

DRAFT CONDITIONS OF CONSENT

DRAFT CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. 93.1/2019

SYDNEY WESTERN CITY PLANNING PANEL NO. 2019WC1022

PROPERTY:

LOT 20 DP 1246626, NO. 224-398 BURLEY ROAD, HORSLEY PARK.

DESCRIPTION OF DEVELOPMENT:

CONSTRUCTION OF AN INDUSTRIAL COMPLEX OF FOUR (4) INDUSTRIAL WAREHOUSE BUILDINGS, CONSTRUCTION AND FITOUT OF A MASONRY PLANT AND ASSOCIATED SITE WORKS, SIGNAGE AND SUBDIVISION

Council has updated the original draft condition of consent to incorporate the amendments. Amended conditions are in **RED**.

APPROVED PLANS

1. Compliance with Plans and Documents

The development shall take place in accordance with the approved development plans and documents.

Drawing No.	Prepared By	Dated
Site Plan, Drawing No. MP03 Issue P	SBA Architects	11 December 2019
Signage Plan, Drawing No. MP07 Issue J	SBA Architects	11 June 2019
Fire Protection Plan, Drawing No. MP08 Issue J	SBA Architects	11 June 2019
Biodiversity Management Plan, Drawing No. MP09 Issue K	SBA Architects	11 June 2019
Warehouse 1		
Warehouse 1 Site Plan/Floor Plan, Drawing No. DA10 Issue J	SBA Architects	11 June 2019
Warehouse 1 – Roof Plan, Drawing No. DA11 Issue D	SBA Architects	17 December 2019
Warehouse 1 – Office Floor Plan, Drawing No. DA12 Issue F	SBA Architects	6 March 2019
Warehouse 1 – Elevations, Drawing No. DA13 Issue D	SBA Architects	11 June 2019
Warehouse 1 – Sections, Drawing No. DA14 Issue A	SBA Architects	24 January 2019
Warehouse 1 – Office Elevations, Drawing No. DA15 Issue D	SBA Architects	11 June 2019

Warehouse 2		
Warehouse 2 Site Plan, Drawing No. DA20 Issue G	SBA Architects	5 June 2019
Warehouse 2 – Roof Plan, Drawing No. DA21 Issue D	SBA Architects	17 December 2019
Warehouse 2 – Office Floor Plan, Drawing No. 22 Issue C	SBA Architects	6 February 2019
Warehouse 2 – Elevation Plan, Drawing No. 23 Issue E	SBA Architects	11 June 2019
Warehouse 2 – Section Plan, Drawing No. 24 Issue B	SBA Architects	24 January 2019
Warehouse 2 – Office Elevations, Drawing No. 25 Issue E	SBA Architects	11 June 2019
Warehouse 3A & 3B		
Warehouse 3 – Site Plan/Floor Plan, Drawing No. 30 Issue F	SBA Architects	5 June 2019
Warehouse 3 – Roof Plan, Drawing No. 31 Issue C	SBA Architects	17 December 2019
Warehouse 3 – Office Floor Plan 3A & 3B, Drawing No. 32 Issue C	SBA Architects	6 February 2019
Warehouse 3 – Elevations, Drawing No. 33 Issue C	SBA Architects	11 June 2019
Warehouse 3 – Sections Plan, Drawing No. 34 Issue B	SBA Architects	24 January 2019
Office 3A – Elevations, Drawing No. 35 Issue C	SBA Architects	11 June 2019
Office 3B – Elevations, Drawing No. 36 Issue C	SBA Architects	11 June 2019
Masonry Plant		
Masonry Plant Site Plan/Floor Plan, Drawing No. 40 Issue G	SBA Architects	11 June 2019
Masonry Plant – Roof Plan, Drawing No. 42 Issue F	SBA Architects	11 June 2019
Masonry Plant – Office Floor Plans, Drawing No. 43 Issue B	SBA Architects	6 March 2019
Masonry Plant – Elevations, Drawing No. 44 Issue E	SBA Architects	29 October 2019
Masonry Plant – Sections, Drawing No. 45 Issue B	SBA Architects	24 January 2019
Warehouse 4		
Warehouse 4 – Site Plan/Floor Plan, Drawing No. 50 Issue H	SBA Architects	5 June 2019
Warehouse 4 – Roof Plan, Drawing No. 51 Issue G	SBA Architects	17 December 2019
Warehouse 4 – Office Floor Plan, Drawing No. 52 Issue C	SBA Architects	6 February 2019
Warehouse 4 – Elevations, Drawing No. 53 Issue D	SBA Architects	11 June 2019
Warehouse 4 – Sections, Drawing No. 54 Issue B	SBA Architects	24 January 2019

Office 4 – Elevations, Drawing No. 55 Issue D	SBA Architects	11 June 2019
Landscape Plan		
Estate Landscape Plan Cover Sheet, Drawing No. ELW-000 Issue A	Site Image Landscape Architects	6 February 2019
Estate Master Plan, Drawing No. ELW-001 Issue B	Site Image Landscape Architects	11 March 2019
Estate Master Plan, Drawing No. ELW-002 Issue A	Site Image Landscape Architects	6 February 2019
Estate Landscape Plan, Drawing No. ELW-003 Issue B	Site Image Landscape Architects	11 March 2019
Masonry Plant Landscape Cover Sheet, Drawing No. MP-000 Issue A	Site Image Landscape Architects	6 February 2019
Masonry Plant Landscape Plan, Drawing No. MP-101, 102, 103 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 1, Landscape Cover Sheet, Drawing No. W1-000 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 1, Landscape Plan, Drawing No. W1-101 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 2, Landscape Cover Sheet, Drawing No. W2-000 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 2, Landscape Plan, Drawing No. W2-101 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 3, Landscape Cover Sheet, Drawing No. W3-000 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 3, Landscape Plan, Drawing No. W3-101 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 4, Landscape Cover Sheet, Drawing No. W4-000 Issue A	Site Image Landscape Architects	6 February 2019
Warehouse 4, Landscape Plan, Drawing No. W4-101 Issue B	Site Image Landscape Architects	11 March 2019
Landscape Details, Drawing No. 501 Issue A	Site Image Landscape Architects	6 February 2019
Landscape Sections, Drawing No. 601 Issue A	Site Image Landscape Architects	6 February 2019
Civil Plans		
Typical Road Sections, Drawing No. C1002 Issue A	AT&L Civil Engineers	8 March 2018
Typical Services Trench Solutions, Drawing No. C1003 Issue A	AT&L Civil Engineers	8 March 2018
General Arrangement Plan, Drawing No. C1004 Issue B	AT&L Civil Engineers	25 October 2019
Typical Sections Sheet 1, 2, 3 & 4 Drawing No. C1005/6/7/8 Issue A	AT&L Civil Engineers	8 March 2018
Site & Stormwater Plan Sheet 1/2, Drawing No. C1011/2 Issue A	AT&L Civil Engineers	8 March 2018
Site & Stormwater Plan Sheet 3, Drawing No. C1013 Issue C	AT&L Civil Engineers	25 October 2019
Site & Stormwater Plan Sheet 4/5, Drawing No. C1014/5 Issue A	AT&L Civil Engineers	8 March 2018
Site & Stormwater Plan Sheet 6, Drawing No. C1016 Issue B	AT&L Civil Engineers	25 October 2019

