

MOLINO STEWART
ENVIRONMENT & NATURAL HAZARDS

Rush Metal Recyclers

**57 Tattersall Road, Kings Park
Independent Audit**

Final Report





57 Tattersall Road, Kings Park Independent Audit

FINAL REPORT

for

Rush Metal Recyclers

by

Molino Stewart Pty Ltd

ACN 067 774 332

OCTOBER 2019

MOLINO STEWART PTY LTD ABN 95 571 253 092 ACN 067 774 332

PO BOX 614, PARRAMATTA CBD BC, PARRAMATTA NSW 2124 TEL: (02) 9354 0300 FAX: (02) 9893 9806

www.molinostewart.com.au

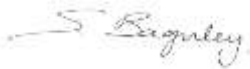
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For Molino Stewart	
Name	Shireen Baguley
Position	Principal
For Rush Metal Recyclers	
Name	Garry Rush
Position	Proprietor

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1 INTRODUCTION

1.1 BACKGROUND

Auto-recyclers Pty Ltd owns a site at 57-69 Tattersall Road, Kings Park which is operated as Pick 'n' Pay Less Self Serve Auto Parts.

A development consent (DA 96-185) for the existing car dismantling and recycling facility was issued by Blacktown City Council on 8th March 1996, with a number of modifications and subsequent development consents being in place.

Auto Recyclers Pty Ltd has identified additional demand to recycle car bodies and other metal and the expansion of the existing auto recycling business is necessary to meet the identified market demand. The expansion will facilitate a far greater efficiency in the utilisation of equipment, enabling the operator to respond to market supply and demand volumes and safeguard the long term economic viability of the business.

Barker Ryan Stewart (BRS) identified that the metal recycling and recovery facility will be state significant development (SSD) under Division 4.1 of Part 4 of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act), as it seeks to handle a volume of material of greater than 100,000 tonnes per year.

BRS sought Secretary's Environmental Assessment Requirements (SEARs) from the NSW Department of Planning & Environment (DPE) for the operation of a metal recovery and recycling facility with a processing capacity of 130,000 tonnes per annum (tpa) of scrap metal. This would include the expansion of the processing of scrap metal from sources such as motor vehicles structural metals and white goods. The proposed development would also involve changes to operating hours and site layout, and the construction of structures to house machinery and stockpiles.

SEARs for the proposed development were issued on 21st July, 2017. Within the SEARs was a requirement to undertake an assessment of the suitability of the site, which was to include the results of an independent

audit of the operation of the existing facility against the conditions of all development consents and all Environmental Protection Licences in force in respect of the existing facility to ascertain the site baseline.

1.2 PURPOSE OF THE REPORT

Molino Stewart was appointed to undertake an independent audit of the operation of the existing facility against the conditions of all development consents and all Environmental Protection Licences in force in respect of the existing facility to ascertain the site baseline

This audit report has been prepared by Shireen Baguley, a principal with Molino Stewart. Shireen is an Exemplar Global accredited auditor, certificate number 125768, certified as both a Lead Auditor and an Environmental Management Systems Auditor.

1.3 PROJECT DESCRIPTION

1.3.1 The site

The site is located at 57-69 Tattersall Road, Kings Park. The site is owned by Auto-recyclers Pty Ltd and operated as Pick 'n' Pay Less Self Serve Auto Parts. The total land area is approximately 6 ha.

Plans showing the site layout and main features of the site are shown in Appendix A.

The site is located within the Blacktown local government area and is zoned IN1 General Industrial under Blacktown Local Environmental Plan 2015 (BLEP).

The surrounding area comprises a mix of industrial and warehouse development. The site is bounded by Tattersall Road and other industrial development to the north, other industrial development to the east and west, including a metal recycling yard directly adjoining the site (Sell and Parker) to the east and by Breakfast Creek and industrial development beyond in the south (BRS, 2018).

1.3.2 Current approvals

As of 8 May, 2019, the current approvals in place for the site are:

- DA 96-185: Notice of Determination No. 14314 (DA 96-185) was issued on 23rd May 1996 for the existing “Car Dismantling Yard and Sale of Motor Vehicle Parts”. This permits the permits the processing of 30,000t of cars per annum.

Six modifications of the development consent have been approved:

- i. 12th July 1996: Amended by the deletion of condition 6A and 6G.
- ii. 5th November 1996: Amended by the inclusion of an additional building on the site for the purpose of a cashier’s office.
- iii. 25th September 1997: Amended by the inclusion of the sale of second-hand motor vehicles in conjunction with the approved use of car dismantling and the sale of motor vehicle parts.
- iv. 25th October 2017: Amended by reconfiguration of the approved site comprising changes to the internal road layout, a reduction in the size of the vehicle storage area accessible to the general public to accommodate a permanent location for the hammermill shredder in the northwest corner of the site and the temporary location of the Hammermill under an open-sided shed located on the southern section of the site adjacent to the electricity easement, pending its relocation.
- v. 8th January 2019; Amended by reconfiguration of the approved site comprising changes to the internal road layout, a reduction in the size of the vehicle storage area accessible to the general public to accommodate a permanent location for the hammermill shredder in the northwest corner of the site and the temporary location of the Hammermill under an open-sided shed located on the southern section of the site adjacent to the electricity easement, pending its relocation. It

also included approval for the use of two existing weighbridges.

- vi. 20th February 2019: A section 4.55(1) application approved correcting a minor typographical error with respect to the revision number of the site plan approved under MOD 18-00305 dated 8th January, 2019..
- CDC 180201: Complying Development Certificate issued on 29th January 2018 for the construction of a 46m x 65m hardstand area and an associated 17m x 34m industrial shed (superseding CDC 170379).
 - DA 17-01092: Development consent granted on 15th December 2017 for scrap metal recycling for a period of two years. This approval does not increase the quantum of materials processed onsite beyond the current limit of 30,000 tonne per annum but broadens the materials which can be recycled.

Note: Following the completion of the audit DA 17-01992 was voluntarily surrendered to Blacktown City Council on 21st August 2019 pursuant to section 4.63 of the Environmental planning and Assessment Act 1979

- Notice of Determination to DA-18-02214 18/02/2019. Construction of a business identification pylon sign incorporating two panels each 5m in length and 3m in height with an overall height of 5m.
- DA 18-01273 Development Consent granted on 29 March 2019 to use the north western part of Lot 100 to contain and use a mobile hammer mill/pre-shredder/shredder machine to recycle general scrap metal motor vehicles, light gauge metals and whitegoods. This approval does not increase the quantum of materials processed onsite beyond the current limit of 30,000 tonne per annum.

There is no Environment Protection Licence in force for the site.

Subsequent to this audit being completed

1.3.3 Existing operations

Motor vehicles are delivered to the end of life de-pollution facility, a covered concrete-floored workshop located at the front of the site. There is temporary storage of vehicles awaiting de-pollution in a hard stand area immediately

adjacent to the workshop until such time as vehicles are drained of all fuels, oils, fluids and lubricants. Batteries and gas fuel tanks are removed, air-conditioning systems degassed and normally tyres are also removed as these are sold separately.

Once drained, vehicles are then placed in the recycling yard, i.e. the self-serve section of the site, where the public can access them. Here they are stored one level high on a hard stand gravel surface. Each vehicle is raised using old wheel rims to allow easy access to all car parts but this also has the benefit of allowing easy inspection of the area.

Cars remain in the recycling yard until such time as it is decided by the operator that they have no further value. Once cars reach this point, they are moved from the recycling yard to the mobile shredding area prior to being shredded. This operation takes place on a concrete slab, with part of the operations under cover. Before being put through the shredder, an excavator pulls the car apart to ensure there is nothing present that should not pass through the shredder (e.g. gas bottles).

Once shredded, ferrous metals and some non-ferrous metals are collected to be on-sold as scrap metal. The remaining material, known as 'auto shredder residue' (ASR) or 'floc', is at present stockpiled onsite in two locations on concrete slabs adjacent to the shredding unit. The smaller pile is on the eastern side and material is stored here until being transferred to the western pile.

The floc contains foams, rubber, plastic and remaining non-ferrous metals, including copper, aluminium, stainless steel and brass.

Subsequent to the approval of CDC 180201, work has been underway to construct the concrete hardstand and shed facilities. Once these facilities are in place, the existing shredder will be relocated and additional equipment installed which will be able to handle downstream processing of the floc to remove the heavy metals.

As such, the floc is currently being stockpiled onsite as, once downstream processing equipment is available, this material would be reprocessed to extract all remaining metals and further reduce the quantum of the final waste product.

1.3.4 Stormwater and Drainage

The plan in Appendix A depicts the fall of the land and some of the stormwater drainage details.

Any runoff from the workshop drains into pits and then into a bunded storage pit connected to an oil and grease separator which turns on automatically once a pre-set water level is triggered in the oil separation pit. Fuels and oils are removed from vehicles into 44 gallon drums and then stored in tanks in bunded areas.

Stormwater runoff from the driveway from Tattersall Road and the hardstand area adjacent to the workshop enters stormwater pipes which drain to a small open channel within an easement running along the eastern boundary of the site and into Breakfast Creek.

The car recycling yard, the shredder area and the hardstand areas on which the floc piles are stored all drain towards an existing stormwater pit at the south western corner of the car recycling yard. This is mainly via overland flow, but there are collection pits within the shredder area connected to this pit. From this pit, stormwater is diverted to an existing storage tank\sediment basin with a 160 kL capacity. This has an oil and grease separation unit on it, which separates oil from stormwater before it passes through two sand filters then into Breakfast Creek.

The driveway and area to the south of the shredder unit drain towards Breakfast Creek. Bunding is in place along Breakfast Creek to prevent runoff from this area leaving the site.

2 METHODOLOGY

This audit report and statement has been prepared based on the following methodology.

2.1 REVIEW OF DOCUMENTATION AND RECORDS

The following information was reviewed prior to the onsite audit.

- BCC Notice of Determination 96-185 dated 12 July , 1996 and NBT-0002 Site Plan , NBT-0003 Section details & NBT-0004 made available from BCC records;
- Modification to DA -96-185 dated 12/7/96;
- Modification to DA -96-185 dated 5/11/96;
- Modification to DA -96-185 dated 25/9/97;
- Modification to DA -96-185 dated 25/10/17;
- Modification to DA-96-185 dated 8th January 2019 and as amended 20th February 2019.
- S. 4.55(1) dated 20-2-19 Application to modify Notice of Determination No 96-185 dated 23 May, 1996 for Car dismantling yard and sale of motor vehicle parts at Lot 100 DP 792731 H/N 57 Tattersall Road, Kings Park. This was to correct a minor typographical error with respect to the revision number of an approved plan issued under MOD 18-00305 dated 8 January, 2019.
- DA-17-01092 dated 15/12/17; Scrap Metal Recycling- involving the shredding of light gauge metals and whitegoods within part of the subject site; to a capacity of up to a maximum of 30,000 tonnes per year; associated DA submission documentation.
- Notice of Determination to DA-18-02214 18/02/2019. Construction of a business identification pylon sign incorporating 2 panels each 5m in length and 3m in height with an overall height of 5m.
- DA 18-01273 dated 29/03/19; to use the North Western part of Lot100 to contain and use a mobile hammer mill/.pre-shredder/shredder machine to recycle

general scrap metal motor vehicles, light gauge metals and whitegoods

2.2 CHECKLIST PREPARATION

Compliance checklists were developed for each of the approvals which were in place at the time this audit statement was prepared (as outlined in Section 1.3.2). The publication *Proposal for minimum environmental standards in the scrap metal industry: Consultation paper* (NSW EPA, 2017) was also reviewed.

These checklists were provided to Autorecyclers Pty Ltd in the week prior to the site audit and were used to assess compliance during the audit.

Within the checklist, the following categorisation of findings has been applied:

- **Non-compliant:** a failure to comply with a requirement. A requirement is a need, expectation or obligation. It can be legislative, stated or implied by an organisation, its customers or other interested parties.
- **Compliant:** the fulfilment of a requirement
- **Inability to be determined:** Where either
 - a matter has not been able to be determined as information is not available or further information is required to be supplied; or
 - a condition has not yet fallen due or otherwise is not yet required to have been completed during the implementation of a development.
- **Not applicable (n/a):** due to an error by the determining authority, conditions of consent have been applied that relate to matters outside the scope of the development application. These findings relate entirely to DA-17-01092 dated 15/12/17, which was for a change in use in relation to the scrap metal recycling, involving the shredding of light gauge metals and whitegoods within part of the subject site; to a capacity of up to a maximum of 30,000 tonnes per year. Conditions relating to construction were

attached to this consent but do not relate to the scope of the development.

- Noted: where a condition is for information purposes only.

- Photographs
- Receipts; and
- Certifications/permits.

2.3 AUDIT PROCESS

a) Site Inspection

Four site inspections have been undertaken for auditing purposes and inform the preparation of this audit report. These were undertaken by Shireen Baguley on, 20 September, 2018, 20 December, 2018, 28 February, 2019 and 1 May, 2019.

On the days of the inspection typical business operations were taking place. Cars were being processed through the de-pollution facility. The shredder was in operation during the first but not the other subsequent inspections.

b) Interviews

The following staff were interviewed or consulted during the site visits:

- Darren Rye (Operations Manager);
- Haydn (Pick'n'Payless Sales Manager);
- John (Workshop Manager); and
- Garry Rush (Managing Director).

The following representatives of the proponent were also consulted and provided documentation:

- Kim Stamper (Central Coast Manager, Assistant Project Manager, BRS);
- Darryl Fitzgerald (Senior Planner, BRS); and
- Geoff Davis, (Managing Director, Northern Contracting Group).

c) Project records

A sample of project records was reviewed during the audit process. This included:

- Workshop records;
- Checklists;
- Registers;
- Procedures
- Correspondence

2.4 REPORT UPDATE

A minor update of this report was undertaken on 29 October, 2019. The purpose of this update was to incorporate an Audit Action Plan that has been prepared by Auto-recyclers Pty Ltd to respond to the findings of this audit.

At this time, BRS also advised that the proponent had voluntarily surrendered consent DA-17-01092 dated 15/12/17. Given that this consent was in place at the time the audit was undertaken, the findings relating to this consent remain within this audit report.

3 FINDINGS & ACTIONS

3.1 FINDINGS

Within the nine consents or modifications that are applicable at the time of this report, there are 260 conditions of consent in force: The findings were as follows:

- Compliant: 79 conditions were found to be compliant.
- Non-compliant: five conditions were found to be non-compliant. Further details are provided in Table 1.
- Unable to be determined: 90 conditions with the majority of these being because the relevant matter is not yet required to have been completed during the implementation of a development

Not applicable: 42 of the conditions within DA-17-01092 have been assessed as being not applicable as they are out of the scope of the development application. This misalignment between the scope of the DA and the requirements of these conditions of consent is a matter BRS is currently resolving with Blacktown City Council. The consent has since been voluntarily surrendered,

- Noted: 41 conditions, as these were for information purposes only.

The full results of the audit are attached in Appendix B.

3.2 ACTIONS

Based on the findings of this audit, Auto-recyclers Pty Ltd has developed an action plan to address the comments. This plan is set out in Table 2.

During the development of this Audit Action Plan, it also came to light that the application for the then S.149A Building certificate had not been made within two months and the DA had lapsed on 29th March, 2015. Molino Stewart was advised of this on 24th October, 2019. As such, rectifying this item is also included in the Audit Action Plan below.

