

**National Integrated Creative Solutions**

**ABN 54 877 348 873**

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## **Appendix G**

### **Existing State Waste Development Consent Conditions and Modifications**



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BLACKTOWN

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## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

### Environmental Planning and Assessment Act, 1979 (Section 81)

Applicant: **STIMSON CONSULTANT SERVICES PTY LIMITED**  
LEVEL 6 - 69 RESERVOIR STREET  
SURRY HILLS 2010

Determination Number: **11-1642**

**DRAFT**

**Property Description:** LOT 14 DP786328, 9 KENOMA PLACE, ARNDELL PARK

**Development:** Use of an existing industrial premises and the associated offices as a "Waste Management Facility" for the handling and processing of a maximum of 650 tonnes of clinical and quarantine waste per year.

**Determination:** *Pursuant to Section 81 of the Act Council advises that the Development Application has been determined by:*

- GRANTING OF A CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGE(S)

**BY THE SYDNEY WEST JOINT REGIONAL PLANNING PANEL (JRPP)**

#### **Right of Appeal**

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of the consent authority a right of appeal to the Land and Environment Court. Section 97 does not apply to State significant development or development that has been subject to a Commission of Inquiry.

**Note:** This Consent is generally valid for a period of five years effective from the date of this Notice, unless specified otherwise by Sections 83 and 95 of the Act, or by conditions of this Consent.

**RON MOORE**  
**GENERAL MANAGER**

Per .....

Date

**1 ADVISORY NOTES**

**1.1 Terminology**

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

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 Section 109C of the Environmental Planning and Assessment Act 1979.

1.1.3 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

**1.2 Other Approvals**

1.2.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.2.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:

- (a) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan, and
- (b) demolition of any existing buildings and associated structures in accordance with the requirements of Council's Local Environmental Plan.

**1.3 Services**

1.3.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral 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 and stamped by a Sydney Water Corporation Limited

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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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.

- 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.

## **2 GENERAL**

### **2.1 Scope of Consent**

- 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.	Dated	Council's File Enclosure No.
Site Plan Sheet 3/4 Revision 2	15/09/11	54C
Floor Plan Sheet 1/5 Revision 3	22/12/11	84C
Plant Equipment Plan Sheet 2/4 Revision 2	15/09/11	54B

\* Unless modified by any condition of this consent.

- 2.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:

- Operation of a "waste management facility" for the handling and processing of clinical and quarantine waste.
- The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
- The processing of a maximum of 96 sulo bins of untreated waste each day.
- The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

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- 2.3 The proposed development must comply at all time with the information contained within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011 (Enclosure 56A on Council's File JRPP-11-1642).
- 2.4 The proposed development is to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH) included at Attachment 1 of this consent.
- 2.5 An Environment Protection Licence (EPL) is required for the 'scheduled activity'. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.
- 2.6 The automated waste machine to be used for the processing of the clinical and quarantine waste, must be a Medivac MetaMizer. Medivac is to certify that the device supplied is in accordance with MediVac Technology Pty Limited's requirements and specifications.

**2.7 Suburb Name**

- 2.7.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: ARNDELL PARK

**3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

**3.1 DA Plan Consistency**

- 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

**3.2 DCP 2006**

- 3.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Development Control Plan 2006.

**4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

**4.1 Necessary Plan Amendments**

- 4.1.1 Amended scaled plans are required to show the dimensions of the 6 proposed car parking spaces in accordance with the Australian Standards.

**5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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**5.1 Building Code of Australia Compliance**

5.1.1 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 :

- (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).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

- (a) Sections D, E

5.1.3 In accordance with the provisions of Clause numbers 94 and 143 of the Environmental Planning and Assessment Regulation, 2000, Council's has deemed the following must be provided to the building and detailed in the Construction Certificate plans:

- a. The balustrade serving the stairwell must be upgraded to comply with the requirements of Clause D2.16 of the BCA.
- b. The disabled toilet facility is to be upgraded to comply with AS 1428 – 2001 and Part D3 of the BCA. This will involve the improvement of the grab rails, toilet paper holder and clearance beneath the vanity.
- c. The hose reel shall be relocated to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.
- d. The enclosure beneath the stairs needs a fire rated door in this location. Alternatively, the door may be removed and the opening may be bricked up.
- e. The first floor office area will need improved emergency lighting and exit signs to comply with AS 2293.
- f. The ground floor offices shall be provided with a mechanical exhaust system complying with AS 1668.
- g. Artificial lighting is to be provided to the ground floor offices.
- h. The clean bin holding area is to be located at least 1m from the existing ground floor offices.

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**6 PRIOR TO DEVELOPMENT WORKS**

**6.1 Safety/Health/Amenity**

- 6.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 6.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (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.

- 6.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

**6.2 Notification to Council**

- 6.2.1 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.

**7 DURING CONSTRUCTION (BUILDING)**

**7.1 Safety/Health/Amenity**

- 7.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

- 7.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

- 7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

- 7.1.4 The bin wash bay is to bunded/graded so as to direct water/waste to a collection pit, which then discharges to the Sydney Water sewer system, in accordance with the requirements of Sydney Water.

**7.2 Building Code of Australia Compliance**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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- 7.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

**7.3 Nuisance Control**

- 7.3.1 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.

- 7.3.2 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.

- 7.3.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

**7.4 Waste Control**

- 7.4.1 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.

- 7.4.2 The bin wash is to be bunded/graded so as to direct water/waste to a collection pit to Sydney Water Corporation sewer.

**7.5 Construction Inspections**

- 7.5.1 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) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and
- (d) 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
- (e) 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

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(f) Prior to covering any stormwater drainage connections; and

(g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection “(g)” 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.

## **8 PRIOR TO OCCUPATION CERTIFICATE**

### **8.1 Road Damage**

8.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

### **8.2 Compliance with Conditions**

8.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, including the General Terms of Approval (GTA's) of the Office of Environment and Heritage (OEH). The use or occupation of the development prior to compliance with all conditions of consent, other than “Operational” conditions, may render the applicant/developer liable to legal proceedings.

8.2.2 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.

### **8.3 Environment Protection Licence**

8.3.1 **As** the premises is a “Scheduled Premises” within the meaning of the Protection of the Environment Operations Act 1997, an Environment Protection Licence (EPL) shall be obtained from the OEH before operations on site can be commenced. A copy of the licence shall be submitted to Council. Note: The clinical waste treatment process will need to be approved in writing by the Director-General of the Department of Health before the EPL can be issued. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.

8.3.2 In accordance with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH), the proponent shall install appropriate air pollution

These conditions are imposed for the following reasons:

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control system/s to ensure that all air emissions including gases, vapours and particulates from the process, plant and premises are maintained at acceptable levels and these emissions are monitored correctly and regularly.

#### **8.4 Operations Management Plan**

8.4.1 The applicant shall prepare and pay the full cost of an Operations Management & Monitoring Plan dealing with:

- Health and safety issues and measures in the event of any spillage or a bag being punctured;
- Proposals for monitoring of worker health (e.g. in the event of machinery malfunction);
- General OH&S issues including workplace noise protection;
- Ongoing training and education of employees in safe work practices associated with working with clinical and quarantine waste;
- Regular on-site inspection and preventative maintenance of the automated waste machine (i.e. Medivac MetaMizer) by MediVac or a suitably qualified engineer;
- Maintenance and upkeep of the required bunds to ensure their effectiveness; and
- Measures adopted to ensure full compliance with condition 5 of OEH's General Terms of Approval. In this regard, the Operations Management Plan must demonstrate how cytotoxic waste, pharmaceutical waste, drug waste and medicine waste will continue to be eliminated from the process.

The Operations Management & Monitoring Plan is to be submitted to the Council for approval prior to any operations commencing on site.

Note: All measures outlined in the Operations Management & Monitoring Plan are to be certified on an annual basis by an appropriately qualified environmental engineer. This is to include certification of the manufacturer's recommended maintenance regime, that all adopted health and safety procedures are still in place, and that the required bunding is being maintained. A copy of the annual certification is to be lodged with Council each year for its information and record.

#### **8.5 ~~Wastewater Management Plan~~**

8.5.1 ~~The applicant shall prepare a Wastewater Management Plan which details the bunding in place, location of spill kits and mitigation responses to a possible water contamination event.~~

~~The Wastewater Management Plan is to be submitted to the Council for approval prior to any operations commencing on site.~~

#### **8.6 Car Parking**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 8.6.1 A minimum of 6 car parking spaces are to be provided on site. All car parking spaces are to be line marked and sealed with a hard standing all weather material.
- 8.6.2 The 6 designated car parking spaces are to be signposted as "rear to kerb' parking.
- 8.6.3 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 8.6.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 8.6.5 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

**8.7 Service Authorities**

- 8.7.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.
- 8.7.2 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

**8.8 Landscaping**

- 8.8.1 The front setback area is to be suitability landscaped to the satisfaction of Council.

**8.9 Temporary Facilities Removal**

- 8.9.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 8.9.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

**8.10 Fire Safety Certificate**

- 8.10.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

**8.11 Emergency Procedures**

- 8.11.1 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

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times to the satisfaction of Council.

**8.12 Other Matters**

- 8.12.1 Appropriate signage is to be erected advising that access by the general public into any restricted areas of the building is prohibited.

**8.13 Environmental Management**

- 8.13.1 All entrances and exits to the building are to be bunded.
- 8.13.2 All floors within the factory shall be sealed to enable containment of spills/leaks.

**9 OPERATIONAL (PLANNING)**

- 9.1 A copy of the certification required by Condition 8.4.1 of this consent is to be lodged annually with Council for its information and record.

**9.2 Access, Parking & Vehicles**

- 9.2.1 All 6 required off-street car parking spaces are to be line marked and internal driveways are to be sealed and shall be maintained to a standard suitable for the intended purpose.
- 9.2.2 Vehicles associated with the activity are to park within the 6 designated car parking spaces (4 spaces for staff and 2 for visitors) and are to park rear to kerb, and enter and leave the site in a forward direction.
- 9.2.3 All loading and unloading operations shall take place at all times wholly within the confines of the industrial building within the designated loading/unloading area. In this regard, all waste materials must be handled, loaded and unloaded within the bunded area within the building at all times. No authorisation is given for the loading or unloading within the driveway or parking areas.
- 9.2.4 The internal designated loading/unloading area is to remain clear of any obstructions (particularly stored bins) at all times to ensure that all loading and unloading takes place wholly within the designated area.
- 9.2.5 The portable ground floor office must not impact on the operations of the business at any time, including designated loading/unloading area.
- 9.2.6 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 9.2.7 All vehicles must enter and leave the site in a forward direction at all times
- 9.2.8 ~~All drivers must be sub-contracted. As such, a~~ All vehicles must be cleaned, maintained and stored off site.

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**9.3      Retailing Restrictions**

- 9.3.1      This consent does not authorise the sale or display of goods for retail to the general public.

**9.4      General**

- 9.4.1      No goods, materials, or trade waste (including the specially marked sulo bins) shall be stored at any time outside the building on either the internal vehicular driveway, car parking areas, landscaping or footpath areas. The bins must be located inside the ~~premises~~ building at all times to ensure there is no impact of the availability of on-site parking.
- 9.4.2      No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 9.4.3      Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 9.4.4      If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 9.4.5      Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9.4.6      Access to the fire extinguishers shall be kept clear at all times.
- 9.4.7      Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 9.4.8      The hours of operation of the development 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:      7am to 7pm, Monday to Saturday.

No work is permitted on Sundays or Public Holidays.

Should Council receive justified complaints that the waste management facility is operating outside these hours, or is causing noise and disturbance to the adjoining uses then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.

- 9.4.9      The applicant is to comply at all times with the requirements of the Dangerous Goods Code in relation to the transportation and handling of all specially marked

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bins.

- 9.4.10 Access by the general public into any restricted areas of the building is to be prohibited and this is to be made clear by the use of signage.
- 9.4.11 All faults relating to utility services are to be repaired or replaced immediately. Where repairs or placement is not possible the asset owner should be informed of the fault.
- 9.4.12 The front setback area is to be suitably landscaped and suitably maintained at all times.