Site & Stormwater Plan Sheet 7/8/9/10, Drawing No. C1017/8/9/10 Issue A	AT&L Civil Engineers	8 March 2018
Onsite Detention Basin Plans & Details, Drawing No. C1025 Issue A	AT&L Civil Engineers	8 March 2018
Pavement Plan Sheet 1, Drawing No. C1030 Issue A	AT&L Civil Engineers	8 March 2018
Pavement Plan Sheet 2, Drawing No. C1031 Issue B	AT&L Civil Engineers	25 October 2019
Pavement Plan Sheet 3/4, Drawing No. C1032/3 Issue A	AT&L Civil Engineers	8 March 2018
Erosion and Sediment Control Plan Sheet 2, Drawing No. C1036 Issue B	AT&L Civil Engineers	25 October 2019
Erosion and Sediment Control Plan Sheet 3/4, Drawing No. C1037/8 Issue A	AT&L Civil Engineers	8 March 2018
Erosion & Sediment Control Details, Drawing No. C1039 Issue A	AT&L Civil Engineers	8 March 2018
Estate Road (CL01) Longitudinal Sections, Drawing No. C1040 Issue A	AT&L Civil Engineers	8 March 2018
Estate Road (CL01) Cross Sections Sheet 1, Drawing No. C1045 Issue A	AT&L Civil Engineers	8 March 2018
Estate Road (CL02) Cross Sections Sheet 2, Drawing No. C1046 Issue A	AT&L Civil Engineers	8 March 2018
Services and Utilities Coordination Plan Sheet 1/2/3, Drawing No. 1050/1/2 Issue A	AT&L Civil Engineers	8 March 2018
Stormwater Longitudinal Section Sheet 1/2/3/4/5/6/7/8/9/10, Drawing No. C01060/1/2/3/4/5/6/7/8/9 Issue A	AT&L Civil Engineers	8 March 2018
Stormwater Longitudinal Section Sheet 11, Drawing No. C1070 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Upgrade General Arrangement Plan, Drawing No. C1100 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Typical Road Sections 1, Drawing No. C1101 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Typical Road Sections 2, Drawing No. C1102 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Upgrade Roadworks and Stormwater Plan Sheet 1, Drawing No. 1105 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Upgrade Roadworks and Stormwater Plan Sheet 2, Drawing No. 1106 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Pavement Plan, Drawing No. C1110 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Pavement Marking and Signposting Plan, Drawing No. C1111 Issue A	AT&L Civil Engineers	8 March 2018

Old Wallgrove Road Stormwater Catchment Plan, Drawing No. C1112 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Upgrade Erosion and Sediment Plan, Drawing No. C1113 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Erosion and Sediment Control Details, Drawing No. C1114 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Roadworks Longitudinal Section, Drawing No. C1120 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Upgrade Services and Utilities Coordination Plan Sheet 1/2, Drawing No. C1130/1 Issue A	AT&L Civil Engineers	8 March 2018
Old Wallgrove Road Stormwater Longitudinal Section Sheet 1/2, Drawing No. C1140/1 Issue A	AT&L Civil Engineers	8 March 2018
Subdivision Plan		
Stage 2 Subdivision Plan, Drawing No. 1 and 2	LTS Lockley	12 November 2019
Documents		
Environmental Impact Statement	Urbis	March 2019
Biobanking Development Assessment Report	Ecologique	8 March 2019
Noise Impact Assessment	Benbow Environmental	29 May 2019
Civil and Stormwater Management Report	AT&L Civil Engineers	8 March 2019
Geotechnical Investigation	Douglas Partners	December 2018
Bushfire Protection Assessment	ABPP	30 January 2019
BCA Assessment Report	Blackett Maguire Goldsmith	8 March 2019
Transport Assessment Report	Ason Group	8 March 2019
Sustainability Management Plan	SLR	29 January 2019
Heritage Impact Statement	Artefact	March 2019
Archaeology Survey Report	Artefact	March 2019
Flood Impact Assessment Part 1/2	BMT	March 2019
Air Quality Assessment	Airlabs	3 July 2019
Waste Management Plan	LG Consult	11 March 2019
Fire Safety Strategy	Core Engineering	5 February 2019

except as modified in red by Council and/or any conditions of this consent.

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

except as modified in red by Council and/or any conditions of this consent.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate by a Certifier. The Certifier can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

2. Site Audit Statement

Prior to the issue of any Construction Certificate for building works, a site auditor accredited by the EPA under the Contaminated Land Management Act 1997 must be engaged. The site auditor is to provide a section A site audit statement (SAS) and accompanying site audit report certifying suitability of the land for the proposed land use.

(Note: By engaging a site auditor to provide a section A SAS, the site auditor will review the adequacy of the investigations, unexpected finds protocol, any remedial works or management plan required and confirm suitability of the land use.)

3. Section 7.12 Levy Development Contributions

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 7.12 Levy Contributions shall be submitted to the Certifier.

The Section 7.12 Levy as determined at the date of this consent is **\$558,395.82**.

The contribution amount payable may be adjusted at the date of payment. Any unpaid contributions will be adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales).

4. Long Service Levy Fee

Prior to the issue of a Construction Certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifier.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment. Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

5. **Biodiversity Conservation Fund Payment**

To offset the residual biodiversity impacts of the development, the class and number of ecosystem and species credits listed in the table below must be retired. The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator (The amount payable to discharge an offset obligation will be determined at the time of payment).

Impacted Community	Plant	Number of Ecosystem Credits	IBRA Subregion
PCT 849 - Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion		10	Any IBRA subregion that is within 100 km of the site.

Details demonstrating compliance with the requirements to retire credits or make payment to the Biodiversity Conservation Fund must be provided to Council's Manager – Development Planning prior to issue of a Construction Certificate for written approval.

6. **Construction Certificate (Engineering Approval)**

Prior to the issue of a Building Construction Certificate, a Construction Certificate (Engineering Approval) shall be submitted to the Certifier for the construction of the internal Road No.1, Deceleration Lane and Road Widening in Old Wallgrove Road including all associated stormwater Drainage, Kerb and Gutter, earthworks, Landscaping, concrete path paving and all associated linemarking in accordance with approved plans and specifications at no cost to Council.

For the issue of Construction Certificate (Engineering Approval), five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.

7. **Erosion and Sediment Control Plan**

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan shall be submitted to and approved by the Certifier. The Erosion and Sediment Control Plan shall be prepared in accordance with the requirements of the Fairfield City Council's Erosion and Sediment Control Policy. The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

8. Landscape Plans Certified by Landscape Architect

Prior to the issue of a **Construction Certificate for building works**, a landscape plan prepared and certified by a qualified landscape architect and designed in accordance with Fairfield Council's Landscape Policy shall be submitted to the Certifier.

Landscape plans shall contain the following information:

- a. Outline of the proposed building;
- b. Existing trees (height and location);
- c. Trees to be removed;
- d. Proposed planting (quantity, species, and expected mature height);
- e. Proposed earth mounding;
- f. Paths and paving (location and materials);
- g. The method of planting and the proposed maintenance program; and
- h. Details of lighting, fencing, seating and paving, where relevant.

The landscaping shall be of a scale that will match the scale of the development. Landscaping shall be designed to complement and enhance the development and where applicable, screen such features as open storage areas, carparks, loading docks and garbage storage areas.

9. Stormwater Drainage Certificate

Prior to the issue of a **Construction Certificate for building works**, a certificate from a suitably qualified person shall be submitted to the Certifier certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;
- c. The piped drainage system has been designed to an Average Recurrence Interval of not less than that in accordance with Council's Stormwater Management Policy 2017.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- i. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.

- ii. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

10. On-site Detention Design Certificate

Prior to the issue of an Engineering **Construction Certificate for building works**, a certificate from a suitably qualified person shall be submitted to the Certifying Authority certifying that the drainage system has been designed to comply with Council's Stormwater Management Policy 2017. In particular, the certification shall ensure the on-site detention system has been designed:

- i. To restrict the peak discharge from the site for all storm durations to 78 L/s/ha (Rural Zone only).

Note: If Council is requested to issue the Construction Certificate, three copies of the plans and specifications giving full details of the design and calculations in the form of ILSAX/DRAINS input and output files and details as specified in Council's OSD handbook shall be submitted to the Council.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for on site detention, the following details will be required:

- a. Full details, as per Council's Stormwater Management Policy, of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels, etc.
- b. A plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regrading of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot

11. Sydney Water Consent

The plans must be assessed by Sydney Water Tap in to determine whether the development will affect any Sydney Water asset and if any requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping.

Please refer to the web site <https://tap-in.sydneywater.com.au> for:

- See the Building plan approvals section on the Tap in site, and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and developing then Building and renovating

Or telephone 13 20 92

12. Final Stormwater Drainage Plan

The Construction Certificate application shall include a final detailed stormwater drainage plan and specifications suitable for construction, prepared by a suitably qualified and experienced stormwater drainage consultant. The consultant's qualifications shall be included on the stormwater plan.