Table 1: Summary of non-compliant audit findings

Item	CoC #	CoC	Findings																					
DA -96-185 (Determination No. 14314) dated 23/5/96 (as amended)																								
5.	5.	<p>5. The proposed development is to be in accordance with the following drawings, subject to compliance with any other conditions of this consent.</p> <table border="1"> <thead> <tr> <th>Drawing No.</th> <th>Dated</th> <th>Council File Enclosure No.</th> </tr> </thead> <tbody> <tr> <td>NBT-0004</td> <td>26.3.96</td> <td>1 A</td> </tr> <tr> <td>NBT-0003</td> <td>26.3.96</td> <td>1B Plan No. CC161136</td> </tr> <tr> <td>RevD 12.7.18</td> <td>106B (as amended in (Site Plan S4,55 MOD)</td> <td>red)</td> </tr> <tr> <td>2547/5 NBT-0001</td> <td>Undated</td> <td>1D</td> </tr> <tr> <td>Landscape Plan</td> <td>Undated</td> <td>28D</td> </tr> <tr> <td>“Sales Area”</td> <td>28.8.97</td> <td>43B</td> </tr> </tbody> </table>	Drawing No.	Dated	Council File Enclosure No.	NBT-0004	26.3.96	1 A	NBT-0003	26.3.96	1B Plan No. CC161136	RevD 12.7.18	106B (as amended in (Site Plan S4,55 MOD)	red)	2547/5 NBT-0001	Undated	1D	Landscape Plan	Undated	28D	“Sales Area”	28.8.97	43B	<p>Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met.</p> <p>Only some of these drawings are now able to be sourced due to the age of the development and time lapsed since DA submitted.</p> <p>There is also an unauthorised awning on the site. The proponent was seeking to acquire a Building 149A certification from Council but has been getting no response (numerous emails sighted from BRS to Council; most recent dated 11/3/19). Council issued a Building Certificate for all existing works as at 18/3/19. Letter sighted.</p> <p>Landscaping shown in plan NBT 0004 not being present on the site</p>
Drawing No.	Dated	Council File Enclosure No.																						
NBT-0004	26.3.96	1 A																						
NBT-0003	26.3.96	1B Plan No. CC161136																						
RevD 12.7.18	106B (as amended in (Site Plan S4,55 MOD)	red)																						
2547/5 NBT-0001	Undated	1D																						
Landscape Plan	Undated	28D																						
“Sales Area”	28.8.97	43B																						
13.	13.	<p>No car bodies are to be stored outside the nominated fenced enclosure. Such car bodies are to be stored at ground level and are not to be stacked at any time.</p>	<p>During the site inspections it was observed that the whole site was fenced and all cars are stored within this site. The area used for storage of cars has been reduced from the original plan, making way for the shredder operations at the rear of the site. No stacking was observed in site Inspections undertaken in</p>																					

Item	CoC #	CoC	Findings
			<p>2017 and 2018.</p> <p>There are vehicles being stored outside the approved storage area.</p>
<i>CDC - 180201 Conditions of complying development certificate</i>			
139.	2.	<p>A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:</p> <p>(a) showing the name, address and telephone number of the principal certifier for the work; and</p> <p>(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and</p> <p>(c) stating that unauthorised entry to the site is prohibited.</p>	<p>There has been partial demobilisation of the fence as the main construction has been finalised. The Northern Contracting Group sign is in place but there is not principal certifier sign in place.</p>
140.	3.	<p>Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.</p>	<p>There has been partial demobilisation of the fence as the main construction has been finalised. The Northern Contracting Group sign is in place but there is not principal certifier sign in place.</p>
<i>Notice of Determination to DA-18-02214 18/02/2019 : pylon sign</i>			

<i>Item</i>	CoC #	CoC	Findings
276.	2.2.1	No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.	Rush Metal advised clearing was undertaken under a separate tree removal approval granted from Council some time ago. Rush Metal no longer has a copy of this. Council have verbally confirmed that it was granted; Rush Metal to follow up. The footings and framework for the sign had already been constructed at the time of the audit inspection prior to a valid construction certificate

Table 2: Audit action plan

Actions:		
Refer to the Action Item list attached for details. It is required that the Auto-recyclers Pty Ltd reviews the Action List and fills out the columns titled for 'Action to be Taken', 'By whom', and 'By when'. It is the responsibility of Auto-recyclers Pty Ltd to monitor the progress of the Action List items and ensure close out.		
Number of non-compliances and corrective actions raised: 5	Is Action List Closed off? <input type="radio"/> Yes <input checked="" type="radio"/> No	Signed (When Completed)

Item No. #	Action Item Description	Action taken or to be taken	By Whom	By When	Date Closed
Corrective Actions against non-compliances					
DA 96-185 Car Dismantling Yard and Sale of Motor Vehicle Parts					
5	Landscaping shown in plan NBT 0004 not being present on the site Condition 5 was amended by the modification approved by Council on 8th January 2019 and as amended on 20 th February 2019, as follows: Site Plan NBT-0002 dated 18.3.96 was replaced by Plan No CC16136C01 (RevD) dated 12.7.18 The landscaping and car park layout depicted in Plan NBT-0004 is inconsistent with the approved site plan, Plan No CC16136C01 (RevD) shows the current car park layout, with no landscaping around the perimeter and the	Lodge a modification application with Blacktown City Council to delete Plan NBT 0004	BRS on behalf of Autorecyclers	30/10/19	30/10/19
13	There are car bodies being stored outside the nominated area.	Remove vehicles stored outside of the approved storage area	Autorecyclers	30/6/20	
CDC - 180201 Conditions of complying development certificate					

Item No. #	Action Item Description	Action taken or to be taken	By Whom	By When	Date Closed
139.	The principal certifier sign not in place. Autorecyclers to contact Urban City Consulting and arrange to have a sign installed. Photo of sign to be taken and forwarded to auditor	Sign to be delivered and installed on 25/10/19. Photographic evidence of same sighted.	Autorecyclers	25/10/19	25/10/19
140.	Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed	Sign has been delivered and installed on 25/10/19. Photographic evidence of same sighted on 25/10/19. Sign to be removed when the work has been completed	Autorecyclers	25/10/19 completed	25/10/19
DA-18-02214 Pylon Sign					
276	Footings constructed and sign erected prior to issue of a Construction Certificate. Autorecyclers to remove the pylon sign or obtain engineering certification in respect of the footings Copy of approval for tree removal lost by Council and applicant.	Engineer inspection of foundations concluded that footing size and relevant geometry was considered to be in accordance with accepted standards of engineering and are considered satisfactory. Engineering advice sighted on 30/10/19. Replacement Murraya planted. Photo of planted Murraya sighted on 30/10/19 Proponent to apply for a building certificate from Council	Autorecyclers	30/10/19 25/10/19 1/11/19	30/10/19 30/10/19

4 CONCLUSIONS

This audit report has been prepared to provide a baseline of the existing facility against the conditions of all developments consents in force in respect of the existing facility.

The audit has found that for those conditions of consent that relate to its existing operations, the site is compliant for the majority of these. There are consents which only recently issued and the proponent is still in the process of implementing these. In relation to these consents there are a number of conditions which are unable to be determined.

There were five non-compliances found during the audit.

An Audit Action Plan with timelines has been developed by Autorecyclers Pty Ltd to address the non-compliances identified and this shows progress to date on these actions.

5 REFERENCES

Barker Ryan Stewart, 2017 (a). DA Scrap Metal Submission, 57-69 Tattersall Road, Kings Park

Barker Ryan Stewart, 2018 S.96 Application - Statement of Environmental Effects, 57-69 Tattersall Road, Kings Park

Day Design, 2017; Environmental Noise Assessment Proposed Relocation of Car Shredder 57 Tattersall Road. Kings Park

Todoroski Air Sciences 2017, Air Quality Impact Assessment 57 Tattersall Road, Kings Park

APPENDIX A – SITE PLANS

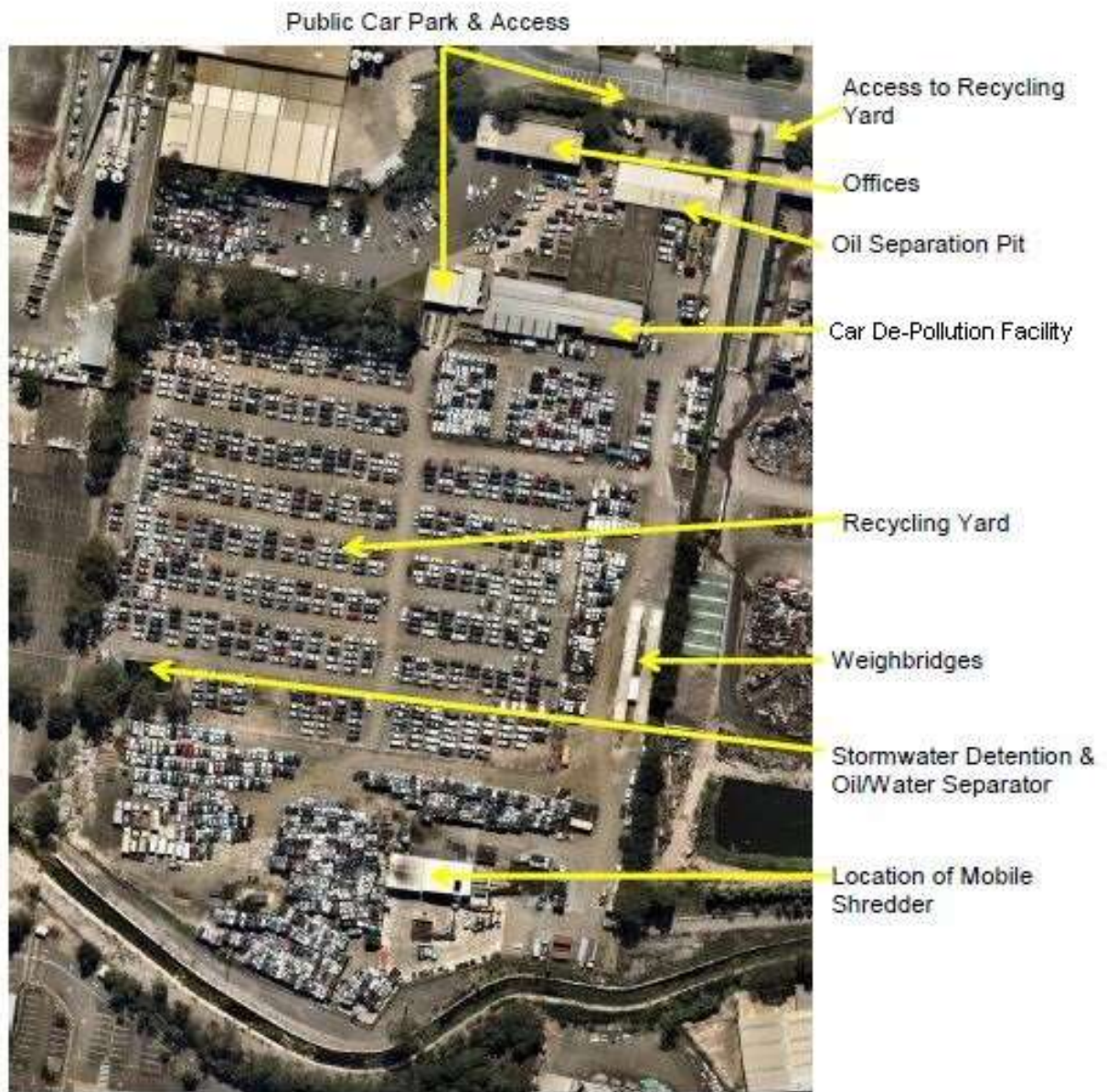


Figure A1: Key features of the subject site

Note: The Mobile Shredder has now been moved to the north-west area, where indicated in Figure A2.

