

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**  
**DETERMINATION OF DEVELOPMENT APPLICATION**  
**UNDER SECTION 91 OF THE UNAMENDED ACT**

I, the Minister for Urban Affairs and Planning, under section 91 of the Unamended Environmental Planning and Assessment Act 1979 ("the Act") and clause 8 of the state Environmental Planning Policy No. 34 – Major Employment Generating Industrial Development, determine the development application ("the application") referred to in Schedule 1 by granting consent to the application subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions is to minimise any adverse effects from the development, consistent with the objectives of the Act. These conditions are listed in Schedule 2.

Modified March 2000 (MOD 1)

Modified 2000 (MOD 2)

Modified Sep 2003 (MOD-91-9-2003-i)

Modified 2004 (MOD-33-2004-i)

Modified May 2005 (MOD 58-4-2005-i)

Craig Knowles MP

**Minister for Urban Affairs and Planning**

**Minister for Housing**

Sydney, 28/8 1998

File No. S97/00084/002

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**Schedule 1**

**Application made by:** ABC Paper and Paper Mill Pty Ltd. ("the Applicant")

**To:** The Minister for Urban Affairs and Planning

**In respect of:** Lot 2 DP 236528, Lot1 DP 7777611, Lots 1 and 4, DP 748809, 63-65 Redfern Street, Wetherill Park, Fairfield City

**For the following:** The construction and operation of a tissue mill and ancillary facilities ("the development")

**Development Application:** DA 7/98 lodged with the Department of Urban Affairs and Planning on 6 February 1998 and accompanied by an Environmental Impact Statement ("EIS") prepared by Dick Benbow and Associates Pty Ltd. dated January 1998.

**Determination:**

- (1) To ascertain the date upon which this consent becomes effective, refer to section 93 of the Act.
- (2) To ascertain the date upon which this consent is liable to lapse, refer to section 99 of the Act.
- (3) Section 97 of the Act confers to an applicant who is dissatisfied with the determination of a consent authority a right of an appeal to the Land and Environment Court exercisable within 12 months after the receipt of the notice under section 92 of the Act.

## Schedule 2

### CONDITIONS OF DEVELOPMENT CONSENT

#### LIST OF ABBREVIATIONS

|                      |                                                                  |
|----------------------|------------------------------------------------------------------|
| The Applicant        | ABC Paper and Paper Mill Pty Ltd                                 |
| Council              | Fairfield City Council                                           |
| The Department       | The Department of Urban Affairs and Planning                     |
| The Director-General | Director-General of the Department of Urban Affairs and Planning |
| DLWC                 | Department of Land and Water Conservation                        |
| EPA                  | Environmental Protection Authority                               |
| The Act              | The Unamended Environmental Planning and Assessment Act, 1979    |

#### ABBREVIATIONS AND INTERPRETATION

|                 |                                                                                                   |
|-----------------|---------------------------------------------------------------------------------------------------|
| The Amended Act | The Amended <i>Environmental Planning &amp; Assessment Act 1979</i> as in force from 1 July 1998. |
| PCA             | Principal Certifying Authority                                                                    |
| SEE             | Statement of Environmental Effects                                                                |

**Note:** As the 1998 consent was issued under the Unamended *Environmental Planning and Assessment Act 1979* it refers to Building Applications which have been replaced with Construction Certificates under the Amended *Environmental Planning and Assessment Act 1979*. As such, all reference to Building Applications in the 1998 consent shall be noted as references to Building Applications/Construction Certificates. In accordance with the clause 20 of the *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998*, as Council issued a Building Approval, Council is the Principal Certifying Authority.

#### Building Code of Australia Classification

|                                                  |          |
|--------------------------------------------------|----------|
| Tissue machine halls                             | Class 8  |
| Stock preparation areas                          | Class 8  |
| Bale handling areas                              | Class 8  |
| Storage areas                                    | Class 7  |
| Reception/entry                                  | Class 5  |
| Offices                                          | Class 5  |
| Conference room                                  | Class 5  |
| Effluent treatment                               | Class 8  |
| Stream generator                                 | Class 8  |
| Carpark building                                 | Class 7  |
| Training/education centre                        | Class 9b |
| Covered truck marshalling area at Redfern Street | Class 7  |