The final plan shall be in accordance with:

- a. the abovementioned stormwater concept plan and shall comply with*
- b. Fairfield City Council's Stormwater Management Policy 2017,*
- c. AS 3500,*
- d. the BASIX certificate*

and conditions of this consent.

- In accordance with the Oakdale East Estate DCP, all industrial buildings must provide rainwater tank capacity to meet 50% of the water use demand for irrigation of landscape areas and toilet flushing. In this regard, the stormwater design plans shall be amended to include details of this.**
- Subsoil drainage shall be provided in the basin to prevent the basin remaining saturated during prolonged wet weather periods.
- The base of the OSD basin shall have a minimum 1% slope to the discharge control pit.
- Non-climbable chain-link fencing including a self-closing gate shall be provided around the OSD basin to protect pedestrians and vehicles. An access ramp shall be provided for small utility vehicles to enter and exit the basin for maintenance purposes.**
- The base of the OSD basin shall be graded a minimum 1% fall towards the control pit.

13. Access Driveway

Access driveways and the hardstand area shall be designed for the largest vehicle which is anticipated to use the site and shall be determined based on swept path analysis. Minimum design for access driveway to cater for heavy rigid vehicles and articulated vehicles shall be based on AS 2890.2:2002 and swept path analysis. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

14. Grades of Manoeuvring Areas

The maximum grades of the maneuvering areas shall comply with AS/NZS 2890.1:2004 for parking facilities Part 1: Off-street car parking and AS 2890.2:2009 – Parking facilities Part 2: Off-street commercial facilities. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

15. Parking Spaces

All car parking spaces (dimensions of the parking spaces and aisle widths) shall be designed in accordance with the requirement of AS/NZS 2890.1:2004. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

16. Accessible Spaces

All accessible spaces and shared areas shall comply with the requirement of AS/NZS 2890.6:2009. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

17. Car Parking Obstructions

Design envelope around parked vehicle to be kept clear of columns, walls and obstructions as per Figure 5.2 of AS/NZS 2890.1:2004. Details are to accompany an application for a **Construction Certificate for buildings works** to the satisfaction of the Certifying Authority.

18. Driveway Entry and Exit

Entry and exit driveways to and from the car parking and truck parking areas shall be clearly identified by signs and line markings. Line markings shall be installed to clarify the direction of travel within the site. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

19. Fire Truck Access Road

The proposed access roads for fire trucks shall comply with the requirement of AS 2890.2:2002 in regard to the road width, sight distance, grades and levels.

Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

20. **Separation between Loading Dock and Car Park**

A physical barrier such as a kerb or bollard shall be installed to loading docks from the car park. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

21. **Loading Dock Design**

The hardstand area and loading docks shall be designed to accommodate the largest design vehicle, which is likely to service the site and to comply with AS 2890.2:2002. The dimensions of the proposed loading docks shall comply with Table 4.1 (service bay dimensions) of AS 2890.2:2002. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

22. **Traffic Calming Devices**

Appropriate traffic calming devices and pedestrian facility shall be installed to minimise potential conflicts between heavy vehicles, motorists and pedestrians using the site. Details are to accompany an application for **a Construction Certificate for building works** to the satisfaction of the Certifying Authority.

23. **Construction Traffic Management Plan**

A construction traffic management plan shall be submitted to Fairfield City Council for approval prior to the issue of a Construction Certificate.

24. **Sydney Water Building Plan Approval**

The approved plans must be submitted to the Sydney Water Tap inTM online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Tap inTM online self-service replaces our Quick Check Agents as of 30 November 2015.

The Tap inTM service provides 24/7 access to a range of services, including:

- Building plans approvals
- Connection and disconnection approvals
- Diagrams
- Trade waste approvals
- Pressure information
- Water metre installations
- Pressure boosting and pump approvals
- Changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Requirements for Business Customers for Commercial and Industrial Property Developments.

25. Section J Report

A Section J Report shall be prepared by a suitably qualified energy consultant and recommendations outlined shall be incorporated into the plans and documentation accompanying the Construction Certificate. This requirement shall be submitted to the satisfaction of the principal certifying authority.

26. Bicycle Parking Spaces

The proposed bicycle parking spaces within the development shall comply with AS 2890.3:2015. Bicycle parking and access arrangements shall ensure that the potential conflicts with vehicles are minimised. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

27. Goat Proof Fence

A fence shall be constructed between the subject site and No. 198-222 Burley Road to prevent the entry of feral goats into the Reedy Creek riparian corridor. The design of this fence shall be endorsed by a suitably qualified Ecologist. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

28. Water and Utilities

Water, electricity and gas are to comply with Section 4.1.3 of 'Planning for Bush Fire Protection 2006'. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

29. Access

Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

30. Design and Construction

New construction shall be undertaken using non-combustible cladding materials for the external surfaces of the development. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

31. Ember Protection

New construction shall be afforded with ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes sub floor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

32. Landscaping

Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'. Details are to accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

33. Impact on Existing Utility Installations

Where work is likely to disturb or impact upon a utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany an application for a **Construction Certificate for building works** to the satisfaction of the Certifying Authority.

34. Wheel Wash Facility

A plan and operational guidelines for a wheel wash facility shall be submitted to the satisfaction of the principal certifying authority prior to the issue of a **construction certificate for building works**. Any direction of Council with regard to cleansing trucks or the clean-up of road pavements adjoining the site shall be complied with immediately.

35. Unexpected Finds Protocol

An 'Unexpected Finds Protocol' for the assessment/management of any contamination discovered during the course of remediation, demolition and construction works shall be prepared prior to any works on site. The 'Unexpected Finds Protocol' shall be submitted to the satisfaction of the principal certifying authority prior to the issue of a construction certificate.

36. Padmount Substation Landscaping

The landscaping associated and surrounding the proposed padmount substation must comply with Endeavour Energy's Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations'. The proposed use of ballast as a ground cover must be replaced with a surface treatment that is in accordance with Endeavour Energy's requirement.

37. Reflectivity of External Finishes

The reflectivity index of roof finishes (including solar panels) and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

38. Landscape Plan

The final Landscape Plan must be consistent with the layout of the approved site plan.

39A. Solar Panels

Solar panels shall be installed on the roof of Warehouse No. 1,2, 3 and 4. The system shall be of a minimum of 50kW solar panel system. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifier can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

40. Construction Certificate Required

Prior to the commencement of any building and construction works, a Construction Certificate is required to be issued by a Certifier.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

41. Appointment of a Principal Certifier

Prior to the commencement of any construction works, the person having benefit of a Development Consent, must:

- a. appoint a Principal Certifier; and
- b. notify Council of the appointment.

42. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

43. **Erosion and Sedimentation Control**

Prior to the commencement of any construction works on site, controls in accordance with **Chapter 3.12 of the Fairfield City Wide DCP 2013** shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

44. **Toilet Facility**

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

45. **Required Signage**

For building, subdivision or demolition work that will affect the external walls of the building, signage shall be installed in a prominent position detailing:

- The name, address and telephone number of the principal Certifier for the work; and
- The name of the principal contractor (if any) of the building work and a telephone number on which that person may be contacted outside working hours; and
- Stating that unauthorised entry to the work site is prohibited.

This sign shall be maintained while the building, subdivision or demolition work is being carried out and must be removed when the work has been completed.

46. **Vegetation Clearing Works**

Clearing must be undertaken under the supervision of a suitably qualified ecologist in a two-stage process.

Stage 1 – Site preparation and clearing of focus areas

- Pre-clearing surveys should be undertaken by a suitably qualified ecologist to identify animal habitat areas.
- Sediment fences shall be established around the perimeter of the focus area to prevent the impacts of sedimentation on the adjoining vegetation.