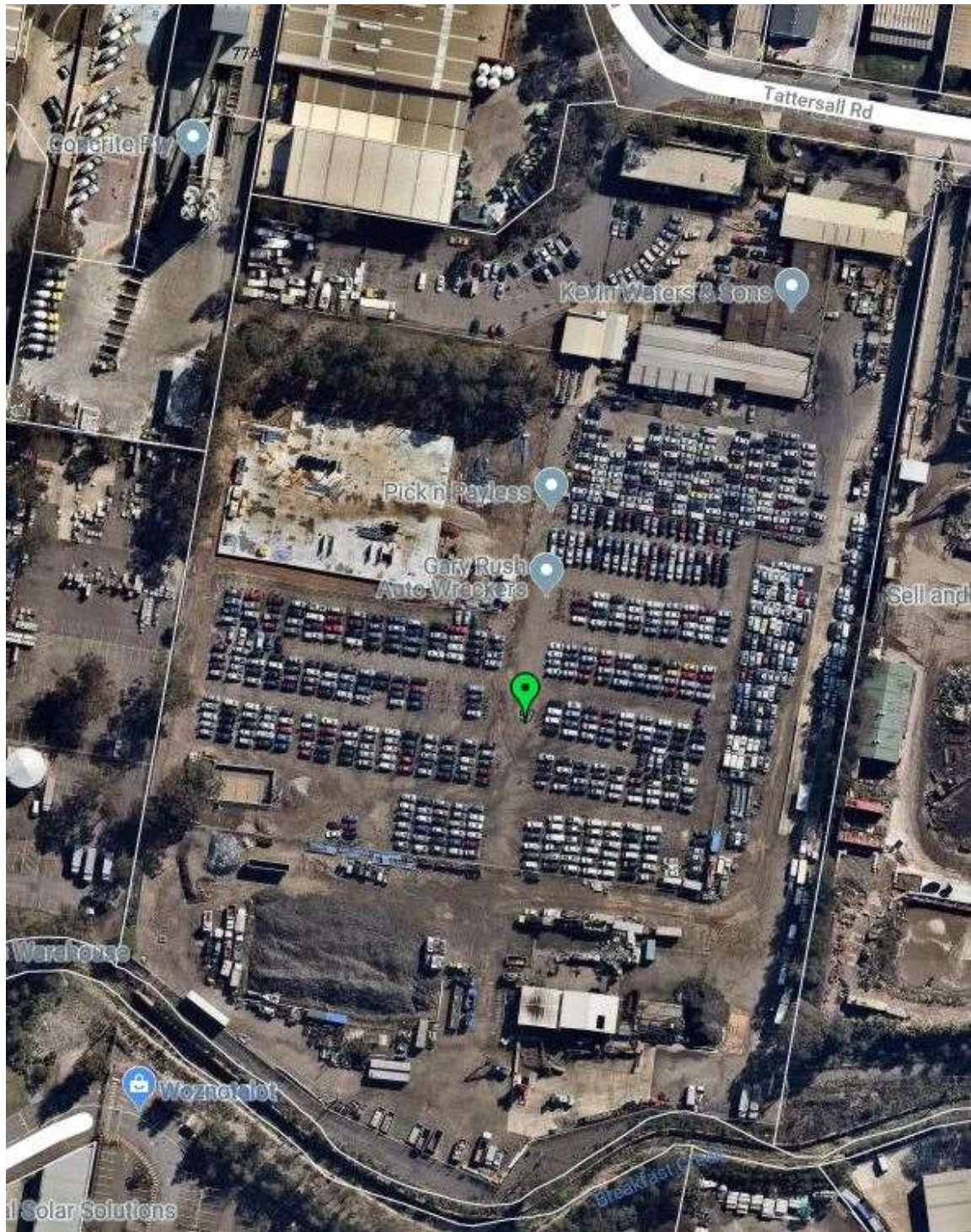


Figure A3: Current Site layout

APPENDIX B– AUDIT FINDINGS

Review of compliance with the Conditions of Consent for Operations

Item	CoC #	CoC	Findings																
DA -96-185 (Determination No. 14314) dated 23/5/96; as amended on 12th July 1996 with deletion of conditions 6A & 6G																			
1.	1.	<p>The development consent is not to operate until such time as:-</p> <p>(a) Site remediation works are to be undertaken in accordance with investigation report prepared by ADI Services dated 10th October, 1995. In this regard the remediation is to include the removal of surface soils in localised areas where concentrations of zinc, lead and copper exceeded the proposed clean up criteria as outlined on page 13 of the investigation report. Such material is to be removed off-site to an EPA registered landfill. A similar procedure of soil removal is to take place in the vicinity of the underground storage tank excavations namely sample No.024 referred on page 16 of the report where concentration of TPH (C10-C40) exceeded EPA NSW Guidelines for assessing service station sites. This localised area of product based contamination is also to be removed to an EPA registered landfill.</p> <p>(b) All site remediation works as outlined in (a) above are to be completed to the satisfaction of Council and validated by a suitably qualified independent environmental consultant engaged under the terms of Council's Policy and Procedures for the Determination of Rezoning Development and Building Applications involving "Contaminated Land".</p>	<p>BCC letter dated 9 September, 1996 (sighted) stated:</p> <p>Please be advised that the information required by Part 1 Condition 1(a) and (b) of the consent has been submitted to Council and is considered to be satisfactory.</p> <p>Therefore, pursuant to Section 92 of the Environmental Planning and Assessment Act, 1979, you are hereby notified that Part 2 of the Deferred Commencement Consent (General Conditions of Consent) is now effective as of the date of this letter</p>	compliant															
2.	2.	All the requirements listed in Condition 1 above must be completed to the satisfaction of Council within 12 months of the date of this "Deferred Commencement" Consent. Should these matters not be completed to Council's satisfaction within the 12 month limited period, this "Deferred Commencement" Consent will lapse.	Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met.	compliant															
3.	3.	The use or occupation of the approved development shall not commence until such time as all conditions of this development consent have been complied with. The use or occupation of the development prior to compliance with all conditions of development consent may make the applicant/developer liable to legal proceedings.	Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met.	compliant															
4.	4.	Compliance with the requirements, if any, of : A. Sydney Water Corporation Limited; B. Integral Energy; and C. Telstra.	No documentation exists - water, telephone and electricity infrastructure is supplied to the site, which would imply that the requirements of the relevant utilities have been complied with.	Unable to be determined															
5.	5.	<p>5. The proposed development is to be in accordance with the following drawings, subject to compliance with any other conditions of this consent.</p> <table border="0"> <tr> <td>Drawing No.</td> <td>Dated</td> <td>Council File Enclosure No.</td> </tr> <tr> <td>NBT-0004</td> <td>26.3.96</td> <td>1 A</td> </tr> <tr> <td>NBT-0003</td> <td>26.3.96</td> <td>1B</td> </tr> <tr> <td>Site Plan NBT-0002</td> <td>18.3.96</td> <td>1C</td> </tr> <tr> <td>2547/5 NBT-0001</td> <td>Undated</td> <td>1D</td> </tr> </table>	Drawing No.	Dated	Council File Enclosure No.	NBT-0004	26.3.96	1 A	NBT-0003	26.3.96	1B	Site Plan NBT-0002	18.3.96	1C	2547/5 NBT-0001	Undated	1D	<p>Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met.</p> <p>Only some of these drawings are now able to be sourced due to the age of the development and time lapsed since DA submitted.</p> <p>There is also an unauthorised awning on the site. The proponent is seeking to acquire a new Buildign 149A certification from Council but to date no response (numerous emails sighted from BRS to Council; most recent dated 11/3/19). Council issued a Building Certificate for all existing works as at 1/8/3/19. Letter sighted.</p> <p>Landscaping shown in plan NBT 0004 not being present on the site</p> <p>There is also an unauthorised awning on the site. The proponent is seeking to acquire a new Buildign 149A certification from Council but to date no response (numerous emails sighted from BRS to Council; most recent dated 11/3/19). Council issued a Building Certificate for all existing works as at 1/8/3/19. Letter sighted.</p>	Non-compliant
Drawing No.	Dated	Council File Enclosure No.																	
NBT-0004	26.3.96	1 A																	
NBT-0003	26.3.96	1B																	
Site Plan NBT-0002	18.3.96	1C																	
2547/5 NBT-0001	Undated	1D																	

Item	CoC #	CoC	Findings	
6.	6.	<p>Compliance with the following Building requirements:</p> <p>A. The submission of a Building Application complying with the LG Act 1993 with regard to the retaining walls.</p> <p>B. No approval for advertising signs is given by this consent and a separate application is to be made and Council's approval obtained prior to the erection of any signs.</p> <p>C. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever. NOTE: Amendments to the Noise Control Act 1975, require Council to investigate complaints where only one person complains.</p> <p>D. All waste material shall be stored to the satisfaction of the Director, Development Services and arrangements are to be made with Council's contractor for a commercial refuse removal service.</p> <p>E. The waste material storage area to be suitably screened from the street to the satisfaction of the Director, Development Services. Details to be submitted with the Building Application.</p> <p>F. A proposed erosion and sedimentation control plan shall be submitted with the Building Application.</p> <p>G. Any proposed fencing is not to exceed 1.8m high.</p>	<p>Items 6A & 6G deleted by BCC (letter dated 12/7/96 sighted)</p> <p>Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met.</p> <p>All other items ticked off on DA record provided by BCC in 2017</p> <p>There are 3 x signs located at the front of the building: a sandwich board with the company name, signage to show the entrance to the carpark and the name of the company across the front of the main administration building.</p> <p>There is no onstreet parking associated with the development. All parking of vehicles is either within the staff carpark, the customer carpark or deliveries are made to the car dismantling operation area. Within the latter there is sufficient room for a number of trucks to park/deliver vehicles or other materials. There was no odour detected during the site inspection. Noise from the shredder operations was minimal at 50m distance and this operation is located near the rear of the site and not near any other buildings. Emission of dust from the shredder is minimised through the use of Dustbuster. No smoke was observed being emitted from the shredder.</p> <p>Waste is stored within a number of receptacles across the site. Vehicles are dismantled as they enter the site; batteries, motors, gearboxes, fuel, general waste removed from vehicles. Wastes and other materials that may present a hazard if left on the vehicles are separated. Oil/diesel into a tank in a bunded area; fuel into an IBC (reused onsite); batteries on pallets under cover; tyres removed and stockpiled; gas fuel tanks removed and stockpiled and collected by taxi company. Air conditioning degassed onsite by a contracting tradesperson. Il dismantling work takes place on a sealed concrete area with drains going to a oil and grease pit. From here, it will be pumped through an oil & grease separator, oily water and the sump sludge is collected by a licenced contractor. General waste from vehicles and from the site is placed in a 15m3 hook bin; this is collected each month.</p> <p>There is no inventory of wastes onsite or the volumes, however the operations manager was aware of which wastes were onsite and the approx volumes of these and how each was required to be disposed of.</p>	compliant

Item	CoC #	CoC	Findings	
			<p>The following waste collection or onsale receipts were sighted:</p> <ul style="list-style-type: none"> * Veolia: 15m3 hook bin 1/8/18; 29/7/18, 30/6/18; 27/5/18 * Toxfree: oily water, oil & gree separator pump out, sediment from sump pit [J120C waste]. Receipt dated 13/6/2017; Waste collection docket dated 8/6/2017; Waste acceptance docket dated 8/6/2017; Waste Transport cert dated 8/6/2017; Weighbridge docket 8/6/2017; Transport Certificate No 2T00801456 sighted. * Cleanaway - Waste Oil (recycled); 23/8/18 28/8/18 10/9/18 * 7 Star tyres - collection of car and light commercial tyres; 23/8/18; 24/8/18; 19/7/18; * Watts Batteries - sale of batteries; invoices dated 18/9/18; 25/6/18; 6/6/18 <p>The management of waste has recently been formalised with the implementation of the Health Safety and Environment (HSE) System. Procedures sighted, together with the implementation and training schedule. Risk register and draft implementation plan; the procedures include a 'Chemical and Fuel Management Procedure', a 'Spill Response Procedure' and 'Waste Management Procedure'. SWIs for macheriney operation and refuelling sighted. Documentation of Minimum environmental standards for the Site. These procedures will formalise the processes for management of chemicals, fuel and waste onsite, including inductions, training, and records to be held onsite. Status meeting scheduled 6/3/19; and training to be rolled out after that .</p> <p>There is floc produced from the shredding operations. Currently this is stored on a concrete area at the rear of the site, near the shredder. The area has been bunded to separate it from the general operations and to ensure any runoff is directed into the internal stormwater system which passes through a sediment basin. There is approximately 3000 tonnes of material. This has been classified as general waste. This material is waiting for the additional processing equipment to be set up to remove further heavy metals from the floc before it is then transported to a waste facility. There is currently a plan to install additional processing equipment to remove heavy metals. Once the final treatment is completed, this material will be transported to a licenced waste facility. The site has inspected by both Blacktown City Council and the Environment Protection Authority and both agencies are aware of the material being stockpiled, the volumes being stored , the manner in which it is being stored and the reason it is being stored. The proponent intends to remove the floc pile by Nov 19.</p> <p>There was no erosion and sediment control documentation made available from the Council records. This information is no longer held onsite by the company. This item was ticked off on DA record provided by BCC in 2017</p>	compliant
		<p>Compliance with the following Engineering requirements</p> <ul style="list-style-type: none"> A. The following amount must be paid upon submission of Engineering Plans for approval Fee pursuant to Sections 608 and 609 of the Local Government Act, 1993. Design Checking and Inspection Fee \$162 * The amount mentioned above is valid until 30th June, 1996 after which it is payable at the rate applicable at the time of payment. B. All damaged road pavement at the entrance to the development to be reconstructed to the satisfaction of Director Development Services. C. Erosion, sediment control and re-vegetation measures must be provided prior to any construction activity during the construction period. Details which may include a written strategy must be lodged with the engineering plans. D. Existing vegetation must be left undisturbed except where roads, drainage lines and filling works are proposed . E. Re-vegetation must be applied to disturbed areas as soon as practical after completion of the earthworks or as directed by Council. 	<p>Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met. All these items relate to activities undertaken in the mid-1990s after the development consent was granted. All items ticked off on DA record provided by BCC in 2017</p> <p>Site inspection found that there is no damage to the road pavement at the entrance to the development, there is no erosion issues. Disturbance to the vegetation along the riparian corridor behind the development is due to Blacktown City Council works along this creek.</p>	compliant

Item	CoC #	CoC	Findings	
		<p>F. Drainage from the site must be connected into Council's existing creek to the satisfaction of the Director, Development Services. Details must be submitted to and approved by the Development Services Engineer.</p> <p>G. All development must be kept clear of the drainage easement within the property, and no amendment to the existing surface levels within the easement can be made without the prior approval of the Director, Development Services.</p> <p>H. Work required by this Notice MUST NOT be commenced until engineering plans showing full design details have been approved by the Development Services Engineer. Designs must be in accordance with the current edition of Council's "Engineering Development Guide" and works must be in accordance with the current edition of Council's "Works Specification / Subdivisions/Developments". Engineering submissions must be accompanied by Form SEA 10, a copy of which can be found in the "Subdivision Guide Engineering". Council's Development Engineers are available for consultation between 10.00 am and 12.00noon weekdays.</p> <p>I. NOTE: A separate submission of the details of engineering works required by this Notice must be made to Council's Development Services Engineer.</p> <p>J. Seven days written notice must be given of the commencement of the engineering works and must be accompanied by evidence of the contractor's Public Liability and Workers Compensation / Insurances.</p>	<p>Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met. Inspection of historical aerial photography in Google Earth shows that there has been clearing on the creek corridor. Refer images: 31/1/2014; 0606/2015; 27/3/2017. This is part of works undertaken by Council on its drainage corridor. The site is fenced and no signs of any other vegetation clearing observed.</p> <p>A site inspection was undertaken along drainage easement; this easement is shown within dwg NBT-0002. All works appeared to be clear of the drainage corridor. There had been part of the shredder conveyor belt which had extended into this corridor and Council requested this be removed. The conveyor has been reorientated and over the next few months it will be moved out of this area and to the north west of its current location.</p> <p>No drainage plans are available. There is a stormwater line along the east of the site. This collects water on the delivery driveway and adjacent to the car processing area and drops it into a small open drain that runs adjacent to the eastern boundary south to the creek. There is also a pit in the car storage area that connects to this. In the rest of the site, water drains to a point in the southern portion of the site, where it is collected and transferred to a sediment basin. In a rain event, an oil and grease separator is triggered, and water pumped out, oil and grease separated and then water passes through two sand filters before discharging to the creek. From inspection onsite, it would appear these systems have been in place for a significant period of time.</p> <p>Records relating to the other items were not found in the searches of Council's files however all other items ticked off on DA record provided by BCC in 2017.</p> <p>A Council's Environmental Health inspector has undertaken onsite inspections in 2017 and 2018. No issues regarding the drainage system or its connections have been raised.</p>	compliant
		<p>K. All Engineering work required by the Director, Development Services, apart from Vehicular / Crossings, MUST be inspected, by Council's Engineering Development Overseer who can be contacted by phoning 830-9715 between 7.00am & 8.00am or 12.30pm & 1.30pm). 24 hours notice must be given. Fees must be paid prior to contact.</p> <p>L. An application for practical completion shall be accompanied by Form SEW20, a copy of which will be sent with the approved engineering plans. A copy can also be found in the "Subdivisions Guide Engineering"</p> <p>M. A work-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged when the engineering works are complete. In addition a certificate in Council's standard format shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by the engineering works. The proposed easement (DP 643925) of variable width at the rear of the property is to be dedicated and registered at no cost to Council at the Land Titles Office prior to occupation. Written evidence to be submitted to Council.</p>	<p>Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. This has hand written notations, with 'ticks' beside the conditions made as each was met. No documentation relating to these items were found within the Council files and is no longer held on site. However all other items ticked off on DA record provided by BCC in 2017</p> <p>In relation to the drainage easement – DP 643925- at the rear of the property, NSW Land Registry services records show that the plan purpose is for resumption or acquisition. BRS has made enquiries with Council's engineering services to discuss the easement but due to the absence of Council records on the file and no one having any knowledge of what transpired 22 years ago, Council was unable to assist but advised they would no longer have use of the easement in terms of resumption or acquisition for drainage purposes.</p>	Unable to be determined
8.	8.	The approved office space is to be used solely in conjunction with the industrial use of the premises to which it is attached. The separate use or occupation of the approved office space is not permitted by this consent.	The approved office space is to be used solely in conjunction with the industrial use of the premises to which it is attached.	compliant
9.	9.	Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land	Adjacent lands are industrial and there are no residential areas within 500m of the site, on the other side of Sunnyholt Dr. There is night lighting but this would not be causing a nuisance to surrounding properties.	compliant
10.	10.	If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Noise Control Act, 1975.	The intruder alarm fitted to the office building was inspected it has back to base system in place and staff advised it operates with a timing device.	compliant

Item	CoC #	CoC	Findings	
11.	11.	Emission of sound from the premises shall be controlled at all times to the satisfaction of Council.	Council has not raised any concerns regarding noise. There has been a noise study undertaken as part of the site assessment for current DAs being prepared for Council. Day Design (2017) undertook a noise assessment for the site to support a recent DA lodged with Council to move the shredder closer to the north western boundary. The nearest residential receptors to the site are in excess of 500 metres away to the east (at 187 Sunnyholt Road) and west (at 5 Chedley Place). These residences have no line of sight to site and the subject site and the attenuation due to the intervening industrial buildings is significant (shielded by 8m high industrial building). The assessment presents results that indicate that for the existing shredder operating conditions, the predicted noise levels at these receptors are less than the acceptable noise limits.	compliant
12.	12.	The hours of operation of the development shall not be outside of the following times: 8a. m. - 5p.m. Monday to Sunday Any alteration to these hours will require the separate approval of Council	Hours of operation between 8am and 4.30pm; at time of 2017 site inspection, gates were locked by 5pm.	compliant
13.	13.	No car bodies are to be stored outside the nominated fenced enclosure. Such car bodies are to be stored at ground level and are not to be stacked at any time.	Historical aerial imagery shows all cars within site boundary (Six, 16.11.17); Google maps betw 2007 and 2017. All car bodies were within the fenced enclosure and no stacking was observed in site Inspections undertaken in 2017 and 2018. During the site inspections it was observed that the whole site was fenced and all cars are stored within this site. The area used for storage of cars has been reduced from the original plan, making way for the shredder operations at the rear of the site. There are vehicles being stored outside teh approved storage area.	Non-compliant
14.	14.	Car Parking and Access A. 50 off street car parking spaces and 10 truck spaces are to be provided on site. B. Each parallel car parking space is to be a minimum of 5.2m x 2.5m. C. Each truck space is to be a minimum of 3m wide x 9.4m long. D. Each car parking space for the disabled is to be in accordance with the provisions of Clause D3.5 of the Building Code of Australia, 1993. E. All car parking spaces are to be line-marked and sealed with a hard standing all weather material, and maintained to the satisfaction of Council's Director, Development Services. F. All internal roads shall be constructed of hard standing, all-weather material and shall be maintained to the satisfaction of Council at all times.	The access road and car parking area is sealed bitumen paving and the carparking areas are delineated with white line marking. There are no specific dedicated disabled areas, however, on the day of the site audit, there was parking available close to the facility gates. The driveway and internal access for trucks and other equipment deliveries is concrete. There are ain excess of 70 car parking space available for customer parking spaces	compliant
15.	15.	Off-street car parking is to be provided in such a manner as to be available at all times for the visitors and staff. Should additional staff be employed, additional car parking may be required to be provided on site. At no time is on street parking to occur in association with this activity.	There are 18 staff parking spaces available offsite. This is sufficient for the staff present onsite and is in accordance with plan NBT-0003	compliant
16.	16.	Off street car parking is to be encouraged by the placement of prominent signs indicating its availability.	Clear signage indicating the off street carparking was observed during the site inspection. No onstreet carparking observed to be occurring.	compliant
17.	17.	Entrance/exit points are to be clearly signposted and visible from both the street and the site at all times.	Clear signage indicating the site entrance/exit point was observed during the site inspection.	compliant
18.	18.	All loading and unloading operations are to take place at all times wholly within the confines of the site.	During the site insepction, all loading and unloading operations were observed to take place wholly within the confines of the site. There is a long driveway and space for trucks to wait if necessary within the car processing area.	compliant
19.	19.	Only the parts derived from the dismantling of cars are to be sold to the public. A retail spare parts shop is not to be established on the premises at any time.	During the site inspection, only the parts derived from the dismantling of cars were observed being sold to the public. There is no retail spare parts shop operating from the premises.	compliant
20.	20.	The car storage area is to be finished in a hard standing all-weather, dust free surface prior to commencement of use	This item was ticked on the Council DA recod. The car storage area is a hard standing all-weather surface; however there is some dust present, possibly as it has worn over the years of operations. A water cart is kept onsite and on high wind days, the site is sprayed down to suppress dust emissions.	compliant
Modification to DA -96-185 dated 5/11/96				
21.	1.	Page 2, Condition 5 is amended by inserting: Drawing No. Dated Council's File Encl. No. Landscape Plan Undated 28D	This plan was not made available with the Council records search and it is no longer held within the business records.	Unable to be determined

