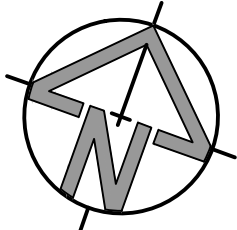
NOT FOR CONSTRUCTION

[illegible]

NOT FOR CONSTRUCTION

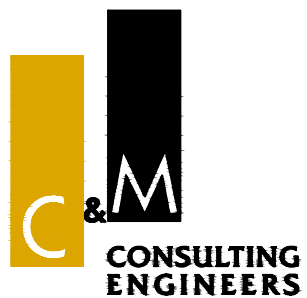


REV.	DES.	DATE	VER.	DESCRIPTION
02	X.P.	03/08/2017	A.M.	CONNECTION TO COUNCIL'S STORMWATER PIT ADDED
01	X.P.	08/05/2017	A.M.	ISSUE FOR DA APPROVAL



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PROJECT VERIFIER'S SIGNATURE:	DATE:

CLIENT



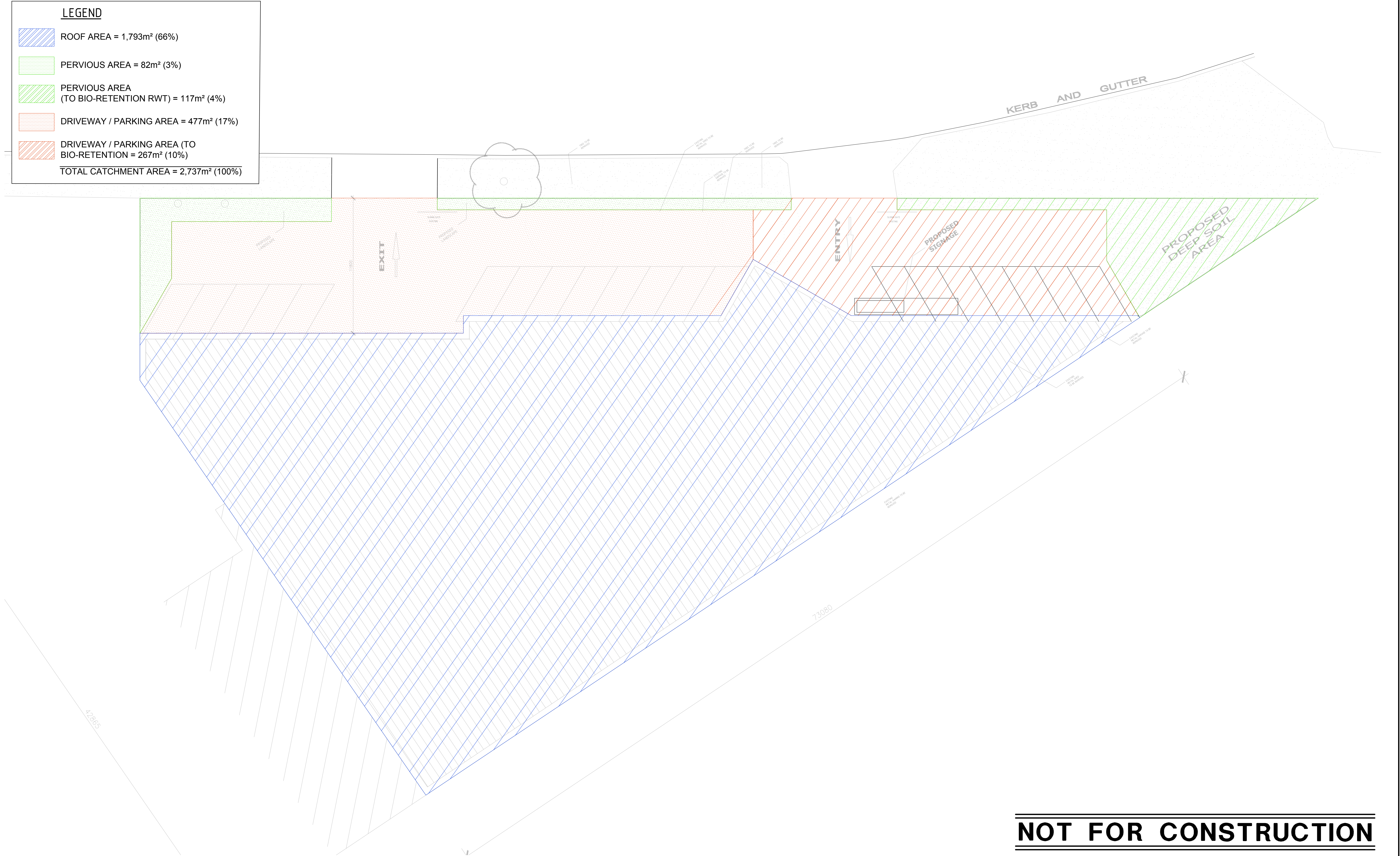
CIVIL AND HYDRAULIC
ENGINEERING DESIGN AND
PROJECT MANAGEMENT

SUITE 26
11 - 13 BROOKHOLLOW AVE
