

## **APPROVED PLANS AND SPECIFICATIONS**

- (1) The development is to be carried out in accordance with the following plans and specifications:
1. Statement of Environmental Effects “Daroobalgie waste depot expansion” (Geolyse, September 2018),
  2. The letter “Daroobalgie landfill expansion” (Geolyse, 8 March 2019), and
  3. General Terms of Approval issued by the Environmental Protection Authority dated 17 May 2019.

## **Schedule of Conditions**

### **PART 1 - GENERAL CONDITIONS OF THIS CONSENT**

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#### **(1) CAR PARKING - INDUSTRIAL (PM03)**

**On-site employee and visitor car parking must be provided to satisfy the peak demand at the proposed development. On-site parking arrangements shall include at least one car parking space for people with disabilities. All car parking spaces on the subject land shall be designed in a manner that is in accordance with Australian Standard Series 2890 as appropriate.**

**REASON:** To adequately provide for the parking of vehicles within the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

#### **(2) SERVICE VEHICLES MANOEUVRING/CAR PARKING (PM06)**

**The footway crossings, driveways, maneuvering areas and loading and unloading areas are to be designed so that a B-double 26 metres in length may perform a left turn into the site, turn around, and exit the site in a forward direction without crossing the road centre line.**

**Any vehicle areas that are proposed not accommodate a B Double shall be delineated and designed to accommodate the largest vehicle proposed for such areas.**

**NOTE: All vehicle turning movements are to be determined in accordance with the appropriate Australian Standards and Austroads construction/design guidelines).**

**REASON:** So that the means of entrance to and exit from the subject land are adequate and so that adequate provision has been made for the manoeuvring of those types of vehicles likely to serve the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

**(3) FIRE HYDRANTS (FS0007)**

**An onsite fire hydrant system; and a booster facility at the street entrance to the site shall be installed in accordance with the requirements of Australian Standard 2419.1 “Fire hydrant installations- system design, installation and commissioning.” The hydrant and/or booster installation shall be at full cost to the developer. A letter from an appropriately qualified hydraulic engineer shall be submitted to Council, certifying that the hydrant system and booster installation is in accordance with AS 2419.1. Alternatively, documentary evidence may be provided from the NSW Fire Brigade as to alternative arrangements.**

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000.

**(4) COMPLY WITH THE BUILDING CODE OF AUSTRALIA (GC0013)**

**All building work must be carried out in accordance with the requirements of the Building Code of Australia.**

REASON: This is a prescribed condition under the provisions of clause 98 of the *Environmental Planning and Assessment Regulation 2000*.

**(5) PROTECT NEIGHBOURS FROM DAMAGE DUE TO EXCAVATION (GC0015)**

**When any excavation involved in this development extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of this development consent must, at the person’s own expense;**

- a) Protect and support the adjoining premises from possible damage from the excavation.**
- b) Where necessary, underpin the adjoining premises to prevent such damage.**

REASON: This is a prescribed condition under the provisions of clause 98E of the Environmental Planning and Assessment Regulation 2000.

**(6) PLUMBING AND DRAINAGE INSTALLATION REGULATIONS (PD0005)**

**Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2005, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.**

**Further, all Plumbing and Drainage works are to be carried out in accordance with Australian Standard 3500 - Plumbing and Drainage. It is noted that all plumbing and drainage work must be inspected by Council prior to backfilling.**

REASON: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2005.

**(7) SUBMIT A NOTICE OF WORK (PD0004)**

**Prior to the commencement of plumbing and drainage works, a notice of work is to be submitted to Council.**

REASON: To ensure compliance with the Plumbing and Drainage Act 2011.

**(8) GENERAL TERMS OF APPROVAL (GC0006)**

**The development must be carried out in accordance General Terms of Approval provided by NSW Environmental Protection Authority dated 17 May 2019 and attached to this consent.**

**The applicant will need to make a separate application to the NSW Environmental Protection Authority to obtain a licence variation to the existing environment protection licence 6118. Waste cannot be disposed within any new landfill cell (Stage 4 cells) until the licensee has obtained written approval from the NSW Environmental Protection Authority to dispose of waste in that cell, this requirement is stated within 'Attachment A' of the General Terms of Approval.**

REASON: To comply with the Department of NSW Environmental Protection Authority requirements.