Item	CoC #	CoC	Findings	
22.		Page 3 Condition 6 is amended by inserting:- H. The submission of a Building Application complying with the Local Government Act, 1993 with regard to the covered entryway/cashiers office. I. Submission of a services layout including the water supply, sewerage and method of stormwater disposal with the Building Application.	Request to Council for confirmation that conditions of consent complied with. Council advised BRS that no explicit documentation exists on file. The file copy of the DA consent was provided. No documentation relating to these items were found within the Council files and is no longer held on site.	Unable to be determined
Modification to DA -96-185 dated 25/9/97				
23.		Page 1 of 5: Development Description Deleted and replaced with: "Car dismantling yard and sale of motor vehicle parts and an associated motor Showroom for the sale of secondhand vehicles".	Noted. Operations observed onsite comply with this description	compliant
24.		Page 2 of 5, Condition No. 5 is deleted and replaced with: All conditions of this consent are to be complied with to the satisfaction of Council prior to any occupation of the dwellings.	There is no record confirming that all conditions of this consent were complied with to the satisfaction of Council prior to any occupation of the dwellings. However, the business has been operating since the late 1990s. There is a record of Council officers having checked off conditions of the original DA, as noted above. A Council's Environmental Health inspector has undertaken onsite inspections in 2017 and 2018. No issues regarding the legitimacy of the occupation of the site have been raised.	Unable to be determined
25.		Drawing No. Dated Council File Enclosure NBT- 0004 26.3.96 1A NBT- 0003 26.3.96 1B Site Plan NBT-0002 18.3.96 1C 2547/5 NBT-0001 Undated 1D Landscape Plan Undated 28D "Sales Area" 28.8.97 43B	Have the following plans available following a request for information from Council made: NBT-0002 Site Plan , NBT-0003 Section details & NBT-0004 Carpark 2547/5 detail survey Other plans have not been able to be located from Council records and are no longer in the business records.	Unable to be determined
26.	21.	A total of 20 secondhand vehicles can be displayed for retailing purposes at any given time	There is a small area set aside for the sale of motor vehicles. There were less than 20 vehicles in this area.	compliant
Modification to DA -96-185 dated 25/10/17				
27.	5.	Page 2 of 5, Condition 5 is modified by deleting Site Plan NBT-0002, dated 18.3.96, at Council File Enclosure No. 1C and insert Drawing No CC16136C01 Rev 8 dated 14-6-17.		Noted
28.	13.	Page 5 of 5, Condition 13 is modified to read as follows: 13. All car bodies accessible to the general public for parts are to be stored inside the nominated fenced enclosure. Such car bodies are to be stored at ground level and are not to be stacked at any time.	Historical aerial imagery shows all cars within site boundary (Six, 16.11.17); Google maps betw 2007 and 2017. All car bodies were within the fenced enclosure and no stacking was observed in site Inspections undertaken in 2017 and 2018 . During the site inspections it was observed that the whole site was fenced and all cars are stored within this site. The area used for storage of cars has been reduced from the original plan, making way for the shredder operations at the rear of the site. NOTE: Modified by S4.55 modification MOD-18-00305 dated 8/1/19	compliant
29.	21.	Insert new condition 21 to read as follows: 21. Compliance with the following Environmental Health requirements: A. The bunding area of the new concrete slab shall be modified to suit the new concrete slab. B. The new concrete slab shall operate in accordance with the requirements of o SafeWork NSW; o Australian Standard 1970:2004 The Storage and Handling of Flammable and Combustible Liquids; and o Environment Protection Authority Guidelines- Technical BU Bunding and Spill Management.	The concrete slab is protected by bunding except in those areas where such bunding would create unsafe angles for machinery to operate. There is some secondary bunding and sediment fencing provided along the southern boundary to either prevent or filter any stormwater runoff exiting the site directly to the creek. This has been inspected by Council in 2017. All stormwater is directed towards the centre of the site where it passes through a sediment basin. No flammable or combustible liquids are stored in this location. Refueling of the shredder is done via a utility vehicle and not kept within this location at other times. NOTE: Modified by S4.55 modification MOD-18-00305 dated 8/1/19	compliant
DA-17-01092 dated 15/12/17; Scrap Metal Recycling- involving the shredding of light gauge metals and whitegoods within part of the subject site; to a capacity of up to a maximum of 30,000 tonnes per year				
30.	2.	Scope of Consent		
31.	2.1.1	This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent: - Drawing No. CC16136P2-01A (Site Plan) Dated 9/6/17 - Environmental Noise Assessment Report by Day Design Pty Ltd dated 28 September, 2017.		Noted

Item	CoC #	CoC	Findings	
32.	2.1.2	This consent authorises the use part of the site in the north western area as shown on the approved plans for the following purposes, subject to full compliance with all other conditions of this consent: Scrap metal recycling facility- shredding and storage of light gauge metal to an amount not exceeding 30,000 tonnes per year where the 30,000 tonnes is inclusive of metal shredded by the existing Pick and Payless car dismantling shredding activity as well as the scrap metal activity approved by this consent. Approval is also given for 2 existing weighbridges and the relocation within the site of an existing metal shredder to the north western part of the site and the construction of a metal awning.	This was initially subject to a section 96(1) modification of DA-17-01092 as the DA did not include construction of a metal roof awning. Letter from BRS to Blacktown City Council dated 9 January 2018 sighted. However, the s.96(1) application has been subsequently withdrawn. Council included conditions on Development Consent DA-17-01092 pertaining to the metal awning and stormwater/OSD basin that did not form part of the application and had been approved under CDC 170379 (superceded by CDC 180201 - see below). Council has been requested to confirm that conditions pertaining to matters approved under the CDC do not need to be complied with (email from BRS dated 14/12/18 sighted).	N/a
33.	2.1.3	The area of the land not approved by this consent, as marked by Council on the submitted drawings, is to continue to be used for the purpose approved under DA-96-185.		Noted
34.	2.2	Other Matters		
35.	2.2.1	Any excavated material is to be either placed within the site above the 100 year flood level or removed from site and disposed of in an approved manner and at a registered tip site.	See note under '2. Scope'; no excavation proposed	N/a
36.	2.2.2	Each year by the first business day on or after 1 September the registered proprietor/lessee is to provide to Council's Asset Design Services Section a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices and rainwater tank in accordance with the approved maintenance schedule and details of all non-potable water used. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.	The first report isn't due til 1st September 2019.	Unable to be determined
37.	2.2.3	The scrap metal shredding machine and associated equipment are to be sited on a suitable hardstand surface (ie. Concrete slab). Such slab is to have the appropriate approvals in place. As no approval for the slab is included in this consent, a copy of the complying development certificate (CDC) or construction certificate for the slab is to be submitted to Council prior to the issue of any occupation certificate for the works and use approved by DA-17-01092.	The record of Blacktown City Council's receipt of a copy of the CDC from Urban City Consulting is on the Council's website, sighted under 'Application Search Results' lodgement date 10/7/18	compliant
38.	3	PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)	DA-17-01092 was an application for 'use' and does not require a Construction Certificate. Council has been requested to confirm that relevant conditions need to be complied with prior to Operation.	N/a
39.	3.1	Section 94 Contributions		
40.	3.1.1	The following monetary contributions under Section 94 must be paid. The amounts below are BASE contributions which WILL BE INDEXED from the nominated base date to the date of payment. Payment of the indexed amounts must be made (BY BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED; NOTE Council DOES NOT accept payment of S.94 Contributions by credit card or EFTPOS) prior to the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works) either by Council or any accredited certifier, whichever occurs first. Contribution Item; Base Amount; Relevant C. P; Base Date (i) Stormwater Quality; \$ 21,748.74; 19; 1/3/15 (ii) Flood Mitigation; \$ 5,504.72; 19; 1/3/15 The contribution(s) will be indexed according to the Australian Bureau of Statistics' Implicit Price Deflator for Gross Fixed Capital Expenditure (Private Dwellings) and the Consumer Price Index (Sydney Dwellings). Copies of the following relevant Contributions Plan may be inspected/ purchased from Council's Development Services Unit: The Section 94 Contribution(s) have been based on the total developable area. Should the final plan of survey indicate any change in the total developable area, the Section 94 Contribution(s) will be adjusted accordingly. Developable Area: 0.26 hectares.	The section 94 contribution was paid under CDC 180201 (see 136L of CDC - 180201 below. Contribution paid; Section 85A receipt dated 22/06/2018 sighted)	N/a
41.	3.2	Access/Parking		
42.	3.2.1	All existing on-site car parking is to continue to be made available for staff and customer use.	See above findings of CoC 14 & 15 of DA -96-185 (Determination No. 14314) dated 23/5/96. There are 18 staff parking spaces and in excess of 70 public carpark spaces, all provided for staff and customer use.	compliant
43.	3.2.2	The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.	See note under '2. Scope'	N/a
44.	3.2.3	All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.	All existing internal roads and other paved areas are designed to provide continuous surface drainage flow paths to approved points of discharge; no new roads are being constructed	compliant

Item	CoC #	CoC	Findings	
45.	3.2.4	Structural details of the acoustic wall treatment to be installed around the metal shredding machine (required by the acoustic report) are to be submitted to Council to demonstrate that the walls meet the relevant BCA standards and the Noise report's recommendations.	BRS provided details and email to Council 12-02-2019; email and acoustic wall information pack sighted. The acoustic wall has been constructed but not complete as shredder not yet installed.	compliant
46.	4.	PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)		
47.	4.1	Drainage		
48.	4.1.1	The internal pipe network is to be designed in accordance with the current Council's Engineering Guide for Development to carry the 20 year ARI storm flows.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
49.	4.1.2	Floor levels are to be a minimum of 0.5m above the 1 in 100 year ARI flood levels.	The slab was approved under the CDC 180201 with a FFL a minimum 0.5 above Council's 1:100 yr flood level.	compliant
50.	4.1.3	A gross pollutant trap is to be designed and certified by a Hydraulic Engineer registered with NPR, to treat a minimum 6 month site upstream flow (75% of 1 year ARI) targeting gross pollutants and hydrocarbons.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
51.	4.1.4	Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are: i. 4 star dual-flush toilets; ii. 3 star showerheads; iii. 4 star taps (for all taps other than bath outlets and garden taps); iv. 3 star urinals; and v. Water efficient washing machines and dishwashers are to be specified.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
52.	4.1.5	A minimum 80% of non-potable water demand is to be met through the reuse of rainwater or alternate sources such as stormwater assessed using MUSIC. The 80% reuse is to be assessed using the node water balance function within MUSIC using Blacktown's standard rainfall. Non potable water demand is to include landscape watering, industrial uses including washdown and toilet/urinal flushing. Allow for a minimum usage rate of 0.1 kl per day internal use per toilet or urinal and a minimum of 0.4 kl per m2 per year for landscape watering. The design rainwater tank volume to be shown on the drainage plans is to be a minimum of 20% greater than the rainwater tank volume used in MUSIC. Provide a calculation sheet to detail how the final non-potable usage rates have been determined for input into MUSIC.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
53.	4.1.6	An experienced hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses on the site including all toilet/urinal flushing and landscape watering and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including: i) a first flush or pre-treatment system (at min. 0.2 litres l m2 of roof area going to the tank); ii) a pump with isolation valves and a warning light to indicate pump failure; iii) a mains water direct tank top up with air gap for landscape watering; iv) a solenoid controlled mains water bypass for toilet flushing only; v) flow meters on the mains water tank top-up line, the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage; vi) a timer and control box for landscape watering, allowing for seasonal variations; vii) ensuring all the rainwater reuse pipes are coloured purple; viii) an automatic backwash inline filter; ix) fitting rainwater warning signs to all external taps using rainwater; x) details of any treatment required for alternate sources of water such as stormwater and if so certify that this water is fit for purpose. An Engineer, registered with NER is to certify that the water from the Stormwater Tank used for irrigation has after application of all necessary treatment (if any) meets the criteria under tables 4.5 and 6.4 of Managing Urban Stormwater: harvesting and reuse by the Department of Environment and Conservation NSW Dec 2006 and is appropriate for its intended use.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
54.	4.1.7	Provide details for a permanent coloured interpretive signage minimum A2 size to be installed to highlight the water quality, water conservation and on-site detention process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures the rainwater tank and on-site detention and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located in an area accessible by the public. The wording and detail is to be approved by Council.	This will be organised upon completion of the installation of the stormwater system for the CDC slab	Unable to be determined
55.	4.1.8	Provide maintenance requirements for each of the proposed Stormwater Quality Improvement Devices. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, company, signature and date on it.	This is being organised by Rush Metals; not yet completed.	Unable to be determined

Item	CoC #	CoC	Findings	
56.	4.1.9	Amended Engineering plans from Barker Ryan Stewart Rev A dated 9/6/2017 are to be provided to meet the requirements under Council's Part J of DCP 2015 and Council's Engineering Guide for Development 2005. The amended plans must address the following: i. Floor levels are to be a minimum of 0.5 m above the 1 in 100 year ARI flood levels. ii. Provide details of the Gross Pollutant Trap (GPT) prior to all discharges to the creek and sized to treat a minimum six month ARI flow considered as 75% of the 1 year ARI flow. iii. Provide the location of the rainwater tank collecting all the roof water. iv. Any new boundary fencing within the overland flow path will require flow through fencing to be installed at the bottom to allow overland flows through to a minimum of 1:100y ARI + 0.3m. Any new internal fencing are to have louvers at a minimum of 1:100y ARI + 0.3 m. Flow through fencing details, internal flow through fencing and their location are to be clearly shown on a plan and approved by Council. v. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tanks and detention tank in accordance with Council's Engineering Guide for Development 2005. vi. All discharge pipes to the creek are to comply with the requirements of Controlled Activities - Outlet Structures under the Water Management Act 2000. This is to include scour protection and energy dissipation. vii. Charge line cleanout pits are to be provided for all rainwater tank charge lines at the lowest point in the system. Provide a dribble hole and a screw cap on the charge line	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
57.	5.	PRIOR TO DEVELOPMENT WORKS		
58.	5.1	Construction Details		
59.	5.1.1	All required ground floor slab levels shall be checked and certified by a Registered Surveyor confirming that all minimum floor levels have been achieved before pouring the concrete slabs.	This condition relates to the concrete slab approved under the CDC 180201. See note under '2. Scope'.	N/a
60.	5.1.2	The proposed Gross Pollutant Trap is not to be replaced with a smaller device, or an alternate manufacturer's product.	This condition relates to the concrete slab approved under the CDC 180201. See note under '2. Scope'.	N/a
61.	6.	DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)		
62.	6.1	Other Matters		
63.	6.1.1	Any asbestos material is to be handled and treated in accordance with the WorkCover document "Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos" dated March 2008.	DA 17-01092 is an application for 'use' and does not cover any construction works. See note under '2. Scope'.	N/a
64.	6.1.2	Items received for recycling are to be stored in a manner that does not allow any opportunity for any pollutants (ie. Leaking fluids) to be able to leave the site and any waterway. Items are to be checked following their arrival and any potential pollutants removed from them and appropriately disposed off before being shredded.	DA 17-01092 is an application for 'use' and does not cover any construction works. See note under '2. Scope'.	N/a
65.	6.1.3	Bunding is to be designed and installed in accordance with: • Department of Environment and Conservation Guidelines - Technical BU Bunding and Spill Management; • Department of Environment and Conservation Guidelines "Surface water management on the covered forecourt areas of service stations"; • Australian Standard 1940-1993: The storage and handling of flammable and combustible liquids; and • Australian Standard/New Zealand Standard 4681:2000: The storage and handling of Class 9 (miscellaneous) dangerous goods and articles. Note: this includes the area where the metal items are stored prior to their shredding as well as the area where the metal shredding takes place.	DA 17-01092 is an application for 'use' and does not cover any construction works. See note under '2. Scope'.	N/a
66.	6.1.4	The processing area is to be constructed so that all water/waste generated by the activity is confined to the area and directed to a drain/collection pit that discharges to the Sydney Water sewer system. The discharge/connection to the sewer system shall comply with the requirements of Sydney Water.	BRS has advised that Sydney Water do not support disposal of waste to sewer in this instance. Council has been requested to confirm that this condition does not need to be complied with (email from BRS to Council dated 14/12/18 sighted).	N/a
67.	6.1.5	The recommendations provided in Environmental Noise Assessment report, Proposed relocation of car shredder, 57 Tattersall Road, Kings Park, Prepared by Day Design Pty Ltd, dated 28 September 2017, report number 6186-1.1R are to be carried out, including but not limited to the construction of the noise barrier walls ranging in height between 4 and 5 metres. Such barriers are to be located along the northern, western and southern sides of the shredder machine as depicted in Appendix B of the Acoustic report and they are to be constructed of the material types nominated in Section 6.1 of the acoustic report.	DA 17-01092 is an application for 'use' and does not cover any construction works. See note under '2. Scope'.	N/a
68.	7.	PRIOR TO OPERATION		