**9.5 Use of Premises**

- 9.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 9.5.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:
- Operation of a “waste management facility” for the handling and processing of clinical and quarantine waste.
  - The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
  - The processing of a maximum of 96 sulo bins of untreated waste each day.
  - The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

- 9.5.3 All waste within the specially marked bins is to be processed on the same day it is delivered to the premises.
- 9.5.4 At no time is untreated waste to be stored at the premises overnight.
- 9.5.5 The proposed operations are to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH). A copy of the GTA's are included at Attachment 1 of this consent.
- ~~9.5.6 The proposed development must comply at all time with the recommendations detailed within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011.~~
- ~~9.5.7 The controls, management methods and health and safety measures indicated within~~

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

~~the EIS to reduce risks associated with the proposed operations and mitigate the risk of contamination, are to be complied with at all times while the facility is in operation.~~

**9.6 Ongoing Monitoring**

9.6.1 The following requirements shall be complied with:

- (a) Any change in ownership or legal entity will require a new trade waste consent from Sydney Water Corporation;
- (b) Maintain a wastewater management plan; and
- (c) Provide and maintain recovery equipment for the site.

**9.7 Monitoring Management**

9.7.1 The following requirements shall be complied with:

- Compliance with Sydney Water Corporation – 21 Day waste water sampling regime and targets;
- Concise recording/documentation of trade waste water results;
- Communication with all regulatory authorities of target values to reach;
- Compliance with routine inspections detailed by regulatory authorities;
- Daily recording of waste water discharged into the sewer; and
- In the event of machinery malfunction compliance with the approved waste water management plan is required.

**10 OPERATIONAL (ENVIRONMENTAL HEALTH)**

**10.1 Environmental Management**

10.1.1 No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.

10.1.2 All bunded areas shall be maintained in such condition to ensure that all spillage or leakage is retained within the bund, until disposed of by means that do not pollute waters or land. This includes the provision of portable bunding for use in any potential emergency to prevent contamination discharging into Council's stormwater system.

10.1.3 All entrances and exits to the building are to be bunded.

10.1.4 The proposed bin wash station is to be bunded and connected to the Sydney Water Sewage System. The Applicant will be required to obtain a Sydney Water Corporation (SWC) trade waste agreement to permit the discharge of wash-down from the bins into the Sydney Water sewage system.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

- 10.1.5 Bunding is to be designed and installed in accordance with:
- NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation;
  - NSW Department of Environment and Conservation publication Environmental Action for Service Stations;
  - Australian Standard 1940-2004: 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.
- 10.1.6 All gases, odours, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected and discharged in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 10.1.7 The approved Operations Management Plan shall be implemented to ensure the applicant monitors the potential discharge of pollutants.
- 10.1.8 All materials associated with the use of the site, including empty bins, shall be stored within the building.
- 10.1.9 The approved Waste Management Plan shall be implemented.
- 10.1.10 The proposed operations must not exceed 5dBA above background noise levels at the property boundaries in accordance with the EPA's Industrial Noise Policy.
- 10.1.11 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 EPA's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 10.1.12 Mandatory water restrictions apply to all Sydney Water customers including businesses. Should the activities carried out on the premises require an exemption the proprietor of the business shall obtain an exemption permit from Sydney Water and a copy of the permit shall be submitted to Council.
- 10.1.13 Sufficient supplies of appropriate absorbent materials and/or other appropriate spill clean up 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.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

- 10.1.14 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.
- 10.1.15 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.
- 10.1.16 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.
- 10.1.17 No wash/hose down of vehicles is permitted at all on the site.
- 10.1.18 All waste shall be stored suitably and disposed of by an appropriate waste contractor. Under no circumstances is waste from the activity to be disposed of through Council's waste collection services.
- 10.1.19 The proposed operations must comply at all times with the requirements of NSW Workcover.
- 10.1.21 No chemicals (except domestic cleaning products) are to be kept on the subject site as part of the development.
- 10.1.22 The storage and handling of liquids associated with activities on the premises is to be carried out in accordance with the requirements of;
- NSW Workcover
  - NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

File No: S96-12-1451  
JRPP-11-1642

2 October 2012

Stimson Consultant Services Pty Ltd  
PO BOX 4308  
WINMALEE NSW 2777

Dear Sir & Madam,

**Proposal: Modification to Notice of Determination No. 11-1642 pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 as amended (S96-12-1451).**

**Property: Lot 14, DP 786328, 9 Kenoma Place, Arndell Park**

Reference is made to your Section 96 Application requesting modification to Notice of Determination No. 11-1642 for the above mentioned property that the Sydney West Joint Regional Planning Panel (JRPP) approved the use of an existing industrial premises and the associated offices as a "Waste Management Facility" for the handling and processing of a maximum of 650 tonnes of clinical and quarantine waste per year, dated 23 April 2012.

Please be advised that consideration has been given to your application which seeks to replace the type of automated waste machine to be used for the processing of the clinical and quarantine waste (currently a Medivac metamizer) to an alternative new process entailing an autoclave, a boiler, and a shredder. The S96 Application also seeks the removal of a transportable building from the site which is no longer required. The Council hereby agrees to modify Notice of Determination No. 11-1642 in the following manner:

**Notice of Determination No. 11-1642**

**Page 3 of 17 - ADVISORY NOTES**

**Services**

1. Condition 1.3.3 is added and reads as follows.

***Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.***

**Page 3 of 17 - GENERAL**

## Scope of Consent

2. Condition 2.1.1 is amended in the following manner.

*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:*

<i>Drawing No.</i>	<i>Dated</i>	<i>Council's File Enclosure No.</i>
<i>Site Plan</i>		
<i>Sheet 3/4 Revision 2</i>	<i>15/09/11</i>	<i>54C</i>
<b>Floor Plan</b>		
<b>Sheet 1/2 Revision 1</b>	<b>16/09/12</b>	<b>143B</b>
<b>Plant Equipment Plan</b>		
<b>Sheet 2/2 Revision 1</b>	<b>16/09/12</b>	<b>143C</b>

*\*Unless modified by any condition of this consent.*

## Page 4 of 17 - GENERAL

### Scope of Consent

3. Condition 2.6 is amended in the following manner.

~~**The automated waste machine to be used for the processing of the clinical and quarantine waste, must be a Medivac Metamizer. The manufacturer of the machinery to be used for the processing of the clinical and quarantine waste, is to certify that the device is used and installed in accordance with the manufacturer's requirements and specifications.**~~

## Page 5 of 17 - PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

### Building Code of Australia Compliance

4. Condition 5.1.3 is amended in the following manner.

*In accordance with the provisions of Clause numbers 94 and 143 of the Environmental Planning & Assessment Regulation, 200, Council has deemed the following must be provided to the building and detailed in the Construction Certificate plans:*

- a. *The balustrade serving the stairwell must be upgraded to comply with the requirements of Clause D2.16 of the BCA. The disabled toilet facility is to be upgraded to comply with AS 1428-2001 and Part D3 of the BCA. This will involve the improvement of the grab rails, toilet paper holder and clearance beneath the vanity.*
- b. *The hose reel shall be located to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.*



- c. The hose reel shall be relocated to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.
- d. The enclosure beneath the stairs needs a fire rated door in this location. Alternatively, the door may be removed and the opening may be bricked up.
- e. The first floor office area will need improved emergency lighting and exit signs to comply with AS 2293.
- ~~f. The ground floor offices shall be provided with a mechanical exhaust system complying with AS 1668.~~
- g. Artificial lighting is to be provided to the ground floor offices.
- h. The clean bin holding area is to be located at least 1m from the existing ground floor offices.

#### **Page 7 of 17 - DURING CONSTRUCTION (BUILDING)**

##### **Safety/Health/Amenity**

5. Condition 7.1.5 is added and reads as follows.

***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.***

#### **Page 10 of 17 - PRIOR TO OCCUPATION CERTIFICATE**

##### **Operations Management Plan**

6. Condition 8.4.1 is amended in the following manner.

*The applicant shall prepare and pay the full cost of an Operations Management & Monitoring Plan dealing with:*

- *Health and safety issues and measures in the event of any spillage or a bag being punctured;*
- *Proposals for monitoring of worker health (e.g. in the event of machinery function);*
- *General OH&S issues including workplace noise protection;*
- *Ongoing training and education of employees in safe work practices associated with working with clinical and quarantine waste;*
- ***Regular on-site inspection and preventative maintenance of the machinery to be used for the processing of the clinical and quarantine waste by the manufacturer's specialist or suitably qualified persons.***
- *Maintenance and upkeep of the required bonds to ensure their effectiveness; and*
- *Measures adopted to ensure full compliance with Condition 5 of OEH's General Terms of Approval. In this regard, the Operations Management Plan must demonstrate how cytotoxic waste, pharmaceutical waste, drug waste and medicine waste will continue to be eliminated from the process.*

*The Operations Management & Monitoring Plan is to be submitted to the Council for approval prior to any operations commencing on site.*

*All measures outlined in the Operations Management & Monitoring Plan are to be certified on an annual basis by an appropriately qualified environmental engineer. This is to include certification of the manufacturer's recommended maintenance regime, that all adopted health and safety procedures are still in place, and that the required binding is being maintained. A copy of the annual certification is to be lodged with Council each year for its information and record.*

## **Page 11 of 17 - PRIOR TO OCCUPATION CERTIFICATE**

### **Other Matters**

7. Condition 8.11.2 is added and reads as follows.

*The portable office on the ground floor located in the front setback of the subject site is to be removed prior to the release of the Occupation Certificate.*

## **Page 12 of 17 - OPERATIONAL (PLANNING)**

### **Access, Parking & Vehicles**

8. Condition 9.2.5 is hereby deleted.

The above amendments have been made pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 as amended. In doing so, Council is satisfied that the modified development is substantially the same as the development that was originally consented to and that no person shall be adversely affected by the amendment.

Please amend your copy of Notice of Determination No. 11-1642 accordingly and note that all other conditions remain unchanged and must be compiled with.

Should you require any further information regarding this matter, please contact Council's Town Planner Eddy Tran, on 9839 6000

Yours faithfully,



PAULINE DAW  
TEAM LEADER PLANNING APPROVALS (SOUTH)

## Relevant certification

ATTACHMENT 3



# CERTIFICATE OF PLANT DESIGN REGISTRATION

Occupational Health & Safety Act 2000  
Occupational Health & Safety Regulation 2001

ABN: 77 682 742 966  
Phone: (02) 4325 5498  
Fax: (02) 4325 5054

Registration No: PV 6-153790/11 ABN: 70077391541

Issue Date: 22/11/2011

Controller: MEDIVAC TECHNOLOGY PTY LTD  
Postal: PO BOX 656  
Address: BAULKHAM HILLS  
NSW 1755

Plant Type: Pressure Vessel Original

### Design Description:

Quality System	No
Hazard Level	C
Contents	Harmful
Chamber 1 Volume (l)	644
Chamber 1 Design Pressure (kPa)	-100 TO 350
Chamber 1 Temperature (°C)	148
Chamber 1 Fluid Type	Gas
Chamber 2 Volume (l)	21
Chamber 2 Design Pressure (kPa)	400
Chamber 2 Temperature (°C)	152
Chamber 2 Fluid Type	Gas
Drawing Number & Revisions	001.0000.00000 REV C
Pressure Vessel	Other
Other Type	STEAM JACKETED PRESSURE VESSEL

### CONDITIONS:

1. This registration applies only to the design described above which has been notified to WorkCover NSW in accordance with the OHS Regulation 2001.
2. The plant owner will require a copy of this certificate. A copy of this certificate must therefore be supplied to the manufacturer so that it can, in turn, be provided to the supplier and owner with the item of plant or equipment.
3. WorkCover NSW reserves the right to audit the registered design at any time to assess compliance with its Acts and Regulations. If an audit is undertaken, detailed information may be requested relating to the design of the plant. Design systems of work and documentation may also be audited. If an audit identifies non-compliance, all plant built to that design may require modification, and in some cases, may be prohibited from use.
4. This Registration is automatically invalidated if the design is altered to an extent that requires new measures to control risks. A person must not use, or cause or allow plant manufactured to the original design to be used at a workplace unless modification of the alteration, or the prescribed form, has been confirmed by WorkCover NSW.
5. The Registration Number should be quoted in all correspondence to WorkCover regarding this item. Any queries should be addressed to WorkCover's Licensing Unit.