BAULKHAM HILLS NSW 2153

PHONE: (02) 9680 3100
FAX: (02) 9634 6989
ABN 21 118 134 240

DESIGNED	X.PHILP	DATE	08/05/2017
VERIFIED	A.MANCONI	LGA	STRATHFIELD
DRAWN	X.PHILP	SCALE @ A1	1:150
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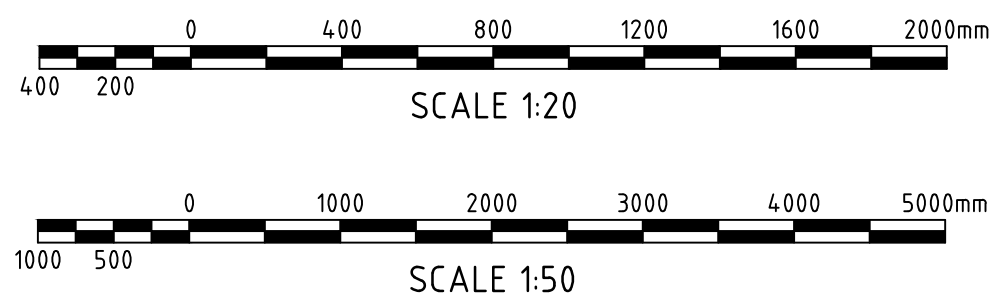