Item	CoC #	CoC	Findings	
69.	7.1	Drainage Matters		
70.	7.1.1	A registered surveyor is to certify that: i) any new internal fencing or gates is of open form fencing to a minimum of 1:100y ARI + 0.3 m AHD; ii) Any new boundary fencing within the overland flow path will require flow through fencing to be installed at the bottom to allow overland flows through to a minimum of 1:100y ARI + 0.3 m; iii) the finished floor levels are to be a minimum of 0.5 m above the 1 in 100 year ARI flood levels (tolerance - 0.025 to + 0.2 m).	Letter to BCC from Brett Kittel, registered surveyor (BOSSI ID 2481) dated 12/2/19 certifying that the condition has been satisfied	compliant
71.	7.1.2	Provide a Restriction to User and Positive Covenant over the On-Site Detention System in accordance with the requirements of Council's Engineering Guide for Development 2005. The Restriction to User and Positive Covenant must be registered with Land & Property Information.	BRS is organising. Draft documentation sighted, but not yet complete	Unable to be determined
72.	7.1.3	A Civil Engineer registered with NER, is to certify that: i. all the requirements of the approved drainage plan have been undertaken; ii. the minimum detention storage has been provided; iii. the orifice sizes match the approved construction certificate plans; iv. all the signage and warning notices have been installed; v. the 118 kL rainwater tank(s) have been provided as per the approved construction certificate plans collecting all of the roof area; vi. the interpretative water quality sign has been correctly installed; vii. any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations; viii. a copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
73.	7.1.4	Provide a Restriction to User and Positive Covenant over the Stormwater Quality Improvement Devices and Rainwater Tanks in accordance with the requirements of Council's Engineering Guide for Development 2005. The covenant requirements are to include the submission of an annual report on water treatment by the first business day on or after 1 September each year. The Restriction to User and Positive Covenant must be registered with Land & Property Information prior to the final occupation certificate.	BRS is organising. Draft documentation sighted, but not yet complete	Unable to be determined
74.	7.1.5	Written evidence is to be provided that the registered owner / leasee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Rainwater tanks, Gross Pollutant trap and On-site detention tank. Forward a copy of the signed and endorsed contract(s) and maintenance contractor(s) details to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au . This maintenance contract cannot be cancelled, but can be replaced with an alternative contract of the same standard or with a differing entity (e.g. owners' corporation).	BRS is organising. Draft documentation sighted, but not yet complete	Unable to be determined
75.	7.1.6	A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer registered with NER, is to certify that all the non-potable water uses are being supplied by rainwater or stormwater and that all the requirements of the detailed Non-Potable Water Reuse Plan have been installed and are working correctly. Provide a copy of the certification and a signed, works-as-executed Non-Potable Water Reuse Plan to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
76.	7.1.7	A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are: i. 4 star dual-flush toilets; ii. 3 star showerheads; iii. 4 star taps (for all taps other than bath outlets and garden taps); iv. 3 star urinals; and v. Water efficient washing machines and dishwashers have been used.	Council has been requested to confirm in writing that the condition does not need to be complied with prior to the commencement of use. See note under '2. Scope'	N/a
77.	8.	PRIOR TO OCCUPATION CERTIFICATE	DA-17-01092 was an application for 'use' and an Occupation Certificate isn't required for 'use'. Council has been requested to confirm that relevant conditions need to be complied with prior to Operation.	N/a
78.	8.1	Environmental Management		
79.	8.1.1	The applicant is to engage a suitably qualified acoustic consultant to test the relocated shredding machine's noise levels once it is in place in its new location to check that it is not exceeding the EPA's maximum noise threshold levels for noise in an industrial area and noise at the nearest residence. A copy of the acoustic consultant's findings are to be submitted to Council. Should the prescribed thresholds not be met, then the Consultant's Acoustic report shall provide recommendations on suitable noise attenuation measures and these are to be submitted to Council for its endorsement (unless the works can be considered under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).	Assembly of the equipment not yet completed.	Unable to be determined

Item	CoC #	CoC	Findings	
80.	8.1.2	No commencement of operation is to occur until the acoustic consultant, has verified that the shredder (after it has been relocated to its location at the north western part of the site) is operating in accordance with the recommended maximum noise Amenity Levels of 75 dBA to Industrial premises and 70 dBA to residences (day); 60 dBA to residences (Evening) and 55 dBA to residences (Night).	Assembly of the equipment not yet completed.	Unable to be determined
81.	8.1.3	The scrap metal shredding machine and associated equipment are to be sited on a suitable hardstand surface (ie. Concrete slab). Such slab is to have the appropriate approvals in place. As no approval for the slab is included in this consent, a copy of the complying development certificate (CDC) or construction certificate for the slab is to be submitted to Council prior to the issue of any occupation certificate for the works and use approved by DA-17-01092.	The record of Blacktown City Council's receipt of a copy of the CDC from Urban City Consulting is on the Council's website, sighted under 'Application Search Results' lodgement date 10/7/18	compliant
82.	8.2	Floc Storage		
83.	8.2.1	The operator of the facility shall have a plan of management in place for the management of any potentially hazardous substances (including emergency procedures) that may be transported onto the site including any asbestos, oils and for any waste products transported off the site (ie shredder waste, floc). A copy of this management plan is to be submitted to Council prior to operation.	A Management Plan for the Handling and Storage of Potentially Hazardous Substances was submitted to council on 19/12/18 (email/document from BRS to Council sighted)	compliant
84.	9.	OPERATIONAL (PLANNING)		
85.	9.1	Access / Parking		
86.	9.1.1	All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.	There were no new parking spaces or internal included as part of DA 17-01092. All off-street car parking spaces and internal roads are existing. These were in a satisfactory condition at the time of the site inspections.	compliant
87.	9.1.2	All loading and unloading operations shall take place at all times wholly within the confines of the land.	All loading and unloading operations were observed to be undertaken within the confines of the site during site inspections.	compliant
88.	9.2	General		
89.	9.2.1	No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.	The site is not yet operational with respect to this DA	Unable to be determined
90.	9.2.2	The hours of the shredding operation shall not be outside of the following nominated times. Any alteration to these hours will require the separate approval of Council. Approved hours of operation: 8 am to 5 pm Mondays to Sundays inclusive. No work to be undertaken during public holidays. Should Council receive justified complaints that the shredding machine is operating outside these hours, or is causing noise and disturbance to the occupants of the industrial area or any residents in any residential area, then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.	The site is not yet operational with respect to this DA	Unable to be determined
91.	9.2.3	The use of the land is not to unduly interfere with the amenity of the nearby residential area nor contravene the maximum noise threshold levels for the industrial area set out in Condition 9.4.1.		Noted
92.	9.2.4	No goods, materials or trade wastes are to be stored at any time outside the building on either the internal vehicular driveway, car parking area, landscaping or footpath, other than in approved garbage receptacles.	The site is not yet operational with respect to this DA	Unable to be determined
93.	9.2.5	The area of the land not approved by this consent, shall remain for the spare parts and car dismantling use under DA-96-185.	The site remains used for the spare parts and car dismantling use under DA-96-185.	compliant
94.	9.2.6	Arrangements shall be made for an effective commercial refuse removal service.	The site is not yet operational with respect to this DA	Unable to be determined
95.	9.3	Emergency Procedures		
96.	9.3.1	Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council.	The site is not yet operational with respect to this DA	Unable to be determined
97.	9.4	Acoustic Matters		
98.	9.4.1	The shredder machine and the operations associated with the metal recycling activity approved by this consent shall operate so as not to exceed the recommended maximum noise Amenity Levels of 75 dBA to Industrial premises and 70 dBA to residences (day); 60 dBA to residences (Evening) and 55 dBA to residences (Night) in accordance with the NSW Industrial Noise Policy (INP) 2000 published by the NSW Environmental Protection Authority (EPA) in January, 2000.	Assembly of the equipment not yet completed.	Unable to be determined
99.	9.5	Vibration Matters		
100.	9.5.1	Vibration noise shall not exceed the levels set in the vibration section of the <i>Environmental Noise Assessment, Prepared by Day Design Pty Ltd, dated 28 September 2017, report number 6186-1.1R.</i>	Assembly of the equipment not yet completed.	Unable to be determined
101.	9.6	Quantity of Scrap Metal		

Item	CoC #	CoC	Findings	
102.	9.6.1	The quantity of scrap metal that is to be shred, crushed, ground, sorted or stored on the site (inclusive of the existing car crushing/ recycling activity and the metal recycling activity shall not exceed 30,000 tonnes per year. Any proposal to exceed this quantity will trigger designated development and entails the need for a separate Development Application to be lodged.	The site is not yet operational with respect to this DA	Unable to be determined
103.	9.7	Safety Measures		
104.	9.7.1	Prior to items being placed in the shredder a careful check is to be made by staff to ensure no dangerous items are concealed in the appliance such as lithium or rechargeable batteries, refrigerant gases; fuel or other items that could give rise to fire or explosion.	The site is not yet operational with respect to this DA	Unable to be determined
105.	9.8	Other Matters		
106.	9.8.1	The operator of the scrap metal recycling facility is to maintain a register of the quantity of scrap metal that is shred and crushed on the site at all times and is to ensure that the premises is managed so not to exceed the 30,000 tonnes per annum maximum threshold.	The site is not yet operational with respect to this DA	Unable to be determined
107.	10.	OPERATIONAL (ENVIRONMENTAL SERVICES)		
108.	10.1	A verification report is to be undertaken within 6 months of commencement operation of the shredder machine by a suitably qualified acoustic engineer to verify that the findings in <i>Environmental Noise Assessment proposed relocation of car shredder, 57 Tattersall Road, Kings Park, Prepared by Day Design Pty Ltd, dated 28 September 2017, report number 6186-1.1R</i> have been satisfied. A copy of this report is to be submitted to Council and it is to report the noise level findings. Where any acoustic certification report finds noise levels being exceeded then it needs to identify measures to be undertaken to ensure noise is within the EPA's maximum noise dBA for the local industrial area and at the residential area. These measures are to be implemented.	The site is not yet operational with respect to this DA	Unable to be determined
109.	10.1.1	No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.	The site is not yet operational with respect to this DA	Unable to be determined
110.	10.1.2	Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Environmental Protection Authority's NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an acoustical consultant I engineer with qualifications and experience sufficient for Member Grade of the Australian Acoustical Society and shall be submitted to Council for consideration.		Noted
111.	10.1.3	Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the <i>Protection of the Environment Operations Act 1997</i> .	The site is not yet operational with respect to this DA	Unable to be determined
112.	10.1.4	All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the <i>Protection of the Environment Operations Act 1997</i> .	The site is not yet operational with respect to this DA	Unable to be determined
113.	10.1.5	In accordance with the requirements of Part 5.7 <i>Protection of the Environment Operations Act 1997</i> , Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.		Noted
114.	10.1.6	All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the <i>Protection of the Environment Operations Act 1997</i> .	The site is not yet operational with respect to this DA	Unable to be determined
115.	10.1.7	All waste generated on the site during the construction must be classified in accordance with the NSW EPA's Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Waste and disposed of at a facility that may lawfully accept the waste.	DA 17-01092 is an application for 'use' and does not cover any construction works. See note under '2. Scope'.	Noted
116.	10.1.8	In accordance with Part 5.7 <i>Protection of the Environment Operations Act 1997</i> , Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.		Noted
117.	10.1.9	Sufficient supplies of appropriate absorbent materials and/or other appropriate spill cleanup equipment shall be kept on site to recover any liquid spillage. Liquid spills must be cleaned up using dry methods only and shall not give rise to an offence under the <i>Protection of the Environment Operations Act 1997</i> .	The site is not yet operational with respect to this DA	Unable to be determined
118.	10.1.10	The storage and handling of liquids associated with activities on the premises is to be carried out in accordance with the requirements of; o NSW Workcover; o <i>Australian Standard 1940:2004 The Storage and Handling of Flammable and Combustible Liquids</i> ; and o Environment Protection Authority Guidelines - <i>Technical BU Bunding and Spill Management</i> .	The site is not yet operational with respect to this DA	Unable to be determined
CDC - 180201 Conditions of complying development certificate				

Item	CoC #	CoC	Findings	
119.	136A	Compliance with Building Code of Australia and insurance requirements under the <i>Home Building Act 1989</i> (cf clauses 78 and 78A of EP&A Regulation 1994)	N/a - CDC is for construction of a 46m x 65m hard stand area, associated stormwater drainage infrastructure, industrial open-sided shed and acoustic barrier walls	
120.	1.	A complying development certificate for development that involves any building work must be issued subject to the following conditions: (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia; (b) in the case of residential building work for which the <i>Home Building Act 1989</i> requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.	Letter of certification that steel framed shed and slab meets Building Code of Aust standards sighted (Bluescope Steel, dated 28/6/2017; SCP engineers dated 14/11/17); Detailed plans for the structures stamped as 'Certified' by Urban City Consulting 5/7/18 sighted.	compliant
121.	1A.	A complying development certificate for a temporary structure that is used as an entertainment venue must be issued subject to the condition that the temporary structure must comply with Part 81 and NSW Part H102 of Volume One of the Building Code of Australia (as in force on the date the application for the relevant complying development certificate is made).	n/a	n/a
122.	2.	This clause does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.	noted	Noted
123.	3.	This clause does not apply: (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4); or (b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.	noted	Noted
124.	4.	In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant complying development certificate is made. Note. There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.	noted	Noted
125.	136AB	Notice to Neighbours		
126.	1.	A complying development certificate for development on land that is in a category 1 local government area and that is not in a residential release area and that involves: (a) a new building; or (b) an addition to an existing building; or (c) the demolition of a building, must be issued subject to a condition that the person having the benefit of the complying development certificate must give at least 7 days' notice in writing of the person's intention to commence the work authorised by the certificate to the occupier of each dwelling that is located on a lot that has a boundary within 20 metres of the boundary of the lot on which the work is to be carried out.	n/a - no dwelling within 20m of subject lot	n/a
127.	2.	A complying development certificate for development on land that is in a category 2 local government area or a residential release area and that involves: (a) a new building; or (b) an addition to an existing building; or (c) the demolition of a building; must be issued subject to a condition that the person having the benefit of the complying development certificate must give at least 2 days' notice in writing of the person's intention to commence the work authorised by the certificate to the occupier of each dwelling that is located on a lot that has a boundary within 20 metres of the boundary of the lot on which the work is to be carried out.	n/a	n/a
128.	136B	Erection of Signs		
129.	1.	A complying development certificate for development that involves any building work, subdivision work or demolition work must be issued subject to a condition that the requirements of subclauses (2) and (3) are complied with.	noted	Noted
130.	2.	A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out: (a) showing the name, address and telephone number of the principal certifier for the work; and (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and (c) stating that unauthorised entry to the site is prohibited.	There has been partial demobilisation of the fence as the main construction has been finalised. The Northern Contracting Group sign is in place but there is not principal certifier sign in place.	non-compliant
131.	3.	Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.	There has been partial demobilisation of the fence as the main construction has been finalised. The Northern Contracting Group sign is in place but there is not principal certifier sign in place.	non-compliant
132.	4.	This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.	Noted	Noted