#### GENERAL

1. The Applicant shall carry out the development generally in accordance with:
  - a) Development Application DA 7/98, lodged with the then Department of Urban Affairs and Planning on 6 February 1998; as

amended by Notice of Modification approved on 2 March 2000, Notice of Modification approved on 2 November 2000, MOD-91-9-2003-i and MOD-33-3-2004-i and MOD-58-4-2005-I;

- b) Environmental Impact Statement dated January 1998 and the supplementary information dated 10 June 1998, prepared by Dick Benbow and Associates Pty Ltd;
- c) Statement of Environmental Effects dated 11 November 1999 and supplementary information dated 23 November 1999 and 15 December 1999, prepared by Dick Benbow and Associates Pty Ltd;
- d) *Section 96 Modification for D7/98 ABC Paper and Paper Mill Pty Ltd for Modifications to Building Structures at 63-65 Redfern Street, Wetherill Park*, dated 4 September 2003, prepared by Dick Benbow & Associates Pty Ltd
- e) *Section 96 Modification for DA 7/98 ABC Paper and Paper Mill Pty Ltd for Modifications to Building Structures at 63-65 Redfern Street, Wetherill Park*, prepared by Dick Benbow and Associates and dated 15 March 2004;
- f) *Addendum One to Report No. 13171see\_rev2, ABC Paper and Paper Mill Pty Ltd*, prepared by Dick Benbow and Associates and dated 11 June 2004;
- g) A01 plan with title Amended Development Application Site Plan (Job 2509-95, Issue E); and
- h) the conditions of this consent.
- i) The Applicant shall consult with:
  - (a) Sydney Water Corporation Limited;
  - (b) the relevant electricity supplier;
  - (c) the relevant gas supplier; and
  - (d) the relevant local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on-site or on the adjacent public roads. All approved building construction plans will need to be submitted to and stamped by Sydney Water Corporation Limited as an indication that they comply with the Corporation's requirements. Sydney Water Corporation Limited may also require the Applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made of the Corporation's requirements for the eventual operation of the approved use.

Note: Information regarding the location of underground services may be obtained from Dial Before You Dig (DBYD) telephone 1300 652 077. Inquirers should provide DBYD with street/road name and number, side street/road and nearest cross street/road.

- j) To avoid any doubt, this consent does not permit the construction or use of that part of the driveway marked on the plan referred to under condition 1g) of this consent, within the 2.5-metre drainage easement marked on that plan. The part of the driveway excluded from this consent is indicated on the plan with the words *“AGREEMENT HAS BEE (sic) REACHED WITH PROPERTY OWNER TO PURCHASE EASEMENT. LEGALS ARE PROCEEDING PURCHASE NOT FINALISED”*. Use of the drainage easement shall be the subject of a separate planning and assessment process under the *Environmental Planning and Assessment Act 1979*, as may be relevant.

## **ENVIRONMENTAL MANAGEMENT PLAN**

2. The Applicant shall prepare an Environmental Management Plan/s (EMP/s) covering both the construction and operation phases of the development. The Plan/s shall include, but not be limited to:
- Identification of the statutory and other obligations which the applicant is required to fulfil, including all consents, licenses, approvals and consultations;
  - An outline of the specific management objectives and strategies for all relevant environmental issues; and
  - Outline of procedures for monitoring, training and incident management.

The EMP/s shall be prepared to the satisfaction of the Director-General and Council. The construction of EMP (or that part of the EMP covering the construction phase) shall be submitted prior to the commencement of construction works. The operation EMP (or that part of the EMP covering the operation phase) shall be submitted prior to the commencement of operations on the site.

## **COMPLIANCE REPORTS**

3. Prior to the commencement of operations, the Applicant shall submit for the approval of the Director-General a Conditions Compliance Report demonstrating that all conditions of consent and other regulatory requirements applicable at the stage have been complied with.

Upon completion of all works and prior to issue of the Occupation Certificate, written certification from a suitably qualified consultant shall be submitted to Fairfield City Council stating that all works/methods/procedures/control measures etc. required under this consent have been completed in accordance with this consent.

## **INDEPENDENT ENVIRONMENTAL AUDITING**

4. Twelve months after the commencement of operations, an independent environmental audit report shall be submitted to the Director-General, Council and the EPA.

The audit/s shall be carried out at the Applicant's expense and shall be undertaken in accordance with the requirements of the Director-General

in consultation with EPA and Council. The audit/s shall cover all aspects of monitoring and environmental performance, both operational and organisational, and compliance with reporting requirements, conditions of this consent and all relevant approvals and licences. The audit report shall be made available to the Director-General and Council for public access.