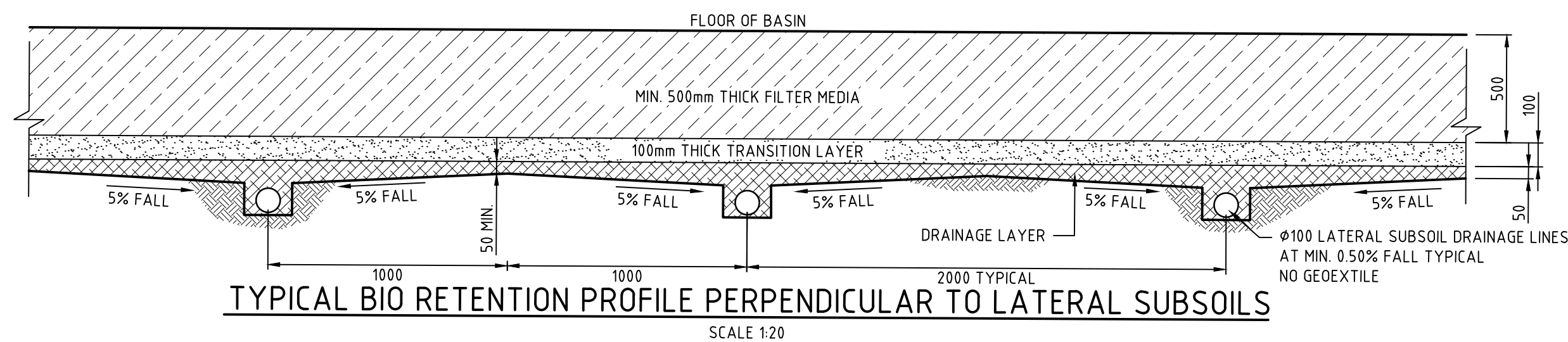
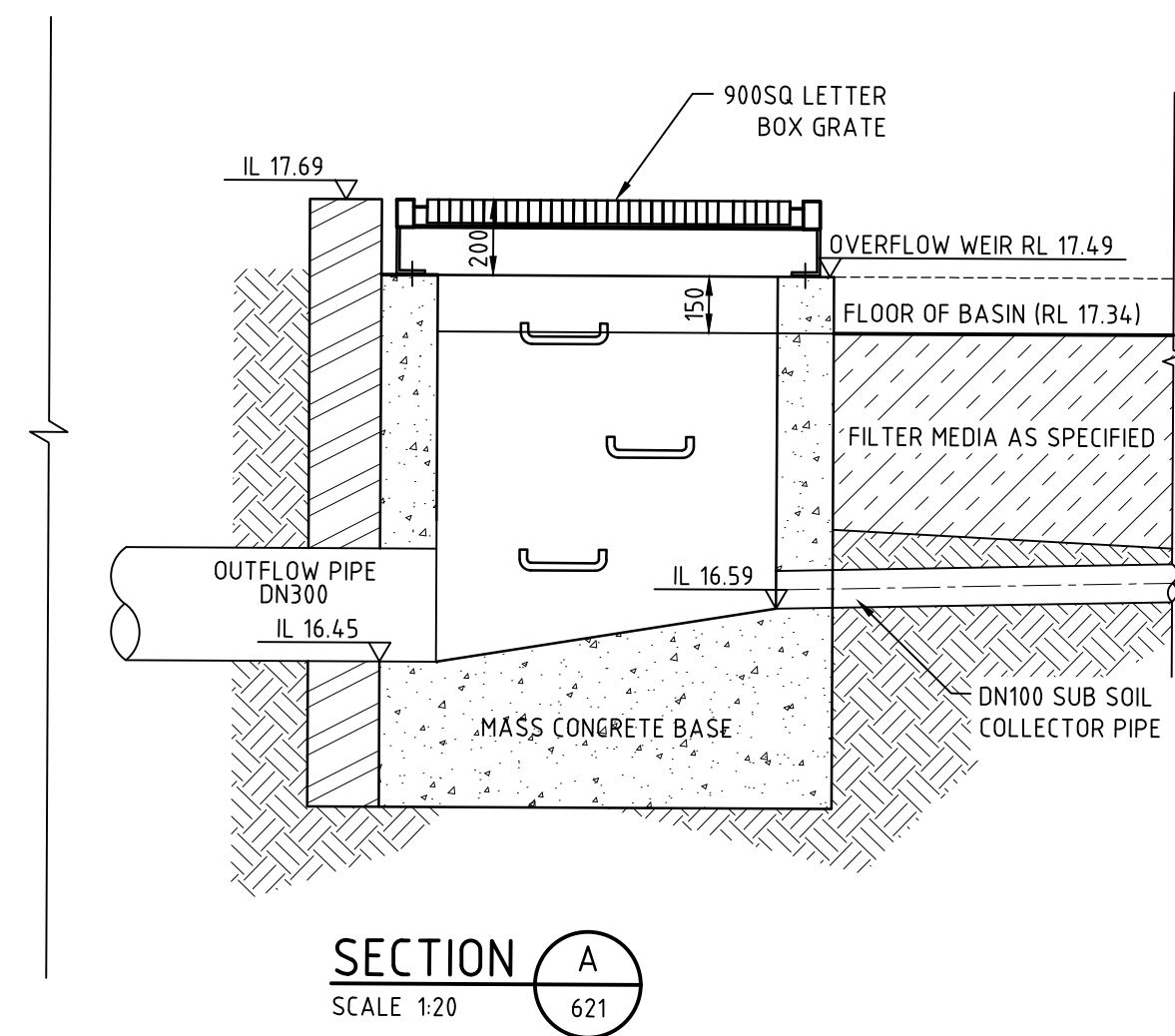
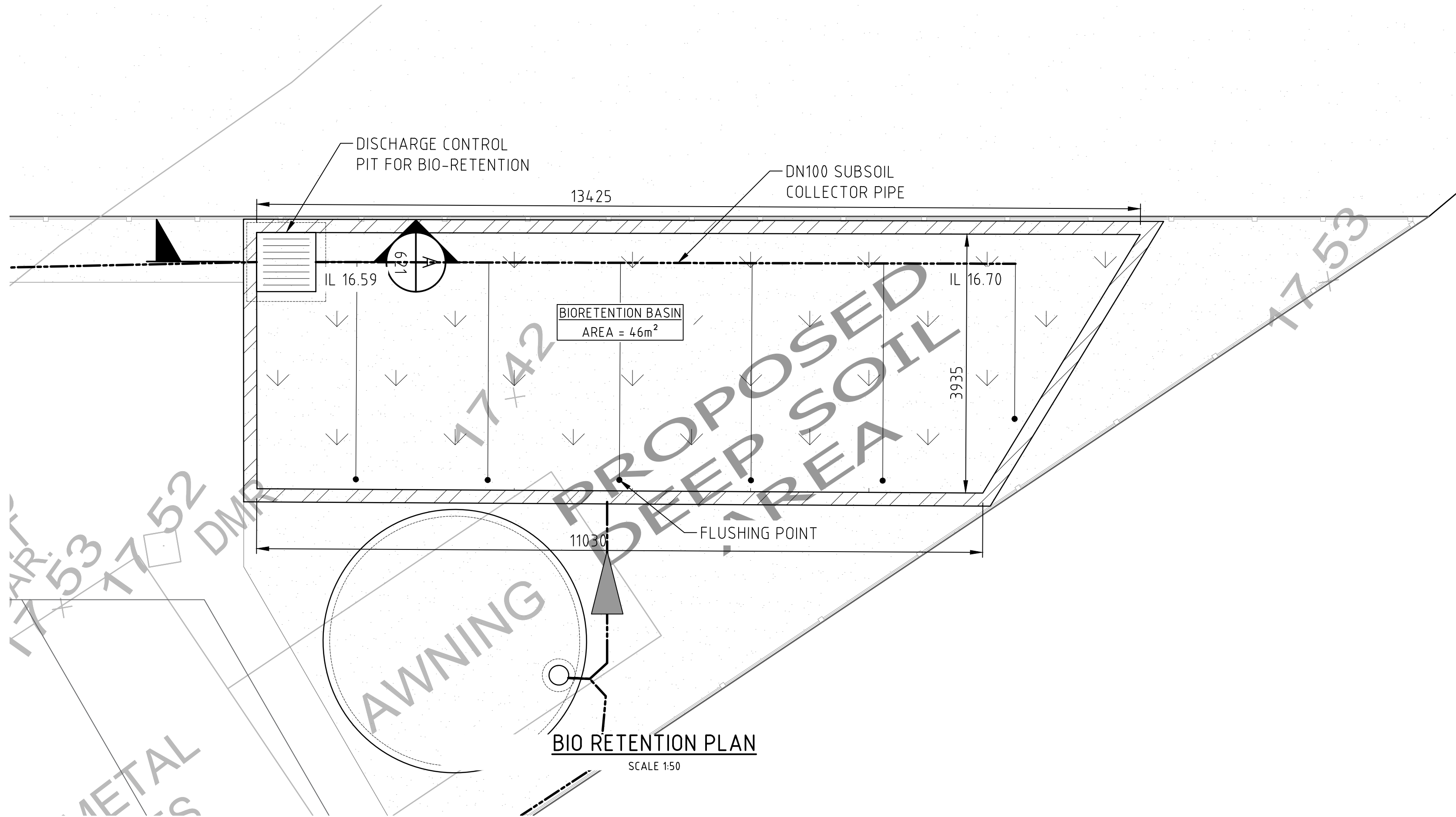
63-65 COSGROVE ROAD, STRATHFIELD SOUTH			
GENERAL ARRANGEMENT PLAN			
STATUS	DEVELOPMENT APPLICATION	DRAWING No.	01776_C201
REVISION	02		