**(9) DEVELOPMENT IN ACCORDANCE WITH THE APPROVED PLANS (GC0003)**

**The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by Council or conditions of approval.**

**In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.**

REASON: To ensure the development is completed in accordance with the approved plans and the development consent.

**(10) ON-GOING MANAGEMENT/OPERATION OF THE WASTE MANAGEMENT FACILITY (NSGC001)**

**The on-going management and operation of the approved expansion to the waste management facility is to be in accordance with the approved plans, the variation to the existing Environmental Protection Licence and any plans/specifications or guidelines that pertain to the on-going operation and management of the approved waste management facility.**

REASON: To ensure compliance with relevant legislation, guidelines, plans and specifications that relate to the operation and management of the approved expansion to the waste management facility.

**(11) STORAGE AND HANDLING OF DANGEROUS GOODS (NSGC002)**

**The applicant must store and handle all dangerous or hazardous materials on site in accordance with AS1940-2004: *The storage and handling of flammable and combustible liquids*, or its latest version. The applicant shall minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.**

REASON: To ensure the development will have minimal impact on the environment from the approved expansion to the waste management facility.

**(12) ON-GOING MANAGEMENT OF LANDSCAPE BUFFER (NSGC003)**

**The landscape buffer along the western boundary is to be maintained for the life of the operation of the approved expansion of the waste management facility. Trees that perish during establishment or throughout the life of the operation of the waste management facility are to be replaced in a timely manner with an advanced tree stock of a similar nature.**

REASON: To mitigate the impacts on the amenity of the western neighbour from the approved expansion to the waste management facility.

**(13) CONVEYANCE OF STORMWATER**

**All roof and concentrated surface stormwater discharging from the proposed development site, buildings and works must be conveyed to an approved point of discharge as specified by Council. No effluent or polluted water of any type may be allowed to enter Council' stormwater drainage system or the unnamed drainage depression that is situated to the north and east of the development site.**

REASON: Because the character of the development is such as to warrant protection of the existing stormwater drainage system from pollutants. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

**(14) OVERLAND SURFACE FLOW PATH**

**All overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of the development. A system to prevent overland flows discharging onto adjoining properties shall be implemented.**

REASON: Because the character of the development is such as to warrant storm water drainage of this type. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

## **(15) INTERRUPTIONS TO NATURAL OVERLAND FLOW**

Any interruption to the natural overland flow of stormwater which could result in the disruption of amenity, or drainage or deterioration to any other property is prohibited. All development works are to be located a minimum of 40m from the existing unnamed drainage depression to the north and east of the site.

REASON: To ensure natural stormwater flows are not impeded by the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

## **PART 2 - PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

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### **(1) ENGINEERING DRAWINGS AND SPECIFICATIONS**

Detailed engineering drawings and construction specifications, specific to the works, prepared in accordance with appropriate Australian Standards and design/construction documentation (AUS-SPEC and Austroads) shall be submitted for approval to Forbes Shire Council prior to the issue of a Construction Certificate. Documentation shall be submitted for the following at a minimum:

- Stormwater Infrastructure servicing the development, including detailed design and construction specifications of the proposed stormwater diversion drains and associated embankments.
- Detailed design and construction specifications of the proposed internal drainage area and associated surface water pond/sediment basin.
- Road design including a pavement design detail and stormwater Infrastructure design associated with the proposed road network.

A Construction Certificate shall not be issued until written confirmation is provided from Council's Development and Planning to confirm that the requirements of this condition have been satisfied.

REASON: Because it is in the public interest that the design of those aspects of the development comply with Council's requirements. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

## **PART 3 - PRIOR TO COMMENCEMENT OF DEMOLITION AND/OR BUILDING WORKS**

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### **(1) CONSTRUCTION SITE MANAGEMENT PLAN (DE01)**

A Construction Site Management Plan shall be developed, lodged with Council and implemented prior to the commencement of demolition, excavation or building works. The plan must include the following measures, as applicable to the type of development:

1. Location and construction of protective fencing / hoardings to the perimeter of the site.

2. Location of site storage areas / sheds / equipment.
3. Location of building materials for construction.
4. Provisions for public safety.
5. Site access location and construction.
6. Details of methods of disposal of demolition materials.
7. Protective measures for tree preservation.
8. Location and size of waste containers / bulk bins.
9. Details of proposed sediment and erosion control measures.
10. Construction noise and vibration management.
11. Construction traffic management details.