The audit/s are to be carried out by a duly qualified independent person or team to be approved and appointed by the Director-General in consultation with the Council and the EPA. Further independent audits are to be conducted if directed by the Director-General.

The Applicant shall comply with all reasonable requirements of the Director-General in respect of any measures arising from or recommended by the independent environmental audit and within such time as agreed to by the Director-General.

### **COMPLIANCE WITH PUBLIC AUTHORITIES REQUIREMENTS**

5. The Applicant shall consult with the EPA with regard to obtaining any relevant pollution control approvals or licenses, and shall comply with the licensing requirements.
6. The Applicant shall submit a Fire Safety Study to the New South Wales Fire Brigades prior to commencement of operations.
7. Appropriate pest control measures as required by the Department of Health shall be undertaken and maintained to ensure the infestation by pest and vermin does not occur.

### **BUILDING APPROVAL**

8. **a)** The following documentary evidence is to be obtained prior to the issue of any Construction Certificate:

Written clearance from the relevant electricity supplier, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

**b)** Retaining walls or other approval methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with the plans and specifications to accompany any Construction Certificate.

**c)** Any Engineering Construction Certificate issued in relation to this consent shall incorporate and address the design works required and detailed in this consent and any ancillary works necessary to make the construction effective.

**d)** The building(s) shall be set out by a registered surveyor to verify the correct position of each structure in relation to the property boundaries.

## NOISE

9. An application under Section 27 of the Noise Control Act, shall be made to the Environment Protection Authority. In this regard, such approval should be obtained prior to commencement of any work the subject of this consent.

This plan shall:

- Address traffic impacts associated with all phases of the development;
- Detail routes, times and truck numbers and types for all phases of the development;
- Outline mitigation measures to be employed to reduce noise emissions and meet the relevant EPA criteria;
- Detail methods for educating drivers in the reduction of road noise impacts; and,
- Detail the monitoring to be undertaken.

The Applicant shall ensure that appropriate noise monitoring is carried out in accordance with the Traffic Management Plan at potentially affected residences in the vicinity of the development. If an increase in noise levels occurs, or if noise levels in the locality from the tissue processing facility's truck movements exceed the relevant criteria set out in the most recent edition of the Environment Protection Authority's *Environmental Criteria for Road Traffic Noise* at any affected residence, mitigation measures as outlined in the Traffic Management Plan shall be implemented.

10. The use and occupation of the premises including all plant and equipment installed thereon, shall not give rise to any offensive noise or vibration within the meaning of the **most recent editions of the Environment Protection Authority's (EPA's) *Industrial Noise Source Policy***.
11. The industry shall be operated in a manner that avoids unreasonable noise and interference to adjoining industrial occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from noise sources such as, but not limited to, warning sirens, public address systems, and heavy-duty compressors.
12. To reduce the nuisance caused by traffic noise, the hours for heavy vehicles to leave and enter the premises through Victoria Street access and Redfern Street access are restricted as follows:

|                 |                  |                  |
|-----------------|------------------|------------------|
| Victoria Street | Monday to Friday | 6:00am – 7:00pm  |
|                 | Saturday         | 8:00am – 1:00pm  |
| Redfern Street  | Monday to Friday | 6:00am – 10:00pm |
|                 | Saturday         | 6:00am – 6:00pm  |

And at no time on public holidays. Trucking operations associated with the development may operate on Sundays between the hours of 8:00 a, and 1:00 pm from the Redfern Street access provided noise levels  $L_{Aeq}(1\text{ hr})$  do not exceed the levels established in Condition 9 at any affected residence. Out of hours truck operations shall cease upon request of the

Director-General in consultation with Fairfield City Council for such time as determined by the Director-General.

## AIR QUALITY

13. The use shall at all times be conducted without a nuisance and in particular so as not to give rise to emission of air impurities, dust, odours, fumes, steam, moisture and gases in contravention of **the Protection of the Environment Operations Act, 1997**. All air ventilation/extraction systems shall have adequate filters provided and maintained thereto. Full details to be submitted to Council with the building application for approval prior to installation.
14. The burning of waste of any kind is prohibited on the site. All waste materials shall be stored in suitable containers which shall be located in a suitably constructed screened area/room. All waste material arising on the premises shall be removed regularly.

