

ST MARYS RESOURCE RECOVERY FACILITY

Appendix E: Copies of Previous Approvals



PENRITH VALLEY
River Mountains Lakes

Penrith City Council



Civic Centre
601 High St
Penrith 2571

DX 8017, Penrith
PO Box 60 Penrith 2751

Telephone No: (02) 47327777
Fax No: (02) 47327879
Email: pencit@penrithcity.nsw.gov.au

Our Ref: AC:CM DA986628
Contact: Mr Adam Coburn
Telephone: (02) 47 32 7580

17 February 1999

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

*Issued under the Environmental Planning and Assessment Act 1979,
Section 81 (1) (a)*

Development Application No.: 986628

Issued to: Christian Stormer

Address: 5 Duff Street
Turramurra NSW 2074

Land to be developed: Lot 9 DP 31908 (No. 21) Dunheved Circuit, St Marys

Proposed development: Proposed construction of storeroom to rear of existing factory

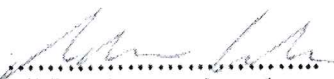
Determination date: 12 February 1999

Determination: Consent granted subject to the conditions specified in this notice.

Consent to operate from: 12 February 1999

Consent to lapse on: 12 February 2001

Right of Appeal: *If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.*

Signed:  **Name:** Adam Coburn
for the Building Approvals and
Environment Protection Manager.

Date: 17/2/99

Continued....

Consent Number: DA 986628

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Conditions:

1000 GENERAL CONDITIONS

1005 Development is to be carried out in accordance with plans stamped approved by Council and accompanying documentation submitted in respect of this application.

1007 This development consent is valid for a period of two (2) years from the date on the front of this notice.

1011 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

1081 Prior to any works commencing a Construction Certificate is required.

2000 PRIOR TO THE ISSUE OF
A CONSTRUCTION CERTIFICATE

2109 Soil erosion and sediment controls are to be provided in accordance with Council's policy prior to and during the construction of the proposed development. A detailed plan of the proposed measures is to be submitted for approval prior to the issue of the Construction Certificate.

3000 MATTERS TO BE PART OF
THE CONSTRUCTION CERTIFICATE

3022 All structural details for concrete and steelwork shall be checked, certified and signed by an approved practising Structural Engineer. These details must accompany the construction certificate.



Consent Number: DA 986628

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- 3065 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the BCA:
- a) The building shall be divided by a fire wall of 90/90/90 FRL to ensure any fire compartment is less than 2000m² + 12000m³. Therefore the building can be continued to have Type C construction and not require a fire sprinkler system.
- A fire hose reel system and a fire hydrant system are required for the whole building and their locations shall be shown on the Construction Certificate plans.

- 3135 Each year the owner of the building shall provide Council with an Annual Fire Safety Statement which will certify the maintenance of any essential fire safety measure on the premises, e.g. fire hydrants, hose reels, extinguishers, exit signs, emergency lighting.

5000 MATTERS TO BE COMPLIED
WITH DURING CONSTRUCTION

- 5003 Inspections are required at the following stages of construction:
- (a) Steel reinforcement for footings/slabs/swimming pools or other structural concrete components prior to placement of concrete,
 - (b) When wall and roof framing is erected/external linings completed and roof has been loaded, (prior to lining the interior),
 - (c) Stormwater pipes and surface drainage prior to the pipes being covered over,
 - (d) When the building is completed and ready for approval to occupy.

Should Council be appointed the Principal Certifying Authority, then a minimum 24 hours notice will be required prior to each inspection. All inspections must be booked with Council by 4.00pm on the day before the inspection is required. Facsimile requests for inspections will not be accepted. The approved fee must be paid for the inspections.



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Consent Number: DA 986628

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5013 A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited, and
- (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted during work hours.

Any such sign is to be removed when the work has been completed.

This condition does not apply to:

- (i) building work carried out inside an existing building, or
- (ii) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

5193 Arrangements are to be made for the safe storage of all paints and solvents.

6000 PRIOR TO THE ISSUE OF
AN OCCUPATION OR SUBDIVISION
CERTIFICATE

6005 Roofwater drains shall be discharged into the street gutter or a common line.

6113 Twenty seven (27) on site car parking spaces are to be provided, paved, linemarked and maintained to Council's satisfaction.

6115 Parking space dimensions and manoeuvring areas are to comply with AS2890.1, 1993.

Continued....

Consent Number: DA 986628

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- 6219 The 4 parking spaces to the front of the development as shown in red by Council are to be designated as customer parking spaces only. The four (4) customer parking spaces are to be sealed and maintained in accordance with Council requirements. A directional sign indicating the location of customer parking is to be provided.

7000 O P E R A T I O N A L M A T T E R S

- 7065 All manufacture and assembly associated with the use are to be conducted within the confines of the building at all times.

- 7082 All materials and goods associated with the use shall be contained within the building at all times.

8000 A D V I C E

- 8001 These conditions have been imposed for the following reasons:

1. To ensure compliance with the terms of the relevant Planning Instrument.
2. To ensure that no injury is caused to the existing and likely future amenity of the neighbourhood.
3. Due to the circumstances of the case and the public interest.
4. To ensure that access, parking and loading arrangements will be made to satisfy the demands created by the development.
5. To ensure the structural integrity of the development.
6. To ensure the protection of the health and safety of the occupants of the development.

Penrith City Council
Application for Development

Paul Patterson from Council
Application No: 986628

(Environmental Planning and Assessment Act 1979 Section 78A)

Office Use Only:

☐ Local
☐ Integrated
☐ Designated
☐ Prohibited
☒ Construction Certificate

Account No _____ Code DA Class Fac
Work Type LCL Objective Date 1/1/99
Assessed Fee \$ 506.37 Receipt No: 1255525 Date 23/11/98

SECTION 1: General (All applicants must complete this section)

Applicant's Name: CHRISTIAN STOELMER

Postal Address: 5 DUFF STREET TORRAMORRA 2074

Telephone: Bus: _____ Home: 91441887 Fax: _____

SECTION 2: Details Of Land To Be Developed

Lot No: LOT 9 DP/SF 31908 Street No: 21
Street: 21 DUNHEVED CIRCUIT Suburb: ST. MARYS

SECTION 3: Proposed Development

Application is hereby made for:

- | | |
|--|--|
| ☒ Erection of Building | ☐ Use of Land or Building |
| ☐ Subdivision of Land or Building | ☐ Demolition |
| ☐ Carrying Out of Works on Land | ☐ Other |

Description of Development: EXTENSION TO FACTORY - STORAGE FOR EXISTING FURNITURE MANUFACTURE

Is the development to be staged? ☐ Yes ☐ No If yes, number of stages _____

Estimated cost of proposed development (see Note 1): \$ 20000-00

SECTION 4: Approvals Under S.68 Local Government Act 1993 (see Note 2)

Does this application also seek approval for one or more of the matters listed in Section 68.

☐ YES ☒ NO

If yes, list the approval(s) sought: _____

Notes referred to in this application can be found in the document "Notes used for Completing Applications"



If you do not understand this letter, please contact the Telephone Interpreting Service on 131 450 and ask them to contact Penrith City Council on your behalf on (02) 4732 7777. Or come to the Council and ask for an interpreter.

- ARABIC** إذا كنت لا تفهم هذه الرسالة، نرجوك الإتصال بخدمة الترجمة الهاتفية على الرقم 131 450 واطلب منهم أن يتصلوا بمجلس مدينة پنريث بالنيابة عنك على الرقم 4732 7777 (02)، أو إحضر إلى المجلس واطلب مترجم.
- CHINESE** 如果你不明白此信，請打131 450電話 與電話傳譯服務處 聯繫，並請他們代你打(02) 4732 7777電話與Penrith市府聯繫。你也可前往市府並請他們為你提供傳譯員。
- CROATIAN** Ako ne razumijete ovo pismo, molimo nazorite Telefonsku službu tumača (Telephone Interpreting Service) na 131 450 i zamolite njih da vam nazovu Ured općine Penrith vaše ime na (02) 4732 7777. Ili dodite u Općinu i zatražite tumača.
- FILIPINO** Kung hindi ninyo maunawaan ang sulat na ito, pakitawagan ang Serbisyo sa Telepono sa Pagpapaliwanag sa 131 450 at hilingin sa kanila na tawagan. para sa inyo, ang Kapulungang Lungsod ng Penrith sa (02) 4732 7777. Maaari din kayong pumunta sa Kapulungan at humiling ng isang tagapagpaliwanag.
- GREEK** Αν δεν καταλαβαίνετε αυτό το γράμμα, παρακαλείστε να επικοινωνήσετε με την Τηλεφωνική Υπηρεσία Διερμηνεών στον αριθμό 131 450 και ζητήστε τους να επικοινωνήσουν για λογαριασμό σας με τη Δημαρχία του Penrith, στον αριθμό (02) 4732 7777, ή ελάτε στη Δημαρχία και ζητήστε διερμηνέα.
- HINDI** यदि यह पत्र आप को समझ में न आए, तो कृपया टेलीफोन इंटरप्रेटिंग सर्विस (दूरभाष सकृवाद सहायक सेवा) से 131 450 पर सकृपर्क करके और उनसे आप की ओर से पेंरिथ सिटी काउंसिल से (02) 4732 7777 पर सकृपर्क करने के लिए कहें या काउंसिल में आएं और इंटरप्रेटर (सकृवाद सहायक) के लिए पूछें।
- ITALIAN** Se non comprende questa lettera è pregato di chiamare il TIS (Servizio Telefonica Interpreti) al 131 450 chiedendo che si rivolgano a Suo nome al Municipio di Penrith, al n° (02) 4732 7777. Oppure vada Lei stesso al Municipio e chieda un interprete.
- MALTESE** Jekk ma tifhemx din l-ittra, jekk jogħġbok ċempel lis-Servizz ta' l-Interpreti bit-Telefon fuq in-numru 131 450 u itlobhom iċemplu għan-nom tiegħek lill-Kunsill tal-Belt ta' Penrith fuq in-numru (02) 4732 7777. Jew ejja sal-Kunsill u staqsi għal interpretu/a.
- SPANISH** Si usted no entendiera esta carta, sirvase llamar al Servicio Telefónica de Intérpretes ("TIS"), número 131 450, y pedir comunicación a su nombre con el Municipio de Penrith, teléfono (02) 4732 7777. También puede venir al Municipio y pedir un intérprete.
- TURKISH** Bu mektubu anlamakta güçlük çekiyorsanız, lütfen 131 450 numaradan Telefon Tercüme servisini arayarak sizi (02) 4732 7777 numaralı Penrith Belediye dairesine bağlamalarını isteyiniz. İsterseniz Şahsen Penrith Belediye dairesine gelerek tercüman isteyebilirsiniz.

SECTION 5: Integrated Development (See Note 3)

Does the development require any other approvals or licenses from other legislation? ☐ YES ☒ NO

Details of approval / licenses _____

If yes, additional fees and plans will be required to be submitted.

SECTION 6: Construction Certificate

Is a Construction Certificate required to be issued as part of this consent?

☒ YES ☐ NO

If yes, the Annexure attached for combined Development Application and Construction Certificate must be completed and lodged with the required information. (Refer to note 4)

SECTION 7: Compliance Certificates

Are any compliance certificates to be relied upon for this development?

List: NO

Two (2) copies of the certificates and plans accompanying the certificates must be lodged.

SECTION 8: Environmental Impact (See Note 5)

☐ An Environmental Impact Statement is attached.

☐ A Statement of Environmental Effects is attached.

☒ The proposed development is considered to have negligible affect and impact on the environment.

SECTION 9: Long Service Levy (See Note 6)

SECTION 10: Consent of all owners/details (See Note 7)

Name(s) CHRISTIAN STOERMER

Company _____

Address 50 OFF STREET TURRAMURRA 2074

As the owner/s of the land to which the application relates, I/we consent to the making of this application.

Signed: Christian Stoermer

Date 23.11.98



Civic Centre
601 High Street, Penrith
PO Box 60, Penrith, 2751
DX 8017, Penrith

Tel: (02) 4732 7777
Fax (02) 4732 7958
E-Mail pencit@penrithcity.nsw.gov.au
Revised 29/7/1998

SECTION 11: Other Information / Attachments (Refer to Note 8)

SECTION 12: Declaration of Pecuniary Interest

Question 1:

Are you (the applicant) employed by the Penrith City Council or do you submit the application on behalf of an employee of Penrith City Council?

☐ YES ☒ NO

Question 2:

Do you (the applicant) have any relationship to any staff or Councillor, or do you submit the application on behalf of a person with such a relationship?

☐ YES ☒ NO

If you answer yes to question 1 or 2 you must disclose the relationship below:

SECTION 13: Applicant's Declaration

I apply for approval to carry out the development described in this application. I declare that all the information I have given is true and correct. I also understand that:

- If the application is incomplete, it may be delayed or rejected.
- More information may be requested to assist in determination of the application.
- Details of this application may need to be supplied to some government authorities and must be available in accordance with the statutory provisions.
- Council does have a practice of providing details of the applications to non-government bodies for the purpose of statistical analysis and information. Do you wish to have your name and address suppressed from the records requested by interested parties? ☐ YES ☐ NO

Signature of Applicant

Christina Williams

Date

23/11/1998



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ANNEXURE TO APPLICATION FOR DEVELOPMENT

To be completed by, or on behalf of, the proponent of the proposed development. The information should be to the best of your knowledge and is intended to assist Council in developing a history of previous uses of the site.

- Complete questions 1-3 for all development applications.
- Complete questions 4-6 if the answer to question 3 is yes.