Fee Paid: \$ 130.00

Receipt No: 09-2317

*making a difference*



## CERTIFICATE OF PLANT DESIGN REGISTRATION

Occupational Health & Safety Act 2000  
Occupational Health & Safety Regulation 2001

ABN: 77 682 742 966  
Phone: (02) 4321 5488  
Fax: (02) 4325 5084

Registration No: **BOIL 6-153791/11** ABN: 70077391541

Issue Date: **17/11/2011**

Controller: **MEDIVAC TECHNOLOGY PTY LTD**  
Postal: **PO BOX 856**  
Address: **BAULKHAM HILLS**  
**NSW 1755**

Plant Type: **Boiler Alteration**

### Design Description:

Hazard Level	B
Design Pressure (kPa)	1400
Volume (l)	78
Temperature (Co)	199
Drawing Number and Revisions	102.0601.00000 REV A
Boiler Type	Electric
The Boiler Produces?	Steam

### CONDITIONS:

1. This registration applies only to the design described above which has been notified to WorkCover NSW in accordance with the OHS Regulation 2001.
2. The plant owner will require a copy of this certificate. A copy of the certificate must therefore be supplied to the manufacturer so that it can, in turn, be provided to the supplier and owner with the item of plant or equipment.
3. WorkCover NSW reserves the right to audit the registered design at any time to ensure compliance with its Acts and Regulations. If an audit is undertaken, detailed information may be requested relating to the design of the plant. Design systems of work and documentation may also be audited. If an audit identifies non-compliance, all plant built to that design may require modifications, and in some cases, may be prohibited from use.
4. This Registration is automatically invalidated if the design is altered to an extent that requires new measures to control risks. A person must not use, or cause or allow plant manufactured to the original design to be used at a workplace unless notification of the alteration, on the prescribed form, has been confirmed by WorkCover NSW.
5. The Registration Number should be quoted in all correspondence to WorkCover regarding this item. Any queries should be addressed to WorkCover's Licensing Unit.

Fee Paid: \$ 130.00

Receipt No: 09-2317

*making a difference*

Mr Paul McPherson  
Executive Chairman  
Medivac Technology Pty Ltd  
Unit 8, Lot 1B Kleins Road  
NORTHMEAD NSW 2152

Ref: 020864

Dear Mr McPherson

## NSW HEALTH APPROVAL OF MEDIVAC TECHNOLOGY CLINICAL WASTE TREATMENT DEVICE

I write in response to your email request for documentation of the approval of the 'Medivac MetaMizer ML' with your current address details listed above.

This is to confirm that NSW Health issued an approval of the Medivac Technology Clinical Waste Treatment Device on 8 August 2002.

*This letter of approval states that the "Medivac Technology clinical waste treatment device which utilizes steam sterilization and a grinding process to reduce the bacterial and viral loads and spore loads of treated waste to levels of log 6 and log 4 respectively has been approved by the A/Director-General of NSW Health Department. The approval is for the treatment of certain types of clinical waste subject to conditions set out in schedule 1".*

In addition a letter was issued by NSW Health on 29 October 2004 advising that the Medivac MetaMizer ML is considered to be a "new model to extend to the range of clinical waste treatment devices manufactured by Medivac because it uses the same technology and therefore comes under the existing approval granted by the Director-General on 15 July 2002".

I hope this information is satisfactory.

Should you require any additional information in regard to the Medivac clinical waste treatment device approvals, please contact Ms Anne Ford A/Manager General Environmental Health on Tel (02) 9816 0225 or Email [anne.ford@doh.health.nsw.gov.au](mailto:anne.ford@doh.health.nsw.gov.au).

Yours sincerely



Professor Wayne Smith  
Director Environmental Health Branch  
27 November 2008

OUR FILE: 02/3864

Mark Butler  
Managing Director  
Medivac Technology Pty Ltd  
PO Box 478  
CASTLE HILL NSW 2154

Dear Mr Butler

**NSW HEALTH APPROVAL OF MEDIVAC TECHNOLOGY CLINICAL WASTE  
TREATMENT DEVICE**

Reference is made to your application for approval of the Medivac Technology clinical waste treatment device.

The Medivac Technology clinical waste treatment device which utilizes steam sterilization and a grinding process to reduce the bacterial and viral loads, and spore loads of treated waste to levels of log 6 and log 4 respectively has been approved by the A/Director-General of NSW Health Department. The approval is for the treatment of certain types of clinical waste subject to the conditions set out in Schedule 1.

The treated waste will need to be reclassified in accordance with EPA requirements before it can be disposed to landfill.

New systems or technologies that vary to this approval will need to be re-submitted for consideration.

If you would like to discuss the approval please contact Nicole Badger on 98160225 or email [nbadg@doh.health.nsw.gov.au](mailto:nbadg@doh.health.nsw.gov.au)

Yours faithfully,



Neil Shaw  
Manager, General Environmental Health





Joint Regional  
Planning Panels

## **SYDNEY WEST REGION JOINT REGIONAL PLANNING PANEL**

### **Agenda and Business Paper**

**To be held at 3.00 pm  
Thursday 12 April 2012**

**Blacktown City Council  
62 Flushcombe Road  
Blacktown**

#### **Panel Secretariat**

23-33 Bridge Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | T 02 9228 2060 | F 02 9228 2066 | E [jrppenquiry@jrpp.nsw.gov.au](mailto:jrppenquiry@jrpp.nsw.gov.au)

## Sydney West Region Joint Regional Planning Panel Meeting

### AGENDA

**12 April 2012**

**APOLOGIES**

**DECLARATIONS OF INTEREST**

**BUSINESS ITEMS**

*The following development applications are referred to the Sydney West Region Joint Regional Planning Panel for determination.*

Item No	Subject
1.	2011SYW095 – Blacktown, 11-1642, Waste Management Facility, Lot 14 DP 786328, H/N 9 Kenoma Place, Arndell Park





Civic Centre  
62 Flushcombe Rd  
BLACKTOWN

DX 8117  
BLACKTOWN 2148

Telephone: (02) 9839-6000 Fax: (02) 9831-1961  
Web [www.blacktown.nsw.gov.au](http://www.blacktown.nsw.gov.au)  
e-mail [council@blacktown.nsw.gov.au](mailto:council@blacktown.nsw.gov.au)

## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

### Environmental Planning and Assessment Act, 1979 (Section 81)

Applicant: **STIMSON CONSULTANT SERVICES PTY LIMITED**  
LEVEL 6 - 69 RESERVOIR STREET  
SURRY HILLS 2010

**Determination Number: 11-1642**

**DRAFT**

**Property Description:** LOT 14 DP786328, 9 KENOMA PLACE, ARNDELL PARK

**Development:** Use of an existing industrial premises and the associated offices as a "Waste Management Facility" for the handling and processing of a maximum of 650 tonnes of clinical and quarantine waste per year.

**Determination:** *Pursuant to Section 81 of the Act Council advises that the Development Application has been determined by:*

- GRANTING OF A CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGE(S)

**BY THE SYDNEY WEST JOINT REGIONAL PLANNING PANEL (JRPP)**

#### **Right of Appeal**

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of the consent authority a right of appeal to the Land and Environment Court. Section 97 does not apply to State significant development or development that has been subject to a Commission of Inquiry.

**Note:** This Consent is generally valid for a period of five years effective from the date of this Notice, unless specified otherwise by Sections 83 and 95 of the Act, or by conditions of this Consent.

**RON MOORE**  
**GENERAL MANAGER**

**Per** .....

**Date**

**1 ADVISORY NOTES**

**1.1 Terminology**

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

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 Section 109C of the Environmental Planning and Assessment Act 1979.

1.1.3 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

**1.2 Other Approvals**

1.2.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.2.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:

- (a) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan, and
- (b) demolition of any existing buildings and associated structures in accordance with the requirements of Council's Local Environmental Plan.

**1.3 Services**

1.3.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral 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 and stamped by a Sydney Water Corporation Limited

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

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.

- 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.

## **2 GENERAL**

### **2.1 Scope of Consent**

- 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.	Dated	Council's File Enclosure No.
Site Plan Sheet 3/4 Revision 2	15/09/11	54C
Floor Plan Sheet 1/5 Revision 3	22/12/11	84C
Plant Equipment Plan Sheet 2/4 Revision 2	15/09/11	54B

\* Unless modified by any condition of this consent.

- 2.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:

- Operation of a "waste management facility" for the handling and processing of clinical and quarantine waste.
- The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
- The processing of a maximum of 96 sulo bins of untreated waste each day.
- The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

- 2.3 The proposed development must comply at all time with the information contained within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011 (Enclosure 56A on Council's File JRPP-11-1642).
- 2.4 The proposed development is to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH) included at Attachment 1 of this consent.
- 2.5 An Environment Protection Licence (EPL) is required for the 'scheduled activity'. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.
- 2.6 The automated waste machine to be used for the processing of the clinical and quarantine waste, must be a Medivac MetaMizer. Medivac is to certify that the device supplied is in accordance with MediVac Technology Pty Limited's requirements and specifications.

**2.7 Suburb Name**

- 2.7.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: ARNDELL PARK

**3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

**3.1 DA Plan Consistency**

- 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

**3.2 DCP 2006**

- 3.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Development Control Plan 2006.

**4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

**4.1 Necessary Plan Amendments**

- 4.1.1 Amended scaled plans are required to show the dimensions of the 6 proposed car parking spaces in accordance with the Australian Standards.

**5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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**5.1 Building Code of Australia Compliance**

5.1.1 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 :

- (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).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

- (a) Sections D, E

5.1.3 In accordance with the provisions of Clause numbers 94 and 143 of the Environmental Planning and Assessment Regulation, 2000, Council's has deemed the following must be provided to the building and detailed in the Construction Certificate plans:

- a. The balustrade serving the stairwell must be upgraded to comply with the requirements of Clause D2.16 of the BCA.
- b. The disabled toilet facility is to be upgraded to comply with AS 1428 – 2001 and Part D3 of the BCA. This will involve the improvement of the grab rails, toilet paper holder and clearance beneath the vanity.
- c. The hose reel shall be relocated to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.
- d. The enclosure beneath the stairs needs a fire rated door in this location. Alternatively, the door may be removed and the opening may be bricked up.
- e. The first floor office area will need improved emergency lighting and exit signs to comply with AS 2293.
- f. The ground floor offices shall be provided with a mechanical exhaust system complying with AS 1668.
- g. Artificial lighting is to be provided to the ground floor offices.
- h. The clean bin holding area is to be located at least 1m from the existing ground floor offices.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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**6 PRIOR TO DEVELOPMENT WORKS**

**6.1 Safety/Health/Amenity**

- 6.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 6.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (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.

- 6.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

**6.2 Notification to Council**

- 6.2.1 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.

**7 DURING CONSTRUCTION (BUILDING)**

**7.1 Safety/Health/Amenity**

- 7.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

- 7.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

- 7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

- 7.1.4 The bin wash bay is to bunded/graded so as to direct water/waste to a collection pit, which then discharges to the Sydney Water sewer system, in accordance with the requirements of Sydney Water.

**7.2 Building Code of Australia Compliance**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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- 7.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

**7.3 Nuisance Control**

- 7.3.1 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.

- 7.3.2 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.

- 7.3.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

**7.4 Waste Control**

- 7.4.1 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.

- 7.4.2 The bin wash is to be bunded/graded so as to direct water/waste to a collection pit to Sydney Water Corporation sewer.

**7.5 Construction Inspections**

- 7.5.1 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) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and
- (d) 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
- (e) 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

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(f) Prior to covering any stormwater drainage connections; and

(g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection “(g)” 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.

## **8 PRIOR TO OCCUPATION CERTIFICATE**

### **8.1 Road Damage**

8.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

### **8.2 Compliance with Conditions**

8.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, including the General Terms of Approval (GTA's) of the Office of Environment and Heritage (OEH). The use or occupation of the development prior to compliance with all conditions of consent, other than “Operational” conditions, may render the applicant/developer liable to legal proceedings.

8.2.2 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.

### **8.3 Environment Protection Licence**

8.3.1 As the premises is a “Scheduled Premises” within the meaning of the Protection of the Environment Operations Act 1997, an Environment Protection Licence (EPL) shall be obtained from the OEH before operations on site can be commenced. A copy of the licence shall be submitted to Council. Note: The clinical waste treatment process will need to be approved in writing by the Director-General of the Department of Health before the EPL can be issued. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.

8.3.2 In accordance with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH), the proponent shall install appropriate air pollution

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control system/s to ensure that all air emissions including gases, vapours and particulates from the process, plant and premises are maintained at acceptable levels and these emissions are monitored correctly and regularly.

#### **8.4 Operations Management Plan**

8.4.1 The applicant shall prepare and pay the full cost of an Operations Management & Monitoring Plan dealing with:

- Health and safety issues and measures in the event of any spillage or a bag being punctured;
- Proposals for monitoring of worker health (e.g. in the event of machinery malfunction);
- General OH&S issues including workplace noise protection;
- Ongoing training and education of employees in safe work practices associated with working with clinical and quarantine waste;
- Regular on-site inspection and preventative maintenance of the automated waste machine (i.e. Medivac MetaMizer) by MediVac or a suitably qualified engineer;
- Maintenance and upkeep of the required bunds to ensure their effectiveness; and
- Measures adopted to ensure full compliance with condition 5 of OEH's General Terms of Approval. In this regard, the Operations Management Plan must demonstrate how cytotoxic waste, pharmaceutical waste, drug waste and medicine waste will continue to be eliminated from the process.