## WATER QUALITY AND MANAGEMENT

15. The Applicant shall submit to Council, prior to construction, a detailed Stormwater Management Scheme for the subject site. The Scheme shall detail the methods of implementation and maintenance as well as the method of capture of waterborne material generated from the site. The Scheme shall address all stormwater issues associated with the construction and operational stages of the development. **This scheme shall ensure that all contaminated surface water is segregated from 'clean' surface water by the use of drains, bunding or changes in surface gradients.**
16. Satisfactory arrangements shall be made for the disposal of stormwater. Prior to the issue of the construction certificate, a compliance certificate must be obtained stating that the following issues have been adequately addressed:
  - (i) satisfactory arrangements have been made for the disposal of stormwater;
  - (ii) 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;
  - (iii) the piped drainage system has been designed to an average recurrence interval of not less than 5 years.

Note 1: You are advised that stormwater drainage includes piped drainage and overland surface flows

Note 2: The following information shall be submitted with the construction certificate application:

- a) Full details of proposed stormwater drainage system. These details should include a full calculation schedule producing hydrologic and hydraulic gradeline analysis (similar to that shown in: Australian Rainfall and Runoff', published by the Institution of Engineers, Australia), catchment plan, natural and finished surface levels, invert levels, etc.



- b) A plan showing the natural surface and finished surface contours to AHD. 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 which shows the proposed finished surface spot levels.

Note 3: No intrusive or deep-rooted trees or shrubs shall be planted within the drainage or utility easements or over stormwater drainage pipelines or sewers.

17. The Applicant shall prepare an Erosion and Sediment Control Plan, as part of the Stormwater Management Scheme, detailing measures to prevent soil erosion and sediment run-off during the construction period. The Plan shall be prepared in accordance with the DLWC's guideline "Urban Erosion and Sediment Control" and shall meet the requirements of Council, EPA and DLWC.
18. All liquid wastes other than stormwater arising on the premises shall be discharged to the sewer in accordance with the requirements of Sydney Water.
19. Any pollutant as defined by schedule 2, *the Protection of the Environment Operations Act 1997* shall not be discharged from the premises.
20. An approval shall be obtained from the EPA for permission to discharge wastes into a watercourse. A copy of such approval is to be submitted to Council prior to occupation of the premises.
21. The Applicant shall submit to Council a *new* Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 stating the satisfactory arrangements have been made with Sydney Water for the amplification and reticulation of water and sewerage services to the land.
22. All works and storage area where spillages are likely to occur shall be bunded. The size of the areas to be bunded shall be calculated as being equal to 10% of the total volume stored or equal to the largest container stored, whichever is the greater. All bunded areas shall be graded to a "blind sump" so as to facilitate emptying and cleansing.

## CAR PARKING AND VEHICLE ACCESS

23. Two hundred and forty-five (245) off-street car parking spaces, consisting of 125 car parking spaces to be provided for Stage 1 of the development and 120 car parking spaces to be provided for Stage 2, shall be provided in accordance with Council's Parking Code. Each space shall be permanently line marked.
24. Two (2) off-street carparking spaces for disabled persons (minimum width 3.8m) shall be provided as part of the total parking requirement.
25. The driveway shall be signposted indicating the availability of visitors' off-street parking spaces reserved for this purpose which are to be marked as



such. The off-street car parking spaces together with access driveways shall be made available at all times to staff and visitors.

26. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.
27. Satisfactory access to the proposed development shall be provided via heavy duty concrete crossings in accordance with Council's requirements. Access driveways and internal roads shall be designed in accordance with AS 2890 Part 2 for articulated vehicles. Carparking areas shall be designed in accordance with AS 2890 Part 1.
28. All deliveries to the premises shall be made to the loading bays provided.
29. All vehicles awaiting loading, unloading or servicing shall be parked on site not on adjacent or nearby public roads.
30. All vehicular entries and exits shall be made in a forward direction.
31. The eastern most access from Redfern Street shall be signposted as "Entry Only" and the one way driveway shall be signposted accordingly.
32. All driveways shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

## **CONSTRUCTION TRAFFIC**

33. The Applicant shall prepare to Council's satisfaction a Traffic Management Plan covering the construction period of the development and addressing matters such as, but not limited to, routes, times, truck numbers, and any traffic management measures required.

## **CONSTRUCTION ISSUES**

### **34. a) Tree Protection**

All trees not otherwise approved to be removed are to be suitably protected prior to the commencement of construction works on site. Tree guards, barriers or other measures as necessary are to be provided.