- The clearing area should be clearly demarcated and signed, where appropriate, to ensure no vegetation beyond these boundaries is removed. Clearing works and equipment should be excluded from areas outside the focus area. Site inductions should be provided by the project manager to ensure all site workers and visitors are aware of any no-access areas.
- Trees cleared in the identified habitat areas shall be left overnight.
- The ecologist must be present while clearing works to rescue animals injured during clearing operations. Provisions will be made to protect any native fauna during clearing activities by the following means:
 - All persons working on the vegetation clearing will be briefed about the possible fauna present and should avoid injuring any present;
 - Animals disturbed or dislodged during the clearance but not injured should be assisted to move to the adjacent bushland; and
 - If animals are injured during the vegetation clearance, appropriate steps will be taken to humanely treat the animal (either taken to the nearest veterinary clinic for treatment, or if the animal is unlikely to survive, it will be humanely euthanised).

Stage 2 – Post-clearing of focus areas

- The ecologist shall investigate all fallen trees for the presence of hollows not detected prior to clearing. The hollows shall be detected for native fauna.
- The ecologist shall also supervise the removal of priority weed species within the subject site to prevent further spread of weeds.

47. Dial Before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the *Dial Before You Dig* 1100 service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the developer not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Interim Occupation Certificate by the Principal Certifier.

48. Austral Brick Facilities to be Operational

Prior to the issue of an Occupation Certificate, an occupation certificate for the following Fairfield City Council issued consents must be submitted to the satisfaction of the Principal Certifying Authority:

- DA/85.1/2019 – Relocation of rock crusher, construction of new hardstand area, tree removal and associated civil works.

49. Registration of Final Plan of Subdivision

Prior to the issue of an Occupation Certificate, a copy of the final plan of subdivision, registered by Land and Property Information, dedicating Internal Road No.1 and the Road Widening in Old Wallgrove Road, shall be submitted to the Principal Certifier.

50. Structural Certification Retaining Walls

Prior to the issue of an Occupation Certificate, a certificate from a practising Structural Engineer shall be submitted to the Principal Certifier certifying that the Retaining Walls have been erected in compliance with the approved structural drawings and relevant Australian Standards and is structurally adequate.

51. Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), an Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate, the Principal Certifier must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate.

52. Works-As-Executed Plans for Stormwater Drainage

Prior to the issue of an Occupation Certificate, Works-As-Executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to the Principal Certifier.

53. On Site Detention – Works-As-Executed

On completion of the drainage works and prior to the issue of an Occupation, Works-As-Executed plans certified by a Registered Surveyor are to be submitted to the Certifying Authority to verify that the drainage works have been completed in accordance with the approved plans. The following details are to be on the Works-As-Executed plans and shall be marked in red on a copy of the original plan approved at the Construction Certificate stage.

- Sufficient levels and dimensions to verify the On-Site Detention storage volumes.
- Location and surface levels of all drainage pits, weir levels and dimensions.
- Invert levels of - the internal drainage lines.
- orifice plates.

- outlet control pit.

- d. Finished floor levels of structures such as units and garages.
- e. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
- f. Verification that a trash screen is installed.
- g. Location and levels of any overland flow paths through the site.
- h. Details of any variations made from approved plans.

54. Registration of Restriction and Covenant over OSD System

Prior to the issue of an Occupation Certificate, proof of the creation of a 'Restriction on Use of Land' and 'Positive Covenant' over the on-site detention system in accordance with Council's Stormwater Management Policy shall be submitted to the principal certifying authority.

55. On-Site Detention – Certification of Works

A Certificate shall be issued to the Principal Certifier upon completion of the drainage works and prior to issue of the Occupation Certificate certifying the following:

- a. That the on-site detention system will function in accordance with the approved drainage design.
- b. Any variations from the approved drainage design.
- c. That these variations will not impair the performance of the On-Site Detention system, or alternatively provide details of the remedial works required to make the system function according to design control standards.

56. Interim Fire Safety Certificate

Prior to the issue of an Occupation Certificate a fire safety certificate shall be submitted to and approved by the Principal Certifier.

Note: An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.

57. Adjustments to Public Utilities

Prior to the issue of an Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

58. Environmental Reports Certification

Prior to the issue of the Occupation Certificate for building works, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifier and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved by Fairfield City Council's Environmental Health Officer and the following reports have been completed:

- a. Environmental Impact Statement (EIS), prepared by URBIS.
- b. Noise Impact Assessment (Ref. No. 191015_Rep_Rev4), prepared by Benbow Environmental, dated May 2019
- c. Air Quality Assessment (Ref. No. OCT18180.4), prepared by Airlabs Environmental Pty Ltd, dated 03 July 2019.
- d. Biobanking Development Assessment Report, prepared by Ecologique, dated 08/03/2019

59. Building in Saline Environments

The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate design features and building materials need to be incorporated into the construction of buildings, to minimise the risk of salt damage.

Prior to the issue of an Occupation Certificate (Interim or Final), documentary evidence shall be submitted to the Principal Certifier, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

60. OSD – Marker Plate

Each on-site detention basin shall be indicated by fixing a standard marker plate, details of which are as follows:

Minimum size: 150mm x 100mm

Material: Non Corrosive metal or 4mm thick laminated plastic

Location: Fixed in a prominent position to the nearest concrete or permanent surface and be above the expected water level in the basin. If in doubt, contact Council on 9725-0222.

Wording: A minimum letter height of 5mm is required.
The wording is to consist of:-

THIS IS AN ON-SITE DETENTION STRUCTURE

**DO NOT TAMPER WITH,
CONTACT FAIRFIELD CITY COUNCIL PRIOR
TO ANY PROPOSED WORKS IN THIS AREA**

The marker plate is to be attached prior to occupation of the proposed development.

61. Loading Dock Management Plan

Prior to the issue of an Occupation Certificate, a loading dock management plan demonstrating how the management of potential conflicts between heavy vehicles shall be submitted to Council for approval.

62. No Stopping Sign at Cul-De-Sac

Prior to the issue of an Occupation Certificate, no stopping restriction signage shall be installed at the cul-de-sac end of the Estate Road.

63. Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, Building and Developing > Land Development or Telephone 13 20 92.

64. Endeavour Energy Notification of Arrangement

A "Notification of Arrangement" must be obtained from Endeavour Energy stating that satisfactory arrangements have been made for the connection of electricity and the design requirements of the substation have been satisfied. This requirement shall be submitted to the satisfaction of the Principal Certifying Authority.

65. Old Wallgrove Road Upgrades

Prior to the issue of any Occupation Certificate, all upgrade works to Old Wallgrove Road that is required to be carried out as part of the development shall be completed to the satisfaction of the Principal Certifying Authority.

66. Removal of Feral Goats from Subject Site

Prior to the issue of any Occupation Certificate, written certification from a suitably qualified person shall be submitted to the principal certifying authority stating that all feral goats have been removed from the subject site.

67. Goat Proof Fence

Prior to the issue of any Occupation Certificate, written certification from a suitably qualified person shall be submitted to the principal certifying authority stating that the Goat Proof Fence required to be installed as part of this consent is installed satisfactorily.

68. Environmental Management Plan

Prior to the issue of an Occupation Certificate, an Environmental Management Plan shall be prepared for the site. The Plan shall be carried out by a suitably qualified environment consultant. The EMP shall also provide a framework for managing and mitigating environmental impacts for the life of the proposal and make provisions for auditing the effectiveness of the proposed environmental protection measures and procedures. This requirement shall be completed to the satisfaction of the Principal Certifying Authority.

69. Waste and Resource Recovery Plan

Prior to the issue of an Occupation Certificate, a Waste and Resource Recovery Plan shall be prepared for the site. The Plan shall be carried out by a suitably qualified environment consultant. The EMP shall include a vision and strategy for how waste and recycling can be managed in an integrated way across the development. This requirement shall be completed to the satisfaction of the Principal Certifying Authority.

70. Certification of Energy Efficiency Installations for Buildings Class 2 - 9

Prior to the issue of an Occupation Certificate (Interim or Final), a certificate(s) shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in compliance with the pertinent requirements of Section J – Energy Efficiency of the Building Code of Australia.