The Operations Management & Monitoring Plan is to be submitted to the Council for approval prior to any operations commencing on site.

Note: All measures outlined in the Operations Management & Monitoring Plan are to be certified on an annual basis by an appropriately qualified environmental engineer. This is to include certification of the manufacturer's recommended maintenance regime, that all adopted health and safety procedures are still in place, and that the required bunding is being maintained. A copy of the annual certification is to be lodged with Council each year for its information and record.

#### **8.5 ~~Wastewater Management Plan~~**

8.5.1 ~~The applicant shall prepare a Wastewater Management Plan which details the bunding in place, location of spill kits and mitigation responses to a possible water contamination event.~~

~~The Wastewater Management Plan is to be submitted to the Council for approval prior to any operations commencing on site.~~

#### **8.6 Car Parking**

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 8.6.1 A minimum of 6 car parking spaces are to be provided on site. All car parking spaces are to be line marked and sealed with a hard standing all weather material.
- 8.6.2 The 6 designated car parking spaces are to be signposted as "rear to kerb' parking.
- 8.6.3 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 8.6.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 8.6.5 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

**8.7 Service Authorities**

- 8.7.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.
- 8.7.2 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

**8.8 Landscaping**

- 8.8.1 The front setback area is to be suitability landscaped to the satisfaction of Council.

**8.9 Temporary Facilities Removal**

- 8.9.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 8.9.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

**8.10 Fire Safety Certificate**

- 8.10.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

**8.11 Emergency Procedures**

- 8.11.1 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

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times to the satisfaction of Council.

**8.12 Other Matters**

- 8.12.1 Appropriate signage is to be erected advising that access by the general public into any restricted areas of the building is prohibited.

**8.13 Environmental Management**

- 8.13.1 All entrances and exits to the building are to be bunded.
- 8.13.2 All floors within the factory shall be sealed to enable containment of spills/leaks.

**9 OPERATIONAL (PLANNING)**

- 9.1 A copy of the certification required by Condition 8.4.1 of this consent is to be lodged annually with Council for its information and record.

**9.2 Access, Parking & Vehicles**

- 9.2.1 All 6 required off-street car parking spaces are to be line marked and internal driveways are to be sealed and shall be maintained to a standard suitable for the intended purpose.
- 9.2.2 Vehicles associated with the activity are to park within the 6 designated car parking spaces (4 spaces for staff and 2 for visitors) and are to park rear to kerb, and enter and leave the site in a forward direction.
- 9.2.3 All loading and unloading operations shall take place at all times wholly within the confines of the industrial building within the designated loading/unloading area. In this regard, all waste materials must be handled, loaded and unloaded within the bunded area within the building at all times. No authorisation is given for the loading or unloading within the driveway or parking areas.
- 9.2.4 The internal designated loading/unloading area is to remain clear of any obstructions (particularly stored bins) at all times to ensure that all loading and unloading takes place wholly within the designated area.
- 9.2.5 The portable ground floor office must not impact on the operations of the business at any time, including designated loading/unloading area.
- 9.2.6 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 9.2.7 All vehicles must enter and leave the site in a forward direction at all times
- 9.2.8 ~~All drivers must be sub-contracted. As such, a~~ All vehicles must be cleaned, maintained and stored off site.

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**9.3      Retailing Restrictions**

- 9.3.1      This consent does not authorise the sale or display of goods for retail to the general public.

**9.4      General**

- 9.4.1      No goods, materials, or trade waste (including the specially marked sulo bins) shall be stored at any time outside the building on either the internal vehicular driveway, car parking areas, landscaping or footpath areas. The bins must be located inside the ~~premises~~ building at all times to ensure there is no impact of the availability of on-site parking.
- 9.4.2      No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 9.4.3      Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 9.4.4      If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 9.4.5      Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9.4.6      Access to the fire extinguishers shall be kept clear at all times.
- 9.4.7      Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 9.4.8      The hours of operation of the development 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:          7am to 7pm, Monday to Saturday.

No work is permitted on Sundays or Public Holidays.

Should Council receive justified complaints that the waste management facility is operating outside these hours, or is causing noise and disturbance to the adjoining uses then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.

- 9.4.9      The applicant is to comply at all times with the requirements of the Dangerous Goods Code in relation to the transportation and handling of all specially marked

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bins.

- 9.4.10 Access by the general public into any restricted areas of the building is to be prohibited and this is to be made clear by the use of signage.
- 9.4.11 All faults relating to utility services are to be repaired or replaced immediately. Where repairs or placement is not possible the asset owner should be informed of the fault.
- 9.4.12 The front setback area is to be suitably landscaped and suitably maintained at all times.

**9.5 Use of Premises**

- 9.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 9.5.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:
- Operation of a “waste management facility” for the handling and processing of clinical and quarantine waste.
  - The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
  - The processing of a maximum of 96 sulo bins of untreated waste each day.
  - The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

- 9.5.3 All waste within the specially marked bins is to be processed on the same day it is delivered to the premises.
- 9.5.4 At no time is untreated waste to be stored at the premises overnight.
- 9.5.5 The proposed operations are to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH). A copy of the GTA's are included at Attachment 1 of this consent.
- ~~9.5.6 The proposed development must comply at all time with the recommendations detailed within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011.~~
- ~~9.5.7 The controls, management methods and health and safety measures indicated within~~

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~~the EIS to reduce risks associated with the proposed operations and mitigate the risk of contamination, are to be complied with at all times while the facility is in operation.~~

**9.6 Ongoing Monitoring**

9.6.1 The following requirements shall be complied with:

- (a) Any change in ownership or legal entity will require a new trade waste consent from Sydney Water Corporation;
- (b) Maintain a wastewater management plan; and
- (c) Provide and maintain recovery equipment for the site.

**9.7 Monitoring Management**

9.7.1 The following requirements shall be complied with:

- Compliance with Sydney Water Corporation – 21 Day waste water sampling regime and targets;
- Concise recording/documentation of trade waste water results;
- Communication with all regulatory authorities of target values to reach;
- Compliance with routine inspections detailed by regulatory authorities;
- Daily recording of waste water discharged into the sewer; and
- In the event of machinery malfunction compliance with the approved waste water management plan is required.

**10 OPERATIONAL (ENVIRONMENTAL HEALTH)**

**10.1 Environmental Management**

10.1.1 No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.

10.1.2 All bunded areas shall be maintained in such condition to ensure that all spillage or leakage is retained within the bund, until disposed of by means that do not pollute waters or land. This includes the provision of portable bunding for use in any potential emergency to prevent contamination discharging into Council's stormwater system.

10.1.3 All entrances and exits to the building are to be bunded.

10.1.4 The proposed bin wash station is to be bunded and connected to the Sydney Water Sewage System. The Applicant will be required to obtain a Sydney Water Corporation (SWC) trade waste agreement to permit the discharge of wash-down from the bins into the Sydney Water sewage system.

These conditions are imposed for the following reasons:

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- 10.1.5 Bunding is to be designed and installed in accordance with:
- NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation;
  - NSW Department of Environment and Conservation publication Environmental Action for Service Stations;
  - Australian Standard 1940-2004: 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.
- 10.1.6 All gases, odours, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected and discharged in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 10.1.7 The approved Operations Management Plan shall be implemented to ensure the applicant monitors the potential discharge of pollutants.
- 10.1.8 All materials associated with the use of the site, including empty bins, shall be stored within the building.
- 10.1.9 The approved Waste Management Plan shall be implemented.
- 10.1.10 The proposed operations must not exceed 5dBA above background noise levels at the property boundaries in accordance with the EPA's Industrial Noise Policy.
- 10.1.11 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 EPA's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 10.1.12 Mandatory water restrictions apply to all Sydney Water customers including businesses. Should the activities carried out on the premises require an exemption the proprietor of the business shall obtain an exemption permit from Sydney Water and a copy of the permit shall be submitted to Council.
- 10.1.13 Sufficient supplies of appropriate absorbent materials and/or other appropriate spill clean up 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.

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- 10.1.14 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.
- 10.1.15 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.
- 10.1.16 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.
- 10.1.17 No wash/hose down of vehicles is permitted at all on the site.
- 10.1.18 All waste shall be stored suitably and disposed of by an appropriate waste contractor. Under no circumstances is waste from the activity to be disposed of through Council's waste collection services.
- 10.1.19 The proposed operations must comply at all times with the requirements of NSW Workcover.
- 10.1.21 No chemicals (except domestic cleaning products) are to be kept on the subject site as part of the development.
- 10.1.22 The storage and handling of liquids associated with activities on the premises is to be carried out in accordance with the requirements of;
- NSW Workcover
  - NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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## 1 ADVISORY NOTES

### 1.1 Terminology

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 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 Section 109C of the Environmental Planning and Assessment Act 1979.
- 1.1.3 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

### 1.2 Other Approvals

- 1.2.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.2.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:
- (a) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan, and
  - (b) demolition of any existing buildings and associated structures in accordance with the requirements of Council's Local Environmental Plan.

### 1.3 Services

- 1.3.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral 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 and stamped by a Sydney Water Corporation Limited

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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.

- 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.

## **2 GENERAL**

### **2.1 Scope of Consent**

- 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.	Dated	Council's File Enclosure No.
Site Plan Sheet 3/4 Revision 2	15/09/11	54C
Floor Plan Sheet 1/5 Revision 3	22/12/11	84C
Plant Equipment Plan Sheet 2/4 Revision 2	15/09/11	54B

\* Unless modified by any condition of this consent.

- 2.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:

- Operation of a "waste management facility" for the handling and processing of clinical and quarantine waste.
- The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
- The processing of a maximum of 96 sulo bins of untreated waste each day.
- The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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- 2.3 The proposed development must comply at all time with the information contained within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011 (Enclosure 56A on Council's File JRPP-11-1642).
- 2.4 The proposed development is to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH) included at Attachment 1 of this consent.
- 2.5 An Environment Protection Licence (EPL) is required for the 'scheduled activity'. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.

**2.6 Suburb Name**

- 2.6.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: ARNDELL PARK

**3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

**3.1 DA Plan Consistency**

- 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

**3.2 DCP 2006**

- 3.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Development Control Plan 2006.

**4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

**4.1 Necessary Plan Amendments**

- 4.1.1 Amended scaled plans are required to show the dimensions of the 6 proposed car parking spaces in accordance with the Australian Standards.

**5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

**5.1 Building Code of Australia Compliance**

- 5.1.1 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

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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 :

- (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).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

- (a) Sections D, E

5.1.3 In accordance with the provisions of Clause numbers 94 and 143 of the Environmental Planning and Assessment Regulation, 2000, Council's has deemed the following must be provided to the building and detailed in the Construction Certificate plans:

- a. The balustrade serving the stairwell must be upgraded to comply with the requirements of Clause D2.16 of the BCA.
- b. The disabled toilet facility is to be upgraded to comply with AS 1428 – 2001 and Part D3 of the BCA. This will involve the improvement of the grab rails, toilet paper holder and clearance beneath the vanity.
- c. The hose reel shall be relocated to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.
- d. The enclosure beneath the stairs needs a fire rated door in this location. Alternatively, the door may be removed and the opening may be bricked up.
- e. The first floor office area will need improved emergency lighting and exit signs to comply with AS 2293.
- f. The ground floor offices shall be provided with a mechanical exhaust system complying with AS 1668.
- g. Artificial lighting is to be provided to the ground floor offices.
- h. The clean bin holding area is to be located at least 1m from the existing ground floor offices.

## **6 PRIOR TO DEVELOPMENT WORKS**

### **6.1 Safety/Health/Amenity**

6.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20

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persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

6.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (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.

6.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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**6.2 Notification to Council**

- 6.2.1 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.

**7 DURING CONSTRUCTION (BUILDING)**

**7.1 Safety/Health/Amenity**

- 7.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

- 7.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

- 7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

- 7.1.4 The bin wash bay is to be bunded/graded so as to direct water/waste to a collection pit, which then discharges to the Sydney Water sewer system, in accordance with the requirements of Sydney Water.

**7.2 Building Code of Australia Compliance**

- 7.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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**7.3 Nuisance Control**

- 7.3.1 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.
- 7.3.2 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.
- 7.3.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

**7.4 Waste Control**

- 7.4.1 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.
- 7.4.2 The bin wash is to be bunded/graded so as to direct water/waste to a collection pit to Sydney Water Corporation sewer.

**7.5 Construction Inspections**

- 7.5.1 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) At the commencement of the building work; and
  - (b) After excavation for, and prior to placement of, any footings; and
  - (c) Prior to pouring any in-situ reinforced concrete building element; and
  - (d) 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
  - (e) 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
  - (f) Prior to covering any stormwater drainage connections; and
  - (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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The critical stage inspection "(g)" 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.