### **b) Soil Erosion and Sedimentation Control**

Soil erosion and sedimentation control measures are to be installed prior to the commencement of construction works.

### **c) Building Materials and Wastes**

1. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on Fairfield City Council's footpath or roadway.
2. Suitable and effective builder's refuse and waste storage facilities are to be provided on the development site for the duration of construction works.

### **d) Construction Noise Control**

1. Any noise generated during construction of the development shall not exceed the limits specified in the most recent edition of the Environment Protection Authority's (EPA's) *Industrial Noise Source Policy*.

#### **e) Site Fencing**

Areas of the site under construction must be fenced off and secured at all times for the duration of construction to prevent public access to these areas.

35. Adjustment to public utilities necessitated by the development shall be completed prior to occupation of the premises and in accordance with the requirements of the relevant Authority. The relocation of any power poles, Telstra pits, etc. are to be at no cost to Council.

#### **LANDSCAPING**

36. A Landscaping Plan shall be submitted to Council with the Building Application. The Landscape Plan shall be prepared by a qualified landscape architect or suitably qualified person knowledgeable in the field. Landscape plans shall contain the following information:

- outline of the proposed building;
- any existing trees (height and location) and the trees to be removed;
- proposed planting (quantity, species and expected mature height);
- proposed earth mounding;
- paths and paving;
- the method of planting and the proposed maintenance program; and
- details of lighting, fencing, seating and paving, where relevant.

37. Landscaping shall be completed to the satisfaction of Council in accordance with the approved plans prior to occupation of the building. All landscaping shall be maintained to the Council's satisfaction.

#### **SITE OPERATION**

38. No sales of manufactured or stored goods shall be made to the general public from the subject premises.
39. All works and storage shall be contained wholly within the building.
40. No advertising signs or structures shall be erected without the prior consent of Council. The Applicant is advised as an initial step to contact the Environmental Services Department – Approval Division with regards to the erection of the signs.

#### **HAZARDS AND SAFETY**

41. The premises must operate at all times in compliance with the requirements of Australian Standards 1940-1993 "The Storage and Handling of Flammable and Combustible Liquids".
42. A Fire Safety Study for the proposed development shall be conducted and submitted to Council. The Fire Safety Study shall cover all aspects detailed in the Department's Hazardous Industry Advisory Paper No.2 –

Fire Safety Study Guidelines and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems.

43. Within 24 hours of any incident or near incident, with actual or potential significant impacts, Council and the EPA must be notified of such incident.
44. A register must be kept on the premise and be made available upon request to Council's officers, officers of Statutory Authorities, the Local Emergency Management Committee. Such register must contain details on the following matters:
  - The date, nature and extent of any defects found in the operation of any pollution control equipment of the facility
  - The date of recommissioning the defective equipment or facility
45. The Applicant has, at least once every two (2) months, carried out a total check on the effectiveness of all early warning detection devices installed in order to raise the alarm that an outbreak of fire has occurred on the premises.

#### **SECTION 94 CONTRIBUTION**

46. The Applicant shall make a contribution as specified on the Section 94 Administration Sheet toward the acquisition of land and construction of works for drainage of stormwater in catchment A (Wetherill Park Industrial Area), in accordance with Section 94 Contributions Plan No. 5/93 – Stormwater Drainage Facilities (Wetherill Park Industrial Area and Residential Release Areas).
47. The total value of contributions payable for the proposed development is calculated at \$96,370 at the date of determination.
48. Mailboxes are to be provided on site in accordance with the requirements of Australia Post.

## **Notes To Schedule 2**

The following notes have been provided by Fairfield City Council as advice to the applicant and should be read in conjunction with the conditions of development consent:

### **Scope of the Consent**

1. This consent relates to the following drawing/details submitted to the Department of Infrastructure, Planning and Natural Resources with MOD 91-9-2003-i:

| <b>Drawing No.</b>        | <b>Dated</b> |
|---------------------------|--------------|
| A01 – 2098-00/A – Issue C | 03/09/03     |
| A02 – 2098-00/A – Issue C | 03/09/03     |
| A03 – 2098-00/A – Issue C | 03/09/03     |

This consent grants approval for stages 1 and 2 of the development only. Nothing in this consent shall be interpreted as constituting the approval of stage 3 of the development, as defined on page 3 of the SEE, dated 11 November 1999.