Item	CoC #	CoC	Findings	
133.	5.	This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.	Noted	Noted
134.	6.	This clause applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date. Note. Principal certifier and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).	Noted	Noted
135.	136C	Notification of <i>Home Building Act</i> 1989 requirements	N/a - not subject to the Home Building Act 1989	n/a
136.	1.	A complying development certificate for development that involves any residential building work within the meaning of the <i>Home Building Act</i> 1989 must be issued subject to a condition that the work is carried out in accordance with the requirements of this clause.		
137.	2.	Residential building work within the meaning of the <i>Home Building Act</i> 1989 must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information: (a) in the case of work for which a principal contractor is required to be appointed: (i) the name and licence number of the principal contractor; and (ii) the name of the insurer by which the work is insured under Part 6 of that Act; (b) in the case of work to be done by an owner-builder: (i) the name of the owner-builder; and (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.		
138.	3.	If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the updated information.		
139.	4.	This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.		
140.	136D	Fulfilment of BASIX commitments	N/a - not subject to BASIX	n/a
141.	1.	This clause applies to the following development: (a) BASIX affected development; (b) any BASIX optional development in relation to which a person has made an application for a complying development certificate that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A of Schedule 1 for it to be so accompanied).		
142.	2.	A complying development certificate for development to which this clause applies must be issued subject to a condition that the commitments listed in each relevant BASIX certificate for the development must be fulfilled.		
143.	136E	Development involving bonded asbestos material and friable asbestos material	N/a - not involving bonded asbestos material and friable asbestos material	n/a
144.	1.	A complying development certificate for development that involves building work or demolition work must be issued subject to the following conditions: (a) work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the <i>Work Health and Safety Regulation 2011</i> ; (b) the person having the benefit of the complying development certificate must provide the principal certifier with a copy of a signed contract with such a person before any development pursuant to the complying development certificate commences; (c) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered; (d) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.		
145.	2.	This clause applies only to a complying development certificate issued after the commencement of this clause.		
146.	3.	In this clause, bonded asbestos material, bonded asbestos removal work, friable asbestos material and friable asbestos removal work have the same meanings as in clause 317 of the <i>Occupational Health and Safety Regulation 2001</i> .		
147.	136H	Condition relating to shoring and adequacy of adjoining property	N/a - not involving an excavation that extends below the level of the base of the footings of a building structure or work on adjoining land	

Item	CoC #	CoC	Findings	
148.	1.	A complying development certificate for development must be issued subject to a condition that if the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the certificate must at the person's own expense: (a) protect and support the building, structure or work from possible damage from the excavation; and (b) where necessary, underpin the building, structure or work to prevent any such damage.	building, structure or work on adjoining land	
149.	2.	The condition referred to in subclause (1) does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.		
150.	136I	Traffic Generating Development		
151.		If an application for a complying development certificate is required to be accompanied by a certificate of Roads and Maritime Services as referred to in clause 4 (1) (k) of Schedule 1, the complying development certificate must be issued subject to a condition that any requirements specified in the certificate of Roads and Maritime Services must be complied with.	BRS advised that cl. 4(1)(k) of Schedule 1 of the the EP&A Regulation 2000 does not apply and a certificate issued by Roads and Maritime Services was not required	n/a
152.	136J	Development on Contaminated Land		
153.	1.	If an application for a complying development certificate is required to be accompanied by a statement of a qualified person as referred to in clause 4 (1) (l) of Schedule 1, the complying development certificate must be issued subject to a condition that any requirements specified in the statement must be complied with.	BRS advised that cl. 4(1)(l) of Schedule 1 of the the EP&A Regulation 2000 does not apply. The use and former use of the land is not a purpose listed in Table 1 to clause 3.2.1 of the Managing Land Contamination Planning Guidelines, SEPP 55—Remediation of Land and the land is not on the list of sites notified under section 60 of the Contaminated Land Management Act 1997.	n/a
154.	136K	When complying development certificates must be subject to section 85A (9) condition		
155.	1.	This clause applies if a council's contributions plan provides for the payment of a monetary section 94 contribution or section 94A levy in relation to development for a particular purpose (whether or not it is classed as complying development under the contributions plan).		Noted
156.	2.	The certifying authority must issue the relevant complying development certificate authorising development for that purpose subject to a condition requiring payment of such contribution or levy, as required by section 85A (9) of the Act.	CDC from Urban City Consulting issued subject to the proof of payment of contribution levy to Council.	compliant
157.	3.	Subclause (2) applies despite any provision to the contrary in the council's contributions plan.		Noted
158.	136L	Contributions and levies payable under section 85A (9) must be paid before work commences		
159.	1.	A complying development certificate issued subject to a condition required by section 85A (9) of the Act must be issued subject to a condition that the contribution or levy must be paid before any work authorised by the certificate commences.	Contribution paid; Section 85A receipt dated 22/06/2018 sighted	compliant
160.	2.	Subclause (1) applies despite any provision to the contrary in the council's contributions plan.		Noted
161.	136M	Condition relating to payment of security	N/a - Not subject to security	n/a
162.	1.	This clause applies to a complying development certificate authorising the carrying out of development if: (a) the development is demolition of a work or building, erection of a new building or an addition to an existing building and the estimated cost of the development (as specified in the application for the certificate) is \$25,000 or more; and (b) the development is to be carried out on land adjacent to a public road; and (c) at the time the application for the certificate is made, there is specified on the website of the council for the area in which the development is to be carried out an amount of security determined by the council that must be paid in relation to: (i) development of the same type or description, or (ii) development carried out in the same circumstances, or (iii) development carried out on land of the same size or description.		
163.	2.	A complying development certificate to which this clause applies must be issued subject to a condition that the amount of security referred to in subclause (1) is to be provided, in accordance with this clause, to the council before any building work or subdivision work authorised by the certificate commences.		
164.	3.	The security may be provided, at the applicant's choice, by way of: (a) deposit with the council; or (b) a guarantee satisfactory to the council.		
165.	4.	The funds realised from a security may be paid out to meet the cost of making good any damage caused to any property of the council as a consequence of doing anything (or not doing anything) authorised or required by the complying development certificate, including the cost of any inspection to determine whether damage has been caused.		
166.	5.	Any balance of the funds realised from a security remaining after meeting the costs referred to in subclause (4) is to be refunded to, or at the direction of, the person who provided the security.		

Item	CoC #	CoC	Findings	
167.	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 <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>		
168.	Part 1	Conditions applying before works commence		
169.	1.	Protection of adjoining areas		
170.	1.1	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.	Temporary fencing was installed to the perimeter of the works areas prior to commencement. 50% of fencing remains on site where permanent fencing has not yet been installed. Permanent fencing installed elsewhere around the construction area within the site and permanent fencing separates the site from all adjacent lands.	compliant
171.	2.	Toilet Facilities		
172.	2.1	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.	Existing onsite toilet facilities were available to construction workers. NCS also advised that there was a compound with worker facilities which has recently been dismantled. Photo, aerial imagery and hire receipt sighted.	compliant
173.	2.2	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 <i>Local Government Act 1993</i> ; or (c) be a temporary chemical closet approved under the <i>Local Government Act 1993</i> .	All existing standard flushing toilets are connected to sewer.	compliant
174.	3.	Waste Management		
175.	3.1	A waste management plan for the work must be submitted to the principal certifier at least 2 days before work commences on the site.	Barker Ryan Stewart waste management plan sighted (dated 1/7/18)	compliant
176.	3.2	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.	Contains relevant information	compliant
177.	3.3	A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.	Waste was collected and was required. NCG supplied a customer report between 1/6/18 to 30/6/18 which shows numerous collections from Blacktown of construction materials. Collected by SR Greenwood Contracting EPL 4669 who operates Greenwood Landfill, Belrose (licensed EPA facility). Works had been completed and the site facilities removed by the time the audit inspection was undertaken.	compliant
178.	3.4	The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.	Works had been completed and the site facilities removed by the time the audit inspection was undertaken. Waste disposal facilities are also provided nearby within the larger site.	compliant
179.	4.	Adjoining wall dilapidation report		
180.	4.1	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 2 m of the works.	N/a - There is no building within 2m of the works	n/a
181.	4.2	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.		
182.	5.	Run-off and erosion controls		
183.		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.	Sediment fencing provided to breakfast creek and at the entry to site OSD / drainage inlets so no sediment entered the water ways. There was still sediment fencing along the the side and rear boundaries. All drainage from this area would drain to an existing sediment basin.	compliant

Item	CoC #	CoC	Findings	
184.	6.	Standard hours for construction		
185.		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.	NCS interviewed onsite and advised no out of hours works performed. No complaints received.	compliant
186.	7.	Works outside standard hours for construction		
187.	7.1	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 <i>Interim Construction Noise Guideline</i> (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.	NCS interviewed onsite and advised no out of hours works performed. No complaints received.	compliant
188.	7.2	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.	NCS interviewed onsite and advised no out of hours works performed. No complaints received.	compliant
189.	8.	Compliance with Plans		
190.		Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.	NCG advised: inspections from Engineers and UCC undertaken as required. UCC to provide those reports. SCP can sign off structural works. Certificates for: slab (SCP cert 14/2/19); piers x 2 (UCC 6/8/18; 27/09/2018); stormwater inspection 1 (UCC 06/09/2018); Footings and Slab x 2 (UCC 15/08/2018, 22/08/2018). The stormwater and the works as executed survey at the time of the audit.	compliant
191.	9.	Demolition		
192.		Any demolition must be carried out in accordance with AS 2601-2001, <i>The demolition of structures</i> .	N/a - No demolition was required	n/a
193.	10.	Maintenance of Site		
194.	10.1	All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.	No equipment and materials observed outside of work area during site inspections.	compliant
195.	10.2	Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.	Some waste disposal off site was required and undertaken. NCG supplied a customer report between 1/6/18 to 30/6/18 which shows numerous collections from Blacktown of construction materials. Collected by SR Greenwood Contracting EPL 4669 who operates Greenwood Landfill, Belrose (licensed EPA facility).	compliant
196.	10.3	Copies of receipts stating the following must be given to the principal certifier: (a) the place to which waste materials were transported; and (b) the name of the contractor transporting the materials; and (c) the quantity of materials transported off-site and recycled or disposed of.	Some waste disposal off site was undertaken. NCG supplied a customer report between 1/6/18 to 30/6/18 which shows numerous collections from Blacktown of construction materials; quantity of materials transported off-site shown. Collected by SR Greenwood Contracting EPL 4669 who operates Greenwood Landfill, Belrose (licensed EPA facility).	compliant
197.	10.4	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.	Sediment fencing provided to breakfast creek and at the entry to site OSD / drainage inlets so no sediment entered the water ways. There was still sediment fencing along the the side and rear boundaries. All drainage from this area would drain to an existing sediment basin.	compliant
198.	10.5	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.	No uncovered vehicles observed during site inspections; no dust emissions observed from construction site.	compliant
199.	10.6	At the completion of the works, the work site must be left clear of waste and debris.	Works are not yet completed, but the site was clean and tidy at the time of inspections	compliant
200.	11.	Earthworks, retaining walls and structural support		
201.	11.1	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 <i>Protection of the Environment Operations Act 1997</i> ; and (d) that is excavated soil to be removed from the site-must be disposed of in accordance with any requirements under the <i>Protection of the Environment Operations (Waste) Regulation 2005</i> .	There was minimal fill material brought to site and that which was was not VENM as it has been mixed with cement to achieve the structural strength required for the loads that the slab will carry. The civil design stipulates what base materials were used to fill under the slab. It is spec's 5% stabilised fine crushed rock, this is not a product in itself, crushed concrete (DGB20) with 5% stabilised used. It has come from Boral which has provided the specification of material (Certificate dated 25.7.18; SCP dwg C1.01 sighted)	compliant

Item	CoC #	CoC	Findings	
202.	11.2	Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442[POFJ and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.	Certificate from North Consulting advising works carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442[POFJ and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia sighted.	compliant
203.	12.	Drainage connections		
204.	12.1	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.	There is no roof being installed	n/a
205.	12.2	Any approval that is required for connection to the drainage system under the <i>Local Government Act 1993</i> must be held before the connection is carried out.	Sydney Water building plan approval sighted (dated 6/6/18)	compliant
206.	13.	Archaeology discovered during excavation		Noted
207.		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 <i>Heritage Act 1997</i> may be required before further the work can continue.	Northern Contracting Group (NCG) advised no unexpected finds	compliant
208.	14.	Aboriginal objects discovered during excavation		Noted
209.		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 <i>National Parks and Wildlife Act 1974</i> . Note. If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the <i>National Parks and Wildlife Act 1974</i> .	Northern Contracting Group (NCG) advised no unexpected finds	compliant
210.	15.	When a survey certificate is required	N/a - not within 3m of site boundary	n/a
211.	15.1	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 3 m from the lot boundary, a survey certificate must be given to the principal certifier: (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.		
212.	15.2	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.		
213.	Part 3	Conditions applying before the issue of an occupation certificate		
214.	16.	Vehicular access	N/a - no new vehicular access point constructed	n/a
215.		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.		
216.	17.	Utility services		
217.	17.1	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.	Northern Contracting Group (NCG) advised there was no works required.	compliant
218.	17.2	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.	Northern Contracting Group (NCG) advised there was no works required.	compliant
219.	17.3	If the work will be the subject of a compliance certificate under section 73 of the <i>Sydney Water Act 1994</i> , the work must be satisfactorily completed before the occupation certificate is issued.	Northern Contracting Group (NCG) advised there was no works required.	compliant
220.	18.	Mechanical ventilation systems		
221.		If the work includes a mechanical ventilation system that is a regulated system within the meaning of the <i>Public Health Act 2010</i> , the system must be notified as required by the <i>Public Health Regulation 2012</i> , before an occupation certificate (whether interim or final) for the work is issued.	Northern Contracting Group (NCG) advised there was no works required.	compliant
222.	19.	Food businesses		
223.		If the work relates to a food business within the meaning of the <i>Food Act 2003</i> , the food business must be notified as required by that Act, or licensed as required by the <i>Food Regulation 2010</i> , before an occupation certificate (whether interim or final) for the work is issued.	N/a - not a food business	n/a
224.	20.	Premises where skin penetration procedures are carried out		
225.		If the work relates to premises at which a skin penetration procedure, within the meaning of the <i>Public Health Act 2010</i> , will be carried out, the premises must be notified as required by Part 4 of the <i>Public Health Regulation 2012</i> before an occupation certificate (whether interim or final) for the work is issued.	N/a - no skin penetration procedures are carried out	n/a