**8 PRIOR TO OCCUPATION CERTIFICATE**

**8.1 Road Damage**

- 8.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

**8.2 Compliance with Conditions**

- 8.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, including the General Terms of Approval (GTA's) of the Office of Environment and Heritage (OEH). The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 8.2.2 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.

**8.3 Environment Protection Licence**

- 8.3.1 Where the premises is a "Scheduled Premises" within the meaning of the Protection of the Environment Operations Act 1997, an Environment Protection Licence (EPL) shall be obtained from the OEH before operations on site can be commenced. A copy of the licence shall be submitted to Council. Note: The clinical waste treatment process will need to be approved in writing by the Director-General of the Department of Health before the EPL can be issued. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.
- 8.3.2 In accordance with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH), the proponent shall install appropriate air pollution control system/s to ensure that all air emissions including gases, vapours and particulates from the process, plant and premises are maintained at acceptable levels and these emissions are monitored correctly and regularly.

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#### 8.4 Operations Management Plan

8.4.1 The applicant shall prepare and pay the full cost of an Operations Management & Monitoring Plan dealing with:

- Health and safety issues and measures in the event of any spillage or a bag being punctured;
- Proposals for monitoring of worker health (e.g. in the event of machinery malfunction);
- General OH&S issues including workplace noise protection; and
- Ongoing training and education of employees in safe work practices associated with working with clinical and quarantine waste.

The Operations Management & Monitoring Plan is to be submitted to the Council for approval prior to any operations commencing on site.

#### 8.5 Wastewater Management Plan

8.5.1 The applicant shall prepare a Wastewater Management Plan which details the bunding in place, location of spill kits and mitigation responses to a possible water contamination event.

The Wastewater Management Plan is to be submitted to the Council for approval prior to any operations commencing on site.

#### 8.6 Car Parking

8.6.1 A minimum of 6 car parking spaces are to be provided on site. All car parking spaces are to be line marked and sealed with a hard standing all weather material.

8.6.2 The 6 designated car parking spaces are to be signposted as "rear to kerb" parking.

8.6.3 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

8.6.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

8.6.5 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

#### 8.7 Service Authorities

8.7.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

8.7.2 A final written clearance shall be obtained from Sydney Water Corporation,

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Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

**8.8 Landscaping**

8.8.1 The front setback area is to be suitably landscaped to the satisfaction of Council.

**8.9 Temporary Facilities Removal**

8.9.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

8.9.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

**8.10 Fire Safety Certificate**

8.10.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

**8.11 Emergency Procedures**

8.11.1 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.

**8.12 Other Matters**

8.12.1 Appropriate signage is to be erected advising that access by the general public into any restricted areas of the building is prohibited.

**8.13 Environmental Management**

8.13.1 All entrances and exits to the building are to be bunded.

8.13.2 All floors within the factory shall be sealed to enable containment of spills/leaks.

**9 OPERATIONAL (PLANNING)**

**9.1 Access, Parking & Vehicles**

9.1.1 All 6 required off-street car parking spaces are to be line marked and internal driveways are to be sealed and shall be maintained to a standard suitable for the intended purpose.

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 9.1.2 Vehicles associated with the activity are to park within the 6 designated car parking spaces (4 spaces for staff and 2 for visitors) and are to park rear to kerb, and enter and leave the site in a forward direction.
- 9.1.3 All loading and unloading operations shall take place at all times wholly within the confines of the industrial building within the designated loading/unloading area. In this regard, all waste materials must be handled, loaded and unloaded within the bunded area within the building at all times. No authorisation is given for the loading or unloading within the driveway or parking areas.
- 9.1.4 The internal designated loading/unloading area is to remain clear of any obstructions (particularly stored bins) at all times to ensure that all loading and unloading takes place wholly within the designated area.
- 9.1.5 The portable ground floor office must not impact on the operations of the business at any time, including designated loading/unloading area.
- 9.1.6 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 9.1.7 All vehicles must enter and leave the site in a forward direction at all times
- 9.1.8 All drivers must be sub-contracted. As such, all vehicles must be cleaned, maintained and stored off site.

**9.2 Retailing Restrictions**

- 9.2.1 This consent does not authorise the sale or display of goods for retail to the general public.

**9.3 General**

- 9.3.1 No goods, materials, or trade waste (including the specially marked sulo bins) shall be stored at any time outside the building on either the internal vehicular driveway, car parking areas, landscaping or footpath areas. The bins must be located inside the premises at all times to ensure there is no impact of the availability of on-site parking.
- 9.3.2 No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 9.3.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 9.3.4 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 9.3.5 Should an intruder alarm be installed on the land it shall be fitted with a timing

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device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

- 9.3.6 Access to the fire extinguishers shall be kept clear at all times.
- 9.3.7 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 9.3.8 The hours of operation of the development 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: 7am to 7pm, Monday to Saturday.

No work is permitted on Sundays or Public Holidays.

Should Council receive justified complaints that the waste management facility is operating outside these hours, or is causing noise and disturbance to the adjoining uses then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.

- 9.3.9 The applicant is to comply at all times with the requirements of the Dangerous Goods Code in relation to the transportation and handling of all specially marked bins.
- 9.3.10 Access by the general public into any restricted areas of the building is to be prohibited and this is to be made clear by the use of signage.
- 9.3.11 All faults relating to utility services are to be repaired or replaced immediately. Where repairs or placement is not possible the asset owner should be informed of the fault.
- 9.3.12 The front setback area is to be suitably landscaped and suitably maintained at all times.

#### 9.4 Use of Premises

- 9.4.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 9.4.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:
- Operation of a "waste management facility" for the handling and processing of clinical and quarantine waste.
  - The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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at any one time.

- The processing of a maximum of 96 sulo bins of untreated waste each day.
- The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

9.4.3 All waste within the specially marked bins is to be processed on the same day it is delivered to the premises.

9.4.4 At no time is untreated waste to be stored at the premises overnight.

9.4.5 The proposed operations are to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH). A copy of the GTA's are included at Attachment 1 of this consent.

9.4.6 The proposed development must comply at all time with the recommendations detailed within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011.

9.4.7 The controls, management methods and health and safety measures indicated within the EIS to reduce risks associated with the proposed operations and mitigate the risk of contamination, are to be complied with at all times while the facility is in operation.

## **9.5 Ongoing Monitoring**

9.5.1 The following requirements shall be complied with:

- (a) Any change in ownership or legal entity will require a new trade waste consent from Sydney Water Corporation;
- (b) Maintain a wastewater management plan; and
- (c) Provide and maintain recovery equipment for the site.

## **9.6 Monitoring Management**

9.6.1 The following requirements shall be complied with:

- Compliance with Sydney Water Corporation – 21 Day waste water sampling regime and targets;
- Concise recording/documentation of trade waste water results;
- Communication with all regulatory authorities of target values to reach;
- Compliance with routine inspections detailed by regulatory authorities;

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- Daily recording of waste water discharged into the sewer; and
- In the event of machinery malfunction compliance with the approved waste water management plan is required.

**10 OPERATIONAL (ENVIRONMENTAL HEALTH)**

**10.1 Environmental Management**

- 10.1.1 No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.
- 10.1.2 All bunded areas shall be maintained in such condition to ensure that all spillage or leakage is retained within the bund, until disposed of by means that do not pollute waters or land. This includes the provision of portable bunding for use in any potential emergency to prevent contamination discharging into Council's stormwater system.
- 10.1.3 All entrances and exits to the building are to be bunded.
- 10.1.4 The proposed bin wash station is to be bunded and connected to the Sydney Water Sewage System. The Applicant will be required to obtain a Sydney Water Corporation (SWC) trade waste agreement to permit the discharge of wash-down from the bins into the Sydney Water sewage system.
- 10.1.5 Bunding is to be designed and installed in accordance with:
- NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation;
  - NSW Department of Environment and Conservation publication Environmental Action for Service Stations;
  - Australian Standard 1940-2004: 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.
- 10.1.6 All gases, odours, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected and discharged in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 10.1.7 The approved Operations Management Plan shall be implemented to ensure the applicant monitors the potential discharge of pollutants.
- 10.1.8 All materials associated with the use of the site, including empty bins, shall be stored within the building.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

**RON MOORE**  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

- 10.1.9 The approved Waste Management Plan shall be implemented.
- 10.1.10 The proposed operations must not exceed 5dBA above background noise levels at the property boundaries in accordance with the EPA's Industrial Noise Policy.
- 10.1.11 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 EPA's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 10.1.12 Mandatory water restrictions apply to all Sydney Water customers including businesses. Should the activities carried out on the premises require an exemption the proprietor of the business shall obtain an exemption permit from Sydney Water and a copy of the permit shall be submitted to Council.
- 10.1.13 Sufficient supplies of appropriate absorbent materials and/or other appropriate spill clean up 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.
- 10.1.14 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.
- 10.1.15 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.
- 10.1.16 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.
- 10.1.17 No wash/hose down of vehicles is permitted at all on the site.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

**RON MOORE**  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council



- 10.1.18 All waste shall be stored suitably and disposed of by an appropriate waste contractor. Under no circumstances is waste from the activity to be disposed of through Council's waste collection services.
- 10.1.19 The proposed operations must comply at all times with the requirements of NSW Workcover.
- 10.1.21 No chemicals (except domestic cleaning products) are to be kept on the subject site as part of the development.
- 10.1.22 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 NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - o NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

**RON MOORE**  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

## Attachment A

### **General Terms of Approval Use of Premises for Quarantine Waste and Clinical Waste Treatment Lot 14 DP 786328, No 9 Kenoma Place, Arndell Park NSW 2148.**

#### Background

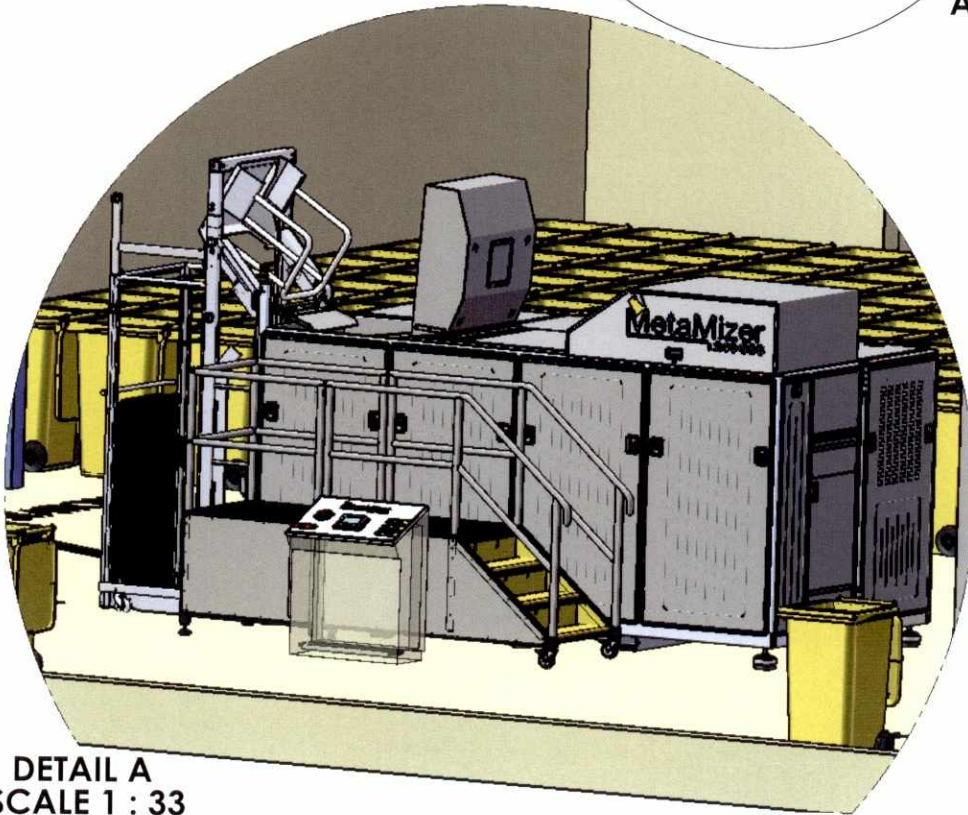
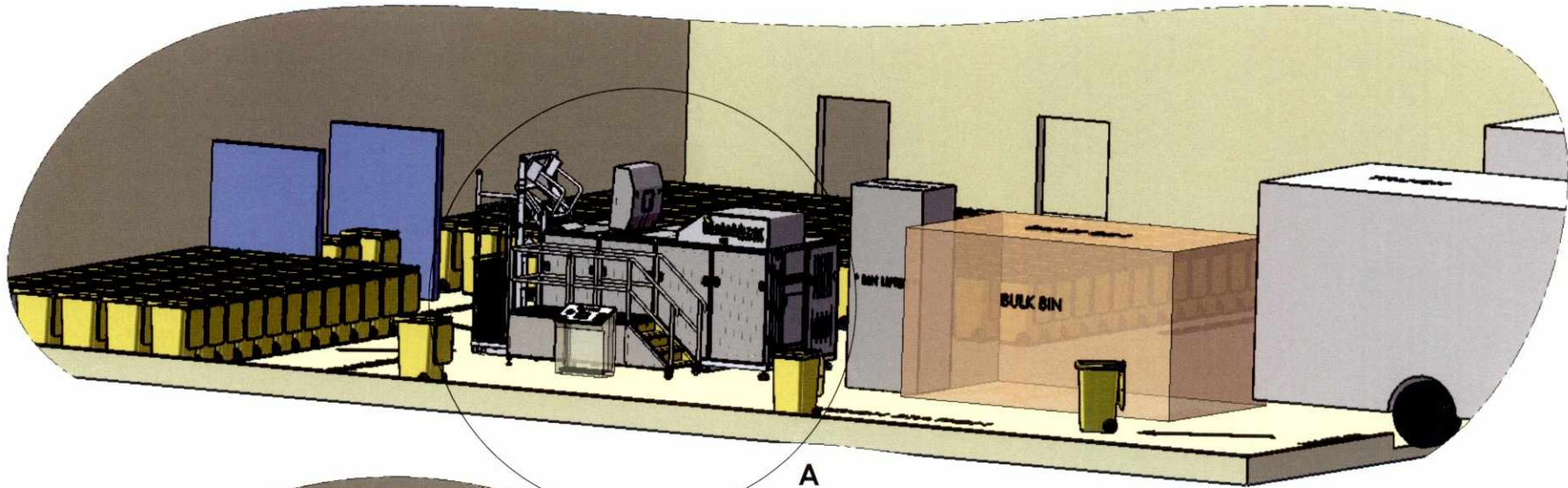
State Waste Services (NSW) Pty Ltd currently holds an environment protection licence to transport category 1 trackable waste and category 2 trackable waste in NSW.