2. Prior to construction of the approved development, it is necessary to obtain both a Building and Engineering Construction Certificate. A Construction Certificate may be issued either by the Director-General or an appropriately accredited certifier.
3. The granting of this consent does not imply or confer compliance with the requirements of the *Disability Discrimination Act 1992*. The Applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 – Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain building requiring development consent.
4. Any reference in this consent to a Construction Compliance, Occupation or Subdivision Certificate is a reference to such certificates as defined by Section 109(c) of the Amended *Environmental Planning and Assessment Act 1979*.
5. a) All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
  1. Complying with the deemed to satisfy provisions, or
  2. Formulating an alternative solution which:
    - Complies with the performance requirements, or
    - Is shown to be at least equivalent to the deemed to satisfy provisions, or
  3. A combination of 1 and 2

b) Clause 79D of the *Environmental Planning and Assessment Regulation 1994*, requires documentation accompanying the Construction Certificate to include details of any alternative solution to the deemed to satisfy provisions of the Building Code of Australia. Such documentation is to include any reports, technical data or certification relied upon in the issue of the Construction Certificate.

6. At least two days prior to construction commencing on site, the Director-General must be informed, by the submission of Form 7 of the *Environmental Planning and Assessment Regulation 1994*, of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence.
7. The use or occupation of the approved development shall not commence until such time as all conditions of this development consent have been complied with. The use or occupation of the development prior to compliance with all conditions of development consent may make the Applicant/developer liable to legal proceedings.

## **1. Air Quality**

- a. As the premises is a "Scheduled Premises" within the meaning of *the Protection of the Environment Operations Act 1997*, an application for a license shall be made to the EPA. A copy of such license is to be submitted to Council prior to occupation of the premises.

## **2. Water Management**

- a. Full details of proposed stormwater drainage system shall be submitted with the Building Application. Details shall include a full calculation schedule producing hydrological and hydraulic gradeline analysis, catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels, etc.
- b. A plan showing the natural surface and finished surface contours to A.H.D shall be submitted with the Building Application. The natural surface contours shall be extended into the adjoining properties. The finished surface contours shall 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 which shows proposed finished surface spot levels.
- c. Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such materials onto the areas abovementioned.
- d. Building operations such as brick cutting, washing tools, concreting and brick laying will be done on the building block. The pollutants from these building operations shall be contained onsite.
- e. Drains, gutters, roadways and access ways shall be maintained free of sediment and to the satisfaction of Council. Where required, roadways etc., shall be swept to maintain them free from sediment.

- f. All stormwater outlets from the property shall contain a remote control valve capable of being closed off from a conspicuous position. The installation of this valve will enable the stormwater system to be isolated in the event of an accidental discharge of pollutants. Such valve shall be maintained and kept in a good operating condition. The Applicant is advised to contact Council for guideline details prior to submitting building application. Details of the entire system are to be submitted to Council with the Building Application.

Note: Council will not release Building Permit until such time as the details have been approved.

- g. Full and comprehensive details shall be supplied to Council of any pre-treatment facilities required by Sydney Water prior to construction.
- h. **Developer Servicing Plan (DSP) charges now apply to the area in which the development is proposed. Contact Sydney Water Corporation for details.**

### **3. Services**

- a. The Applicant shall submit an application to Integral Energy giving details of the proposed development together with two (2) copies of the ground floor plan for determination of electricity supply requirements. Integral Energy may require a substation on site with easements to be granted. In this regard the Applicant is to submit a letter from Integral Energy to the effect that all Integral Energy's requirements have been satisfied prior to the release of the Building Approval.
- b. Evidence of Council's approval to the proposal is to be submitted to Sydney Water for their concurrent consent prior to any works being undertaken on the site with regard to Trade Waste disposal.
- c. The applicant/owner is to consult with the Electricity Authority, Australia Post and Telstra for their requirements in respect of: -
- Meter Box – sizes and locations
  - Mail Boxes – sizes and locations
  - Cabling/conduiting for telephone installations

### **4. Works on Adjacent Roads**

- a. On completion of all works, the footway adjacent to the development shall be regraded (in accordance with levels specified by Council's technical Services Department), topsoiled and turfed.
- b. The construction of Redfern Street for the frontage of the site. Such work shall be completed in accordance with plans and specifications approved by Council. Asphaltic concrete sealing of the pavement shall be undertaken in two stages:

- Initial 25mm thickness of AC 10 to be laid by the Applicant.
- Final layer of 20mm AC5 to be laid by Council, for which the Applicant will be required to pay a contribution at the current rate per square meter.