Item	CoC #	CoC	Findings																
226.	Part 4	Operational Requirements																	
227.	21.	Hours of operation																	
228.	21.1	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.	There are existing conditions on a development consent applying to hours of operation	compliant															
229.	21.2	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: (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.	N/a - have existing conditions	n/a															
230.	22.	Noise																	
231.	22.1		Day Design (2017) undertook a noise assessment for the site to support the CDC application. The CDC application includes the construction of a 4 m noise barrier to the north of the new shredder's location. With this in place, the predicted noise levels have been found to comply with the requirements for industrial premises contained in the Noise Policy.	Compliant															
232.	22.2	Noise emitted by the development: (a) must not exceed an LA (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.	Day Design (2017) undertook a noise assessment for the site to support the CDC application. The CDC application includes the construction of a 4 m noise barrier to the north of the new shredder's location. With this in place, the predicted noise levels have been found to comply with the requirements for industrial premises contained in the Noise Policy.	Compliant															
233.	22.3	In this clause, the Noise Policy means the document entitled <i>NSW Industrial Noise Policy</i> (ISBN 07313 2715 2) published in January 2000 by the Environment Protection Authority.	Noted																
234.	23	Lighting																	
235.	23.1	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.	Northern Contracting Group (NCG) advised no lighting required or will be installed. This has been confirmed onsite. Site staff advised there is no intent to cover the new area being built.	Compliant															
236.	23.2	Lighting at vehicle access points to the development must be provided in accordance with AS/NZS1158 Set:2010 Lighting for roads and public spaces Set.	Not applicable to this development as no vehicle access points being constructed or included as part of scope.	n/a															
237.	24.	Unobstructed driveways and parking areas																	
238.	24.1	All driveways and parking areas must be unobstructed at all times.	No obstruction observed during site inspection; noting not yet operational	compliant															
239.	24.2	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.	No use of driveways and car spaces for any purposes other than access and parking observed during site inspection; no parking or driveways are associated with CDC development.	compliant															
240.	25.	Landscaped area (planting and maintenance)	N/a - no landscaping proposed as part of works.	n/a															
241.	25.1	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.																	
242.	25.2	All landscaped areas on the site must be maintained on an on-going basis.																	
S4.55 modification MOD-18-00305 approved 8/1/19 (modify Notice of Determination (NOD) No 96-185 dated 23 May, 1996) and MOD 17-00162 dated 25 October, 2017																			
243.	Description	The Description is modified to read as follows: CAR DISMANTLING YARD AND SALE OF MOTOR VEHICLE PARTS AND INSTALLATION OF 2 WEIGHBRIDGES.	Noted																
244.	5	Condition 5 as modified under MOD 17-00162 on 25 October, 2017, is modified by replacing the approved plans with the new drawings shown in BOLD. 5. The proposed development is to be in accordance with the following drawings, subject to compliance with any other conditions of this consent. <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Drawing No</td> <td style="width: 33%;">Dated</td> <td style="width: 33%;">Council File Enclosure No.</td> </tr> <tr> <td>NBT-0004</td> <td>26.3.96</td> <td>1A</td> </tr> <tr> <td>NBT-0003</td> <td>26.3.96</td> <td>1B</td> </tr> <tr> <td>Plan No CC16136C01, RevB</td> <td>14.6.17</td> <td>96H (as</td> </tr> <tr> <td>(Site Plan S4.55 MOD)</td> <td></td> <td>amended in red)</td> </tr> </table>	Drawing No	Dated	Council File Enclosure No.	NBT-0004	26.3.96	1A	NBT-0003	26.3.96	1B	Plan No CC16136C01, RevB	14.6.17	96H (as	(Site Plan S4.55 MOD)		amended in red)	Works are in accordance with the modification plan; noting the plan number is CC16163C01 as amended in S. 4.55(1) item below (dated 20-2-19); weighbridge is in place; concrete slab extension as per plan. confirmed 28/2/19.	compliant
Drawing No	Dated	Council File Enclosure No.																	
NBT-0004	26.3.96	1A																	
NBT-0003	26.3.96	1B																	
Plan No CC16136C01, RevB	14.6.17	96H (as																	
(Site Plan S4.55 MOD)		amended in red)																	

Item	CoC #	CoC	Findings		
		2547/5 NBT-0001 Landscape Plan "Sales Area"	Undated Undated 28.8.87	1D 28D 43B	
245.	13	Condition 13 as modified under MOD 17-00162 on 25 October, 2017 is modified to read as follows: 13. All car bodies accessible to the general public are to be stored inside the nominated fenced enclosure. Such car bodies are to be stored at ground level and are not to be stacked at any time.	All car bodies accessible to the general public are stored inside the nominated fenced enclosure. Car bodies are stored at ground level and were not stacked. See also Item 13, CoC 13	compliant	
246.	21	Condition 21 as modified under MOD 17-00162 on 25 October, 2017 is replaced buy the following new conditions.			
247.	21	The concrete slab must be bunded and operated in accordance with the requirements of: o SafeWork NSW; o Australian Standard 1940:2004 The Storage and Handling of Flammable and Combustible Liquids; and o Environment Protection Authority Guidelines -Technical BU Bunding and Spill Management.	The concrete slab is protected by bunding except in those areas where such bunding would create unsafe angles for machinery to operate. All stormwater is directed towards the centre of the site where it passes through a sediment basin. No flammable or combustible liquids are stored in this location. Refueling of the shredder is done via a utility vehicle	compliant	
248.	22	All internal road drainage and bunding drainage for the concrete slab must drain to the on-site detention tank	Water drains to a point in the south eastern portion of the site, where it is collected and transferred to a sediment basin. Bunding is in place in the south of the site, between the slab	compliant	
249.	23	Any activity carried out in accordance with this approval must not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.	Refer to discussion of air, noise, and water management under Item 6, CoC 6; Item 20 CoC 20; Item 240 CoC 22.1.	compliant	
250.	24	All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.	Refer to discussion of waste management under Item 6, CoC 6	compliant	
251.	25	In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.	Noted	Noted	
Notice of Determination to DA-18-02214 18/02/2019 : pylon sign					
	Description	Construction of a business identification pylon sign incorporating 2 panels each 5m in length and 3m in height with an overall height of 5m.			
252.	1	ADVISORY NOTES			
253.	1.1	Terminology			
254.	1.1.1	Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.	Noted	Noted	
255.	1.1.2	Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Sections 6.3, 6.4 and 6.16 of the Environmental Planning and Assessment Act 1979.	Noted	Noted	
256.	1.2	Other Approvals			
257.	1.2.1	A separate valid Construction Certificate shall be issued prior to commencement of any construction works.	Noted	Noted	
258.	1.3	Services			
259.	1.3.1	The applicant is advised to consult with: (a) Sydney Water Corporation Limited (b) Endeavour Energy (c) Natural Gas Company (d) The relevant local telecommunications carrier regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s). All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au , then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.	Noted: these services will not be required for this development	N/a	

Item	CoC #	CoC	Findings										
260.	1.3.2	Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.	Noted	Noted									
261.	1.4	Identification Survey											
262.	1.4.1	The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.	Noted	Noted									
263.	2	GENERAL											
264.	2.1	Scope of Consent											
265.	2.1.1	<p>This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Drawing No.</td> <td style="width: 33%;">Dated</td> <td style="width: 33%;">Council's File Enclosure No.</td> </tr> <tr> <td>160136P (location Plan)</td> <td>Undated</td> <td>1C</td> </tr> <tr> <td>Concrete piers elevation</td> <td>Undated</td> <td>18</td> </tr> </table> <ul style="list-style-type: none"> Unless modified by any other condition of this consent. 	Drawing No.	Dated	Council's File Enclosure No.	160136P (location Plan)	Undated	1C	Concrete piers elevation	Undated	18	Noted	Noted
Drawing No.	Dated	Council's File Enclosure No.											
160136P (location Plan)	Undated	1C											
Concrete piers elevation	Undated	18											
266.	2.2	Other Matters											
267.	2.2.1	No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.	Rush Metal advised clearing was undertaken under a separate tree removal approval granted from Council some time ago. Rush Metal no longer have a copy of this. Council have verbally confirmed that it was granted; Rush Metal to follow up. The footings and framework for the sign had already been constructed at the time of the audit inspection prior to a valid construction certificate	non-compliant									
268.	3	PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)											
269.	3.1	DA Plan Consistency											
270.	3.1.1	A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.	Noted: no application for construction certificate made yet	Unable to be determined									
271.	4	PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)											
272.	4.1	Building Code of Australia Compliance											
273.	4.1.1	<p>All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :</p> <p>(a) Complying with the deemed to satisfy provisions, or (b) Formulating an alternative solution which : (i) complies with the performance requirements, or (ii) is shown to be at least equivalent to the deemed to satisfy provision, or (iii) A combination of (a) and (b).</p>	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined									
274.	4.2	Site Works and Drainage											
275.	4.2.1	Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.											
276.	5	PRIOR TO DEVELOPMENT WORKS											
277.	5.1	Safety/Health/Amenity											

Item	CoC #	CoC	Findings	
278.	5.1.1	<p>A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:</p> <p>(a) the name, address and telephone number of the principal certifying authority for the work, and</p> <p>(b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and</p> <p>(c) stating that unauthorised entry to the work site is prohibited.</p> <p>This condition does not apply to:</p> <p>(a) building work carried out inside an existing building, or</p> <p>(b) 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.</p>	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
279.	5.1.2	Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
280.	5.1.3	All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
281.	5.2	Notification to Council		
282.	5.2.1	The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
283.	5.3	Sydney Water Authorisation		
284.	5.3.1	<p>Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.</p> <p>OR</p> <p>The approved plans are to be submitted to a Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.</p>	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
285.	6	DURING CONSTRUCTION (BUILDING)		
286.	6.1	Safety/Health/Amenity		
287.	6.1.1	Building and construction materials, plant, equipment and the like shall not be placed or stored at any time on Council's footpath, roadway or any public place.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
288.	6.2	Building Code of Australia Compliance		
289.	6.2.1	All building work shall be carried out in accordance with the provisions of the Building Code of Australia.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
290.	6.3	Surveys		
291.	6.3.1	The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
292.	6.4	Nuisance Control		
293.	6.4.1	Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
294.	6.4.2	The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
295.	6.5	Waste Control		
296.	6.5.1	The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
297.	6.6	Construction Inspections		

Item	CoC #	CoC	Findings	
298.	6.6.1	The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable): (a) After excavation for, and prior to placement of, any footings; and (b) Prior to pouring any in-situ reinforced concrete building element; and (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and (e) Prior to covering any stormwater drainage connections; and (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building. The critical stage inspection "(f)" must be carried out by the Principal Certifying Authority. Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works. Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.	Noted: no application for construction certificate made yet; no development works scheduled to commence yet.	Unable to be determined
299.	7	PRIOR TO OCCUPATION CERTIFICATE		
300.	7.1	Compliance with Conditions		
301.	7.1.1	Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.	Noted: no construction works scheduled to commence yet.	Unable to be determined
302.	7.2	Temporary Facilities Removal		
303.	7.2.1	Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.	Noted: no construction works scheduled to commence yet.	Unable to be determined
304.	7.2.2	Any temporary builder's sign or other site information sign shall be removed from the land.	Noted: no construction works scheduled to commence yet.	Unable to be determined
305.	8	OPERATIONAL (PLANNING)		
306.	8.1	General		
307.	8.1.1	If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.	The site is not yet operational with respect to this DA	Unable to be determined
308.	8.1.2	The proposed pylon sign shall only be used for business identification purposes for Pick and Pay Less Self Serve Auto Parts and associated works, the proposed signage shall not be used for general advertising.	The site is not yet operational with respect to this DA	Unable to be determined
309.	8.2	The development shall not be used or converted for use for any purpose other than that: (a) Granted consent by Council's Notice of Determination, or (b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.	The site is not yet operational with respect to this DA	Unable to be determined
310.	8.3	Graffiti Removal		
311.	8.3.1	Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours of detection.	The site is not yet operational with respect to this DA	Unable to be determined
S. 4.55(1) dated 20-2-19 Application to modify Notice of Determination (NOD) No 96-185 dated 23 May, 1996 for Car dismantling yard and sale of motor vehicle parts at Lot 100 DP 792731 H/N 57 Tattersall Road, Kings Park.				
	Description	Section 4.55(1) modification application to correct a minor typographical error with respect to the revision number of an approved plan issued under MOD 18-00305 dated 8 January, 2019.		

Item	CoC #	CoC	Findings																									
312.	5	<p>Condition 5 is modified by replacing the approved plans with the new drawings shown in BOLD.</p> <p>5. The proposed development is to be in accordance with the following drawings, subject to compliance with any other conditions of this consent.</p> <table border="0"> <tr> <td>Drawing No</td> <td>Dated</td> <td>Council File Enclosure No.</td> </tr> <tr> <td>N8T-0004</td> <td>26.3.96</td> <td>1A</td> </tr> <tr> <td>N8T-0003</td> <td>26.3.96</td> <td>1B</td> </tr> <tr> <td>Plan No CC16136C01, RevD</td> <td>12.7.18</td> <td>106B (as amended in red)</td> </tr> <tr> <td>(Site Plan S4.55 MOD)</td> <td></td> <td></td> </tr> <tr> <td>2547/5 N8T-0001</td> <td>Undated</td> <td>1D</td> </tr> <tr> <td>Landscape Plan</td> <td>Undated</td> <td>28D</td> </tr> <tr> <td>"Sales Area"</td> <td>28.8.87</td> <td>43B</td> </tr> </table> <p>- Unless modified by any other condition of this consent.</p>	Drawing No	Dated	Council File Enclosure No.	N8T-0004	26.3.96	1A	N8T-0003	26.3.96	1B	Plan No CC16136C01, RevD	12.7.18	106B (as amended in red)	(Site Plan S4.55 MOD)			2547/5 N8T-0001	Undated	1D	Landscape Plan	Undated	28D	"Sales Area"	28.8.87	43B	Noted	Noted
Drawing No	Dated	Council File Enclosure No.																										
N8T-0004	26.3.96	1A																										
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(Site Plan S4.55 MOD)																												
2547/5 N8T-0001	Undated	1D																										
Landscape Plan	Undated	28D																										
"Sales Area"	28.8.87	43B																										
Notice of Determination to DA-18-01273 29/03/2019 : Autorecyclers Pty Ltd																												
	Description	The use of the North western part of Lot 100 to contain and use a mobile hammer mill/pre-shredder/shredder machine to recycle general scrap metal, motor vehicles, light gauge metals and whitegoods only having a total site processing quantity capped at 30,000 tonnes per annum.																										
313.	1	ADVISORY NOTES																										
323.	1.1	Terminology																										
324.	1.1.1	Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.	Noted	Noted																								
314.	1.1.2	Any reference in this document to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 6.3, 6.4 and 6.16 of the Environmental Planning and Assessment Act 1979.	Noted	Noted																								
325.	1.2	Scope of Consent																										
326.	1.2.1	<p>This consent grants approval for the following:</p> <ul style="list-style-type: none"> • Use of part of the north western side of the existing car dismantling yard as nominated in red on the approved site plan in condition 2.1.1 for a scrap metal recycling activity involving the shredding of light gauge metals and white goods where the total processing quantity of metals (inclusive of both this activity AND the Pick and Payless car scrap metal business) is not to exceed 30,000 tonnes per annum; and • Use of 1 mobile hammer mill/pre-shredder/shredder machine for general scrap metal recycling and shredding of motor vehicles, light gauge metals and whitegoods. This mobile hammer mill/pre-shredder/shredder machine is to be the same existing machine currently located at the southern end of the site. This is to be permanently removed from the southern location and repositioned to the approved new location in the north west part of the site as shown on the approved plans. In this regard, there is not to be more than 1 hammer mill/pre-shredder/shredder machine on the subject land. 	Noted	Noted																								
315.	1.3	Services																										
327.	1.3.1	<p>The applicant is advised to consult with:</p> <ol style="list-style-type: none"> (a) Sydney Water Corporation Limited (b) Endeavour Energy (c) Natural Gas Company (d) The relevant local telecommunications carrier <p>regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s). All approved building construction plans attached to the Construction Certificate should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.</p>	Noted	Noted																								
328.	1.3.2	Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.	Noted	Noted																								