State Waste Services (NSW) Pty Ltd proposes to treat clinical waste at 9 Kenoma Place, Arndell Park NSW. The proposed treatment involves shredding clinical waste into <1cm<sup>2</sup> pieces and steam-sterilising it. Clinical waste that may be allowed to be treated at the premises exclude cytotoxic waste, pharmaceutical waste, drug waste or medicine waste.



#### Recommendations/General Terms of Approval

1. The proponent must comply with section 120 of the Protection of the Environment Operations Act 1997.  
*Section 120 of the Protection of the Environment Operations Act 1997 prohibits the pollution of waters.*
2. The proponent must comply with section 129 of the Protection of the Environment Operations Act 1997.  
*Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any offensive odour from the premises.*
3. The proponent shall install appropriate air pollution control system to ensure that all air emissions including gases, vapours and particulates from the process, plant and premises are maintained at acceptable levels and these emissions are monitored correctly and regularly.
4. The proponent must ensure that the proposed clinical waste treatment is approved in writing by the Director-General of the Department of Health before the treatment of clinical waste can be commenced.
5. The proponent must ensure that clinical waste treated at the premises does not include cytotoxic waste, pharmaceutical waste, drug waste or medicine waste.
6. The proponent must ensure that the storage of quarantine waste and clinical waste at the premises must be conducted in an efficient and appropriate manner.
7. The applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted under the *Protection of the Environment Operations Act 1997* and Environment Protection Licence.

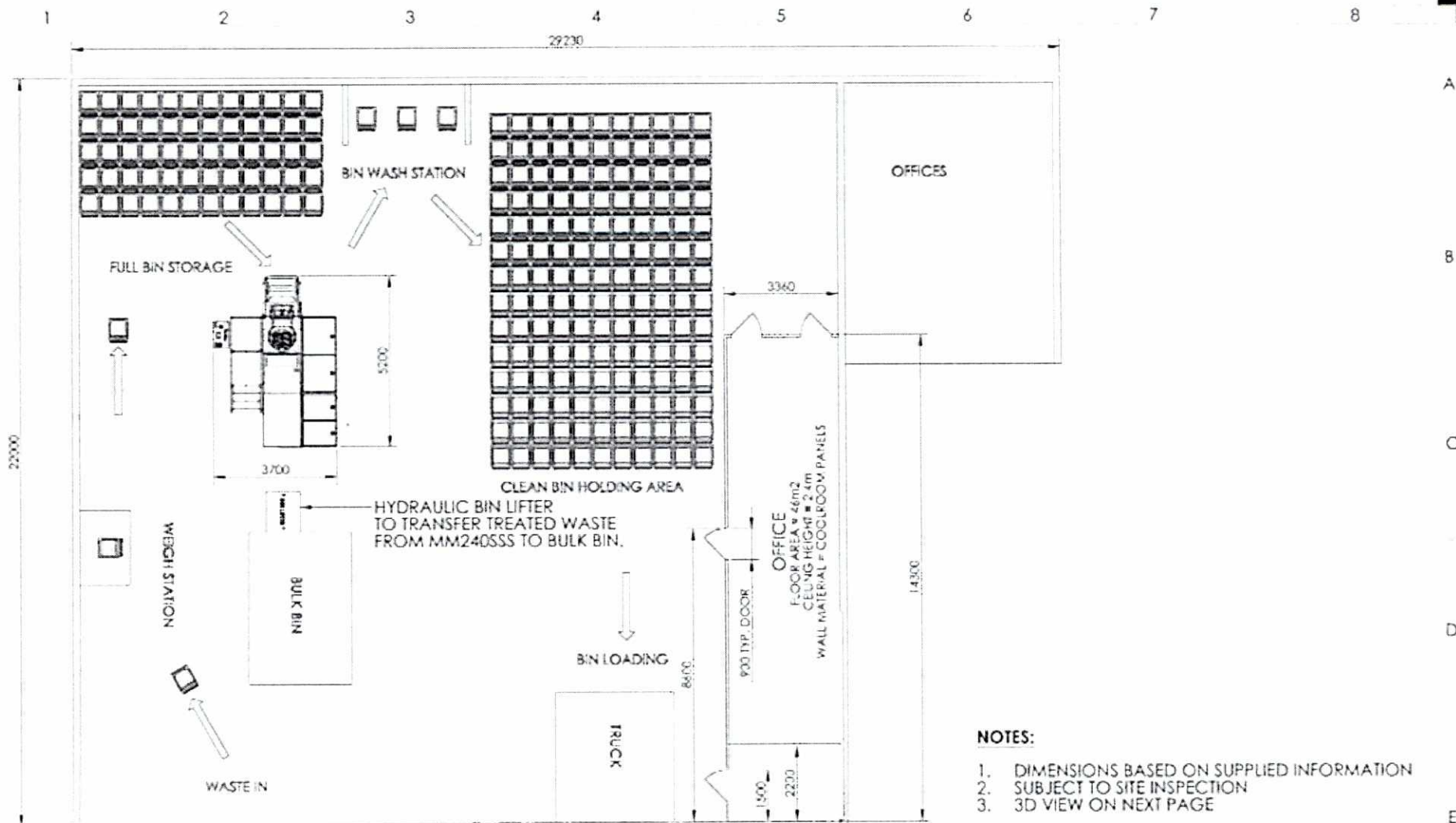
8. The proponent must ensure that all waste materials are handled, loaded or unloaded and stored within bunded area and within the building at all times.
9. All container cleaning and ancillary processes must be carried out wholly within the building and within bunded area.
10. All processes including segregation, consolidation, bulking, compacting or treatment must be carried out wholly within the building and within a bunded area.
11. The proponent must ensure that all liquid materials including chemicals, fuels, oils and waste materials are stored under cover in a designated impervious bund that contains 110% of the volume of the largest container contained within the bund.
12. The bunded area (floor and walls) must be impervious to the liquid(s) handled or stored in the bunded area. The bunded area(s) must also comply with the following requirements:
- (a) The bund floor must be graded to a blind sump located within the bunded area to facilitate removal of liquids;
  - (b) The bund must not contain drain valves;
  - (c) All pipe-work must go over bund walls, not through them;
  - (d) Hose couplings for filling/emptying containers/tanks must be located within the bunded area; and
  - (e) Stormwater must be diverted away from bunded area.
13. Licensed activities must be carried out in a competent manner. This includes:
- (a) processing; handling, movement and storage of materials and substances used to carry out the activity; and
  - (b) treatment, storage, processing, transport and disposal of waste.
14. All plant and equipment installed at the Premises or used in connection with the licensed activity :
- (a) must be maintained in a proper and efficient condition; and
  - (b) must be operated in a proper and efficient manner.
15. All waste at the Premises must be classified in accordance with the Office of Environment and Heritage's *Waste Classification Guidelines, 2008*.
16. All operations and activities occurring at the Premises must be conducted in a manner that will not cause offensive noise.
17. All tanks, drums, and other containers containing materials likely to cause environmental harm, must be under cover in a bunded area.
18. Any spills and leaks of wastes or other substances likely to cause environmental harm must be cleaned up immediately.
19. The OEHL may impose a financial assurance in respect of the premises pursuant to part 9.4 *Protection of the Environment Operations Act 1997*.



**DETAIL A**  
**SCALE 1 : 33**

<b>DO NOT SCALE</b> Dimensions in: mm Angles in: degrees Weights in: kg Dimensioning: AS1100				Projection Angle: 		 technology <b>medivac</b> Cleaner. Safer. Clinical Waste Solutions		MedivacTechnologies Pty Ltd ABN 70 077 391 541 3 Binney Rd Kings Park, NSW 2148, Australia P: +61 (0)2 9630 0633 F: +61 (0)2 9630 0533 www.medivac.com.au			
Legend: f=fine m=medium c=coarse v=v.coarse				Weight: 2064613.6		Last saved: 15/09/2011		Material: N/A		Title: <b>METAMISER MM240SSS</b> <b>KENOMA PL, ARNDELL PARK.</b>	
<b>TOLERANCE TABLE: ISO 2768-1</b> >2000 up to 4000    -    ±2    ±4    ±8 >1000 to 2000    ±0.5    ±1.2    ±3    ±6 >400 to 1000    ±0.3    ±0.8    ±2    ±4 >120 to 400    ±0.2    ±0.5    ±1.2    ±2.5 >30 to 120    ±0.15    ±0.3    ±0.8    ±1.5 >6.0 to 30    ±0.1    ±0.2    ±0.5    ±1 >3.0 to 6.0    ±0.05    ±0.1    ±0.3    ±0.5 0.5 to 3.0    ±0.05    ±0.1    ±0.2    - Dimension range   f   m   c   v				DRAWN P.K.		31/05/2011		Gen. Tolerance: <b>ISO 2768-1 (c)</b>		Doc Type:    ASSEMBLY Desc'n:    ASSEMBLY DRAWING Scale:    1:66	
				CHECKED A.D.		15/09/2011		Roughness: <b>Ra 3.2 U.N.O.</b> Treatment: <b>NONE</b> Finish: <b>NONE</b>		Sheet:    2/4 Revision:    -.02 <b>9 KENOMA PL</b> <b>A3</b>	
				DESIGN -		-					
				ENGINEER -		-					
5				6		7		8			





# NOTES:

1. DIMENSIONS BASED ON SUPPLIED INFORMATION
2. SUBJECT TO SITE INSPECTION
3. 3D VIEW ON NEXT PAGE

## DO NOT SCALE

Dimensions in mm  
Angles in Degrees  
Weights in kg  
Dimensions AS1100

Legend: 1/16" = 1mm

TOLERANCE TABLE ISO 2768-1			
Feature	Max. Size	Min. Size	Max. Size
Linear	±0.10	±0.05	±0.05
Angular	±0.10	±0.05	±0.05
Form	±0.10	±0.05	±0.05
Position	±0.10	±0.05	±0.05
Surface Finish	1.6	0.8	0.4

Project No.

Rev. No.

Rev. Date

Rev. Description

Rev. Author

Rev. Checker

Rev. Approver

Rev. Date

Rev. Description

Rev. Author

Rev. Checker

Rev. Approver

Rev. Date

Rev. Description

Rev. Author

Rev. Checker

Rev. Approver

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Medivac Technologies Pty Ltd ABN 70 077 391 541

3 Blythe Rd

King Park, NSW 2148

Australia

www.medivac.com.au

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METAMISER MM240SSS

KENOMA PL, ARNDELL PARK.