71. Imported Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

Documentation certifying the satisfaction of this condition is to be submitted to the satisfaction of the principal certifying authority prior to the issue of any occupation certificate.

72. Landscaping

A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.

73. Car parking

Prior to the issue of an Occupation Certificate, two-hundred and sixty five (265) off-street car parking spaces for staff/visitors, including a minimum of six (6) off-street accessible car parking shall be permanently line marked.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifier can either be Fairfield City Council or an accredited certifier.

72A. General Terms of Approval – NSW EPA

The attached NSW Environmental Protection Authority - General Terms of Approval (issued on 10 February 2020) shall be complied with at all times.

72B. Development Contribution (SVPA2019-11)

The Development Contribution as outlined in the Oakdale East Planning Agreement (Planning Agreement SVPA2019-11) shall be paid prior to the issue of the relevant construction certificate or subdivision certificate, whichever occurs first.

74. Maintenance of Construction Site

During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

Note: Fines may be imposed, be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

75. Security Fencing

All proposed security fencing is to be established behind the required landscape areas and not on the road alignments.

76. Road Dilapidation Survey Required

Prior to any truck movements occurring, the submission to Council of a road dilapidation survey between the subject premises and Millner Avenue, and the subject premises and Johnston Crescent. The survey shall be provided by a suitable pavement consultant and shall cover the full width of the pavement kerb to kerb inclusive and give details of areas of cracking, profile defects and the like. At the completion of work, the dilapidation survey shall be repeated and any deterioration made good or paid for by the applicant. A damage deposit or bank guarantee of \$50,000.00 shall be lodged with Council as a security against compliance with this condition. This amount shall not be interpreted as being an upper limit of liability.

77. Wheel Wash Facility

All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council roads. In order to achieve this, a wheel wash facility shall be constructed prior to any truck movements occurring. A plan and operational guidelines for the wheel wash facility shall be submitted for approval prior to the commencement of the removal of fill material from the site. Any direction of Council with regard to cleansing trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

78. Monitoring of the state of Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

79. Dust Suppression

The applicant shall provide appropriate dust control measures during the operation.

80. Compaction Requirements

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 95% standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test

sites shall be located randomly across the fill site with 1 test per 500m² (min 1 test per 300mm layer) certified by a qualified geotechnical engineer.

Filling operations shall be in accordance with Appendix B of AS 3798-996 "Guidelines on Earthworks for Commercial and Residential Developments" of which Level 1 Testing will be adopted for this development due to the quantity of fill. Level 1 Testing will require full time inspection and testing service by the Geotechnical Testing Authority of the site stripping, proof rolling, placement and compaction of the fill, with the location of tests being at the discretion of the Geotechnical Testing Authority.

The fill shall be compacted to a minimum density ratio of 95% standard compaction.

81. Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
 - i. complies with the performance requirements; or
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

82. Administration Fee for the Lodgment of Certificates

Where a Principal Certifier has been appointed other than Council, an administration fee is charged by Council for the lodgment of Construction Certificates and Occupation Certificates.

83. Demolition, Building and other Works

When demolition, building and other works are being undertaken on site:

- a. A trade waste service must be provided so as to ensure that all debris and waste material is removed from the site; and
- b. Plant equipment, fencing or other materials of any kind must not be placed or stored upon any public footpath or roadway; and
- c. Such works must only be carried out within the following hours:

Monday - Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones.

No work shall be carried out on Sundays or public holidays. Except that,

Building works in a IN1 zone may be carried out within the following hours:

Monday - Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 5:00pm. No work may be carried out on Sundays or public holidays.

Note: *Council may issue a penalty infringement notice for the amount imposed under the Environmental Planning and Assessment Act 1979, for any non-compliance with this Development Consent.*

84. Hoarding / Fencing

During construction, a hoarding or site safety fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place.

If necessary, overhead protection is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

85. Method of Stormwater Drainage

The stormwater drainage generated from the development shall be directed to the proposed OSD system in the approved stormwater concept drainage plan.

The complete roof guttering system must be operational as soon as the roof is clad. Surface stormwater shall not be directed or cause nuisance to adjoining properties.

86. Encroachment of Easements

- a. This consent does not authorise the encroachment or overhang of any stormwater drainage easement. Any encroachment of other easements must be separately approved by the relevant service authority and evidence of any consent shall be submitted to the Certifying Authority.
- b. The structures shall not exert any loads on the utilities within the easements. Maintenance works may be required on the utilities and therefore the structures shall be designed such that a trench can be excavated to enable replacement of the existing utilities without affecting the stability of the structure.

87 Critical Stage Inspections

In accordance with Section 6.5 of the Environmental Planning and Assessment Act 1979 the Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Clause 162A of the Environmental Planning and Assessment Regulation 2000.

Note: Fines may be imposed if you fail to request the Certifying Authority to undertake the required mandatory inspections.

88. Asset Protection Zones

At the commencement of building works and in perpetuity, the property around the proposed works to a distance of 10 metres, or to the property boundary (whichever comes first), shall be managed as an inner protection area (IPA) as outlined within Section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

89. Backflow Prevention Requirements

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before the installation of a backflow prevention device:

- a. A hydraulic consultant or plumber shall check the available water pressure versus the property's required pressure and flow requirements.
- b. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<http://www.sydneywater.com.au/Plumbing/BackflowPrevention/>

90. Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

91. Endeavour Energy Easements

If any proposed works encroach or affect Endeavour Energy's easements/protected assets, the developer must contact Endeavour Energy's Easement's Officer on direct telephone (02) 0853 7110 or by email Easements@endeavourenergy.com.au.

92. Waste Receipts

A permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such records are to be made available to Council's Officers, upon request.

93. Connection of Load – Endeavour Energy

An application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount or indoor / chamber substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy.

Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link: <http://www.endeavourenergy.com.au/>.

94. Earthing – Endeavour Energy

The construction of any building or structures (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in the close proximity to Endeavour Energy's electrical network is required to comply with AS 3000:2018 'Electrical Installations'. This standard set out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth.

95. Safety Clearance – Endeavour Energy

Any buildings, structures (including fencing, signage, flag poles etc.) whether temporary or permanent must comply with the minimum safe distances/clearances for voltages up to and including 132,000 volts (132kV) as specifies in:

- Australian/New Zealand Standard AS/NZS 7000 – 2016: ‘Overhead line design’ as updated from time to time.
- ‘Service and Installation Rules of NSW’ which can accessed via the following link to the NSW Planning & Environment website:
<https://www.energy.nsw.gov.au/energy-supply-industry/pipelines-electricity-gas-networks/network-connections/rules> .

96. Endeavour Energy – Bushfire Risk Management

The development shall be in compliance with Endeavour Energy’s Bushfire Risk Management – Policy 9.1.1.

97. Vegetation Management - Electrical Easements

Trees located within the electrical easement shall not exceed 3.0 metres in mature height.

98. Endeavour Energy Emergency Contact

The emergency number of Endeavour Energy’s electrical network is 131 003. This can be contacted 24 hours/7 days.

THE USE OF THE SITE

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

99. Masonry Plant Production Capacity

The annual production rate of masonry products shall not exceed 220,000 tons per annum.

100. EPA Licence

The development shall comply with the Environment Protection Licence issued by the NSW Environment Protection Authority.

101. Cement Blower Noise

The noise emission from the cement blower must not exceed a sound power level (Lw) of 95dB(A).

102. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.

- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bays provided.
- d. All vehicles awaiting loading or unloading shall be parked on site and not on adjacent or nearby public roads.

103. Vehicle Movements

All vehicles must enter and exit the site in a forward direction. Heavy vehicles reversing into, within and out of the site must be under the supervision of a Roads and Maritime Services (RMS) Accredited Traffic Controller.

104. Loading

Service vehicles shall only undertake loading and unloading activities from the designated loading areas and shall not park at locations where they will obstruct the flow of traffic into, within and out of the site.