Item	CoC #	CoC	Findings										
316.	1.3.3	Prior to any dismantling works, all services or utilities should be disconnected and relocated in consultation with the relevant service provider.	Noted	Noted									
329.	2	GENERAL											
330.	2.1	Scope of Consent											
317.	2.1.1	<p>This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:</p> <table border="1"> <thead> <tr> <th>Drawing No.</th> <th>Dated</th> <th>Council's File Enclosure No.</th> </tr> </thead> <tbody> <tr> <td>160136DA2.02_C (Site Plan)</td> <td>16/7/18</td> <td>1B</td> </tr> <tr> <td>160136DA2.03_C (Schematic Layout of scrap metal recycling area)</td> <td>16/7/18</td> <td>1C</td> </tr> </tbody> </table> <p>Supporting Documents:</p> <ul style="list-style-type: none"> • <i>Statement of Environmental Effects Development Application for Scrap Metal Recycling, 57-69 Tattersall Road, Kings Park</i>, report reference: CC160136, Revision 5 dated 13 July 2018, prepared by Barker Ryan Stewart Pty Ltd; • <i>Air Quality Impact Assessment, 57 Tattersall Road, Kings Park</i>, prepared by Todoroski Air Sciences Pty Ltd, dated 22 June 2018, Job number 17030671B; • <i>Waste Management Plan for Ongoing Waste Management dated 16 July, 2018</i>; • <i>Preliminary Risk Screening</i>, prepared by Benbow Environmental, report no. 181071_Rep1_Rev3, dated 29 May 2018; • <i>Environmental Noise and Vibration Assessment, prepared by Day Design Pty Ltd</i>, report no. 6186-2.1R, dated 28 June 2018. • <i>Traffic and Parking Impact Assessment Report, Report No. CC160136 Revision 2 dated 17 July, 2018 prepared by Barker Ryan Stewart.</i> <p>* Unless modified by any other condition of this consent.</p> <p>Note: Where there is any conflict between the above supporting documents and the conditions of consent herein, the conditions of this consent will prevail for the extent of the inconsistency.</p>	Drawing No.	Dated	Council's File Enclosure No.	160136DA2.02_C (Site Plan)	16/7/18	1B	160136DA2.03_C (Schematic Layout of scrap metal recycling area)	16/7/18	1C	Noted	Noted
Drawing No.	Dated	Council's File Enclosure No.											
160136DA2.02_C (Site Plan)	16/7/18	1B											
160136DA2.03_C (Schematic Layout of scrap metal recycling area)	16/7/18	1C											
331.	2.1.2	This consent authorises the use of part of the site in the north western area as nominated in red on the approved plans for the following purposes, subject to full compliance with all other conditions of this consent: Scrap metal recycling facility- being the shredding and storage of light gauge metal and white goods together with the metal shredded by the existing Pick and Payless car dismantling shredding activity is not to exceed 30,000 tonnes per year.	Noted	Noted									
331.	2.1.3	That part of the land not specifically included in this consent (ie. those outside the area within the north western part of the site where the mobile hammermill/pre-shredder/shredder machine is to be located, can continue to be used for the purposes of storage and dismantling of car bodies as approved under DA-96-185. There is to be no pre-shredding/shredding/hammermill machinery located in the southern part of the site in accordance with conditions 4.4.1 and 4.4.2.	The mobile hammermill/pre-shredder/shredder machine have all been moved to that part of the land included in this consent ie. the north western part of the site where the the slab has been built. There is no machinery located elsewhere on the site. Other areas of the site are now only being used for the purposes of storage or dismantling of car bodies as approved under DA-96-185.	compliant									
325.	3	PRIOR TO COMMENCEMENT OF WORKS											
326.	3.1	Asbestos materials											
332.	3.1.1	Any asbestos material is to be handled and treated in accordance with the SafeWork NSW document "Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos" dated March 2008.	Noted	Noted									
327.	3.2	Bunding											
328.	3.2.1	Details of the bunding (Specifications and locations) to be installed on the site to satisfy the documents listed in this condition are to be submitted to Council for its separate formal approval. NOTE: Such bunding is also to be designed to contain any contaminated water that could occur from any fire related event to prevent its contamination of the adjoining creek system.	It is proposed to use the existing system to capture and store firewater. Bunding for the system is in the process of being designed.	Unable to be determined									
333.	3.2.2	<p>2 Bunding is to be designed and installed in accordance with:</p> <ul style="list-style-type: none"> • Department of Environment and Conservation Guidelines - Technical BU Bunding and Spill Management • Department of Environment and Conservation Guidelines "Surface water management on the covered forecourt areas of service stations"; • Australian Standard 1940-1993: The storage and handling of flammable and combustible liquids; and • Australian Standard/New Zealand Standard 4681:2000: The storage and handling of Class 9 (miscellaneous) dangerous goods and articles 	Bunding for the system is in the process of being designed.	Unable to be determined									
329.	3.2.3	The processing area is to be constructed so that all water/waste generated by the activity is confined to the area and directed to a drain/collection pit that discharges to the Sydney Water sewer system. The discharge/connection to the sewer system shall comply with the requirements of Sydney Water.	The water management system is in the process of being designed.	Unable to be determined									

Item	CoC #	CoC	Findings	
330.	3.3	Acoustic matters		
334.	3.3.1	The recommendations provided in <i>Environmental Noise and Vibration Assessment, prepared by Day Design Pty Ltd, report no. 6186-2.1R, dated 28 June 2018</i> are to be carried out, including the provision of the acoustic barriers as shown in Appendix A.	The reports recommendation (Section 6) was the provision of the acoustic barrier: 5m high to the north (2m from shredder), 4m high to the south (2m from shredder), 6m high to the west (3m from shredder, with access hole for same). Observed onsite	Compliant
331.	4	PRIOR TO COMMENCEMENT OF OPERATION This development consent is not to operate until such time as the following items are addressed:		
332.	4.1	To provide written evidence from a Fire Safety Consultant that the intended use of the hammer mill/pre-shredder/shredder machine will operate with the appropriate fire safety precautions to prevent any incident or fire occurring at the site again, having regard to the recent (March 2019) fire incident which occurred on the southern portion of the site.	Red Fire Engineering is working on this and it is in the process of being designed; preliminary fire engineering advice sighted (dated 8/4/19); Statement of available pressure and flow (SWC, 4 December 2018), Liquid Hydraulics is working on the fire system design (invoice dated 9/4/19 sighted) and this is in consultation with Fire and Rescue NSW	Unable to be determined
335.	4.2	The submission of a written undertaking from the owner that the unauthorised stockpiles of floc that exist on the southern portion of the site will be permanently removed from the site within 3 months of commencement of this consent	Seeking a variation on this as it is inconsistent with another condition within this consent.	Unable to be determined
332.	4.3	An Emergency Action Plan (EAP) and associated Safety Procedures (SPs) as set out in the NSW Fire Safety Guideline - Fire safety in Waste Facilities Version 01 issued 19 November 2018 are to be prepared for both the hammer mill/pre-shredder/shredder's machine operations and related activities in particular: • Storage and stockpiles; • Stockpile movement; • Maximum stockpile size; • Minimum separation distance. The EAP and SPs are to be provided to Council at the EPA for their information and approval.	Red Fire Engineering is working with the author of the HSE system for the site (Morisay) on this. Not yet completed.	Unable to be determined
333.	4.4	Provide a copy of the operational site management plan which addresses the procedures to be taken in order to address any fire events; stormwater drainage; pollution control measures and any emergency procedures which could cause harm to staff, the public and neighbouring business operators.	Red Fire Engineering is working with the author of the HSE system for the site (Morisay) on this. Not yet completed.	Unable to be determined
327.	4.5	Provide details addressing Fire safety which includes, but not limited to, the location of the nearest Fire hydrant and provision of onsite water tanks with sufficient capacity to combat any potential fire event that may occur on site at any time.	Liquid Hydraulics is working on this. Not yet completed.	Unable to be determined
328.	4.6	Completion of the bunding in accordance with the approved details in condition 3.2.1 above.	Refer to CoC3.2.1	Unable to be determined
334.	4.7	Submit to Council a Stockpile Management Plan for the car shredder and floc material. All recommendations and procedures for contamination risks associated with the shredder and floc stockpiles must be carried out to ensure compliance with the <i>Protection of the Environment Operations Act 1997</i> .	This is being drafted, as part of the site's HSE procedures. Not yet complete.	Unable to be determined
329.	4.8	Relocation of the hammer mill/pre-shredder/shredder machine.		
330.	4.8.1	The applicant shall relocate the hammer mill/pre-shredder/shredder machine that is previously located at the southern end of the site to the concrete slab to the northwest corner of the site, above the 1:100 year flood level in accordance with the approved site plan nominated in condition 2.1.1	The hammer mill/pre-shredder/shredder machine have all been relocated to the northwest corner of the site on the concrete slab. The concrete slab is above the level (condition of the CDC for this slab, refer CDC documentation)	Unable to be determined
335.	4.9	Environmental Management		
331.	4.9.1	Stormwater from the processing area shall be collected and discharged via OSD/ water quality devices. A "SPEL Stormceptor" stormwater quality improvement device or similar product shall be installed downstream of the OSD tank to further treat the stormwater before discharging into Breakfast Creek. This stormwater device is to be of a type that is also effective in treating/retaining dissolved phase inorganic and organic contaminants. Details of the device to be installed and its location are to be submitted to Council for separate approval prior to any commencement.	The OSD and the SPEL have all been installed as part of the CDC works. An Ecoceptor was installed rather than an Stormceptor. This work was completed prior to the issue of this DA. The proponent is checking if it is effective in treating organic and inorganic contaminants This has not yet been completed. Details of this will be submitted to Council. The requirements of CoC 5.5.1 are noted and whole water quality system is being reviewed as part of the fire fighting system and water capture. This has not yet been completed.	Unable to be determined
332.	4.10	Fire Safety		
336.	4.10.1	A fire safety check is to be undertaken by a suitably qualified professional with expertise in fire safety to verify that the activities, operations and equipment approved by this consent.	Red Engineering will be undertaking this check, once the system is in place	Unable to be determined
333.	4.10.2	The Emergency Plan and safety procedures set out in the NSW Fire Safety Guideline - Fire safety in waste facilities Version 01 issued 19 November 2018 shall be adhered to. This is to include, but not limited to, points: 8.1 Storage and stockpiles; 8.2 Stockpile movement 8.3 Maximum stockpile size; 8.4 Minimum separation distance.	North Consulting has spoken to Fire & Rescue NSW, but this document is still a draft. https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_fire_safety_in_waste_facilities.pdf Advice from Fire & Rescue NSW will review the site's plan and will give concurrence ; however the Emergency Plan is not yet completed.	Unable to be determined

Item	CoC #	CoC	Findings	
334.	4.10.3	Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed throughout the development for both public and staff information at all times to the satisfaction of Council.	Procedures are being drafted, once completed this will be installed across the site	Unable to be determined
337.		Acoustic Matters		
333.	4.11	The applicant is to engage a suitably qualified acoustic consultant to test the mobile hammer mill/pre-shredder/shredder machine noise levels once it is in place in its new approved location in accordance with condition 3.3.1.	Day Design will be engaged to test once operating	Unable to be determined
335.	5	OPERATIONAL		
329.	5.1	Relocation of unauthorised stockpiles of floc		
330.	5.1.1	Within 3 months of the date of commencement of operation of the pre-shredder and hammer mill machinery in the north-western part of the site (approved under DA-18-01273), all unauthorised stockpiles of floc located in the southern portion of the site that appears on aerial photo in Nearamaps dated 29 December 2018 are to be permanently removed from the site and verification (including updated photographic evidence) that this has been completed is to be submitted to Council.	The site is not yet operational with respect to this DA; all floc is planned to be removed by 8/11/19.	Unable to be determined
336.	5.1.2	After the 3 month period referred to in condition 5.1.1 above there is to be no use of the southern portion of the site for floc storage and all floc storage is to be confined to the approved floc storage area in the north-western part of the site shown on the approved plans.	The site is not yet operational with respect to this DA	Unable to be determined
331.	5.2	Acoustic Matters		
332.	5.2.1	A verification report is to be undertaken within 3-6 months of operation by a suitably qualified acoustic engineer to verify that the findings in <i>Environmental Noise and Vibration Assessment, prepared by Day Design Pty Ltd, report no. 6186-2.1R, dated 28 June 2018 have been satisfied.</i>	The site is not yet operational with respect to this DA	Unable to be determined
337.	5.2.2	Written evidence is also to be submitted to Council to indicate that the acoustic walls are completed and are in accordance with the recommendation of the subject acoustic report.	The site is not yet operational with respect to this DA	Unable to be determined
333.	5.2.3	Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW Environmental Protection Authority's Noise Policy for Industry and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.	Noted	Noted
334.	5.3	Bunding		
338.	5.3.1	Bunding shall be maintained in good working condition at all times	The site is not yet operational with respect to this DA	Unable to be determined
335.	5.4	Contamination Matters		
336.	5.4.1	No contaminated waste water or liquid waste shall be discharged into Council's stormwater system nor into the adjacent creek.	The site is not yet operational with respect to this DA	Unable to be determined
339.	5.4.2	Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997	The site is not yet operational with respect to this DA	Unable to be determined
334.	5.4.3	All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997	The site is not yet operational with respect to this DA	Unable to be determined
337.	5.4.4	In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.	Noted	Noted
331.	5.4.5	All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the <i>Protection of the Environment Operations Act</i>	See 5.4.3	Unable to be determined
332.	5.4.6	All waste generated on the site during the construction must be classified in accordance with the NSW EPA's Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Waste and disposed of at a facility that may lawfully accept the waste.	The site is not yet operational with respect to this DA	Unable to be determined
338.	5.4.7	In accordance with Part 5.7 <i>Protection of the Environment Operations Act 1997</i> , Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened	Noted, as it was above	Noted
333.	5.4.8	Sufficient supplies of appropriate absorbent materials and/or other appropriate spill cleanup equipment shall be kept on site to recover any liquid spillage. Liquid spills must be cleaned up using dry methods only and shall not give rise to an offence under the Protection of the Environment Operations Act 1997.	The site is not yet operational with respect to this DA	Unable to be determined

Item	CoC #	CoC	Findings	
334.	5.4.9	The storage and handling of liquids associated with activities on the premises is to be carried out in accordance with the requirements of: •SafeWork NSW •Australian Standard 1940:2004 The Storage and Handling of Flammable and Combustible Liquids; and •Environment Protection Authority Guidelines - Technical BU Bunding and Spill Management.	The site is not yet operational with respect to this DA	Unable to be determined
339.	5.4.10	A verification report is to be submitted within 3-6 months of operation by a suitably qualified environmental consultant to verify that the findings in Air Quality Impact Assessment, 57 Tattersall Road, Kings Park, prepared by Todoroski Air Sciences Pty Ltd, dated 22 June 2018, Job number 17030671B have been satisfied.	The site is not yet operational with respect to this DA	Unable to be determined
335.	5.5	Environmental Management		
336.	5.5.1	Stormwater from the processing area shall be collected and discharged via OSD/ water quality devices. If it is found that this tank is insufficient in capturing heavy metals & hydrocarbons a "SPEL Stormceptor" stormwater quality improvement device or similar product will be installed downstream of the OSD tank to further treat the stormwater before discharging into Breakfast Creek. A suitably qualified environmental consultant shall be engaged to monitor and provide advice as to what is required to ensure the stormwater discharged from the site meets the relevant environmental standards.	The site is not yet operational with respect to this DA	Unable to be determined
340.	5.5.2	Continued compliance with other approvals.		
337.	5.5.2.1	Continued compliance with the following: of Determination 14314 (DA-96-185) dated 23 May, 1996 as amended. Determination 17-1092 dated 15 December, 2017.	• Notice • Notice of See details above for the site's compliance with these approvals	
338.	5.6	The hours of operation of the mobile hammer mill/pre-shredder/shredder machine and the scrap metal and recycling activities on the subject site shall not be outside of the following nominated times. Approved hours of operation: 8am to 5pm Mondays to Sundays inclusive Any alteration to these hours will require the separate approval of Council.	The site is not yet operational with respect to this DA	Unable to be determined
341.	5.7	Should Council receive justified complaints that the approved machinery and activities are operating outside these hours, or causing excessive noise and disturbance to the neighbouring property owners/occupiers, then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance	Noted	Noted
335.	5.8	Other matters		
339.	5.8.1	The light metal recycling and shredding activities and the use and operation of the mobile hammer mill/pre-shredder/shredder machine are to be undertaken in accordance with the conditions of this consent including the approved supporting documents set out in condition 2.1.1.	The site is not yet operational with respect to this DA	Unable to be determined
333.	5.9	Emergency Procedures		
334.	5.9.1	Ensure that adequate Fire hydrant or water tanks of sufficient capacity are available on site to combat any potential fire event that may occur on site at any time.	The site is not yet operational with respect to this DA	Unable to be determined
340.	5.9.2	The Approved Emergency Plan and Safety Procedures set out in the NSW Fire Safety Guideline - Fire safety in waste facilities Version 01 issued 19 November 2018 shall be adhered to. This is to include, but not limited to, points: 8.1 Storage and stockpiles; 8.2 Stockpile movement; Maximum stockpile size; 8.3 8.4 Minimum separation distance.	The site is not yet operational with respect to this DA	Unable to be determined
335.	5.9.3	Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed throughout the development for both public and staff information at all times to the satisfaction of Council.	The site is not yet operational with respect to this DA	Unable to be determined
336.	5.10	Dust Suppression		
341.	5.10.1	A water cart is to be used on site for dust suppression purposes particularly during high wind events.	The site is not yet operational with respect to this DA	Unable to be determined
337.	5.11	The operator of the facility is to maintain a register of scrap metal processed on the subject site. Written evidence shall be provided to Council on an ongoing basis every 12 months to verify that the volume of scrap metal processed on the subject site in the 12 month period.	The site is not yet operational with respect to this DA	Unable to be determined
338.	5.12	The recommendations provided in Contamination Investigation, prepared by Sullivan Environmental Services, proj#SES_483, dated 19 June 2017 are to be completed and validation reports to be submitted to Council for review within 12 months of this consent.	The site is not yet operational with respect to this DA	Unable to be determined