1. Please specify all land uses and activities to which the site has been put, including the current use.	Previous Use(s): Machle Works Furniture factory
	Current Use(s): Furniture factory
2. Are you, as the proponent, aware of uses to which properties adjoining the site have been put? If so, please specify.	Empty land Earth moving Machinery Repair work
3. Do any of the uses in the answers to questions 1 and 2 correlate with the potentially contaminating activities set out in table on the back of this form.	
4. If the answer to 3 is yes, has there been any testing or assessment of the site and, if so, what were the results?	TESTED 18.12.1995 RESULTS WERE GOOD.
5. Are you aware of any contamination on the site?	
6. What remediation work, if any (carried out voluntarily or ordered by government agency), has been taken in respect to contamination which is or may have been present on the site?	

POTENTIAL CAUSES OF SITE CONTAMINATION

The following Table lists potential causes of Site Contamination and potentially contaminating land uses which are referred to in the Penrith City Council Contaminated Land Draft Development Control Plan.

POTENTIAL CAUSES OF SITE CONTAMINATION

Land Use	Materials	Events
- acid/alkali plant and formulation - agricultural/horticultural activities - airports - asbestos production and disposal - chemicals manufacture and formulation - concrete and brick industry - defence works - drum re-conditioning works - dry cleaning establishments - electrical manufacturing (transformers) - electroplating and heat treatment premises - engine works - explosives industries - gas works, carbonisation plants and ancillary by-products works - heavy engineering works - iron and steel works - landfill sites - metal treatment refining and recovery - mining and extractive industries - munitions production and testing sites - oil and petrol production and storage - paint formulation and manufacture - paper and printing works - petrochemical works - pesticide formulation, manufacture and storage - pharmaceutical formulation and manufacture - power stations - railway yards, especially large sidings and depots - scrap yards - service stations - sheep and cattle dips - smelting and refining - tanning and associated trades - termite/ant control - timber treatment works - waste disposal storage and treatment	- metals - inorganic compounds containing anions such as cyanide - organic chemicals - oils and tars - toxic, explosive and asphyxiant gases (including gases from the decomposition of wastes in landfills) - combustible substances - putrescible material - hazardous wastes - radioactive material	- disposal of wastes (controlled or uncontrolled) - accidental spillage - leakage during plant operation - storage or transportation of raw materials, finished products or wastes - storage of sewage sludge - deposition from the atmosphere from an industrial site - migration of contaminants into a site from neighbouring land, either as vapour, leakage or movement of liquids through the soil - use of agricultural chemicals

- Notes: 1. This table may be updated from time-to-time upon the receipt of information by Council from recognised authorities.
2. It is not sufficient to rely solely on this table to determine whether a site is likely to be contaminated or not. The table is a guide only.

Annexure

To be completed when a combined Development Application and Construction Certificate is lodged

☒ Building Works

☐ Subdivision Works

Value of Work \$ 20,000

Builder/Owner Builder (if known) CHRISTIAN STORMER Licence No/Permit No 3561

Address of Builder 5 DUFF STREET TURRAMURRA 2074

For Building Works Only:

The Schedule to Construction Certificate below is to be completed for the purpose of providing information to the Australian Bureau of Statistics.

Schedule to Construction Certificate Application

Particulars of the proposal

What is the area of the land (m²) 6070 Gross floor area of existing building (m²) _____

What are the current uses of all or parts of the building(s)/land?

(If vacant state vacant) FURNITURE MANUFACTURE

Location EXISTING Use _____

Does the site contain a dual occupancy? NO

What is the gross floor area of the proposed addition or new building (m²) 166

What are the proposed uses of all parts of the building(s)/land?

Location _____ Use _____

How many dwellings are proposed? 0 How many storeys? 1

Tick the code which best describes the materials the new work will be constructed of:

Materials to be used

Walls

brick veneer
full brick
single brick
concrete block
steel
fibrous cement
hardiplank
timber/weatherboard
cladding-aluminium
other

Code

[]
[]
[]
[]
[]
[]
[]
[]
[]
[]

Roof

aluminium
concrete
concrete tile
fibrous cement
fibreglass
tiles
slate
steel
terracotta tile
other

Code

[]
[]
[]
[]
[]
[]
[]
[]
[]
[]

Floor

concrete EXISTING
timber
other

[]
[]
[]

Frame

timber
steel
other

[]
[]
[]



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Revised 29/7/1998



Penrith City Council

OUR REF: BLD 970051
CONTACT: MR ILLY 32 7512

SECTION 68 APPROVAL

PERMIT NO: BLD 970051

SITUATED AT
21 DUNHEVED CIRCUIT
ST MARYS 2760

APPLICANT
CHRISTIAN HERBERT STOERMER
5 DUFF STREET
TURRAMURRA NSW 2074

REGISTERED OWNER
CHRISTIAN HERBERT STOERMER
5 DUFF STREET
TURRAMURRA NSW 2074

BUILDER
PETER STOERMER
5 DUFF STREET
TURRAMURRA NSW 2074

REGISTERED PROPERTY:
L9 DP31908;

APPROVED SUBJECT TO:

- COMPLIANCE WITH THE LOCAL GOVERNMENT ACT AND RELEVANT ORDINANCES, THE BUILDING CODE OF AUSTRALIA AND THE SWIMMING POOLS ACT, 1992.
- CONDITIONS SPECIFIED HEREUNDER.

FOR ADDITION OF/TO - OTHER COMMERCIAL BUILDINGS
FOR THE VALUE OF \$15000.

ATTENTION IS DRAWN TO THE PROVISIONS OF SECTIONS 100, 176, 177 AND 178 OF THE LOCAL GOVERNMENT ACT, 1993 WHICH PROVIDE RIGHTS OF REVIEW AND APPEAL OF THE DECISION OF COUNCIL AND THE CONDITIONS OF AN APPROVAL. THE SWIMMING POOLS ACT, 1992 ALSO PROVIDES APPEAL RIGHTS.

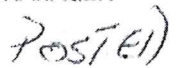
DATE: 26/02/97

SIGNED: CRAIG BUTLER.

, PER: 

B A & E P MANAGER

DATE: 3/3/97

SIGNED: 

PERSON COLLECTING PLANS

CONDITIONS:

001 THIS APPROVAL LAPSES FIVE (5) YEARS AFTER THE DATE FROM WHICH IT OPERATES IF BUILDING, ENGINEERING OR CONSTRUCTION WORK RELATING TO THE BUILDING IS NOT SUBSTANTIALLY PHYSICALLY COMMENCED.

CONTINUED....



Penrith City Council

PERMIT NUMBER: BLD 970051

PAGE 2

- 004 A MINIMUM OF 24 HOURS NOTICE SHALL BE GIVEN TO COUNCIL FOR INSPECTION:-
- (a) OF PIER HOLES BEFORE CONCRETE IS POURED
 - (b) OF STEEL REINFORCEMENT FOR FOOTINGS/SLABS/SWIMMING POOLS OR OTHER STRUCTURAL CONCRETE COMPONENTS PRIOR TO PLACEMENT OF CONCRETE
 - (c) OF BEARERS/JOISTS AND DAMPCOURSES BEFORE FLOORING IS LAID
 - (d) WHEN THE BUILDING HAS BEEN ERECTED TO FLOOR LEVEL AND DAMPCOURSES ARE LAID FOR BUILDINGS OF CAVITY MASONRY CONSTRUCTION
 - (e) WHEN WALL AND ROOF FRAMING IS ERECTED/EXTERNAL LININGS COMPLETED AND ROOF HAS BEEN LOADED; (PRIOR TO LINING THE INTERIOR)
 - (f) OF FLASHING OF WET AREAS PRIOR TO LINING OR TILING OF THESE AREAS (VIZ: BATHROOMS, ENSUITES, LAUNDRIES AND WC)
 - (g) OF STORMWATER PIPES AND SURFACE DRAINAGE PRIOR TO THE PIPES BEING COVERED OVER
 - (h) OF INTERNAL AND EXTERNAL DRAINAGE IN NON-SEWERED AREAS UNDER THE CONTROL OF PENRITH CITY COUNCIL
 - (i) WHEN THE BUILDING IS COMPLETED AND READY FOR APPROVAL TO OCCUPY
- FACSIMILE REQUESTS WILL NOT BE ACCEPTED.
- 005 COMPLIANCE IN ALL RESPECTS WITH THE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA.
- 006 A RIGHT OF REVIEW OF THIS DETERMINATION EXISTS UNDER THE PROVISIONS OF CLAUSE 100 OF THE LOCAL GOVERNMENT ACT, 1993. ANY REQUEST FOR A REVIEW MUST BE MADE IN WRITING WITHIN 28 DAYS AFTER THE DATE OF THE DETERMINATION.
- 007 THE BUILDING SHALL NOT BE USED OR OCCUPIED UNTIL APPROVAL IS GRANTED BY COUNCIL.
- 010 STAMPED PLANS, SPECIFICATIONS AND PERMIT SHALL BE AVAILABLE ON SITE AT ALL TIMES DURING CONSTRUCTION.
- 011 THE DEVELOPMENT MUST BE CONSTRUCTED STRICTLY IN ACCORDANCE WITH THE PLANS AS APPROVED BY COUNCIL.
- 013 A REFERENCE TO AUSTRALIAN STANDARD IN THESE CONDITIONS RELATES TO THAT EDITION DETAILED IN SPECIFICATION A1.3 OF THE BUILDING CODE OF AUSTRALIA OR OTHERWISE THE CURRENT EDITION OF THE NOMINATED CODE.
- 049 GLASS INSTALLATION WITHIN THE BUILDING SHALL COMPLY WITH AS 1288 AND PART B1 OF THE BUILDING CODE OF AUSTRALIA. THE APPLICANT SHALL FURNISH COUNCIL WITH A REPORT FROM THE GLAZIER UPON COMPLETION OF THE GLASS INSTALLATION, INDICATING COMPLIANCE WITH THE REQUIREMENTS OF AS 1288.
- 052 PARTITIONING WHICH IS NOT A PART OF THIS APPLICATION SHALL NOT BE CONSTRUCTED WITHOUT PRIOR APPROVAL FROM THE BUILDING APPROVALS AND ENVIRONMENT PROTECTION MANAGER.
- 061 THE BUILDING SHALL BE COMPLETED IN ALL RESPECTS AND A CERTIFICATE OF CLASSIFICATION SHALL BE ISSUED BY COUNCIL'S HEALTH AND BUILDING SURVEYOR PRIOR TO OCCUPATION OF ANY PART OF THE BUILDING.

CONTINUED



Penrith City Council

PERMIT NUMBER: BLD 970051

PAGE 3

- 122 INTEGRAL ENERGY REQUIREMENTS ARE TO BE SOUGHT PRIOR TO COMMENCEMENT OF WORK IN RESPECT OF:
- (i) UNIMPEDED ACCESS AT ALL TIMES TO METER AND METERING EQUIPMENT
 - (ii) ANY CONSTRUCTION ADJACENT TO ANY ELECTRICAL EASEMENT
 - (iii) INSTALLATION OF ANY METALLIC OR CONDUCTIVE FENCING OR STRUCTURE WITHIN A 4 METRE RADIUS (MEASURED FROM EXTREMITIES OF A PADMOUNT SUBSTATION)
 - (iv) INSTALLATION OF CONDUITS ACROSS FOOTPATH APRON
 - (v) ANY CUT OR FILL IN THE VICINITY OF A CABLE EASEMENT.
- 125 WARNING - THESE BUILDING PLANS MUST BE SUBMITTED TO ANY BUSINESS OFFICE OF SYDNEY WATER AT LEAST FOURTEEN (14) DAYS BEFORE COMMENCEMENT OF WORK. THE PLANS AND A BUILDING APPLICATION FORM, AVAILABLE AT BUSINESS OFFICES, NEED TO BE SUBMITTED TO ENSURE THAT THE PROPOSED STRUCTURE MEETS THE REQUIREMENTS OF SYDNEY WATER'S BY-LAWS CONCERNING:-
- (i) LOCATION OF SANITARY FIXTURES
 - (ii) RELATIONSHIP OF THE BUILDING TO WATER MAINS, SEWERS AND STORMWATER CHANNELS AND FOR VALUING PURPOSES IN CONNECTION WITH SECTION 97(4) AND (7) OF SYDNEY WATER'S ACT AND FOR THE CALCULATION OF A BUILDING FEE IN ACCORDANCE WITH BY-LAW 7(1) OF SYDNEY WATER'S ACT.
- FAILURE TO SUBMIT THESE PLANS BEFORE COMMENCEMENT OF WORK WILL RENDER THE OWNER LIABLE TO A PENALTY AND MAY RESULT IN THE DEMOLITION OF THE WORK AT THE BUILDER'S EXPENSE.
- SYDNEY WATER BUSINESS OFFICES ARE LOCATED AT THE FOLLOWING ADDRESSES:
- 570 HIGH STREET PENRITH
 - SHOP 1/112 MAIN STREET BLACKTOWN
 - 103 KATOOMBA STREET KATOOMBA
 - 100 CHURCH STREET PARRAMATTA
 - 115-123 BATHURST STREET SYDNEY
- 128 APPROVAL FOR THE SITE AND SIZE OF PROPOSED HOUSEHOLD MAIL BOXES MUST BE OBTAINED FROM AUSTRALIA POST.
- 131 WHERE CONDITIONS REFER TO "COUNCIL", THIS SHALL MEAN COUNCIL'S ENVIRONMENTAL HEALTH AND BUILDING SURVEYOR.
- 152 ALL STRUCTURAL STEEL BEAMS/COLUMNS SHALL BE CERTIFIED BY A PRACTISING STRUCTURAL ENGINEER AND THE CERTIFICATION SUBMITTED FOR COUNCIL'S APPROVAL PRIOR TO THEIR INSTALLATION.
- 162 DETAILS OF THE PROPOSED SLAB ARE TO BE PROVIDED FOR COUNCIL'S CONSIDERATION AND APPROVAL PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.
- 459 THE SMOKE DEVELOPED, SPREAD OF FLAME AND FLAMMABILITY INDEXES OF THE SARKING AND BUILDING MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF SPECIFICATION C1.10 OF THE BUILDING CODE OF AUSTRALIA AND A SUITABLE TEST REPORT CERTIFICATION SHALL BE SUBMITTED TO COUNCIL.
- * NOTE: SUCH MATERIALS INCLUDE CARPET, CEILING PANELS AND OPERABLE WALL LININGS.
- No carpet etc... n/a. RLR*

CONTINUED....