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity to the satisfaction of Council. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

REASON: Because of the requirement to comply with appropriate standards for environmental control. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

## **(2) PUBLIC SAFETY & CONVENIENCE (DE02)**

Public safety and convenience must be maintained at all times during demolition/construction works. The roadway, footway and nature strip must be maintained in a good, safe condition and free from any obstructions, materials, soils or debris at all times. Any damage caused to the road, footway or nature strip must be repaired immediately, to the satisfaction of Council.

REASON: Because of the requirement to comply with appropriate standards for environmental control. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

## **(3) PLUMBING & DRAINAGE PERMITS (PB0006)**

The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Forbes Shire Council prior to commencing works to and comply with any conditions of that permit.

**Note 1: All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia.**

REASON: To satisfy the requirements of Section 68 of the Local Government Act 1993.

## **(4) ENGINEERING PLANS (EP01)**

The applicant shall submit one hard copy and one electronic (PDF) copy of engineering plans, specifications and calculations in relation to Conditions titled:

- **PM 03: Carparking – Industrial**
  - A plan, drawn to scale, showing the location, arrangement and dimensions of all proposed car parking on site. Plan shall specify details relating to a car parking space/s for people with disabilities.
- **PM 05: Pave and Linemark**
  - A plan, drawn to scale, showing all proposed line marking for all internal roads and pedestrian access areas. This may include but not be limited to directional arrows, shared zones and pedestrian walkways.
  - Typical cross-sections of both unsealed and sealed internal road designs are to be provided. Plans are to show typical construction specifications including material type, thickness, compaction, cross fall etc.
- **CA0002: Road Signage**
  - A plan detailing all road signage to be used on site including but not limited to stop signs, give way signs, speed limits, shared zones, vehicle size restricted areas, pedestrian walkways etc.
- **PM06: SERVICE VEHICLES MANOEUVRING/CAR PARKING**
  - A plan, drawn to scale, detailing all vehicle manoeuvring areas. A detailed design in regard to the waste receival station shall be submitted showing all proposed vehicle movements. Details of any edge protection devices to be installed in regards to vehicle in close proximity to vertical edges (drop offs) are to be supplied.

**REASON:** Because it is in the public interest that the design of that (those) aspect(s) of the development comply with Council's Engineering Guidelines. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

#### **(5) WORKS WITHIN A PUBLIC ROAD RESERVE (RR01)**

All works within the road reserve, which includes the area between the Property boundary and the roadway, require approval under section 138 of the Roads Act.

The applicant shall submit the following details to Council for approval prior to any work being undertaken in the road reserve:

- A Current Public Liability certificate with a minimum cover of \$20 Million(AUD)
- Current Plant/Vehicle insurances for plant to be used for works
- A certified Traffic Control Plan for the proposed works, prepared by an RMS accredited holder of 'Prepare Work Zone Traffic Management Plan' qualification.



**Further, all traffic management shall be undertaken by personnel with the RMS accredited qualifications.**

**All works are to be at no cost to Council.**

**Failure to comply could result in a fine, under the s138 of the Roads Act.**

REASON: To ensure public safety & Council indemnity. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended and s138 Roads Act 1993

**(6) CONSTRUCTION CERTIFICATE (PB0004)**

**The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works are in accordance with the Building Code of Australia prior to any building works commencing.**

**Note 1. No building, engineering or excavation work is to be carried out in relation to this development until the necessary Construction Certificates have been obtained.**

**Note 2. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia. This may entail alterations to the proposal so that it complies with these standards.**

REASON: To satisfy the requirements of Section 6.7 of the Environmental Planning and Assessment Act 1979.

**(7) NOTICE OF COMMENCEMENT (PB0005)**

**The Applicant is to submit to Forbes Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.**

REASON: To satisfy the requirements of Section 6.6 of the Environmental Planning and Assessment Act 1979.

**(8) EROSION AND SEDIMENT CONTROL PLAN (PB0002)**

**Erosion and sediment control measures that will minimise damage to and avoid pollution of the environment are required for this development. An erosion and sediment control plan (ESCP) is to be prepared in accordance with the "Blue Book" Managing Urban Stormwater –Soils and Construction (Landcom 2004). The ESCP is to be submitted to Council prior to the commencement of any construction works. A copy of the approved ESCP is to be maintained on site and made available to Council officers upon request.**

REASON: To mitigate and control the impacts of erosion and sediment on neighbouring properties and to comply with section 4.15 of the Environmental Planning and Assessment Act 1979.