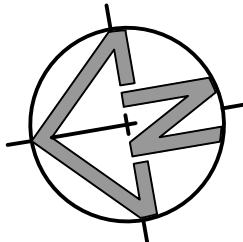
NOT FOR CONSTRUCTION

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NOT FOR CONSTRUCTION

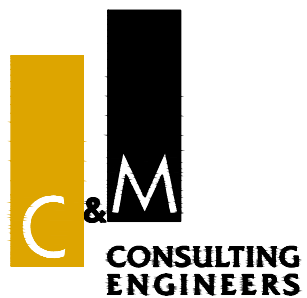


01	X.P.	08/05/2017	A.M.	ISSUE FOR DA APPROVAL	
REV.	DES.	DATE	VER.	DESCRIPTION	



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SUITE 26
11 - 13 BROOKHOLLOW AVE
BAULKHAM HILLS NSW 2153

PHONE: (02) 9680 3100
FAX: (02) 9634 6989
ABN 21 118 134 240

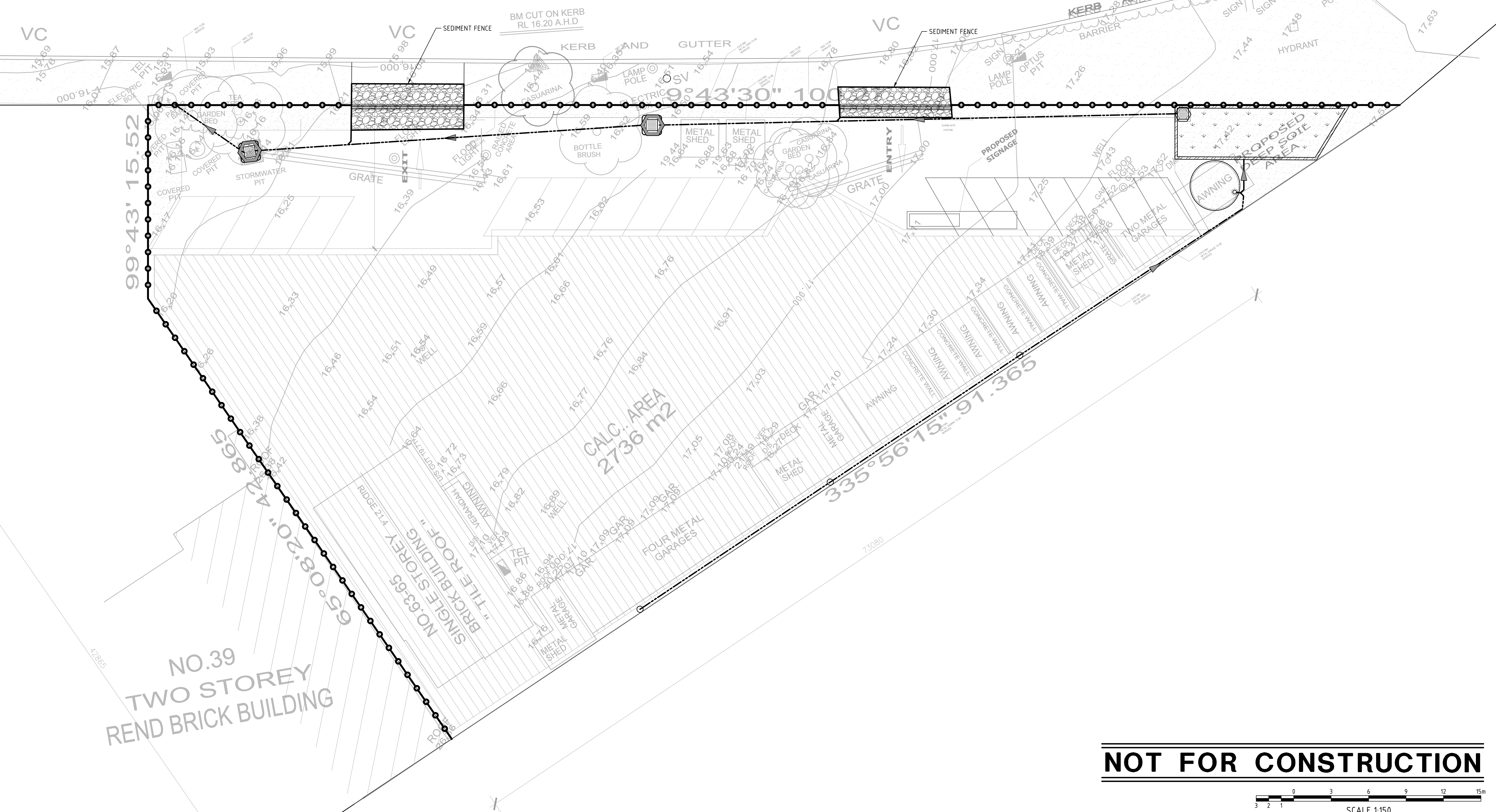
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VERIFIED	A.MANCONCONE	LGA	STRATHFIELD
DRAWN	X.PHILP	SCALE @ A1	AS SHOWN
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63-65 COSGROVE ROAD, STRATHFIELD SOUTH			
BIO-RETENTION PLAN, SECTION & DETAILS			
STATUS	DEVELOPMENT APPLICATION	DRAWING No.	01776_C621
		REVISION	01