Doc Type

ASSEMBLY

Design

ASSEMBLY DRAWING

Scale

1:100

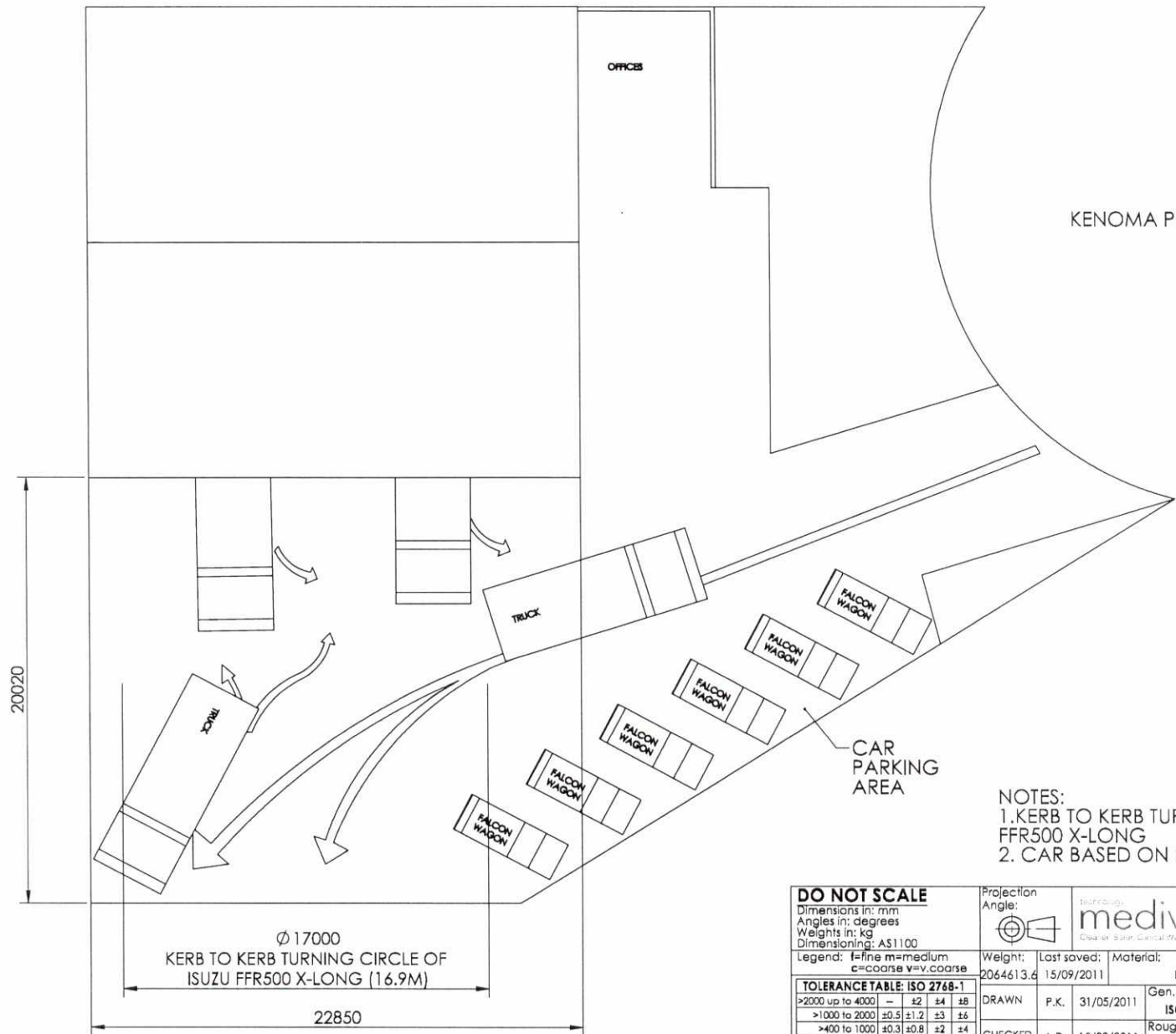
9 KENOMA PL

1/5

Revisions

-.03

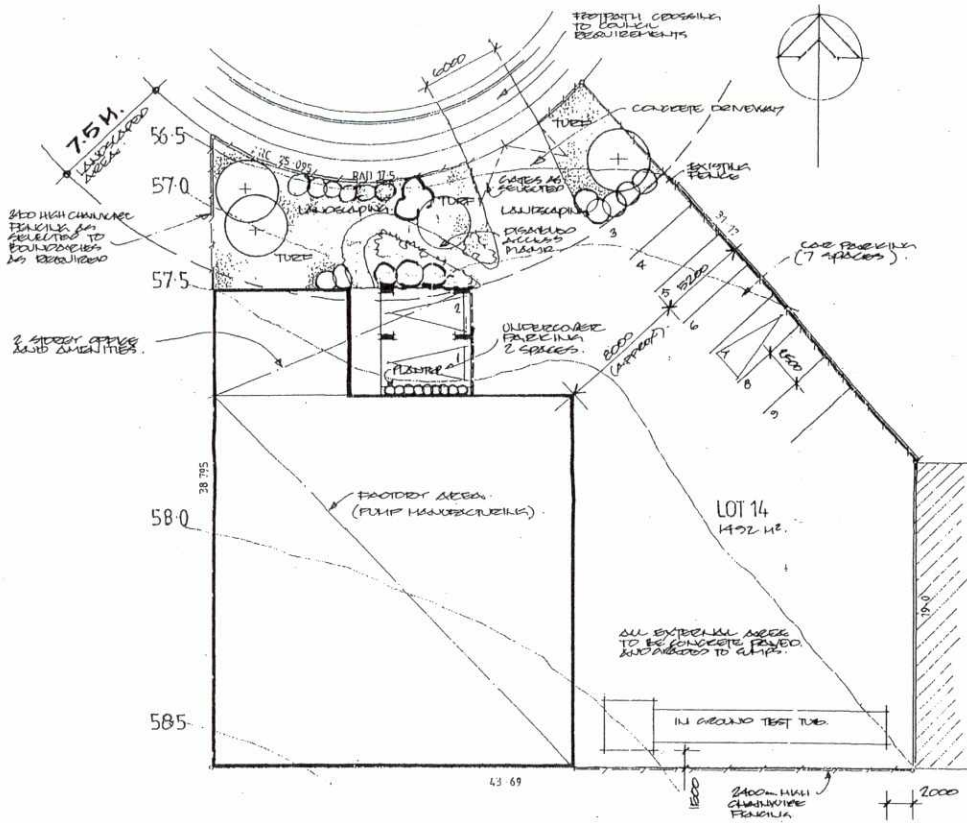
A3



NOTES:  
1. KERB TO KERB TURNING CIRCLE PROVIDED BY ISUZU FOR FFR500 X-LONG  
2. CAR BASED ON FALCON WAGON - DIMENSIONS FORD

<b>DO NOT SCALE</b> Dimensions in: mm Angles in: degrees Weights in: kg Dimensioning: AS1100 Legend: f=fine m=medium c=coarse v=v.coarse				Projection Angle: 	medivac Creative. Smart. Critical. Trade. Solutions.	MedivacTechnologies Pty Ltd ABN 70 077 391 541 3 Binney Rd Kings Park, NSW 2148, Australia P: +61 (0)2 9630 0633 F: +61 (0)2 9630 0533 www.medivac.com.au			
<b>TOLERANCE TABLE: ISO 2768-1</b> >2000 up to 4000 — ±2 ±4 ±6 >1000 to 2000 ±0.5 ±1.2 ±3 ±6 >400 to 1000 ±0.3 ±0.8 ±2 ±4 >120 to 400 ±0.2 ±0.5 ±1.2 ±2.5 >30 to 120 ±0.15 ±0.3 ±0.8 ±1.5 >6.0 to 30 ±0.1 ±0.2 ±0.5 ±1 >3.0 to 6.0 ±0.05 ±0.1 ±0.3 ±0.5 >0.5 to 3.0 ±0.05 ±0.1 ±0.2 — Dimension range f m c v				Weight: 2064613.6 Last saved: 15/09/2011 Material: N/A	Gen. Tolerance: ISO 2768-1 (c) Roughness: Ra 3.2 U.N.O. Treatment: NONE Finish: NONE	Title: <b>METAMISER MM240SSS</b> <b>KENOMA PL, ARNDELL PARK.</b> Doc Type: ASSEMBLY Desc'n: ASSEMBLY DRAWING Scale: 1:200 Sheet: 3/4 Revision: -.02 Org No: 9 KENOMA PL A3			

KENOMA PLACE



CONCEPT PLAN.  
SCALE: 1:200.

SCALE 1:200.

DEEDS.

TOTAL GROSS AREA	1492 H <sup>2</sup>
GROUND FLOOR BOARDER AREA	1306 H <sup>2</sup>
GROUND FLOOR STAIRWAYS	134 H <sup>2</sup>
FIRST FLOOR OFFICE AREA	90 H <sup>2</sup>
TOTAL GROSS FLOOR AREA	669 H <sup>2</sup>

$\frac{650}{75} \text{ Hz}$  — 9 CAR. PARKING SPACES.

0.405

## AMENDMENTS

N°	DATE	DESCRIPTION.
6.	7.7.90	WHEELCHAIR ACCESS RAMP ACROSS TO FRONT ENTRY.

BLACKTOWN CITY COUNCIL

This plan/specification forms part of Building Construction Certificate ..... and is hereby approved  
In accordance with Section 109C(1)(b) of the Environmental Planning & Assessment Act 1979.

\* In issuing this approval Council is satisfied that the Pre-Construction Certificate conditions of the relevant Development Consent have been fully addressed.

Terry McGormack  
General Manager  
per:

1 OF 7 ISSUES

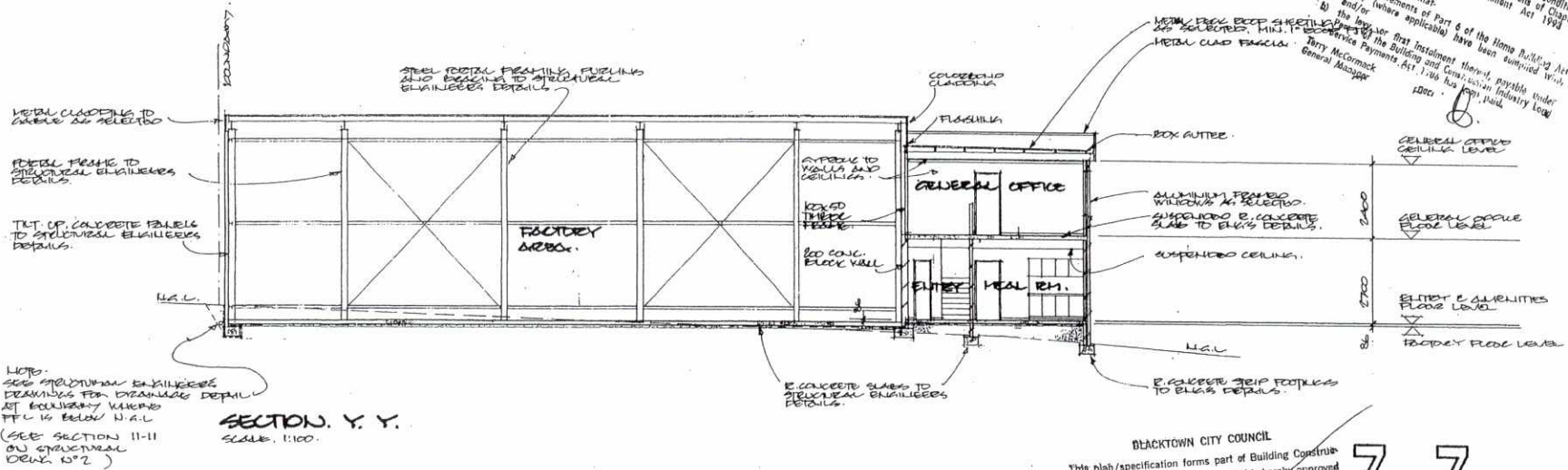
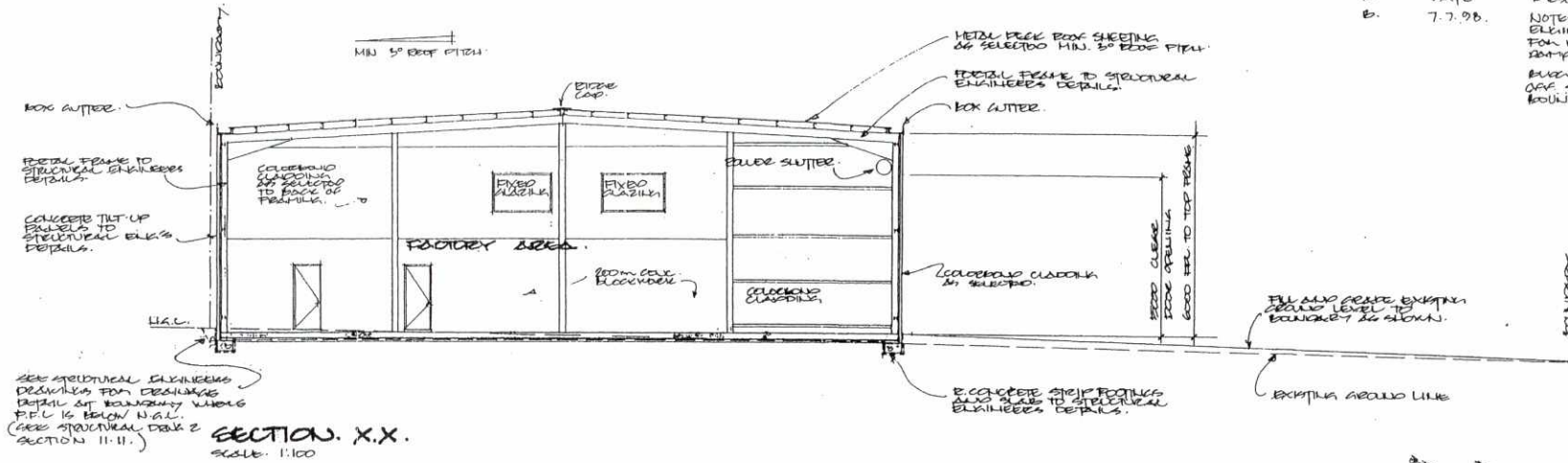