Penrith City Council

PERMIT NUMBER: BLD 970051

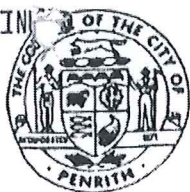
PAGE 4

- 533 A DOOR IN A REQUIRED EXIT OR FORMING PART OF A REQUIRED EXIT SHALL BE READILY OPENABLE WITHOUT A KEY AND BY A SINGLE HANDED DOWNWARD ACTION OR PUSHING ACTION ON A SINGLE DEVICE WHICH IS LOCATED BETWEEN 900MM AND 1200MM FROM THE FLOOR ON THE SIDE THAT WOULD FACE ANY PERSON SEEKING EGRESS FROM THE BUILDING.
- 599 FIRE HYDRANTS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH CLAUSE E1.3 OF THE BUILDING CODE OF AUSTRALIA. THE REQUIRED HYDRANTS SHALL NOT BE INSTALLED IN THE BUILDING UNTIL A REPORT ISSUED BY THE NSW FIRE BRIGADES IN ACCORDANCE WITH THE LGA (APPROVLS) REGULATION 1993 HAS BEEN SUBMITTED TO COUNCIL.
- 602 HOSE REELS SHALL BE DESIGNED AND INSTALLED WITHIN THE BUILDING IN ACCORDANCE WITH PART E1 OF THE BUILDING CODE OF AUSTRALIA. DETAILS FROM A HYDRAULICS ENGINEER SHALL BE SUBMITTED TO COUNCIL PRIOR TO THEIR INSTALLATION.
- 605 FIRE HOSE REELS WHERE INSTALLED INTERNALLY SHALL BE LOCATED NOT MORE THAN 4 METRES FROM A REQUIRED EXIT. THE NOZZLE ENDS OF THE FIRE HOSE REELS SHALL BE CAPABLE OF REACHING EVERY PART OF THE FLOOR WHEN LAID TO AVOID ANY PARTITIONS OR OTHER PHYSICAL BARRIERS.
- 608 DETAILS OF CONNECTION TO THE WATER SUPPLY AUTHORITY'S MAIN, PIPEWORK INCLUDING JUNCTIONS, BENDS, VALVES, PUMPS AND THE LIKE, AND TYPE OF HOSE REEL AND/OR HYDRANT SHALL BE SUBMITTED AND APPROVED BY COUNCIL PRIOR TO COMMENCEMENT OF INSTALLATIONS.
- 623 PORTABLE FIRE EXTINGUISHERS CONTAINING AN EXTINGUISHING AGENT SUITABLE FOR THE RISK BEING PROTECTED SHALL BE INSTALLED WITHIN THE BUILDING IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 2444 AND IN LOCATIONS DEEMED SATISFACTORY TO COUNCIL'S BUILDING SURVEYOR. IT WILL BE NECESSARY FOR THE APPLICANT TO CONSULT WITH THE BUILDING APPROVALS AND ENVIRONMENT PROTECTION DEPARTMENT TO DETERMINE THE LOCATION OF THE EXTINGUISHERS.
- 728 THE PROPOSED ADDITION/NEW BUILDING SHALL COMPLY WITH THE L.G.A. (APPROVALS) REGULATION 1993 WITH REGARD TO THE FOLLOWING ESSENTIAL SERVICES:-

STANDARDS REFERRED TO ARE THE MOST RECENT VERSIONS AS LISTED BY STANDARDS AUSTRALIA.

INSTALLATION AND MAINTENANCE STANDARDS

- 761 FIRE HYDRANTS
- * CLAUSE E1.3 AND NSW STATE VARIATIONS OF THE BUILDING CODE OF AUSTRALIA.
 - * AS 2419 "INSTALLATION OF FIRE HYDRANTS".
 - * AS 1851 - PART 4 "MAINTENANCE OF FIRE PROTECTION EQUIPMENT - FIRE HYDRANTS INSTALLATION".



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773 HOSE REELS

- * NSW STATE VARIATIONS CLAUSE E1.4 AND TABLE E1.4.
- * AS 1221 "FIRE HOSE REELS".
- * AS 2441 "INSTALLATION OF FIRE HOSE REELS".
- * MINISTERIAL SPECIFICATION NO.10 DIVISIONS 1 AND 4.
- * AS 1851 - PART 2 "MAINTENANCE OF FIRE PROTECTION EQUIPMENT - FIRE HOSE REELS".

782 PORTABLE FIRE EXTINGUISHERS

Existing ✓

- * CLAUSE E1.6 OF THE BUILDING CODE OF AUSTRALIA.
- * AS 2444 "PORTABLE FIRE EXTINGUISHERS SELECTION AND LOCATION".
- * AS 1841 TO AS 1850 "PORTABLE FIRE EXTINGUISHERS".
- * AS 1851 - PART 1 "MAINTENANCE OF FIRE PROTECTION EQUIPMENT - PORTABLE FIRE EXTINGUISHERS".

812 ON COMPLETION OF THE ERECTION OF THE PROPOSED BUILDING WORK, THE OWNER OF THE BUILDING SHALL PROVIDE COUNCIL WITH A CERTIFICATE FROM A COMPETENT PERSON WITH RESPECT TO EACH ESSENTIAL SERVICE INSTALLED IN THE BUILDING. THIS CERTIFICATE SHALL BE IN A FORM SATISFACTORY TO COUNCIL.

815 IT IS THE OWNER'S RESPONSIBILITY TO, WITHIN EACH TWELVE MONTH PERIOD AFTER AN ESSENTIAL SERVICES INSTALLATION CERTIFICATE IS ISSUED, TO FURNISH THE COUNCIL A FURTHER CERTIFICATE FOR THE MAINTENANCE OF THE ESSENTIAL SERVICES. THE MAINTENANCE CERTIFICATE SHALL BE IN A FORM SATISFACTORY TO COUNCIL.

819 TOILETS SHALL HAVE FULL HEIGHT PARTITIONS TO AFFORD PRIVACY BETWEEN DIFFERENT SEX FACILITIES.

941 NO CONCRETE WORK ON COUNCIL'S FOOTPATH IS TO BE CARRIED OUT WITHOUT THE PRIOR APPROVAL OF COUNCIL - REIMBURSEMENT FOR CONCRETE PAVING WORK CARRIED OUT ON COUNCIL'S FOOTPATH WILL NOT BE CONSIDERED UNLESS PRIOR APPROVAL HAS BEEN OBTAINED FROM THE COUNCIL.

CONTINUED....



Penrith City Council

PERMIT NUMBER: BLD 970051

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955 THE WORKS LISTED BELOW ARE REQUIRED TO BE INSPECTED BY COUNCIL'S DEVELOPMENT SERVICES DEPARTMENT:

- (1) CONNECTION TO COUNCIL'S STORMWATER DRAINAGE SYSTEMS IN EITHER PUBLIC ROADS/STREETS OR EASEMENTS.
- (2) ROAD CONSTRUCTION WORKS ADJOINING DEVELOPMENT SITES, E.G. KERB AND GUTTER, ROAD SHOULDER OR HALF WIDTH ROAD CONSTRUCTION.
- (3) FOOTPAVING WORKS IN ADJOINING PUBLIC STREETS IN EITHER SEGMENTAL PAVING OR CONCRETE.
- (4) TRAFFIC CONTROL DEVICES AND SIGNAGE, INCLUDING PEDESTRIAN DIVERSION ROUTES AROUND BUILDING HOARDING.
- (5) OTHER WORKS WHICH ARE DEEMED NECESSARY BY COUNCIL'S ENVIRONMENTAL HEALTH AND BUILDING SURVEYOR.

A MINIMUM OF 24 HOURS NOTICE SHALL BE GIVEN TO COUNCIL FOR INSPECTIONS.

999 THE CONDITIONS OF APPROVAL HAVE BEEN IMPOSED FOR A RANGE OF REASONS WHICH RELATE TO NEIGHBOURHOOD AMENITY, STRUCTURAL INTEGRITY, PROTECTION OF THE SAFETY OF OCCUPANTS, DEVELOPMENT CONSENT CONDITIONS OR COMPLIANCE WITH THE LOCAL GOVERNMENT ACT AND REGULATIONS. SHOULD ANY OF THESE CONDITIONS APPEAR ONEROUS OR INAPPROPRIATE THEN THIS SHOULD BE DISCUSSED WITH COUNCIL'S BUILDING SURVEYOR AND THE SPECIFIC REASONS FOR THE PARTICULAR CONDITION WILL BE DETAILED.



Penrith City Council
Local Government Act 1993
Application for Approval

Application No. 970051

(1) Application Details

Description of activity for which Council Approval is Sought. ☒

- ☒ Building work (complete sections 2, 3, 4, 5, 6, 7, 9 & 10)
☐ Demolition work (complete sections 2, 3, 4, 5, 9 & 10)
☐ Installation of hoarding (complete sections 2, 3, 4, 5, 6, 7, 9 & 10)
☐ Installation of a septic tank (complete sections 2, 3, 4, 5, 8, 9 & 10)
☐ Other Activity under section 68 of the Local Government Act 1993
(complete sections 9 & 10)

If other activity please provide a brief description: _____

Do you have Development Consent? ☒ Y / ☐ N Consent No. _____

No of Plans & Specifications Submitted _____ (minimum 3)

Office Use Only

Code _____

Class _____

Worktype _____

Receipt Amount _____

Receipt No. _____

Date _____

(2) Property Details

These details must clearly identify the property.

House No. 21 Shop/Unit No. _____ Lot No. 9 DP/SP 31908

Street DUNHEVED CIRCUIT Suburb ST. MARYS Postcode 2760

Name of Property (If applicable) _____

(3) Applicant Details

Name CHRISTIAN STOERMER

Postal Address 5 DUFF STREET TORRAMURRA P/code 2074

Ph. (B) 91441887 (H) _____ Fax No. _____

Statement declaring a pecuniary interest:

Are you the applicant employed by Penrith City Council or submitting the application on behalf of an employee? Yes / No

Do you the applicant have any relationship to any Penrith City Council staff or Councillor or submitting the application on behalf of a person with such a relationship? Yes / No

If you do have such a relationship you must disclose the relationship in the following space.

Contact person for this application _____ Phone _____

(4) Owner Details

This section is to be completed by the property owner. If the owner is a company or Strata title body corporate, consent to lodging the application must be signed by a director of the company or an authorised person under the common seal of the company or body corporate.

Name CHRISTIAN STOERMER

Address 5 DUFF STREET TORRAMURRA P/code 2074

As the owner of the land to which this application relates, I hereby consent to the making of this application.

Signature [Signature] Ph. (B) 91441887 (H) _____

(5) Details of Builder / Contractor

Name PETER STOERMER

Address 5 DUFF STREET TORRAMURRA P/code 2074

Ph. (B) 91441887 Lic. No./O.B.No. _____

(6) Building Details**Type of Building**

- Please tick ☒
- | | |
|---|---|
| ☐ Dwelling | ☐ Garage |
| ☐ Dual Occupancy | ☐ Carport/Pergola/Awning |
| ☐ Multi-unit housing | ☐ Swimming Pool |
| ☐ Factory | ☐ Office |
| ☐ Shop | ☐ Warehouse |
| ☐ Other _____ | |

Type of Work

- Please tick ☒
- | | |
|--|---|
| ☐ New Building | ☒ External Addition |
| ☐ Internal Alteration | |

Description of existing buildings :

FACTORYFloor area of new building work m² 62 sqm

No. of Units _____ No. of Storeys _____

Value of work \$ _____

Are there trees to be removed? No Yes / NoIs the kerb & gutter damaged? No Yes / No**(7) Details of Building Materials****External Wall Material**

- Please tick ☒
- | | | | |
|-----------------------------------|--------------------------------|---|---------------------------------|
| Concrete ☐ | Brick ☐ | Fibro ☒ | Timber ☐ |
| Other _____ | | | |

Roof Material

- Please tick ☒
- | | | |
|-------------------------------|---|--------------------------------|
| Tile ☐ | Metal ☒ | Fibro ☐ |
| Other _____ | | |

Floor Material

- Please tick ☒
- | | |
|--|---------------------------------|
| Concrete ☒ | Timber ☐ |
| Other _____ | |

Swimming Pool

- Please tick ☒
- | | | |
|-----------------------------------|-------------------------------------|--------------------------------|
| Concrete ☐ | Fibreglass ☐ | Metal ☐ |
|-----------------------------------|-------------------------------------|--------------------------------|

(8) Septic Tank Details**Type of Installation** ☒

- | |
|---|
| ☐ Aerated System |
| ☐ Site Disposal System |
| ☐ Pump-out System |
| ☐ Other _____ |

Brand and Model of Septic Tank _____

Type of Premises _____
(dwelling, shop, factory etc)

Number of People _____ W.C. Flush Capacity _____

Septic Tank Capacity _____

Collection Well Capacity _____

Source of water supply _____

Wastes to be connected: W.C. & _____

*Further information relating to the submission of an application to install a septic tank is contained in Council's Information Sheet.***(9) Details of Inspections**

It is anticipated that inspections will be required at the following stages of construction of the nominated building/s or activity and payment is included for this service.