Where investigation reveals that unsatisfactory circumstances may be created by such construction, satisfactory arrangements shall be made with Council guaranteeing the construction.

- c. The Applicant shall construct the kerb and gutter, road shoulder and footway formation for the full frontage of Redfern Street (including drainage works). All works on roads and footways shall be constructed at no cost to Council and finalised prior to occupation. Attention is drawn to the need for separate approval of detailed engineering drawings.
- d. Five (5) copies of plans and specifications giving full details of the design and construction shall be submitted to and approved by Council prior to approval of the Building Application. The Applicant should contact Council's Subdivision Control Engineering concerning the details to avoid subsequently delays in acquiring approval. A minimum of 14 days will be required for processing of drawings and approval will be subject to payment of required Road Fees which cover checking of plans and Council supervision during construction.
- e. Prior to the release of any building approval, the Applicant shall lodge with Council's Subdivision Control Engineer, a bank guarantee to the cost of all works required under this consent to be carried out within the road reserve or on land under the control of Council. The value of the bank guarantee will be determined upon approval of the detailed engineering drawings. The guarantee will be returned upon application following notification from Council's Technical Services Department of practical completion of the works.

Note: the Applicant will be responsible for the maintenance of the works for a period of 6 months following practical completion and will be required to submit a maintenance bond in the amount of 10% of construction cost prior to the release roadworks at the end of the maintenance period.

- f. Upon completion of all road and drainage works as detailed in the approved engineering drawings, Work As Executed drawings, prepared by a Registered Surveyor, in accordance with Council's specification, shall be lodged with Council's Subdivision Control Engineer. Final acceptance of the works will be subject to construction being in accordance with Council's specification, the submissions of satisfactory Work As Executed details and a suitable maintenance deposit which will be held for a period of 6 months from practical completion.

## **5. Landscaping**

- a. The lodgement of a cash bond for the sum of \$6000 to Council to ensure the provision of effective landscaping and maintenance, in accordance with the approved plans. The bond shall be lodged prior to the release of the building application and will be released twelve (12) months after



completion of the development, subject to satisfactory establishment and maintenance of landscape area.

Should the applicant dispose of the property within the twelve (12) months period it shall be his responsibility to include in the contract of sale a condition granting him 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.

- b. 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.
- c. Council shall require intensive landscape work to screen any proposed padmounted substation which may be constructed by Integral Energy on the premise.
- d. The area between the street alignment and the building alignment (exclusive of driveways) and the general surrounds shall be landscaped and maintained with lawns and shrubs and trees of advanced growth to the satisfaction of Council.
- e. No intrusive or deep rooted trees or shrubs shall be planted within the drainage or utility easements or over stormwater drainage pipelines or sewers.
- f. All security fencing is to be established in accordance with Council's requirements.

## **6. Hazard and Safety**

- a. Plans stamped by a consultant accredited by the NSW WorkCover must be submitted to Council with the building application. These plans must show how compliance with the Dangerous Goods Act and the relevant Australian Standards has been achieved.
- b. An application shall be lodged with the Chemicals Safety Unit of the NSW Work Cover for the issue of a Dangerous Goods License. A copy of such a license must be presented to Council upon issue.

## **7. General**

- a. All building materials shall be compatible in type, colour and texture throughout the whole project. All external metal deck surfaces shall be of a bonded finish. Details and colour of the building materials shall be submitted for approval with the Building Application.
- b. The properties comprising this development shall be consolidated into one allotment. Occupation of any part of the development will not be permitted nor will Building Certificates or Certificates of Classification be issued, prior to the consolidation creating the allotment being registered with the Land Titles Office.

- c. The Right of Way of Lot 1, DP 777761 benefiting Lot 2, DP 777761 is required to be extinguished prior to occupation. In this regard a letter from the owner/s of Lot 2, DP 777761 shall be submitted to Council with the Building Application granting their consent to the extinguishing of the Right of Way.
- d. The portion of the site not the subject of this approval shall be maintained in a clean and tidy state at all times.
- e. Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works then Council's Environmental Control Branch is to be contacted immediately for advice on the treatment/removal methods required to be implemented.
- f. Full details of all structural pollution control devices and hazard precautionary measures shall be submitted to Council with the Building Application and approved prior to construction.