105. Traffic Management

Where the width of the driveway cannot satisfy the simultaneous movements of a 25m/26m B-Double vehicle and another vehicle due to the turning path radius of the B-Double vehicle, 25m/26m B-Double vehicles entering and exiting the site shall be managed by a RMS Accredited Traffic controller. Otherwise, appropriate access management be in place to minimise potential conflicts between 25m/26m B-Double vehicles and other vehicles;

106. Fire Brigade Vehicle Access

The emergency use driveway along Old Wallgrove Road shall be locked at all times unless there is an emergency situation and shall not be used for general traffic.

107. Hardstand Area and Loading Docks

Hardstand area and loading docks must operate independently of the car parking areas.

108. Offensive Noise

The use of the premises shall comply with the following requirements:

- a. The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997.
- b. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.

- c. The use of the premises is not to interfere with the amenity of the residential area.

109. Unreasonable Noise and Vibration

The proposed warehouses and masonry plant, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

110. Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard *4282_1997 Control of the obtrusive effects of outdoor lighting* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

111. Odours Complaint

An odour impact assessment shall be submitted to Council if any complaints are lodged with Council in relation to the emissions generated from the operation of the site and/or businesses. The report must be prepared by a suitably qualified environmental consultant and include modelling of the odour impact on the nearest affected receptor (e.g. residents/property occupants). Any recommendations resulting from the report are to be in accordance with AS/NZS 1668.1 – 2015: The use of ventilation and air conditioning in buildings – Fire and smoke control in buildings and AS 1668.2 – 2015: The use of ventilation and air conditioning in buildings – Mechanical ventilation in buildings, as well as the Office of Environment & Heritage Technical Framework – Assessments and Management of Odour from Stationary Sources in NSW (November 2006).

112. Storage of Flammable and Combustible Liquids

Flammable and combustible liquids shall be stored in accordance with AS 1940-2004 – The Storage and Handling of Flammable and Combustible Liquids.

113. Storage of Hazardous Chemicals

Should any 'hazardous chemicals' proposed to be stored on the premises exceed the manifest quantity as prescribed in Schedule 11 of the Work Health Safety Regulation 2011, Notification of schedule 11 hazardous chemicals is required to be submitted to SafeWork NSW.

114. NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the *Protection of the Environment Operations Act (POEO) 1997*. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

115. Waste Storage Area

Waste must be adequately secured and contained within designated waste areas. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.

116. Graffiti Management

The owner/manager of the site is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

117. Hours of Operation

The approved hours of operation for the use of the industrial facility/warehouse are:

Monday to Sunday: 24 hour

118. Landscape Maintenance

All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

SUBDIVISION

CONDITIONS ADVISING OF FEES AND CHARGES APPLICABLE TO THE SUBDIVISION.

The following conditions have been imposed to provide for various facilities and services required to meet the demands arising from the proposed subdivision.

119. Maintenance Bond

The submission to Council of a maintenance bond covering all works constructed in association with the subdivision. The maintenance bond is to be paid in cash or a bank guarantee. The value of the maintenance bond will be determined by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following the submission of "work as executed" plans detailing all works constructed in association with the subdivision.

The maintenance bond will generally be held by Council for a period of twelve (12) months from the date of issue of Subdivision Certificate on the final plan of

subdivision. The maintenance bond will be released at the end of the maintenance period subject to satisfactory performance of the works. Council may use the maintenance bond to carry out any rectification works required at the end of the maintenance period should the applicant fail to comply with any written request from Council to carry out such works.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

120. Landscaping and Maintenance Bond

The submission to Council of a bond for the sum of \$20,000 ensuring the provision of effective landscaping and maintenance thereof, in accordance with this development consent. The bond is to be paid in cash or bank guarantee. The bond shall be paid prior to release of the final plan of subdivision.

The bond will be held by Council for a period of twelve (12) months from the date of issue of Subdivision Certificate on the final plan of subdivision or until the growing season thereafter. The bond will be released subject to satisfactory establishment and maintenance of the landscape area.

Should the applicant dispose of the property within the twelve (12) months period, it shall be his/her responsibility to include in the contract of sale a condition granting him/her access to the property to maintain the landscaping or alternatively to make suitable arrangements with the purchaser to take over the responsibility for the bond for the maintenance of the landscaping.

121. Subdivision Certificate Application Fee

The submission of a 'Subdivision Certificate Application' as detailed on page 1 of this consent requires the payment to Council of a Subdivision Certificate Application fee in accordance with Council's Annual Schedule of Fees and Charges. Please note that this fee is subject to review each financial year. The value of this fee will be reviewed by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following compliance with the conditions of approval and the submission of the Subdivision Certificate.

At the time of issuing this consent, the fee is \$500.00.

122. Subdivision Certificate Release Fee

The payment to Council of a Subdivision Certificate release fee in accordance with Council's Annual Schedule of Fees and Charges. Please note that this fee is subject to review each financial year. The value of this fee will be reviewed by Council in accordance with the rates listed in Council's Annual Schedule of Fees and Charges following compliance with the conditions of approval and the submission of the Subdivision Certificate.

At the time of issuing this consent, the fee is \$200.00.

CONDITIONS RELATING TO WORKS ASSOCIATED WITH THE SUBDIVISION

The following conditions have been imposed to ensure that adequate and safe public access is available to the subdivision for both pedestrian and vehicular traffic and that the subdivision will not have detrimental effects on the environment.

123. Satisfactory Access to all Lots

The provision of satisfactory access to all lots is required. In this regard, a vehicular layback, in accordance with Council's specification, is to be provided in the kerb adjacent to all proposed allotments. The proposed access shall be 1m away from all Service authorities Assets.

124. Lot Filling

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300 mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with 1 test per 500 m² (minimum 1 test per 300 mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted in this regard.

125. Validation of Fill

Any fill imported to the site shall be validated in accordance with the EPA's Contaminated Sites Sampling Design guidelines 1995.

126. Erosion and Sediment Control Plan

A detailed Erosion and Sediment Control plan prepared in accordance with Council's policy for Urban Erosion and Sediment Control shall be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council. The control measures detailed in the approved plan shall be implemented prior to commencement of any works, including stripping or clearing, on site.

127. Tree Preservation Order

No trees shall be pruned or removed without prior written consent in the form of a Tree Preservation Order from Fairfield City Council.

128. Alignment of Roadway

The alignment of Internal Road No. 1, Deceleration Lane and Road Widening within Old Wallgrove Road to be in accordance with plans issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

129. Construction of Roadway

The construction of full width of Internal Road No. 1, Deceleration Lane and Half width Old Wallgrove Road adjacent to the proposed allotments in accordance with plans and specifications issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

130. Road Construction Plans

Road construction shall not commence until the plans and specifications giving full details of the proposed construction have been issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council.

131. Landscaping Along Roadway

Landscaping in the form of avenue type planting shall be provided in the footway adjacent to the proposed subdivision. The trees are to be of 65 litre size (min), planted at 7 metre spacings, and in accordance with the specification outlined in Council's Tree Management Policy.

132. Site During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited;
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours; and
- c. Showing the name, address and a telephone number of the Principal Certifier for the development.

A \$600 on the spot fine may be issued for non-compliance with this condition. (Environmental Planning & Assessment Regulation 2000 Section 98A).

133. Fencing Restrictive Covenant

The creation of a restrictive covenant over Lot 102 that no fencing shall be erected without Council approval and that all fencing shall be in accordance with Council's Fencing Code in the location of the intersection of Old Wallgrove Road and internal road No. 1.

134. Dedication of Road Splay

The dedication to the public as road on the final plan of subdivision at no cost to Council, of a 6m x 6m splay on the corner of Internal Road No. 1 and Old Wallgrove Road.

135. Works as Executed Drawings

Following completion of the works the applicant shall provide a detailed "work as executed" drawing signed by a registered surveyor showing the finished surface levels of the internal Road No.1, Deceleration lane and Old Wallgrove Road, Stormwater Drainage, Concrete Path Paving and any lot filling carried out under this consent.

Council will not accept "work as executed" plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

136. Footpath Paving

Prior to the issue of the Subdivision Certificate, Council's standard concrete footpath paving shall be constructed by the developer at no cost to Council for the full road frontage of the property in the Internal Road No.1 and Old Wallgrove Road. The area of the footway not paved shall be topsoiled and turfed. The developer shall complete any necessary transitioning to the existing footway beyond the boundary of this property at no cost to Council.