- | | |
|---|---|
| ☐ pier holes | ☐ swimming pool excavation (including any steel reinforcing) |
| ☐ footings | ☐ swimming pool coping |
| ☒ slab | ☐ swimming pool fencing |
| ☐ bearers & joists | ☐ other _____ |
| ☒ frame | |
| ☐ wet area | |
| ☐ stormwater | |
| ☐ Internal drainage (applicable for septic tank applications only) | |
| ☐ External drainage (applicable for septic tank applications only) | |
| ☐ on going assessment of sediment control measures during the course of construction | |
| ☐ Inspections as determined by Council for commercial / industrial buildings. | |

Total Number of inspections (as determined by Council's Environmental Building Surveyor) 2

(10) Applicants Declaration

I apply for approval to carry out the activity described in this application. I declare that all the information I have given is true and correct. I also understand that:

- # If the application is incomplete, it may be delayed or rejected.
- # More information may be requested to assist in determination of the application.
- # Some of the details of this application may be available as public information.
- # Plans submitted with this application may be shown to certain persons as prescribed in section 114 of the Local Government Act 1993.

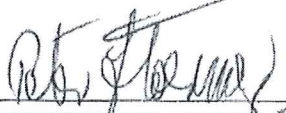
I agree to pay all charges fixed by the Council including those for inspections related to the work described within this application at the time of lodging my application and any further sums being assessed as fees and/or damage to roads, kerbing, guttering and footpaths.

I understand that all details of this application must be supplied to some government authorities.

I wish to have the owners name & address suppressed from records which are requested by other interested parties.

Yes ☒ No ☐

Signature of Applicant



Date

yes, 10.1.1997

Information for Applicants

Address the application to:

The General Manager
Penrith City Council

Mail: PO Box 60
Penrith 2751

Document Exchange:
DX 8017 Penrith.

Courier or personal delivery:
Civic Centre
601 High Street, Penrith.

Contacting Council
Phone: (047) 32 7777
Fax: (047) 32 7879

Business Hours:
Monday to Friday
8.30am - 4.00pm

Fees:

Fees for building applications are calculated on a scale based on the contract value of the work. Council can determine the value of work where a copy of the building contract is not submitted with the building application. To enquire on building fees please direct telephone calls to:

Phone No: (047) 32 7991

Other application fees are subject to Council's schedule of fees & charges. Enquiries should be directed to the above mentioned telephone numbers.

Contacting Environmental Health & Building Surveyors:

Building Surveyors may be contacted between 8.30am and 10.00am Monday to Friday or by appointment. Council has a duty Environmental Health & Building Surveyor available between 8.30am and 4.00pm Monday to Friday for general enquiries and to assess applications prior to lodgement.

Acknowledgement of Applications:

When applications are received by Council, a receipt bearing the application number is issued upon payment of fees. A letter of acknowledgement is issued to building applicants. Receipts and acknowledgement letters contain information which can assist you when making enquiries and should be kept in a safe place.

Building Application Checklist

Applicant Checklist ✓	TYPE OF BUILDING						Office Use Only ✓		
	New Dwellings Urban	New Dwellings Rural	Dwelling Additions	Outbuildings (eg. Pergolas, carports, etc)	Swimming Pools	Dual Occupancy Development		Commercial / Industrial Buildings	
								Three (3) copies of a site plan to scale, eg. 1:500, 1:200 which shows.	
								Site dimensions and north point shown.	
								Easements, R.O.W. etc.	
								Any existing buildings or structures including those to be relocated or removed and the floor layout of existing dwelling.	
								Proposed location of structure in relation to side boundaries, easements and other buildings on site. Nominate the street frontage.	
								Buildings on adjoining land shown with window locations.	
								Site levels at 1.0m intervals, details of any proposed cutting/filling, finished floor levels and finished ground levels.	
								Landscaping plan showing existing and proposed plantings as well as those to be removed.	
								Existing and proposed car parking, driveway access, etc.	
								Erosion and sediment control plan indicating the proposed method and location of erosion and sediment control barriers.	
								Shadow diagrams for 21 June (9.00am, 12.00noon and 3.00pm shadows).	
								Proposed method of stormwater disposal.	
								Details of existing stormwater disposal system.	
								Hydraulic details and stormwater drainage calculations.	
								Closest street fire hydrants.	
								Proposed location of pool fencing and pool filter.	
								Three (3) copies of floor plans, scale 1:100, plans must be double line drawings which show.	
								Proposed use of structure or rooms.	
								Alterations and additions must be coloured or clearly defined.	
								Dimensions of proposal.	
								Proposed location of smoke detectors.	
								Proposed location of essential services.	
								Details of any fire resistant construction.	
								Notification plan (A4 size site plan & elevations showing height & finishes).	
								Three (3) copies of elevations to scale 1:100 which include.	
								Each elevation of proposed structure.	
								Section(s) through the building showing the proposed method of construction and the height of the structure to ceiling and ridge.	
								Existing and proposed ground levels.	
								Details of proposed external finishes.	
								Three (3) copies of specifications which include.	
								Details of the proposed method and materials of construction.	
								Details of the proposed method of termite protection.	
								Miscellaneous.	
								Compliance with relevant conditions of development consent.	
								Flooding - if site is flood liable, discussions are required with Council officers prior to lodging application.	
								Details of site history in reference to potential causes of land contamination.	
								The provision of parenting facilities.	



PENRITH CITY COUNCIL

Council Chambers, Station Street, Penrith, N.S.W. 2750

Telephone: 32 2422

(C.D.E. 8017, Penrith)

YOUR REF:

OUR REF: 005959

CONTACT:

BUILDING PERMIT

PERMIT NO: 5959

REF:

ISSUED TO: AMDARA P/L.,
31 FYFE ROAD
KELLYVILLE 2153

OF

IN RESPECT OF

LOT NO: 9 D.P: 31908 HOUSE NO: 0021/ STREET: DUNHEVED CIR
LOCALITY: ST. MARYS

(-----OWNER'S NAME AND ADDRESS-----)

AMDARA P/L.,
31 FYFE ROAD
KELLYVILLE 2153

(-----BUILDER'S NAME AND ADDRESS-----)

AMDARA P/L.,
31 FYFE ROAD
KELLYVILLE 2153

APPROVED SUBJECT TO COMPLIANCE WITH THE LOCAL GOVERNMENT ACT, RELEVANT ORDINANCES ISSUED THEREUNDER AND CONDITIONS NUMBERED; 14, 18, 20, 24, 108, 172, 176, 180, 202, 206, 234, 242, 262, 274, 501, 502, 503, 504, 505, 506, 901, 904,

HEREUNDER FOR THE ERECTION OF
A INDUSTRIAL/FACTORY-WAREHOUSE - BLOCKWORK FOR THE VALUE OF \$70000.

THIS APPROVAL LAPSES ON THE EXPIRATION OF 12 MONTHS AFTER THE DATE HEREOF.

ATTENTION IS DRAWN TO THE PROVISIONS OF SECTION/S 317L (AND 288C IN REGARD TO FENCING OF SWIMMING POOLS) OF THE LOCAL GOVERNMENT ACT, 1919, AS AMENDED, GIVING A RIGHT OF APPEAL AGAINST THE DECISION OF COUNCIL. APPEAL FORMS ARE AVAILABLE AT COUNCIL'S OFFICE.

DATE: 3 / 4 / 86

SIGNED: P.J. ANSOUL, per:

(HEALTH AND BUILDING SERVICES MANAGER)

DATE: 3 / 4 / 86

SIGNED:

(PERSON COLLECTING PLANS)

CONDITIONS:

14. THAT 48 HOURS' NOTICE IN WRITING BE GIVEN TO COUNCIL FOR INSPECTION:-
- (A) OF TRENCHES BEFORE FOOTINGS ARE LAID;
 - (B) OF FOOTINGS BEFORE TRENCHES ARE FILLED;
 - (C) WHEN THE BUILDING HAS BEEN ERECTED TO FLOOR LEVEL AND DAMPCOURSES ARE LAID;
 - (D) OF FLASHING AND DAMP-PROOFING OF WET AREAS (VIZ. BATHROOMS, LAUNDRIES, ENSUITES AND W.C.) PRIOR TO CLADDING.

CONTINUED....



PENRITH CITY COUNCIL

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(C.D.E. 8017, Penrith)

APPLICATION NO: 005959

PERMIT NO: 005959

FOLIO NO: 2

- (E) WHEN STEEL FOR REINFORCED STRUCTURAL CONCRETE WORK IS IN POSITION PRIOR TO POURING OF CONCRETE;
- (F) WHEN THE BUILDING HAS BEEN ERECTED TO ROOF FRAMING;
- (G) OF DRAINS BEFORE THEY ARE COVERED IN; AND
- (H) WHEN THE BUILDING IS COMPLETED AND READY FOR OCCUPATION.

- 18. STAMPED PLANS, SPECIFICATION AND PERMIT SHALL BE KEPT ON SITE AT ALL TIMES.
 - 20. APPROVED IN COMPLIANCE WITH THE CONDITIONS OF THE METROPOLITAN WATER, SEWERAGE AND DRAINING BOARD AS STAMPED ON PLANS.
 - 24. A SPECIAL INSPECTION BY THE WATER BOARD SHALL BE OBTAINED ON ALL INTERNAL/EXTERNAL DRAINAGE.
 - 108. THE BUILDING SHALL BE SET OUT BY A REGISTERED SURVEYOR. A SURVEY CERTIFICATE SHALL BE SUBMITTED WHEN THE BUILDING IS CONSTRUCTED TO GROUND FLOOR SLAB LEVEL AND SHALL NOT PROGRESS BEYOND THAT POINT UNTIL APPROVAL HAS BEEN GRANTED BY THE HEALTH AND BUILDING SURVEYOR.
 - 172. HOSE REELS SHALL BE DESIGNED AND INSTALLED WITHIN THE BUILDING IN ACCORDANCE WITH THE RELEVANT CLAUSES OF PART 27 OF ORDINANCE 70. THE REQUIRED HOSE REELS SHALL NOT BE INSTALLED IN THE BUILDING UNTIL A REPORT ISSUED BY THE BOARD OF FIRE COMMISSIONERS IN ACCORDANCE WITH PART 27 OF ORDINANCE 70 HAS BEEN SUBMITTED TO COUNCIL.
 - 176. DETAILS OF CONNECTION TO THE WATER SUPPLY AUTHORITY'S MAIN, PIPE WORK INCLUDING JUNCTIONS, BENDS, VALVES, PUMPS AND THE LIKE, AND TYPE OF HOSE REEL AND/OR HYDRANT SHALL BE SUBMITTED AND APPROVED BY COUNCIL PRIOR TO COMMENCEMENT OF INSTALLATIONS.
 - 180. SATISFACTORY ARRANGEMENTS SHALL BE MADE WITH THE COUNCIL'S HEALTH AND BUILDING SURVEYOR FOR AN INSPECTION OF ALL PIPEWORK: INCLUDING CONNECTIONS, BENDS, VALVES AND ANCILLIARY EQUIPMENT PRIOR TO BACKFILLING, ENCLOSING OR ENCASEMENT OF PIPES.
 - 202. ALL REQUIRED EXIT DOORS OR DOORS FORMING PART OF A REQUIRED EXIT SHALL BE READILY OPENABLE WITHOUT A KEY AND BY A SINGLE HANDED ACTION FROM THE SIDE THAT WOULD FACE ANY PERSON SEEKING EGRESS FROM THE BUILDING.
 - 206. ANY REQUIRED EXIT DOOR THAT SWINGS AGAINST THE DIRECTION OF EGRESS SHALL BE FITTED WITH AN APPROVED MEANS OF FIXING IT IN THE FULLY OPEN POSITION.
 - 234. REQUIRED DOORWAYS SHALL HAVE A CLEAR OPENING OF NOT LESS THAN 1980MM IN HEIGHT AND 760MM IN WIDTH. EVERY EXIT AND PATH OF TRAVEL TO AN EXIT SHALL, EXCEPT FOR DOORWAYS, HAVE A MINIMUM UNOBSTRUCTED VERTICAL CLEARANCE THROUGHOUT OF 2030MM AND A MINIMUM UNOBSTRUCTABLE WIDTH THROUGHOUT OF 1020MM.
 - 242. ALL SOUND PRODUCING PLANT, MACHINERY, OR FITTINGS SHALL BE SOUND
- CONTINUED....



PENRITH CITY COUNCIL

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Telephone: 32 2422

(C.D.E. 8017, Penrith)

APPLICATION NO: 005959

PERMIT NO: 005959

FOLIO NO: 3

INSULATED AND/OR ISOLATED SO AS TO CONTROL EMISSION OF NOISE FROM THE PREMISES, WITHIN THE LIMITS PRESCRIBED UNDER THE NOISE CONTROL ACT, 1975 AND REGULATIONS.

262. THE ERECTION OF ANY ADVERTISING STRUCTURE OR DISPLAY OF ANY SIGN IS NOT PERMITTED WITHOUT THE PRIOR APPROVAL OF COUNCIL.

274. THE APPLICANT SHOULD CONSULT WITH THE DEPARTMENT OF INDUSTRIAL RELATIONS CONCERNING ANY REQUIREMENTS THAT AUTHORITY MAY WISH TO IMPOSE.

501. THERE SHALL BE MAINTAINED ON THE SITE, FACILITIES FOR PARKING SUFFICIENT TO SERVE THE BUSINESS CONDUCTED THEREON AND NO USE SHALL BE MADE OF THE SITE WHICH WILL ATTRACT PARKING IN EXCESS OF THE PARKING SPACES AVAILABLE THEREON.

502. ALL PARKING SPACES ARE TO BE PERMANENTLY DELINEATED TO COUNCIL'S SATISFACTION AND HAVE MINIMUM DIMENSIONS 5.5M X 2.6M WITH A 6.7M TURNING AISLE.

503. THE ONE (1) METRE STRIP BETWEEN DUNHEVED CIRCUIT AND THE EXISTING BUILDING IS TO BE LANDSCAPED IN A SIMILAR MANNER AS THE BALANCE OF THE FRONTAGE.

504. ALL LAND REQUIRED OF VEHICULAR ACCESS AND PARKING IS TO BE CONCRETED OR SEALED WITH A BITUMINOUS PAVEMENT TO COUNCIL'S SATISFACTION.