## **PART 4 - DURING DEMOLITION AND/OR CONSTRUCTION**

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### **(1) ACCESS – COMMERCIAL / INDUSTRIAL (AC05)**

The existing site access shall be reconstructed to Council's minimum standard. Access to the site shall be by way of a reinforced concrete vehicular crossing adjacent to the proposed ingress/egress point and shall be designed and constructed in accordance with appropriate Australian standards and design/construction documentation (AUS-SPEC and Austroads). The vehicular crossing shall:

- Extend from edge of existing road seal to the subject property entrance.
- Be sized to accommodate the largest applicable design vehicle turning movements.
- Be designed such that all vehicle movements to and from the site are in a forward direction.
- If a gate, grid or similar structure is constructed on the access it is to provide suitable storage capacity for the largest class of vehicle requiring access to the property off the carriageway.
- Be constructed to match existing road and footpath levels and not interfere with existing road drainage.
- Drainage shall be included as needed; a minimum 450mm class 4 reinforced concrete pipe culvert (with sloping headwalls) shall be included where an access is to be constructed over an existing table drain (or a natural storm water drainage path). Culvert length to be determined by the largest applicable design vehicle turning path and a minimum 300mm of compacted gravel cover over culvert shall be placed.
- Any damage to Council's road will be repaired at the applicant's cost.
- All works associated with the development are to be at no cost to Council.

A concrete crossing is preferred however Council may approve alternate solutions such as Bitumen Seal, Asphaltic concrete, or Interlocking pavers. The surrounding soil shall be made flush with new driveway and be reseeded.

REASON: Because this work is necessary to enable adequate means of vehicular access to the proposed development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

### **(2) PAVE AND LINEMARK (PM05)**

The paving (in concrete) and permanent line marking of all vehicular manoeuvring, parking areas and pedestrian areas, in accordance with

the applicable Australian Standards and road design guidelines. Trafficable areas shall be maintained in good order and kept clear and available at all times for such purposes.

Pedestrian access across the internal roadway from the proposed carpark to the proposed CRC shed and Recycle Centre is to be delineated via a minimum 1.2m wide pedestrian crossing.

The car parking, pedestrian and vehicle manoeuvring areas shall be constructed of 100mm thick concrete (25MPa GP with SL62 mesh) with a 50mm compacted gravel base. Concrete is preferred however Council may approve alternate solutions such as Bitumen Seal, Asphaltic concrete, or Interlocking pavers.

REASON: To adequately provide for the safe, all-weather loading, unloading, manoeuvring and parking of vehicles within the development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

**(3) ROAD SIGNAGE (CA0002)**

Road signage shall be installed on the INTERNAL road network to clearly indicate to drivers of vehicles road rules and to manage traffic movements within the site. Road signage shall also accommodate for pedestrian movements on site where required. Signage is to be installed in accordance with Council approved plan/s.

REASON: So that the road rules function in the proper manner and to minimize the likelihood of accidents occurring.

**(4) WORKS SITES TO BE FENCED (DW0007)**

A fence, minimum 1.8m in height, must be erected around the perimeter of the development site before commencement of any work.

REASON: To ensure that an effective barrier is provided to preserve the safety of people and property in public places.

**(5) DRAIN ROOFED AND PAVED AREAS (DB01)**

All roofed and paved areas are to be drained and the water from those areas and from any other drainage conveyed to an appropriately sized and sited on-site disposal area, in accordance with AS/NZS 3500.

Any rain water tank/s collecting stormwater flows from any roofed areas shall have an overflow connected which drains to an appropriately sized and sited on-site disposal area, in accordance with AS/NZS 3500.

Storm water disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge roof water to the approved method of disposal.

NOTE: 'Pump-out' stormwater drainage systems are to be avoided and only permitted where prior consent has been given by Council.