137. Street Lighting

Street lighting within new subdivision shall be designed to the principles and guidelines of the Public Lighting Standard - Lighting for Roads and Public Spaces AS 1158.

CONDITIONS RELATING TO THE PROVISION OF SERVICES TO THE SUBDIVISION

The following conditions have been imposed to ensure that the subdivision is provided with adequate services.

138. Inter-Allotment Drainage Construction

The provision of inter-allotment drainage to all lots which do not wholly slope toward the street. Details of the proposed drainage works are to be issued with a Construction Certificate (Engineering Approval) by an Accredited Certifier or by Fairfield City Council prior to the commencement of works on site.

139. Easements for all Services

Easements shall be created over all services and/or stormwater pipelines within private property which service adjacent roads or properties.

140. Registered Surveyor Certification

Written confirmation is to be provided from a Registered Surveyor that easements have been created for all encroaching services connections, or alternatively that all services are contained wholly within their respective allotments.

141. Sydney Water Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site <http://www.sydneywater.com.au/SW/plumbing-building-developing/developing/Section-73-Compliance-Certificates/index.htm> or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifier prior to release of the linen plan.

142. Endeavour Energy Satisfactory Arrangements

The submission of evidence from Endeavour Energy that satisfactory arrangements have been made for the provision of electricity services to all allotments.

It is considered that the provision of natural gas services is desirable to new subdivisions and in this regard, the developer is requested to liaise with Jemena, Sydney (www.jemena.com.au).

143. Telecommunications Compliance Certificate

The submission of a Compliance Certificate from a Telecommunications carrier as evidence that satisfactory arrangements have been made for all communications plant to be laid underground.

For further enquiries regarding the issue of the Compliance Certificate, contact Telstra on 132200 or complete the online form at <http://www.telstra.com.au/smart-community/developers/>.

144. Stormwater Drainage Easement

Prior to the issue of a Subdivision Certificate, an easement to drain water in favour of the subject property or any part must be created in respect to all stormwater drainage pipelines and structures servicing the subject property or any part which are not located within the subject property or any public road or drainage reserve. Proof of creation of the easement must be submitted to the Principal Certifier.

145. Easement for Services

Prior to the issue of a Subdivision Certificate, an easement for services in favour of the subject property or any part must be created to provide all services

including supply of water, gas electricity, telephone and television and discharge of sewage, sullage, and other fluid waste, to the subject property or any part, which are not located in the subject property or in any public road. Proof of creation of the easement must be submitted to the Certifying Authority.

General Terms of Approval - Issued



Notice No: 1591355

Fairfield City Council
PO Box 21
Fairfield NSW 1860

Attention: Mr Jason Liang - Senior Development Planner

Notice Number 1591355
Date 10-Feb-2020

Re: Development Oakdale East Industrial Complex

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information supporting Goodman Property Service (Aust) Pty Ltd's ("**the applicant**") proposal to develop an industrial complex at 224-398 Burley Road, Horsely Park, NSW ("**the premises**"). The proposal, (ref. DA 93.1/2019) was received by the NSW Environment Protection Authority ("**EPA**") on 3 April 2019.

The EPA has reviewed the information supporting the proposal and has determined that it is able to vary the existing environment protection licence (EPL 546) subject to a number of additional and amended conditions. The applicant will need to make a separate application to EPA to obtain this licence.

The general terms of approval for this proposal are provided at **Attachment A**. If the consent authority grants development consent for this proposal these conditions must be incorporated into the consent.

In assessing the proposal EPA has also identified a number of environmental matters associated with the construction and commissioning that will need to be addressed. These additional General Terms of Approval have been included in **Attachment B**.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to

General Terms of Approval - Issued



Notice No: 1591355

consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

If you have any questions, or wish to discuss this matter further please contact Tenille Lawrence on 9995 6207.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jacqueline Ingham'.

.....

Jacqueline Ingham
Unit Head
Metropolitan - Sydney Industry
(by Delegation)

General Terms of Approval - Issued



Notice No: 1591355

Attachment A General Terms of Approval

1. Administrative conditions

A1. What this licence authorised and regulates

A1.2 Notwithstanding Condition A1.1, the following limits restrict the productive capacity of the masonry manufacturing facility authorised by this licence and approved by the development consent reference DA 93.1/2019 granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

- the production capacity of the masonry manufacturing facility must not exceed 220,000 tonnes per annum;
- a maximum of 900 tonnes raw material can be received and unloaded at the premises in any one calendar day;
- a maximum of 208,000 tonnes of raw material can be received and unloaded at the premises per year;
- a maximum of 90 tonnes of raw material can be processed through the crushing plant in any calendar day;
- a maximum of 22,000 tonnes of raw material can be processed through the crushing plant per year.

Note: These processing rates may be revised if the proponent can demonstrate, through a revised air impact assessment, that the approved activity can achieve ground level concentrations below the criterion as published in the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2016).

A3. Information supplied to the EPA

A3.2 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 DA 93.1/2019 submitted to Fairfield City Council;
- the environmental impact statement *Oakdale East Estate*, ref. P985, dated March 2019 relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including the
 - Detailed Site Investigation (Contamination), ref. R.002.Rev0, dated 14 December 2018
 - Noise Impact Assessment ref. 191015_Rep_Rev 4, dated 29 May 2019
 - Air Quality Impact Assessment ref. OCT18180.3, dated 3 July 2019
 - Waste Management Plan ref. LG1856.01 WMP 11-03-19, dated 11 March 2019
 - Hazard and Risk (SEPP 33) Assessment ref. 181156_NIA_Rev4, dated March 2019.

A4. Fit and Proper Person

General Terms of Approval - Issued



Notice No: 1591355

A4.1 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.

A5. Other Administrative Conditions

A5.1 List of Terms and Acronyms specific to the Licence.

- NSW Noise Policy for Industry - the document entitled "Noise Policy for Industry" published by the Environment Protection Authority in October 2017.
- Noise – "sound pressure levels" for the purposes of conditions L6.1 to L6.7.
- "Noise sensitive locations" includes buildings used as a residence, hospital, school, child care centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30 metres of the building. Noise sensitive locations also means locations sensitive to vibration.

2. Discharges to Air and Water and Applications to Land

P1. Location of monitoring/discharge points and areas (amended)

P1.1 The following points referred to in the table below are identified in for the purpose of monitoring and/or setting of limits of the emission of pollutants to the air from the point.

EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description
10	Discharge to Air, Air emissions monitoring	Discharge to Air, Air emissions monitoring	Silo Vent
11	Discharge to Air, Air emissions monitoring	Discharge to Air, Air emissions monitoring	Gas Fired Boiler

General Terms of Approval - Issued



Notice No: 1591355

3. Limit conditions

L3. Concentration limits

L3.4 Air Concentration Limits (amended)

Point 10 - Silo Vent Stack/s

Pollutant	Units of measure	100 percentile concentration limit	Reference Conditions	Oxygen Correction	Averaging Period
Total Solid Particles	milligrams per cubic metre	10	dry, 273K, 101.3kPa	NA	1 hour
Type 1 and 2 Substances (in Aggregate)	milligrams per cubic metre	1	dry, 273K, 101.3kPa	NA	1 hour

Point 11 - Gas Fired Boiler

Pollutant	Units of measure	100 percentile concentration limit	Reference Conditions	Oxygen Correction	Averaging Period
Nitrogen Oxides	milligrams per cubic metre	TBD*	dry, 273K, 101.3kPa	3% O ₂	1 hour

*concentration limit for Nitrogen Oxides is to be informed by post commission emission monitoring as requested.

General Terms of Approval - Issued



Notice No: 1591355

L6. Noise Limits

L6.1 (Amended) The following noise limits, presented in the table below apply to the operation of the masonry manufacturing facility located at Lot 20 DP 1246626 and approved by the development consent reference DA 93.1/2019 granted under the *Environmental Planning and Assessment Act 1979*.