505. PROVISION OF A HEAVY DUTY GUTTER CROSSING TO THE SATISFACTION OF THE CITY ENGINEER.

506. HEAVY DUTY PAVED VEHICULAR FOOTWAY CROSSINGS ARE TO BE PROVIDED AT ALL POINTS OF INGRESS AND EGRESS TO THE SATISFACTION AND UNDER SUPERVISION OF THE CITY ENGINEER.

REQUIREMENTS OF OTHER AUTHORITIES

901. WARNING : THESE BUILDING PLANS MUST BE SUBMITTED TO THE METROPOLITAN WATER, SEWERAGE AND DRAINAGE BOARD, 140 HENRY STREET, PENRITH
PHONE: 047 32 8177, AT LEAST 14 DAYS BEFORE THE COMMENCEMENT OF WORK.

THE APPLICANT WILL NEED TO COMPLETE A BUILDING APPLICATION ON WHICH THE FOLLOWING INFORMATION IS REQUIRED:-

- 1) THE ADDRESS OF THE PROPERTY (INCLUDING LOT NO. AND DEPOSITED PLAN NO.) AND ITS LOCATION IN RELATION TO THE NEAREST CROSS-STREET. IF THESE PARTICULARS ARE NOT KNOWN, A SKETCH WILL NEED TO BE SUPPLIED.
- 2) THE NAME AND ADDRESS OF THE OWNER AND THE BUILDER.
- 3) THE TYPE OF BUILDING AND TYPE OF CONSTRUCTION, THE ESTIMATED COST AND THE PROBABLE DATE OF COMPLETION.

THE PLAN AND APPLICATION WILL BE SUBMITTED ON THE FIRST FLOOR, FIRSTLY TO THE BUILDING PLAN SECTION TO ENSURE THAT THE PROPOSED STRUCTURE MEETS

CONTINUED....



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(C.D.E. 8017, Penrith)

APPLICATION NO: 005959

PERMIT NO: 005959

FOLIO NO: 4

WITH THE REQUIREMENTS OF THE BOARD'S BY-LAWS CONCERNING --

- I. LOCATION OF SANITARY FIXTURES;
- II. RELATIONSHIP OF THE BUILDING TO WATER MAINS, SEWERS AND STORMWATER CHANNELS.

AND SECONDLY, TO THE VALUATIONS SECTION FOR VALUING PURPOSES IN CONNECTION WITH SECTION 97(4) AND (7) OF THE BOARD'S ACT, AND FOR THE CALCULATION OF A BUILDING FEE IN ACCORDANCE WITH BY-LAW 7 (1) (B) OF THE BOARD'S ACT.

FAILURE TO SUBMIT THESE PLANS BEFORE COMMENCING WORK WILL RENDER THE OWNER LIABLE TO A PENALTY AND MAY RESULT IN THE DEMOLITION OF THE WORK AT THE BUILDERS EXPENSE.

904. UNIMPEDED ACCESS MUST BE AVAILABLE TO PROSPECT COUNTY COUNCIL DURING AND AFTER BUILDING, TO THE ELECTRICITY METERS AND METERING EQUIPMENT.



Penrith City Council

BA 005959

BUILDING APPLICATION

LOCAL GOVERNMENT ACT, 1919 (Ordinance 70)

The Town Clerk,

I, the undersigned, hereby make application to the Penrith City Council for the approval of plans and specifications of a building which I propose to substantially commence within TWELVE (12) MONTHS from the date of approval. I hereby agree to comply with the requirements of the Council and the Local Government Act, 1919 and Ordinance No. 70.

Particulars are as follows.

(PLEASE PRINT)

A minimum of THREE (3) COPIES of plans and specifications shall be submitted.

INCOMPLETE OR INCORRECT DETAIL ON THE APPLICATION MAY PREVENT OR DELAY IT BEING APPROVED
PROPERTY DETAILS

House No. Unit No. Name. LOT 9	Street DUNHEVED CIRCUIT	Town ST. MARYS	Post Code 2760
Lot or Por. No. 9	Section	D.P., S.P. or Estate 31908	
Frontage (m)	Depth (m)	Parish	

APPLICANT (Tick where applicable)

Mr Ms Mrs Miss	Christian Names AMDARA PTY. LIMITED	Surname	BUS - 623-0427. 498-9140
Address 31 FYFE RD KELLYVILLE		Post Code 2153	Phone HOME 629-1938
State whether: Owner ☒ Builder ☐ Architect ☐ Structural Engineer ☐ Owner/Builder ☒ Other ☐			
Signature John Dowsett Date 4 Mar '86			
Deposit/Fees paid by: Owner ☐ Builder ☐ Architect ☐ Structural Engineer ☐ Other ☐			

OWNER

Mr Ms Mrs Miss	Christian Names AMDARA PTY. LIMITED	Surname
Address AS ABOVE ("As above" if same address)		Post Code Phone

BUILDER

Mr Ms Mrs Miss	Christian Names AS ABOVE	Surname
Address AS ABOVE ("As above" if same address)		Post Code Phone

Builders Licensing Insurance paid to Licensing Board	Yes ☐ No ☒ N/A	Licence No. or O/B Permit No. N/A
State whether: New ☐ Alteration ☒ Addition ☒		

PARTICULARS OF PROPOSED BUILDING

(TICK WHERE APPLICABLE)

Purpose for which building is to be used:		Residential Occupation ☐	Garage ☐	Commercial ☐
		Industrial ☒	Recreational ☐	
Total new or additional floor area (sq.m.): <u>360 m²</u>				
No. of new or additional self-contained dwelling units: _____				
No. of rooms this application: _____				
No. of bedrooms this application: _____				
No. and description of existing buildings on allotment: <u>Factory x 1</u>				
Type of Building:	Dwelling ☐	Home Units ☐	Town Houses ☐	Screen Enclosure ☐
	Flats ☐	Garage ☐	Factory ☐	Carport ☐
	Shop ☐	Offices ☐	Swimming Pool ☐	Other ☐
Commercial/Industrial Properties:		No. of Courts (Squash) _____	No. of Car Parking Spaces _____	
Is concrete footpathing or kerbing or guttering laid in front of the property? Yes ☒ No ☐				
Is it damaged? Yes ☐ No ☐				
No. of sets of plans and specifications lodged:		Plans: <u>5</u>	Specifications: <u>5</u>	
State whether the materials are new or secondhand:		New ☒	Secondhand ☐	
Materials of floor/s:	Concrete ☒	Timber ☐	Other ☐	
Materials of outer walls:	Brick Veneer ☐	Double Brick ☐	Concrete Block ☒	
	Timber ☐	Fibro ☐	Other ☒	
Materials of roof:	Tiles ☐	Steel ☒	Fibro ☐	
	Aluminium ☐	Corrugated Iron ☐	Other ☐	
Builders Sanitary Required:		Yes ☐	No ☒	
Contract price or Council's valuation of work: \$ <u>70,000</u>				
Locality Sketch: (Indicate North Point and nearest cross street)				

FOR OFFICE USE ONLY

Contract sighted:		Signature: <u>[Signature]</u>	Date: <u>4-3-86</u>
Assessment No.	Building Type	Quantity	Floor area
	<u>0810</u>	<u>1</u>	<u>360 m²</u>
Ward		Accepted by	
<u>E..</u>		<u>[Signature]</u>	

COMPLYING DEVELOPMENT CERTIFICATE

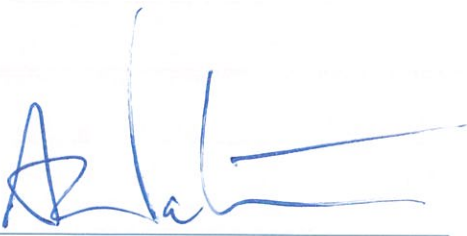
Issued under the Environmental Planning and Assessment Act 1979 Section 85, 85A

Complying Development Certificate No. 17/1324/01

Steve Watson and Partners certify that the proposed development is complying development and that if carried out in accordance with the approved plans and specifications will comply with all development standards, any standards in a DCP and all requirements of the Regulation under the Environmental Planning and Assessment Act 1979.

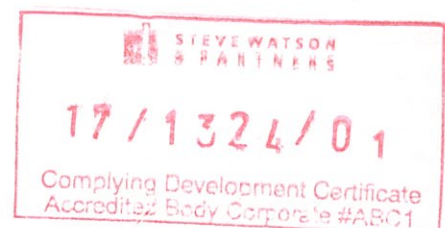
Applicant	Name: Bingo Recycling Pty Ltd Address: PO Box 7 Suburb: Enfield State: NSW Postcode: 2136
Location of the Property	Address: 21 Dunheved Circuit Suburb: St Marys State: NSW Postcode: 2760 Real Property Description: Lot 9 DP31908
Proposed Complying Development	Type: Carrying out of work Description: Change of use from a warehouse to landscape material supplies with no construction works Use: Landscape material supplies with no construction works Building Code of Australia Classification: Class 7b
Date of Receipt	Date Received: 19 May 2017
Determination	Approved Date of Determination: 22 May 2017
Date of Lapse	22 May 2022
Environmental Planning Instrument Decision Made Under	State Environmental Planning Policy (Exempt and Complying Development Codes) 2008-Part 5.
Land Use Zone	IN1 General Industrial

Prior to commencement of works 86(1) and (2) of the Environmental Planning and Assessment Act 1979 must be satisfied.



Steve Watson (BPB0432) on behalf of
Steve Watson and Partners

Accreditation Body: **BPB** Accreditation no: **ABC 1** Date of Endorsement: **Monday 22 May 2017**





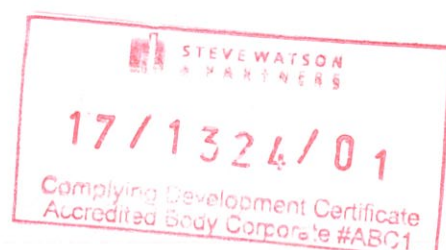
Design documentation approved for Complying Development Certificate 17/1324/01 for 21 Dunheved Circuit, St Marys

(Please note that in the event of discrepancy between plans as listed and the plans as stamped, the stamped plans take precedence)

Drawing No.	Drawing Title	Revision	Date	Drawn By
Nil – No constructions works are a part of this approval				

Documentation relied upon to issue Complying Development Certificate 17/1324/01 for 21 Dunheved Circuit, St Marys

Item No	Description	Date
1.	Complying Development Certificate Conditions	-
2.	Pre-CDC Inspection Record	22/05/17
3.	Application for Complying Development Certificate	19/05/17
4.	Existing and Proposed Fire Safety Schedule	-
5.	Planning Advice from Aracadis	18/05/17



State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Schedule 8 Conditions applying to complying development certificates under the Commercial and Industrial Alterations Code and the Commercial and Industrial (New Buildings and Additions) Code

Note 1. Complying development under the Commercial and Industrial Alterations Code and the Commercial and Industrial (New Buildings and Additions) Code must comply with the requirements of the Act, the Environmental Planning and Assessment Regulation 2000 and the conditions listed in this Schedule.

Note 2. Division 2A of Part 7 of the Environmental Planning and Assessment Regulation 2000 specifies conditions to which certain complying development certificates are subject.

Note 3. In addition to the requirements specified for development under this Policy, adjoining owners' property rights, applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply.

Note 4. If the development is in the proximity of infrastructure (including water, stormwater or sewer mains, electricity power lines and telecommunications facilities), the relevant infrastructure authority should be contacted before commencing the development.

Note 5. Under section 86A of the [Environmental Planning and Assessment Act 1979](#), a complying development certificate lapses 5 years after the date endorsed on the certificate, unless the development has physically commenced on the land during that period.

Part 1 Conditions applying before works commence

1 Protection of adjoining areas

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

Note. Clauses 2.67 and 2.68 of this Policy specify which scaffolding, hoardings and temporary construction site fences are exempt development and state the applicable standards for that development.

2 Toilet facilities

(1) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

(2) Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the [Local Government Act 1993](#), or
- (c) be a temporary chemical closet approved under the [Local Government Act 1993](#).

3 Waste management

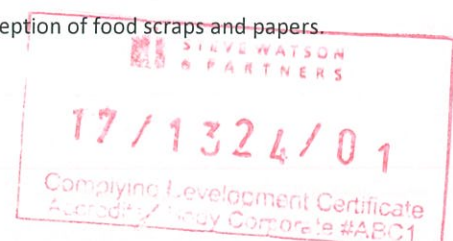
(1) A waste management plan for the work must be submitted to the principal certifying authority at least 2 days before work commences on the site

(2) The waste management plan must:

- (a) identify all waste (including excavation, demolition and construction waste materials) that will be generated by the work on the site, and
- (b) identify the quantity of waste material in tonnes and cubic metres to be:
 - (i) reused on-site, and
 - (ii) recycled on-site and off-site, and
 - (iii) disposed of off-site, and
- (c) if waste materials are to be reused or recycled on-site—specify how the waste material will be reused or recycled on-site, and
- (d) if waste materials are to be disposed of or recycled off-site—specify the contractor who will be transporting the materials and the waste facility or recycling outlet to which the materials will be taken.

(3) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.

(4) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.



4 Adjoining wall dilapidation report

- (1) Before commencing any demolition or excavation works, the person having the benefit of the complying development certificate must obtain a dilapidation report on any part of a building that is within 2m of the works.
- (2) If the person preparing the report is denied access to the building for the purpose of an inspection, the report may be prepared from an external inspection.

5 Run-off and erosion controls

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

6 Payments and Contributions

- (a) If applicable, any development contribution under section 94 or 94A of the EP&A Act must be paid prior to the commencement of work. Please refer to the Council's contribution plan to determine if a contribution is payable.
- (b) Where applicable under Clause 136M(1) of the Environmental Planning and Assessment Regulation 2000 a payment of security is to be paid to Council prior to the commencement of building works.

Part 2 Conditions applying during the works

Note. The [Protection of the Environment Operations Act 1997](#) and the [Protection of the Environment Operations \(Noise Control\) Regulation 2008](#) contain provisions relating to noise.