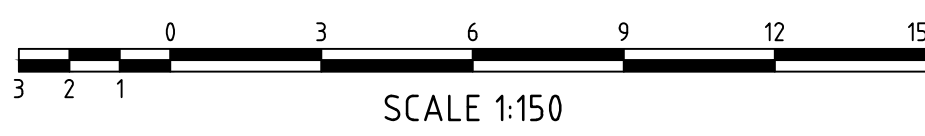
LEGEND

- SEDIMENT FENCE
- GEOTEXTILE INLET FILTER (FOR PITS WITHIN LANDSCAPED AREAS)
- GEOTEXTILE INLET FILTER (FOR PITS WITHIN PAVEMENT AREAS)
- STABILISED SITE ACCESS

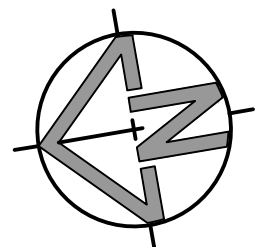
COSGROVE ROAD



NOT FOR CONSTRUCTION



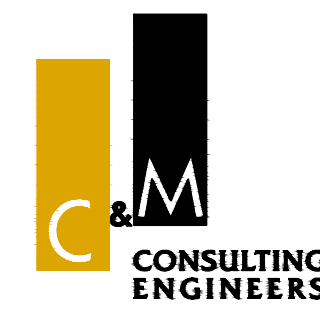
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REV.	DES.	DATE	VER.	DESCRIPTION



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BAULKHAM HILLS NSW 2153

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FAX: (02) 9634 6989
ABN 21 118 134 240