NOISE LIMITS		Noise Level in Decibels - dB(A) - Fast Response		
Receiver Locality	Lot & DP	DAY LAeq,15min	EVENING LAeq,15min	NIGHT LAeq,15min
R1 321-325 Burley Road, Horsley Park	70 DP 8830389	41	41	38
R2 251-255 Burley Road, Horsley Park	22 DP 1050695	41	41	38
R4 198-222 Burley Road, Horsley Park	237 DP 13905	41	41	38
R6 146 Burley Road, Horsley Park	2404 DP 1090132	41	41	38
R7 353-371 Delaware Road, Horsley Park	231B DP 17288	41	41	38
R10 17 Roberts Road, Eastern Creek	2 DP 1159804	68	68 When-in-Use	68 When-in-Use
R11 10 Roberts Road, Eastern Creek	553 DP 1110447	68	68 When-in-Use	68 When-in-Use
R12 200 Old Wallgrove Road, Eastern Creek	22 DP 1246626	68	68 When-in-Use	68 When-in-Use
R13 2 Milner Avenue, Oakdale Industrial Estate, Horsely Park	1 DP 1237058	68	68 When-in-Use	68 When-in-Use
R14 1 Milner Avenue, Oakdale Industrial Estate, Horsley Park	3 DP 1237058	68	68 When-in-Use	68 When-in-Use
R15 327 Burley Road, Horsley Park.	2 DP 1228114	68	68 When-in-Use	68 When-in-Use

L6.2 (Amended)

Notwithstanding the noise limits authorised under Condition L6.1, noise from all other activities carried out on the premises must not exceed:

- an LA10 (15 minute) noise emission criterion of 50 dB(A) (7am to 10pm) Monday to Saturday and 8am to 10pm on Sundays and Public Holidays; and
- at all other times, an LA10 (15 minutes) noise emission criterion of 40 dB(A), except as expressly provided by this licence.

General Terms of Approval - Issued



Notice No: 1591355

L6.3 For Conditions L6.1 and L6.2

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and public holidays
- Evening is defined as the period from 6pm to 10pm all days
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and public holidays

L6.4 The noise limits set out in Conditions L6.1 and L6.2 apply under all meteorological conditions, including inversion meteorological conditions determined by the recommended meteorological station.

L6.5 For the purposes of determining compliance with Condition L6.4:

- a. data recorded by the meteorological station identified as EPA Identification Point 8 must be used to determine meteorological conditions; and
- b. temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in **Fact Sheet D - Accounting for Noise-Enhancing Weather Conditions** in the *NSW Noise Policy for Industry* (2017).

L6.6 To determine compliance:

- a. with the LAeq(15 minute) noise limits in Condition L6.1 and L6.2, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b. with the noise limits described in Conditions L6.1 and L6.2, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by condition L6.6(a).

L6.7 A non-compliance of Conditions L6.1 and L6.2 will still occur where noise generated from the premises exceeds the appropriate limit as measured:

- at a location other than an area prescribed by conditions L6.6(a); and/or
- at a point other than the most affected point at a location.

L6.8 For the purposes of determining the noise generated at the premises, the modification factors in **Fact Sheet C - Corrections for Annoying Noise Characteristics** of the *NSW Noise Policy for Industry* (2017) must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

General Terms of Approval - Issued



Notice No: 1591355

L7. Hours of Operation

L7.2 Construction work is permitted between the hours of:

- 7.00am to 6.00pm Monday to Friday;
- 8.00am to 1.00pm on Saturdays.

No construction work is permitted on Sundays or Public Holidays

4. Operating Conditions

O3. Dust

O3.1 (Amended)

The premises must be maintained in a condition which minimises or prevents the emission of air impurities, including dust from the premises.

O3.2 Activities conducted on the premises must be undertaken in a manner that avoids or minimises the emission of air impurities, including dust.

O3.3 The proponent must prepare and implement an Air Quality Management Plan (AQMP). The AQMP must set out the measures used to minimise air emissions from the premises and must include, as a minimum:

- a. key performance indicators; including any human health-based thresholds for ambient air exposure.
- b. measures to manage dust from all sources. Control measures should focus on (but not be limited to) managing dust from the receiving, handling and processing of materials, managing dust from stockpiles and hardstand areas
- c. monitoring methods including location, frequency and duration;
- d. response mechanisms;
- e. reactive triggers
- f. responsibilities for demonstrating and reporting achievement of key performance indicators;
- g. record keeping;
- h. complaint handling protocol; and
- i. compliance reporting.

General Terms of Approval - Issued



Notice No: 1591355

5 Monitoring and Recording Conditions

M2. Requirement to monitor concentration of pollutants discharged (amended)

Point 10 (Silo Vent Stack/s)

Pollutant	Units of measure	Frequency	Sampling Method
Solid particles	milligrams per cubic metre	Yearly	TM-15
Type 1 and 2 Substances (in Aggregate)	milligrams per cubic metre	Yearly	TM12, TM 13 and TM-14
Temperature	degrees Celsius	Yearly	TM-2
Velocity	metres per second	Yearly	TM-2

Point 11 (Boiler Discharge)

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen Oxides	milligrams per cubic metre	Yearly	TM-11
Oxygen (O ₂)	milligrams per cubic metre	Yearly	TM-25
Temperature	degrees Celsius	Yearly	TM-2
Velocity	metres per second	Yearly	TM-2

M9. Requirement to Monitor Noise

M9.1 To assess compliance with Conditions L6.1 and L6.2, attended noise monitoring must be conducted in accordance with Conditions L6.6 and:

- at R1, R2, R4, R6, R7 and R10 as listed in Condition L6.1;
- occur at the time of commencement of typical production activity;
- occur during the day/evening/night as defined in Condition L6.6 for a minimum of 60 minutes duration for the day, evening and shoulder period for typical production activity.

6 Reporting Conditions

R4 Noise Monitoring Report

R4.1 A noise compliance assessment report must be submitted to the EPA within 30 days of the commencement of typical production operations. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- an assessment of compliance with noise limits presented in Condition L6.1 as defined in M9.1 (a); and

General Terms of Approval - Issued



Notice No: 1591355

- b. an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Conditions L6.1 and L6.2.

Attachment B – General Terms of Approval - Construction and Commissioning Requirements

1. Prior to construction, the proponent must provide a proof of performance guarantee ("the guarantee") for the dust collection system proposed to be fitted to the silo vent outlet. This guarantee must confirm the achievable control efficiency for the plant and adequately demonstrate that expected air emissions from the silo will not exceed 10 mg/m^3 . Within 3 weeks of receiving the report, the proponent must provide a copy of the post commissioning emissions testing to the NSW EPA at metro.regulation@epa.nsw.gov.au.
2. Within three months of completing the construction of the silos, the Proponent must engage a NATA certified consultant to perform post commissioning emissions testing on the silo vent outlet/s to confirm the environmental performance of the installed pollution control devices. All post commissioning emission testing on the silo outlets must comply with the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (2007). Within 3 weeks of receiving the post commissioning emissions testing report, the proponent must provide a copy of the post commissioning emissions testing to the NSW EPA at metro.regulation@epa.nsw.gov.au.
3. Prior to construction, the proponent must provide the:
 - a. design specifications of the boiler to installed at the facility described in DA93.1/2019
 - b. a performance guarantee for the boiler that demonstrates the plants ability to achieve, at a minimum, the emission performance (as emission concentrations) included in the approved air quality impact assessment ref. OCT18180.3, dated 3 July 2019.
4. Within 3 months of completing the construction and commissioning of the gas fired boiler, the proponent must engage a NATA certified consultant to perform post commissioning emissions monitoring on the for the following air impurities:
 - b. Nitrogen dioxide (NO₂) or Nitric oxide (NO) or both, as NO₂ equivalent
 - c. Volatile organic compounds (VOCs), as n-propane
 - d. Carbon monoxide
5. All monitoring and reporting of emissions must be performed in accordance with the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (2007). Within 3 weeks of receiving the post commissioning emissions testing report, the proponent must provide a copy to the NSW EPA at metro.regulation@epa.nsw.gov.au.