7 Standard hours for construction

Construction may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.

8 Works outside standard hours for construction

- (1) Work may be carried out outside the standard hours for construction if the work only generates noise that is:
 - (a) no louder than 5 dB(A) above the rating background level at any adjoining residence in accordance with the *Interim Construction Noise Guideline* (ISBN 978 1 74232 217 9) published by the Department of Environment and Climate Change NSW in July 2009, and
 - (b) no louder than the noise management levels specified in Table 3 of that guideline at other sensitive receivers.
- (2) Work may be carried out outside the standard hours for construction:
 - (a) for the delivery of materials—if prior approval has been obtained from the NSW Police Force or any other relevant public authority, or
 - (b) in an emergency, to avoid the loss of lives or property or to prevent environmental harm.

9 Compliance with plans

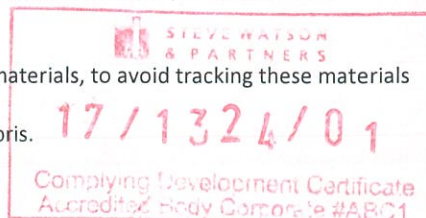
Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

10 Demolition

Any demolition must be carried out in accordance with AS 2601—2001, *The demolition of structures*.

11 Maintenance of site

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Copies of receipts stating the following must be given to the principal certifying authority:
 - (a) the place to which waste materials were transported,
 - (b) the name of the contractor transporting the materials,
 - (c) the quantity of materials transported off-site and recycled or disposed of.
- (4) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (5) During construction:
 - (a) all vehicles entering or leaving the site must have their loads covered, and
 - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (6) At the completion of the works, the work site must be left clear of waste and debris.



12 Earthworks, retaining walls and structural support

- (1) Any earthworks (including any structural support or other related structure for the purposes of the development):
 - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
 - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
 - (c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the [Protection of the Environment Operations Act 1997](#), and
 - (d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the [Protection of the Environment Operations \(Waste\) Regulation 2005](#).
- (2) Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442 [PDF] and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.

13 Drainage connections

- (1) If the work is the erection of, or an alteration or addition to, a building, the roof stormwater drainage system must be installed and connected to the drainage system before the roof is installed.
- (2) Any approval that is required for connection to the drainage system under the [Local Government Act 1993](#) must be held before the connection is carried out.

14 Archaeology discovered during excavation

If any object having interest due to its age or association with the past is uncovered during the course of the work:

- (a) all work must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the *Heritage Act 1997* may be required before further the work can continue.

15 Aboriginal objects discovered during excavation

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

- (a) all excavation or disturbance of the area must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the [National Parks and Wildlife Act 1974](#).

Note. If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the [National Parks and Wildlife Act 1974](#).

16 When a survey certificate is required

- (1) If any part of the work is the erection of a new building, or an alteration or addition to an existing building, that is located less than 3m from the lot boundary, a survey certificate must be given to the principal certifying authority:
 - (a) before any form work below the ground floor slab is completed, or
 - (b) if there is no such form work—before the concrete is poured for the ground floor slab.
- (2) The survey certificate must be prepared by a registered land surveyor and show the location of the work relative to the boundaries of the site.

Part 3 Conditions applying before the issue of an occupation certificate

17 Vehicular access

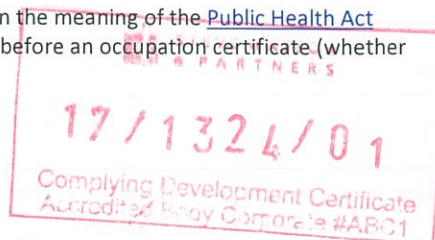
If the work involves the construction of a vehicular access point, the access point must be completed before the occupation certificate for the work on the site is obtained.

18 Utility services

- (1) If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.
- (2) If the work will be the subject of a notice of requirements for water supply or sewerage services (or both) by a water utility or an entity authorised by the utility, the work must be satisfactorily completed before the occupation certificate is issued.
- (3) If the work will be the subject of a compliance certificate under section 73 of the [Sydney Water Act 1994](#), the work must be satisfactorily completed before the occupation certificate is issued.

19 Mechanical ventilation systems

If the work includes a mechanical ventilation system that is a **regulated system** within the meaning of the [Public Health Act 2010](#), the system must be notified as required by the [Public Health Regulation 2012](#), before an occupation certificate (whether interim or final) for the work is issued.





20 Food businesses

If the work relates to a **food business** within the meaning of the [Food Act 2003](#), the food business must be notified as required by that Act, or licensed as required by the [Food Regulation 2010](#), before an occupation certificate (whether interim or final) for the work is issued.

21 Premises where skin penetration procedures are carried out

If the work relates to premises at which a **skin penetration procedure**, within the meaning of the [Public Health Act 2010](#), will be carried out, the premises must be notified as required by Part 4 of the [Public Health Regulation 2012](#) before an occupation certificate (whether interim or final) for the work is issued.

Part 4 Operational requirements

22 Hours of operation

- (1) If there are existing conditions on a development consent applying to hours of operation, the development must not be operated outside the hours specified in those conditions.
- (2) If there are no existing conditions on a development consent applying to hours of operation, the development must not be operated outside the following hours:
- (3) (a) if the development involves a new use as bulky goods premises or other commercial premises – 7.00 am to 10.00 pm Monday to Saturday and 7.00 am to 8.00 pm on a Sunday or a public holiday,
(b) if the development involves a new use as something other than a bulky goods premises or other commercial premises and adjoins or is opposite a residential lot within a residential zone or Zone RU5 Village – 7.00 am to 7.00 pm Monday to Saturday and no operation on a Sunday or a public holiday,
(c) in any other case not referred to in paragraph (a) or (b) – 7.00 am to 7.00 pm Monday to Saturday and 9.00 am to 6.00 pm on a Sunday or a public holiday.

23 Noise

- (1) The development must comply with the requirements for industrial premises contained in the Noise Policy.
- (2) Noise emitted by the development:
 - (a) must not exceed an L_A (15 min) of 5dB(A) above background noise when measured at any lot boundary of the property where the development is being carried out, and
 - (b) must not cause the relevant amenity criteria in Table 2.1 in the Noise Policy to be exceeded.
- (3) In this clause, **the Noise Policy** means the document entitled *NSW Industrial Noise Policy* (ISBN 0 7313 2715 2) published in January 2000 by the Environment Protection Authority.

24 Lighting

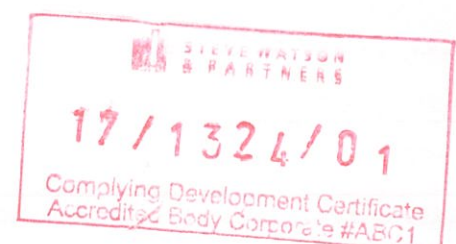
- (1) All new external lighting must:
 - (a) comply with AS 4282–1997 *Control of the obtrusive effects of outdoor lighting*, and
 - (b) be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
- (2) Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set:2010 *Lighting for roads and public spaces Set*.

25 Unobstructed driveways and parking areas

- (1) All driveways and parking areas must be unobstructed at all times.
- (2) Driveways and car spaces:
 - (a) must not be used for the manufacture, storage or display of goods, materials or any other equipment, and
 - (b) must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

26 Landscaped area (planting and maintenance)

- (1) Any tree or shrub that fails to establish within 2 years of the initial planting date must be replaced with the same species of tree or shrub.
- (2) All landscaped areas on the site must be maintained on an on-going basis.



PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA15/1042
Proposed development:	Alterations and Additions to an Existing Waste Management and Recycling Facility Including Demolition Works, Construction of New Buildings, Weighbridges and Vegetation Removal
Property address:	25 Dunheved Circuit, ST MARYS NSW 2760
Property description:	Lot 143 DP 1013185
Date received:	4 September 2015
Assessing officer	Donna Clarke
Zoning:	IN1 General Industrial - LEP 2010
Class of building:	Class 8 , Class 5
Recommendations:	Deferred Commencement

Executive Summary

Council is in receipt of a development application seeking consent for alterations and additions to an existing approved waste management facility at 25 Dunheved Crt, St Marys. Under Penrith Local Environmental Plan (LEP) 2010, the subject site is zoned IN1 – General Industrial.

The LEP defines the proposed use as a waste or resource management facility and since it does not explicitly permit the use of this site for the purpose of waste or resource management, it is a prohibited land use under the provisions of the local planning instrument. However, it is separately defined under Clause 121 of State Environmental Planning Policy (SEPP) (Infrastructure) 2007. SEPP (Infrastructure) 2007 permits the use of IN1 – General Industrial zoned land for the purpose of waste or resource management. The SEPP prevails to the extent of any inconsistencies with the LEP and therefore the development is a permissible land use in the zone.

The proposal does not trigger the requirements for Designated Development (under Schedule 3 of the Environmental Planning & Assessment Regulation 2000) as alterations and additions are permitted to existing waste management facility under Part 2 of the Regulations.

The application is not “Integrated Development” under Section 91 of the Environmental Planning & Assessment Act 1979 as there are no proposed changes to operations and no changes to waste types in the proposal. Accordingly, the application was referred to the Office of Environment & Heritage (Environmental Protection Authority) and no objection raised.

The application was referred to the Roads & Maritime Service for comment as Traffic Generating Development under SEPP (Infrastructure) 2007 and no objection raised.

In accordance with the Penrith Development Control Plan (DCP) 2010 the development application was notified to the surrounding neighbours and publicly exhibited (advertised). One submission was received.

Dust and car parking are key considerations in the assessment of the proposal. These key issues have been assessed and found to be satisfactory.

Evidence of owners consent regarding building over a Sydney Water easement and connection into an adjoining easement is required as a Deferred Commencement condition.

An assessment under Section 79C of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval subject to recommended conditions.

Site & Surrounds

The site is located on the western side of Dunheved Circuit, St Marys. The site is an irregular shaped allotment with vehicular access to Dunheved Circuit via a battle-axe handle.

The site is approximately 6140m² in size and currently contains a small existing industrial shed and amenities building. The site is generally hardstand.

The broader locality is industrial in nature with a variety of land uses, including a number of factories and warehouse facilities and a number of storage yards with materials stored externally.

Proposal

This application seeks consent for alterations and additions to the existing waste management facility including demolition of existing buildings and construction of new shed and amenities building.

This application does not propose an increase in the amount of materials being processed, or their nature, or the hours of operation. The existing facility receives and transfers non-putrescible general solid waste delivered in skip and hook bins from construction, demolition, municipal, commercial, industrial and domestic sources. Waste is received and the materials are inspected and some rejected. The loading and unloading of waste is managed by the Traffic Controller on site and any trucks which remain emptied at the end of the day remain overnight and are covered. All sorting is undertaken by heavy plant and equipment (2x excavators). The non-recyclable products are sent to landfill and the recycled products are loaded for transport and further processing at a recycling or processing facility.

The proposal involves the following key elements:

- Addition of two weighbridges;
- Demolition of existing shed and amenities/office building;
- Construction of a new concrete tilt panel and metal clad shed and new amenities building (total 3618m² gross floor area);
- Fill existing pit within central portion of the site (248.14m² in area);
- 4 x 45KL water tanks for on-site detention on the southern side of the shed;
- Removal of seven (7) trees; and
- This application does not require additional employees or amendments to amount of waste or hours of operation.

Background

In 2001, Council granted consent to DA01/1034 for use of the site as a waste transfer station. There is no industrial waste and these operations will continue on site.

The approved hours of operation are 6am to 6pm, Monday to Saturday.

The proponent attended a pre-lodgement meeting specifically for this development to undertake alterations and additions to the existing facility.

Plans that apply

- Local Environmental Plan 2010 (Stage 1 LEP)
- Development Control Plan 2010
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 33—Hazardous and Offensive Development
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979 (as amended) (EP&A Act), and having regard to those matters; the following issues have been identified for further consideration.

• Section 91- Integrated development

Integrated Development

The occupation of the site for a waste management facility would normally be defined as an Integrated Development under Section 91 of the Environmental Planning and Assessment Act, 1979 as such an occupation is classified as a 'Scheduled Activity' in accordance with the Protection of the Environment

The applicant however has outlined within the submitted Statement of Environmental Effects that the site occupier has separately applied for an Environmental Protection Licence and as the proposal does not seek consent for a proposed waste management facility (rather alterations and additions to an existing one), the proposed works do not constitute a scheduled activity requiring concurrence from the EPA under the above legislation.

The application was referred to the EPA who advised that it was agreed that as there was no proposed change to operations and no changes to waste types or throughputs in the proposal, the application is not considered integrated development. However, given concerns raised previously with the Proponent by the EPA, it was agreed that Penrith City Council will give the EPA the opportunity to comment on the application prior to making its determination.

The EPA advised that St Marys Recycling Pty Ltd has already applied for an Environment Protection Licence for existing operations at the Premises. During review of this application, the EPA raised a number of concerns with St Marys Recycling Pty Ltd, particularly regarding stormwater and dust management. St Marys Recycling Pty Ltd have implemented interim management controls to address these concerns and indicated that environmental issues will be addressed in the longer term with the re-development of the facility (as proposed by DA15/1042) and raised no objections to the proposal subject to conditions regarding Dust management Plan, Stormwater Plan, Operational Environmental Management Plan and unloading / loading occurring only within the building.

The EPA advised Penrith City Council that the Licence has been issued on 9 October 2015 to St Marys Recycling Pty Ltd (licence no. 20621).

Designated Development

Under Clause 4 of the EP&A Act 1979, development listed in Part 1 of Schedule 3 of the Regulation is designated development unless it is declared not to be by a provision in Part 2 of that Schedule.

The proposed development falls within the category of waste management facilities or works under Schedule 3 of the Regulation, however subject to part 2 is not considered to be 'Designated Development' as the proposal is for alterations and additions.

Part 2 states:

"Part 2 Are alterations or additions designated development?"