**REASON:** Because the character of the development is such that storm water runoff will be increased and must be safely conveyed to the storm water drainage system. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

**(6) ENGINEERING INSPECTIONS (EP04)**

**The applicant shall arrange an inspection of the development works by Council's Development Engineer at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.**

A	Road Construction	<ul style="list-style-type: none"><li>• After compaction of base, and prior to sealing;</li><li>• After road pavement surfacing;</li></ul>
B	Drainage	<ul style="list-style-type: none"><li>• After laying of pipes and prior to backfill;</li><li>• Inspection of Sediment Basin and any drainage channels prior to operation</li></ul>
C	Sewerage	<ul style="list-style-type: none"><li>• After laying of pipes and prior to backfill</li></ul>
D	Rural Crossing	<ul style="list-style-type: none"><li>• Prior to commencement of excavation works.</li><li>• After compaction of base and prior to sealing</li><li>• Road pavement surfacing</li></ul>
E	Erosion and Sediment Control	<ul style="list-style-type: none"><li>• Following the installation of erosion measures.</li></ul>
F	All Development Works	<ul style="list-style-type: none"><li>• Practical completion.</li><li>• </li></ul>

**REASON:** Because it is in the public interest that Council inspect the work at these stages of development. Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

**(7) PROVIDE WASTE STORAGE BIN (DW0006)**

**A waste storage bin must be placed on the site for the storage of waste materials.**

**REASON:** To prevent pollution of surrounding areas.

**(8) INSTALL EROSION AND SEDIMENT CONTROLS (DW0008)**

**Erosion and sediment controls must be installed on the site and maintained during the construction period and maintained as part of the on-going operation and management for each cell that is constructed as a part of the approved subject to this development consent for the expansion of the waste management facility.**

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land.

**(9) HOURS OF OPERATION FOR WORKS (DW0009)**

**All works associated with the construction and or demolition of this development must be carried out between the following hours:**

<b>Weekdays:</b>	<b>7.00am to 6.00pm</b>
<b>Saturdays:</b>	<b>7.00am to 1pm</b>
<b>Sundays and Public Holidays:</b>	<b>NIL</b>

**Council may consider a variation of these hours on an individual basis upon written submission to Council's Department of Planning and Growth.**

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

**(10) WORK ON ADJOINING LAND (DW0010)**

**The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:**

- a) Installation of a temporary, stabilised construction access across the verge.**
- b) Installation of services.**
- c) Construction of an approved permanent verge crossing.**

REASON: To minimise interference with the verge and its accessibility by pedestrians.

**(11) DAMAGE TO COUNCIL ASSETS (DW0011)**

**Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant and completed prior to the issue of any Occupation Certificate.**

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition.

- (12) **LOADING/UNLOADING OF CONSTRUCTION MATERIALS (DW0013)**  
All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under s138 of the Roads Act 1993.  
REASON: To protect the safety of pedestrians and the amenity neighbouring properties.
- (13) **ALL WORKS TO BE WITHIN PROPERTY BOUNDARIES (DW0015)**  
All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land.  
**Note:** A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.  
REASON: To prevent impact on the amenity and conditions of neighbouring properties and public assets.
- (14) **TOILET FACILITIES FOR WORKERS (DW0017)**  
Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.  
  
**The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.**  
  
REASON: To ensure that adequate toilet facilities are provided to the site during the course of demolition and construction and to comply with the prescribed conditions as set out under the Environmental Planning and Assessment Act, 1979.
- (15) **INSPECTION OF PLUMBING AND DRAINAGE (PD0006)**  
Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.  
REASON: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2012 and Council's inspection schedule.
- (16) **FLOOR LEVEL TO BE 150mm ABOVE YARD GULLY (PD0008)**  
The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

REASON: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system.

**(17) INSULATE HEATED AND COLD WATER SERVICE PIPES (PD0014)**

**Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:**

- a) unheated roof spaces**
- b) locations near windows, ventilators and external doors where cold draughts are likely to occur**
- c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions.

**(18) DUST (DW0016)**

**Introduce and effectively maintain measures to suppress and control dust at all time during the construction of the development. Details of the proposed dust control measures, including procedures for the implementation of such measures, shall be submitted to Forbes Shire Council for approval prior to commencement of construction works.**

REASON: To reduce impacts on the amenity from dust generated from construction activities.

## PART 5 - PRIOR TO THE ISSUE OF A FINAL OCCUPATION CERTIFICATE

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**(1) SUBMIT WORK-AS-EXECUTED DRAINAGE PLAN (POC006)**

**Work-as-executed plans of all sanitary drainage must be submitted to Council prior to the issue of any Occupation Certificate.**

REASON: To ensure that accurate records of sanitary drainage installations are available for future use by interested persons.

**(2) OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION (POC003)**

**Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.**

REASON: To satisfy the provisions of Section 6.9 of the Environmental Planning and Assessment Act 1979.