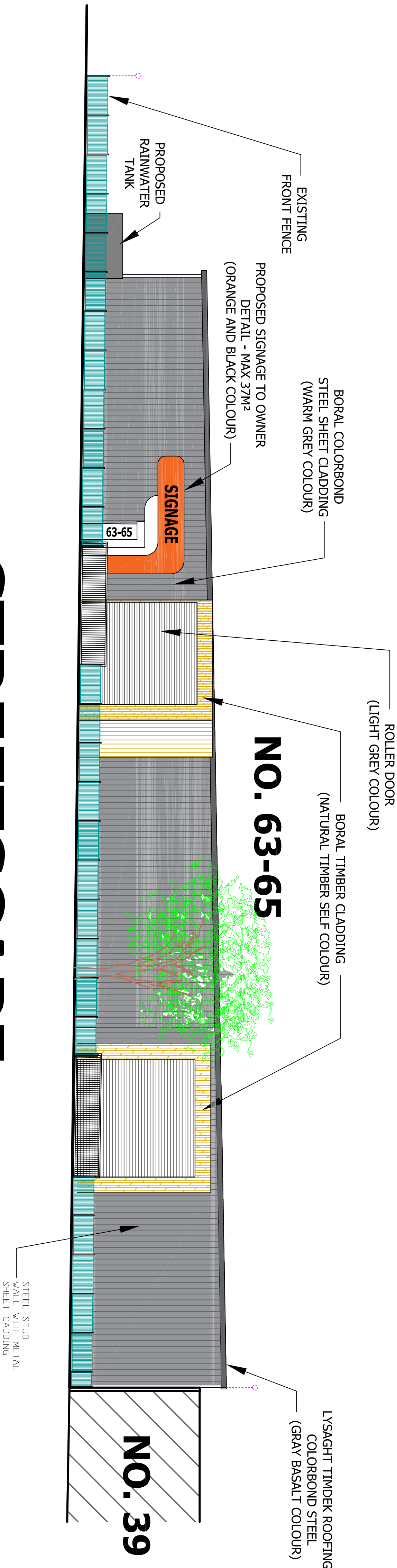
DESIGNED	X.PHILP	DATE	08/05/2017
VERIFIED	A.MANCONE	LGA	STRATHFIELD
DRAWN	X.PHILP	SCALE @ A1	1:150
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63-65 COSGROVE ROAD, STRATHFIELD SOUTH			
SEDIMENT & EROSION CONTROL - PLAN			
STATUS	DEVELOPMENT APPLICATION	DRAWING No.	01776_C701
		REVISION	01

[illegible]

WARNING

1. Plan compiled from information at land title office as regards dimensions and these are subject to final survey.
2. All details and features shown hereon have been plotted in relation to the occupations (fences and/or wall, etc.) These occupations have not yet accurately located in relation to the boundaries.
3. The details and features and contours are shown to scale plot accuracy only, copying may distort the scale.
4. Services structures shown hereon are those that were shown on the survey. Further services may be present prior to any construction or excavation on site, the relevant authorities should be contacted for possible location of further underground services and detailed of all services



STREETSCAPE

LEGEND

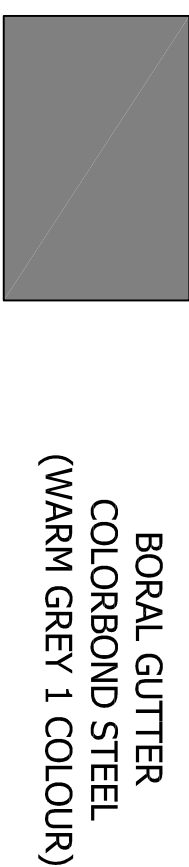
ROOF (FLAT)



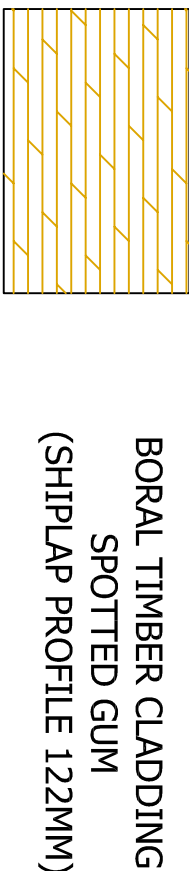
ROLLER DOOR



GUTTER



ROLLER DOOR FRAME



WALL



M GROUPE.

**DESIGN
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MANAGEMENT
INTERIORS
MGROUPE.COM.AU**

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anthony@mgroupe.com.au
sam@mgroupe.com.au
john.boar@mgroupe.com.au

PROPOSED ALTERATIONS AND ADDITIONS

63-65 COSGROVE ROAD, STRATHFIELD SOUTH
FOR : YOHUAD
DRAWN BY : SAM C.S. LAI SCALE: 1:200 A1
DATE: JUL' 2017
DRAWING: No.8138/17 SHEET : 8

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