35 Is there a significant increase in the environmental impacts of the total development?

Development involving alterations or additions to development (whether existing or approved) is not designated development if, in the opinion of the consent authority, the alterations or additions do not significantly increase the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development.

Note. Development referred to in this clause is not designated development for the purposes of section 77A of the Act. This means that section 98 of the Act (Appeal by an objector) will not extend to any such development even if it is State significant development.

36 Factors to be taken into consideration

In forming its opinion as to whether or not development is designated development, a consent authority is to consider:

(a) the impact of the existing development having regard to factors including:

(i) previous environmental management performance, including compliance with the conditions of any consents, licences, leases or authorisations by a public authority and compliance with any relevant codes of practice, and

(ii) rehabilitation or restoration of any disturbed land, and

(iii) the number and nature of all past changes and their cumulative effects, and

(b) the likely impact of the proposed alterations or additions having regard to factors including:

(i) the scale, character or nature of the proposal in relation to the development, and

(ii) the existing vegetation, air, noise and water quality, scenic character and special features of the land on which the development is or is to be carried out and the surrounding locality, and

(iii) the degree to which the potential environmental impacts can be predicted with adequate certainty, and

(iv) the capacity of the receiving environment to accommodate changes in environmental impacts, and

(c) any proposals:

(i) to mitigate the environmental impacts and manage any residual risk, and

(ii) to facilitate compliance with relevant standards, codes of practice or guidelines published by the Department or other public authorities."

With respect to environmental impacts, the above requirements have been taken into consideration and it has been deemed that there will not be a significant increase in environmental impacts as a result of the alterations and additions. The works primarily relate to improving the functioning of the facility and providing additional covered area. The quantity of waste will not increase from existing and the existing hours of operation and employee numbers will remain.

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

Permissibility

Part 3 of the SEPP (Infrastructure) 2007 sets out prevailing development controls for certain types of developments which are considered to be significant to the State in terms of a developments' ability to deliver a facility or service forming critical infrastructure to the region.

The proposed development can be suitably defined as a Waste or Resource Management Facility which under the instrument, means a waste or resource transfer station, a resource recovery facility or a waste disposal facility.

Division 23 sets out prescribed zones for Waste or Resource Management Facilities which includes IN1 – General Industrial. Accordingly, having regard to the definition as discussed above, Council can be satisfied that the proposed development is a permissible land use in the zone.

Schedule 3 – Traffic Generating Development

Schedule 3 of the SEPP identifies circumstances where development applications should be referred to the Roads and Maritime for consideration. Development for the purpose of landfill, recycling facilities or waste transfer stations of any size or capacity is listed in Schedule 3 and therefore the application was referred to the Roads and Maritime Service for consideration.

The application was referred to the NSW Roads and Maritime Service for consideration and it was advised that since the development will have minimal impact to the state road network, no objection is raised.

State Environmental Planning Policy No 33—Hazardous and Offensive Development

The plans for the development show a 'fuel point' and the Operational Environmental Management Plan indicates that minor re-fuelling and basic maintenance of plant will occur on the site. The applicant conformed that the existing facility uses a low sulphur diesel fuel. Diesel is a class C1 combustible liquid and considered to be not potentially hazardous if stored in a separate bund or within a storage area where it is the only flammable liquid present. The portable tank is stored in a covered, dry and well ventilated area, to the south-east of the proposed shed. Accordingly, the fuel point is not considered to be hazardous and no further assessment against SEPP 33 is required.

State Environmental Planning Policy No 55—Remediation of Land

This policy aims to provide a state-wide approach to remediation of contaminated land. Of particular relevance to the current proposal are the requirements of Clause 7, which provides:

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The site has operated for industrial purposes for a number of years without change. The proposed development is not for residential purposes and will continue to be for industrial use, and therefore no remediation or further investigation is required for this application. Future change of use of the site may trigger the requirement for remediation.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997) (REP 20) integrates planning with catchment management to protect the Hawkesbury-Nepean river system, requiring the impact of future land use to be considered in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture and urban and rural-residential development. It controls development that has the potential to impact on the river environment. The REP is supported by an Action Plan, which includes actions necessary to improve existing conditions.

The development proposal has been assessed and subject to conditions of development consent, found to be in accordance with the general planning considerations set out in Clause 5 of the REP and the relevant specific planning policies and related recommended strategies set out in Clause 6.

Local Environmental Plan 2010 (Stage 1 LEP)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.5 Additional permitted uses for particular land	N/A
Clause 2.6 Subdivision - consent requirements	N/A
Clause 2.7 Demolition requires development consent	Complies - See discussion
Clause 2.8 Are the temporary use of land requirements achieved?	N/A
Clause 4.1 - the minimum lot size	N/A

Clause 4.1AA Minimum subdivision lot size for community title schemes	N/A
Clause 4.2 Rural Subdivision	N/A
Clause 4.3 Height of buildings	Complies - See discussion
Clause 4.4 Floor Space Ratio	N/A
Clause 4.5 Calculation of floor space ratio and site area	N/A
Clause 4.6 Exceptions to development standards	N/A
Clause 5.1 Relevant acquisition authority	N/A
Clause 5.10 Heritage conservation	N/A
Clause 5.11 Bush fire hazard reduction	N/A
Clause 5.12 Infrastructure development and use of existing buildings of the Crown	N/A
Clause 5.13 Eco-tourist facilities	N/A
Clause 5.2 Classification and reclassification of public land	N/A
Clause 5.3 Development near zone boundaries	N/A
Clause 5.4 Controls relating to miscellaneous permissible uses	N/A
Clause 5.5 Development within the coastal zone	N/A
Clause 5.6 Architectural roof features	N/A
Clause 5.7 Development below mean high water mark	N/A
Clause 5.8 Conversion of fire alarms	N/A
Clause 5.9 Preservation of trees or vegetation	Complies - See discussion
Clause 5.9AA Trees or vegetation not prescribed by development control plan	N/A
Clause 6.1 Earthworks	N/A
Clause 6.10 Villages of Mulgoa and Wallacia	N/A
Clause 6.11 Orchard Hills	N/A
Clause 6.12 Twin Creeks	N/A
Clause 6.13 Waterside Corporate	N/A
Clause 6.14 Development of land in the flight paths of the site reserved for the proposed Second Sydney Airport	N/A
Clause 6.15 Location of sex services premises and restricted premises	N/A
Clause 6.2 Salinity	N/A
Clause 6.3 Flood Planning	N/A
Clause 6.4 Development on natural resources sensitive land	N/A
Clause 6.5 Protection of scenic character and landscape values	N/A
Clause 6.6 Servicing	Complies - See discussion

Clause 6.7 Dwelling houses on certain land in Llandilo and Mulgoa	N/A
Clause 6.8 Dual occupancies and secondary dwellings in certain rural and environmental zones	N/A
Clause 6.9 Mulgoa Valley	N/A
Schedule 1 Additional permitted uses	N/A

Permissibility

Under Penrith Local Environmental Plan (LEP) 2010, the subject site is zoned IN1 – General Industrial. The LEP defines the proposed use as a waste or resource management facility and since it does not explicitly permit the use of this site for the purpose of waste or resource management, it is a prohibited land use under the provisions of the LEP however it is separately defined under Clause 121 of State Environmental Planning Policy (SEPP) (Infrastructure) 2007. SEPP (Infrastructure) 2007 permits the use of IN1 – General Industrial zoned land for the purpose of waste or resource management. The SEPP prevails to the extent of any inconsistencies with the LEP and therefore the development is a permissible land use in the zone.

LEP and Zones Objectives

The proposed development satisfies the aims and objectives of both the LEP and the zone itself, particularly in relation to:

-
- The promotion of sustainable development that is consistent with the Council's vision for Penrith,
- □ The encouragement of development to be designed in a way that assists in reducing and adapting to the likely impacts of climate change,
- □ The encouragement of employment opportunities,
- □ The minimisation of adverse effect of industry on other land uses and,
- □ Supporting and protecting industrial land for industrial uses and the promotion of development that makes efficient use of industrial land.

The zone objectives allow for a range of warehouse and industrial uses, encourage employment opportunities and minimise any adverse effect of industry on other land uses. The proposal satisfies these objectives by providing an industrial process which also requires an area for warehousing and storage and is not envisaged to create adverse environmental issues such as pollution of waterways, odour or acoustic impacts for adjoining properties or the greater area.

Development Standards

This application proposes demolition of the existing industrial buildings and construction of a larger building. The overall building footprints are increased in size from 850m² to 3465m². There is no floor space restriction for the site under the LEP.

There will be an increase in height of the buildings on the site with the proposed shed having an overall height of 11.87m and the office being 4m. The proposed buildings are consistent in terms of roof form and height of buildings in the area. The LEP allows a maximum height of 12m. The development remains below the maximum height control.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2010

Provision	Compliance
Part D4 - Industrial development	Complies - see Appendix - Development Control Plan Compliance

Section 79C(1)(a)(iv) The provisions of the regulations

The proposal development is satisfactory with respect to the Environmental Planning and Assessment Regulations (2000).

Section 79C(1)(b)The likely impacts of the development

Built and Natural Environment

- There is not expected to be any significant odour generated from the processing facility. There is not expected to be any offsite odour impact from the proposed development. Particulate matter is expected to be fully contained within the building, as restricted by conditions. Dust suppression activities will be carried out when vehicles exit the site, as well as internal and external to the building.
- Subject to compliance with relevant licensing requirements under the Environmental Protection Authority (as the regulatory body), the development does not pose any significant impact on the environment. Moreover, the processes associated with the facility poses a broader benefit to the environment as it encourages the reuse, recycle and safe disposal of materials.
- The development will not alter the visual appearance of the site from the public/private interface and therefore poses no impact to the public domain due to the site being a battleaxe.
- The development is consistent with the character of the area, being an industrial land use in a well established industrial area which is appropriately connected to the broader Sydney metropolitan network.
- Council's Traffic Officers and RMS have considered the proposal in regard to access, traffic and logistical transportation impacts on existing road infrastructure and no objection has been raised to the development, subject to conditions of development consent and appropriate operational management measures.

Environmental Issues

The EPA advised that St Marys Recycling Pty Ltd has already applied for an Environment Protection Licence for existing operations at the Premises. During review of this application, the EPA raised a number of concerns with St Marys Recycling Pty Ltd, particularly regarding stormwater and dust management. St Marys Recycling Pty Ltd have implemented interim management controls to address these concerns and indicated that environmental issues will be addressed in the longer term with the re-development of the facility (as proposed by DA15/1042) and raised no objections to the proposal subject to conditions regarding Dust management Plan, Stormwater Plan, Operational Environmental Management Plan and unloading / loading occurring only within the building.

The EPA advised Penrith City Council that the Licence has been issued on 9 October 2015 to St Marys Recycling Pty Ltd (licence no. 20621).

In response to issues raised from an adjoining operator, it is considered that the measures contained within the Operational Environmental Management Plan relating to vehicles being checked for mud and soil prior to leaving the site should be increased to an automated process to ensure it occurs in all instances. Accordingly, a condition is recommended which requires the Plan to be updated and a mechanised spray wash off the bottom of the trucks / vehicles is to occur upon exit of the site.

Drainage

Evidence has been submitted which details that the site has the right to drain stormwater through the stormwater easement registered under DP1013185 in the north western corner of the development site. A Deferred Commencement condition is recommended to provide evidence that Sydney Water do not object to a structure being constructed over the easement. The applicant has requested that this issue be dealt with by way of a condition in an active consent, however it is not suitable to issue an active consent with conditions of consent, dependent on a third party which may not be able to be complied with.

Social and Economic

- The interaction between the development and the community is mostly positive as the proposal has demonstrated to be managed in a way to mitigate potential impacts on the amenity of the local area and the broader community.
- The development provides social, economic and sustainable development opportunities to the Penrith region.

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

The strategic location of the subject site and the proposed scale of its use is consistent with the planning instruments which apply. Appropriate measures can be employed to mitigate potential impacts and therefore it has been demonstrate the site is conducive to the proposed alterations and additions to the existing waste recycling facility.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with the Act and Regulations, consideration has been given to any necessary referrals and any submissions made.

Community Consultation

In accordance with Chapter 2.7 of the Penrith Development Control Plan the application was notified for 14 days. One submission was received.

The following issues were raised in the submission received and have formed part of the assessment.

Issue Raised	Comment
Current operations have already increased truck movements, materials and staff, resulting in more cars in surrounding streets, dirt and dust.	A condition has been imposed which requires the development to operate in accordance with DA01/1034 which is the original consent for the operations on the site, which limits employee numbers, hours operation, quantities of waste etc. This application does not alter those operational details.
Inadequate car parking on site.	As there is no change to employee numbers, it was determined by Council's Traffic Officer that the car parking provided on site in accordance with DA01/1034 is adequate.
Wash bay should be provided for truck tyres when exiting the site.	The applicant has committed to providing a fogging and sprinkler system to control dust both inside and outside of the building. In addition to the system, it is proposed that other measures including speed limits, keeping roads and hard stand areas clean, checking vehicles for mud prior to leaving the site, controlling plant exhaust emissions and water sprays will be employed.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions
Environmental - Environmental management	No objections - subject to conditions
Environmental - Waterways	No objections - subject to conditions
Traffic Engineer	No objection subject to conditions

Section 79C(1)(e)The public interest

The proposed development demonstrates consistency with the aims and objectives of Penrith LEP 2010, the zone itself and Penrith Development Control Plan 2014. The proposed development is consistent with the zone of the land which applies. The development acclaims the following attributes which contribute positively to the Penrith community and Western Sydney Region:

- The generation of additional employment opportunities;
- Reduces landfill thus conforming to principles of Ecological Sustainable Development (ESD);
- Facilitates the expansion of mercury waste immobilisation facilities in NSW to increase the capacity for commercial and industrial waste treatment and improvement to the management of hazardous waste;
- Facilitates improved environmental controls over the management of process water, surface water and site drainage.