**(3) LANDSCAPING BUFFER ALONG WESTERN BOUNDARY (POC002)**

**Prior to the occupation certificate being issued a 20m wide landscape buffer consisting of advanced trees of a species that is suited to the climatic conditions are required to be planted along the western boundary of subject property (Lot 37 DP 1242538).**

REASON: To mitigate the impacts on the amenity associated with the expanded waste management facility on western neighbour.



## ATTACHMENT- GENERAL TERMS OF APPROVAL

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Protection of the Environment Operations Act 1997

### General Terms of Approval - Issued



Notice No: 1579749

### Attachment A

#### General terms of approval (recommended conditions of consent)

1. Except as expressly provided by these general terms of approval or the conditions of an in-force environment protection licence, works and activities must be carried out in accordance with the proposal contained in:
  - development application DA2018/41 provided by Forbes Shire Council to the EPA on 5 October 2018;
  - the statement of environment effects "Darroobalgie waste depot expansion" (Geolyse, September 2018) provided by Forbes Shire Council to the EPA on 5 October 2018; and
  - the letter "Darroobalgie landfill expansion" (Geolyse, 8 March 2019) provided by Forbes Shire Council to the EPA on 20 March 2019.
2. The licensee must carry out monitoring in accordance with the requirements of the in-force environment protection licence.

#### New landfill cells (stage 4)

3. The licensee must not dispose of any waste in any new landfill cell until the licensee has written approval from the EPA to dispose of waste in that cell.
4. At least six months before the licensee intends to construct a new landfill cell (Stage 4 cells), the licensee must provide a report to the EPA which details the proposed design, construction, operation and rehabilitation of that cell. The report must include technical drawings, materials specifications and details of a construction quality program which can demonstrate that the landfill cell will meet the minimum standards outlined in the in-force solid waste landfill guidelines.

## NOTES

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### **Construction Certificate required:**

This development consent is issued under the *Environmental Planning and Assessment Act 1979* and does not relate to structural aspects or specifications of the building under the Building Code of Australia. All buildings and alterations require the issue of a Construction Certificate prior to works commencing. Application forms are available from the customer services counter or Council's website [www.forbes.nsw.gov.au](http://www.forbes.nsw.gov.au)

### **Occupation Certificate required:**

The building must not be occupied until the Principal Certifying Authority has issued an Occupation Certificate.

### **Principal Certifying Authority:**

Work must not commence until the applicant has:

- appointed a Principal Certifying Authority (if the Council is not the PCA)
- given the Council at least two days' notice of their intention to commence the erection of the building.
- Notified the Principal Certifying Authority of the Compliance with Part 6 of the Home Building Act 1989.

### **Protection of the Environment Operations Act 1997:**

It is an offence under the provisions of the *Protection of the Environment Operations Act 1997* to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

### **Penalties apply for failure to comply with development consents**

Failure to comply with conditions of development consent may lead to an on the spot fine (generally \$600) being issued pursuant to section 127A of the *Environmental Planning & Assessment Act 1979* or prosecution pursuant to section 125 of the *Environmental Planning and Assessment Act 1979*.

### **Dial Before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth) Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by

Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

**Are you dissatisfied with conditions of consent**

If you are unhappy with conditions of consent discuss your concerns with the officer who dealt with your application. You may submit an application to Council to modify the consent under Section 96 of the *Environmental Planning & Assessment Act, 1979*.

You will need to provide reasons why the conditions should be changed or deleted. You may lodge a Section 96 application at any time after the notice of determination. If you are not happy with Council's decision on your request for modification, then you may appeal to the Land & Environment Court within six (6) months of the notification by Council.

**Right of Review**

You may request Council to review its decision under Section 8.2 of the *Environmental Planning & Assessment Act, 1979*. Such a request must be made within six (6) months of the date of the determination, or if there is an appeal to the Land and Environment Court, up to the time when the court hands down its decision. In reviewing its decision Council is able to consider alterations to the above plans, provided that the Development Application remains substantially the same as the one for which the consent was originally sought, and the changes are publicly notified.

**NOTE:** This clause does not relate to Integrated Development Applications, applications determined by the Joint Regional Planning Panel or applications previously considered under Section 8.2 of the Environmental Planning and Assessment Act 1979.

**Right of Appeal**

If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

For and on behalf of Forbes Shire Council

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**Paul Bennett**  
**Director**  
**PLANNING & GROWTH**