Therefore based on the above factors, it is considered the proposed development would be in the broader public interest.

Conclusion

The proposed development is in accordance with the relevant provisions of the environmental planning instruments, and DCP pertaining to the land. Subject to the recommended conditions, the proposed development is unlikely to have a significant negative impact on the surrounding environment. The proposed development represents a significant contribution to our waste recycling functions in the St Marys Industrial area and has commendable environmental sustainability initiatives.

The proposed development has been assessed against the relevant heads of consideration contained in Section 91 and Section 79C of the Environmental Planning and Assessment Act 1979 and Regulations 2000 and has been found to be satisfactory. The likely impacts have been considered and found to be satisfactory and the site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of support.

Recommendation

1. That DA15/1042 for Infrastructure - Alterations and Additions to an Existing Waste Management and Recycling Facility Including Demolition Works, Construction of New Buildings, Weighbridges and Vegetation Removal at 25 Dunheved Circuit ST MARYS, be approved subject to the attached conditions (Development Assessment Report Part B);

General

1 A001

The development must be implemented substantially in accordance with the following plans and documentation stamped approved by Council, except as may be amended in red on the attached plans and by the following conditions.

Plans	Prepared By	Dated
DA-02.1 Cover Sheet Rev C	Insight Architecture	5/8/15
DA-02.2 Demolition Plan Rev C	Insight Architecture	5/8/15
DA-02.3 Proposed Site Plan Rev C	Insight Architecture	5/8/15
DA-02.4 Proposed Floor Plan Rev C	Insight Architecture	5/8/15
DA-02.5 Proposed Office Plan / Elevations / Sections Rev C	Insight Architecture	5/8/15
DA-02.6 Proposed Shed Plan Rev C	Insight Architecture	5/8/15
DA-02.7 Proposed Shed Elevations / Sections Rev C	Insight Architecture	5/8/15
DA-02.8 Landscape Plan Rev C	Insight Architecture	5/8/15
DA-02.9 Sediment Control Plan Rev C	Insight Architecture	5/8/15
DA-02.10 Stormwater Management Plan Rev C	Insight Architecture	5/8/15
DA-02.11 Shadow Diagrams Rev C	Insight Architecture	5/8/15
DA-02.12 Shadow Diagrams Rev C	Insight Architecture	5/8/15
DA-02.13 Perspective Rev C	Insight Architecture	5/8/15
DA-02.14 Perspective Rev C	Insight Architecture	5/8/15
DA-02.15 Perspective Rev C	Insight Architecture	5/8/15
Engineering Plan, Roof Plan and Details, Sections and Details, and Erosion and Sediment Control SY15113C101 - SY15113C105 Rev C	Barker Ryan Stewart	16/12/15

2 A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)

The development shall not be used or occupied until an Occupation Certificate has been issued.

3 A029 - HOURS OF OPERATION AND DELIVERY TIMES

The operating hours are from 6.00am to 6.00pm Mondays to Saturdays. No operations are permitted on Sundays and public holidays.

4 A032 - Goods in buildings

All unloading, loading, waste processing and waste storage, must be undertaken inside the building.

5 A038 - LIGHTING LOCATIONS

Prior to the issue of an Occupation Certificate, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveway. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding landuses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

6 A039 - Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

7 A046 - Obtain Construction Certificate before commencement of works

A Construction Certificate shall be obtained prior to commencement of any building works.

8 A Special (BLANK)

The operations on the site are to be carried out in accordance with DA01/1034. Any changes to hours of operation, employee numbers or amount of waste per annum from approved will require separate approval from Penrith City Council.

9 A Special (BLANK)

The existing waste management facility is not to accept any substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste.

10 **A special BLANK**

Activities on the premises must be carried out in accordance with Environment Protection Licence No. 20621, issued by the Environment Protection Authority. Should this licence be revoked, suspended or surrendered, an application is to be submitted to Council for consideration of matters contained in the licence.

Demolition

11 **B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE**

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

12 **B003 - ASBESTOS**

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site**.

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

13 **B004 - Dust**

Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

14 **B005 - Mud/Soil**

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

15 **B006 - Hours of work**

Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No demolition work is permitted on Sundays and Public Holidays.

In the event that the demolition relates to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the demolition works are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Environmental Matters

16 **D001 - Implement approved sediment& erosion control measures**

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

17 **D005 – No filling without prior approval (may need to add D006)**

No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.

18 **D009 - Covering of waste storage area**

All waste materials stored on-site are to be contained within the building to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties.

19 **D010 – Appropriate disposal of excavated or other waste**

All excavated material and other wastes generated as a result of the construction of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

20 **D014 - Plant and equipment noise**

The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

21 **D023 - Bunding**

All works and storage areas where spillages are likely to occur shall be bunded. The size of the area to be bunded shall be calculated as being equal to 10% of the total volume of containers stored, or 110% of the largest container stored, whichever is the greater. All bunded areas shall be graded to a blind sump so as to facilitate emptying and cleaning. Details are to accompany the application for a Construction Certificate.

22 **D026 - Liquid wastes**

Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

23 **D06A – Approval for bulk earthworks/major filling operations (Use for bulk earthworks/ major filling operations)**

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soils science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

24 **D Special BLANK**

An updated Dust Management Plan for the Premises must be provided to Penrith City Council and the Environment Protection Authority for approval prior to the commencement of operations. The Dust Management Plan must reflect proposed operations and include:

- an assessment of the impact of dust from the Premises; and
- proposed mitigation measures and a timetable for their implementation, including but not limited to the use of any dust suppression systems including their location and extent.

Once approved, this Plan is to be implemented and adhered to.

25 **D Special BLANK**

A Stormwater Management Plan must be prepared for the Premises and must be provided to Penrith City Council and the Environmental Protection Authority for approval prior to the commencement of operations. The Stormwater Management Plan must reflect proposed operations and include:

- an assessment of the impacts from stormwater discharges at the Premises; and
- proposed mitigation measures to manage stormwater impacts.

Once approved, this plan is to be implemented and adhered to.

26 [D Special BLANK](#)

An updated Operational Environment Management Plan reflecting proposed operations must be provided to Penrith City Council and the Environment Protection Authority for approval prior to the commencement of operations. The plan is to include details of an automated process to provide a mechanised spray wash off the bottom of the trucks / vehicles upon exit of the site.

This approved Plan is to be implemented and adhered to.

BCA Issues

27 [E009 - Annual fire safety-essential fire safety \(Class 2-9 buildings\)](#)

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

(a) deal with each essential fire safety measure in the building premises, and

(b) be given:

- within 12 months after the last such statement was given, or
- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

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As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

28 [E01A - BCA compliance for Class 2-9](#)

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 on-going benefit of the community. 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:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

Construction

29 [H001 - Stamped plans and erection of site notice](#)

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

30 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning 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, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

31 H041 - Hours of work (other devt)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Engineering

32 K101 - Works at no cost to Council

All roadwork, stormwater, associated civil works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

33 **K201 - Infrastructure Bond**

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to the issue of any Construction Certificate. The bond and applicable fees are in accordance with Councils adopted fees and charges.

An application form together with an information sheet and conditions are available on Councils website.

Contact Penrith City Council's City Works Department on 4732 7777 or visit Penrith City Councils website for more information.

34 **K210 - Stormwater Management**

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Barker Ryan Stewart, reference number SY15113C101 - SY15113C105, revision C, dated 16/12/2015.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Penrith City Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design (WSUD) Policy.

35 **K212 - No loading on easements**

Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence.

36 **K222 - Access, Car Parking and Manoeuvring – General**

Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

37 **K301 - Sediment & Erosion Control**

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

38 **K503 - Works as executed – General and Compliance Documentation**

Prior to the issue of a Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.

An original set of Works-As-Executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Penrith City Council is not the Principal Certifying Authority.

39 **K504 - Stormwater Compliance**

Prior to the issue of any Occupation Certificate the Principal Certifying Authority shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

40 **K505 - Restriction as to User and Positive Covenant**

Prior to the issue of any Occupation Certificate a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development.

41 **K601 - Stormwater Management system operation and maintenance**

The stormwater management systems shall continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

42 **K Special (BLANK)**

All car spaces are to be sealed/line marked and dedicated for the parking of vehicles only and not be used for storage of materials/products/waste materials etc

43 **K Special Condition BLANK**

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the provision to drain stormwater from the internal floor area from the proposed shed have been addressed.

44 **K Special Condition BLANK**

Prior to the issue of a Construction Certificate, a Traffic Management Plan/Strategy shall be submitted and approved by the Certifying Authority to ensure that a strategy is implemented to address the issue of the proposed maximum sized vehicles not being able to make an adequate turning movement when exiting the site from the weighbridge without obstructing on-coming traffic entering the site. The Traffic Management Plan/Strategy shall address but not limited to the operation of the site, techniques to alleviate the issue and clearly demonstrate how vehicles exiting the site will not obstruct another vehicle entering the site.

Certification

45 **Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)**

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Schedule 1 (Deferred Commencement)

46 **S Special (Deferred commencement condition)**

- A. Provide written evidence that Sydney Water does not object to the proposed works being constructed over the existing easement / sewer line.

Appendix - Development Control Plan Compliance

Development Control Plan 2010

D4 - Industrial development

C3 Water Management

Key considerations under the Water Management DCP requirements relate to catchment management and ensuring water quality through appropriate prevention measures. The development includes mitigation measures, such as the provision of bunding and spill containment systems, which satisfactorily respond to the DCP requirements and can be mandated under the Environmental Protection License issued by the regulatory authority.

On-site Detention is proposed for the site and the proposed development will comply with Council's WSUD Policy requirements.

Conditions of development consent are recommended to require Section 73 Certification from Sydney Water.

C5 Waste Management

The aims and objectives of the Waste Management DCP are to ensure the appropriate disposal, recycle and reuse of waste in accordance with guiding principles of Ecologically Sustainable Development and relevant guidelines and policies. Appropriate waste management measures which aim to reduce waste generation from the site and dispose of waste in accordance with categorisation and regulated procedures are proposed. The EPA conditions require preparation of an Operational Environmental Management Plan to address appropriate mitigation measures in regard to Air Quality, Waste Management, Spill Management, Traffic Management, Stormwater Management and Noise Management.

C10 Transport, Access and Parking

The existing vehicular access and parking at the front of the site is being maintained, and the width of the driveway and turning area increased to provide improved manoeuvring area. The DCP requires car parking at the following rate:

USE	DCP REQUIREMENT	REQUIRED	PROPOSED
Industrial	1 per 75m ² of gross floor area or 1 per 2 employees, whichever is the greater	Based on 3618m ² , 48 spaces required. Based on 15 employees, 7.5 spaces required. The existing buildings generated 11 spaces and 10 were provided.	Does not comply – 10 exist and proposed to be retained.

The table above demonstrates that the proposal requires 48 car parking spaces, based on floor space which is greater than employee numbers. A total of 10 car parking spaces are provided on site, with no new car parking spaces proposed by this application as there are no changes to operation, just to the building.

Council's Traffic Officers have considered the application, having regard to the local road network and its capacity, parking, circulation and access. No objection is raised to the development, indicating that vehicular access will remain substantially as existing with circulation available through the new building. All trucks will enter the site via a new weighbridge. No changes in the amount of waste material through the site is proposed. 10 parking spaces remain as originally approved, however, a condition will be imposed to ensure parking spaces are used for parking of vehicles and not storage of materials.

C12 Noise and Vibration

The proposed use is not offensive and Council's Environment & Health Officer has reviewed the proposal and is satisfied that the noise levels are acceptable. No objection is raised to the proposed development with regard to noise emissions and potential impact.

Section C13 Infrastructure and Services

Adequate support services and utilities are available to service the industrial building.

D4 Industrial Development

DCP Objectives

The proposed development outcomes are consistent with the objectives of the Industrial Development DCP as far as:

- *The promotion of industrial development which can operate in a functional, safe and environmentally friendly manner;*
- ☐ *Minimisation of conflict between land uses with appropriate mitigation measures;*
- ☐ *Ensuring the development does not affect the function, efficiency and safety of all classified roads and other major roads;*
- ☐ *Management of traffic and access for larger vehicles and loading facilities and;*
- ☐ *The promotion of employment generation.*

Section 4.1 Key Precincts

Penrith City Council's Industrial Lands DCP features general development controls for industrial uses as well as additional controls for sites located in specific precincts. The subject site is located within Precinct 1 of the St Marys/Dunheved Industrial area. The only special consideration for this precinct under the DCP is the provisions to consider a variation to front setback requirements for developments located in the precinct based on the merits of parking, lot width, landscaped area and the like. The site is a battle axe arrangement and as such does not have a street frontage.

Section 4.5 – Storage of Materials and Chemicals

The DCP encourages all goods and materials associated with the use of a site to be stored internally to minimise both visual and environmental impact. The proposed alterations and additions behind the existing building will not compromise the site's presentation to the street due to the battleaxe arrangement and will ensure the appropriate storage of goods and materials associated with the use of the site. The materials are stored internally or within the external bunded storage areas. These areas are not visible from the street interface. Furthermore, the development has an Environmental Protection License and under the relevant provisions, should the covering of the bunded areas be necessitated, it can be managed in consultation with the Environmental Protection Authority. No conditions of consent are proposed to require the covering of bunded areas due to the integrated nature of the consent. Local conditions may restrict EPA licensing requirements and therefore no conditions requiring the covering of waste storage areas are recommended as it can be managed under the licensing requirements.

Section 4.6 – Accessing and servicing the site

The existing access arrangements from Dunheved Circuit will be maintained. There is no change to the quantities processed and as such there is no intensification in terms of vehicle and truck movements, with no objection raised from the RMS or Council's Traffic Engineer. The proposed internal truck movements satisfies the objectives of Section 4.6 of the DCP as it ensures the safe and efficient movement of vehicles to and within the site and encourages the development of a layout that enhances the function of the site.