# AMENDMENTS.

No.	Date	Description
1.	7.7.98.	NOTES RECOMMENDING ENGINEERING DETAILS FOR ROOF, WALL AND BENT-ROOFING. BLUE, MONROE TO 150m AVE SOUTH & WEST BOUNDARIES.



BLACKTOWN CITY COUNCIL  
Approved Application 98-3257  
Division 3 of the Local Government Act 1993 and  
Regulations thereunder.  
Council is satisfied that:  
a) the requirements of Part 6 of the Home Building Act 1989 and  
the provisions of the Building and Construction Industry Act 1989  
have been complied with.  
b) the law for that instalment thereof payable under  
the Building and Construction Industry Act 1989 has been paid.  
Terry McCormack  
General Manager

BLACKTOWN CITY COUNCIL  
This plan/specification forms part of Building Construction Certificate and is hereby approved in accordance with Section 109C(1)(b) of the Environmental Planning & Assessment Act 1979.  
\* In issuing this approval Council is satisfied that the Pre-Construction Certificate conditions of the relevant Development Consent have been fully addressed.  
Terry McCormack  
General Manager  
per:



# CERTIFICATE OF PLANT DESIGN REGISTRATION

Occupational Health & Safety Act 2000  
Occupational Health & Safety Regulation 2001

ABN: 77 682 742 966  
Phone: (02) 4321 5498  
Fax: (02) 4325 5094

Registration No: **PV 6-153790/11**

ABN: 70077391541

Issue Date: **22/11/2011**

Controller: MEDIVAC TECHNOLOGY PTY LTD  
Postal: PO BOX 656  
Address: BAULKHAM HILLS  
NSW 1755

Plant Type: Pressure Vessel Original

## Design Description:

Quality System	No
Hazard Level	C
Contents	Harmful
Chamber 1 Volume (l)	644
Chamber 1 Design Pressure (kPa)	-100 TO 350
Chamber 1 Temperature (°C)	148
Chamber 1 Fluid Type	Gas
Chamber 2 Volume (l)	21
Chamber 2 Design Pressure (kPa)	400
Chamber 2 Temperature (°C)	152
Chamber 2 Fluid Type	Gas
Drawing Number & Revisions	001.0000.00000 REV C
Pressure Vessel	Other
Other Type	STEAM JACKETED PRESSURE VESSEL

## CONDITIONS:

1. This registration applies only to the design described above which has been notified to WorkCover NSW in accordance with the OHS Regulation 2001.
2. The plant owner will require a copy of this certificate. A copy of the certificate must therefore be supplied to the manufacturer so that it can, in turn, be provided to the supplier and owner with the item of plant or equipment.
3. WorkCover NSW reserves the right to audit the registered design at any time to assess compliance with its Acts and Regulations. If an audit is undertaken, detailed information may be requested relating to the design of the plant. Design systems of work and documentation may also be audited. If an audit identifies non-compliance, all plant built to that design may require modifications, and in some cases, may be prohibited from use.
4. This Registration is automatically invalidated if the design is altered to an extent that requires new measures to control risks. A person must not use, or cause or allow plant manufactured to the original design to be used at a workplace unless notification of the alteration, or the prescribed form, has been confirmed by WorkCover NSW.
5. The Registration Number should be quoted in all correspondence to WorkCover regarding this item. Any queries should be addressed to WorkCover's Licensing Unit.

Fee Paid: \$ 130.00

Receipt No: 09-2317

*making a difference*



# CERTIFICATE OF PLANT DESIGN REGISTRATION

Occupational Health & Safety Act 2000  
Occupational Health & Safety Regulation 2001

ABN: 77 682 742 966  
Phone: (02) 4321 5498  
Fax: (02) 4325 5094

Registration No: **BOIL 6-153791/11** ABN: 70077391541

Issue Date: **17/11/2011**

Controller: MEDIVAC TECHNOLOGY PTY LTD  
Postal: PO BOX 656  
Address: BAULKHAM HILLS  
NSW 1755

Plant Type: Boiler Alteration

## Design Description:

Hazard Level	B
Design Pressure (kPa)	1400
Volume (l)	78
Temperature (Co)	198
Drawing Number and Revisions	102.0601.00000 REV A
Boiler Type	Electric
The Boiler Produces?	Steam

## CONDITIONS:

1. This registration applies only to the design described above which has been notified to WorkCover NSW in accordance with the OHS Regulation 2001.
2. The plant owner will require a copy of this certificate. A copy of the certificate must therefore be supplied to the manufacturer so that it can, in turn, be provided to the supplier and owner with the item of plant or equipment.
3. WorkCover NSW reserves the right to audit the registered design at any time to assess compliance with its Acts and Regulations. If an audit is undertaken, detailed information may be requested relating to the design of the plant. Design systems of work and documentation may also be audited. If an audit identifies non-compliance, all plant built to that design may require modifications, and in some cases, may be prohibited from use.
4. This Registration is automatically invalidated if the design is altered to an extent that requires new measures to control risks. A person must not use, or cause or allow plant manufactured to the original design to be used at a workplace unless notification of the alteration, or the prescribed form, has been confirmed by WorkCover NSW.
5. The Registration Number should be quoted in all correspondence to WorkCover regarding this item. Any queries should be addressed to WorkCover's Licensing Unit.

Fee Paid: \$ 130.00

Receipt No: 09-2317

*making a difference*

Mr Paul McPherson  
Executive Chairman  
Medivac Technology Pty Ltd  
Unit 8, Lot 1B Kleins Road  
NORTHMEAD NSW 2152

Ref: 02/3864

Dear Mr McPherson

### NSW HEALTH APPROVAL OF MEDIVAC TECHNOLOGY CLINICAL WASTE TREATMENT DEVICE

I write in response to your email request for documentation of the approval of the 'Medivac MetaMizer ML' with your current address details listed above.

This is to confirm that NSW Health issued an approval of the MediVac Technology Clinical Waste Treatment Device on 8 August 2002.

*This letter of approval states that the "MediVac Technology clinical waste treatment device which utilizes steam sterilization and a grinding process to reduce the bacterial and viral loads and spore loads of treated waste to levels of log 6 and log 4 respectively has been approved by the A/Director-General of NSW Health Department. The approval is for the treatment of certain types of clinical waste subject to conditions set out in schedule 1".*

In addition a letter was issued by NSW Health on 29 October 2004 advising that the Medivac MetaMizer ML is considered to be a "new model to extend to the range of clinical waste treatment devices manufactured by MediVac because it uses the same technology and therefore comes under the existing approval granted by the Director-General on 15 July 2002".

I hope this information is satisfactory.

Should you require any additional information in regard to the MediVac clinical waste treatment device approvals, please contact Ms Anne Ford A/Manager General Environmental Health on Tel (02) 9816 0225 or Email [anne.ford@doh.health.nsw.gov.au](mailto:anne.ford@doh.health.nsw.gov.au).

Yours sincerely



Professor Wayne Smith  
Director Environmental Health Branch  
27 November 2008

OUR FILE: 02/3864

Mark Butler  
Managing Director  
Medivac Technology Pty Ltd  
PO Box 478  
CASTLE HILL NSW 2154

Dear Mr Butler

**NSW HEALTH APPROVAL OF MEDIVAC TECHNOLOGY CLINICAL WASTE  
TREATMENT DEVICE**

Reference is made to your application for approval of the Medivac Technology clinical waste treatment device.

The Medivac Technology clinical waste treatment device which utilizes steam sterilization and a grinding process to reduce the bacterial and viral loads, and spore loads of treated waste to levels of log 6 and log 4 respectively has been approved by the A/Director-General of NSW Health Department. The approval is for the treatment of certain types of clinical waste subject to the conditions set out in Schedule 1.

The treated waste will need to be reclassified in accordance with EPA requirements before it can be disposed to landfill.

New systems or technologies that vary to this approval will need to be re-submitted for consideration.

If you would like to discuss the approval please contact Nicole Badger on 98160225 or email [nbadg@doh.health.nsw.gov.au](mailto:nbadg@doh.health.nsw.gov.au).

Yours faithfully,



Neil Shaw  
Manager, General Environmental Health

8/8/02.

*Commercial in Confidence*

## **FINAL STUDY REPORT**

### **MICROBIOLOGICAL REVALIDATION OF “METAMIZER ML SERIES II” WASTE STERILISER**

*Sponsor:*

Mr Paul Woodford  
Medivac Technology Limited  
Unit 8 / Lot 1B Kleins Road  
Northmead NSW 2152  
Australia

*Conducted by*

AMS Laboratories Pty. Ltd.  
8 Rachael Close.  
Silverwater NSW 2128  
Australia

*Authors*

Dr Paul Priscott, MSc, PhD  
Ngoc Anh-Thu Phan Bsc.

Report reference no: 0905497  
26<sup>th</sup> May 2009

### **EXECUTIVE SUMMARY**


The study provides evidence that the MetaMizer ML Series II evaluation machine met the performance criteria for autoclave sterilization using the destruction of biological indicators (BI) as the measure of success. The revalidation was required due to modifications on the build material.

### **STUDY DIRECTORS STATEMENT**

The study was conducted according to the procedures indicated by the sponsor.

To the best of my knowledge and belief, the study was conducted to Client specifications, and there were no circumstances that may have changed the quality and integrity of the study without prior knowledge of client.

Signed


  
..... Date 29/5/09  
Dr Paul Priscott, MSc, PhD, MASM  
Study Director

### **QUALITY ASSURANCE STATEMENT**

The study was conducted in accordance with the OECD Principles on Good Laboratory Practice (as revised in 1997) and ISO /IEC 17025.

I certify that the data contained in this report is a true and accurate record of the experimental results.


Signed

  
..... Date 29/5/09  
Ngoc Anh-Thu Phan Bsc, MASM  
Quality Assurance Unit

### **ANALYSTS STATEMENT**

The work reported herein is a true and accurate account of the results obtained in carrying out the stated procedures.

Signed

  
.....  
Minal Patel  
Microbiologist

Date 29.05.09

### **LABORATORY CREDENTIALS**

AMS Laboratories is licensed by the Australian Therapeutic Goods Administration (Licence Number: MI-15112007-LI002191-11) for microbiological analysis and testing and similarly by the Australian Pesticides and Veterinary Medicines Authority (Licence Number: 6139). The laboratory is also certified to ISO 17025:2005 (through NATA registration no. 15773) for its laboratory and company quality control systems.

### **CONFIDENTIALITY**

The data and contents of this report are held in confidence by AMS Laboratories Pty Limited. They will only be made available to the Sponsor and authorized government inspectors if requested. No further disclosures will be made without seeking and receiving the prior permission of the Sponsor in writing.

### **STORAGE OF RECORDS**

All materials, methods, variations to this protocol and results are recorded on laboratory worksheets. These records have been attached to a copy of this report and will remain archived at AMS Laboratories for a minimum of 7 years.



## **STUDY REPORT**

**STUDY TITLE:** Microbiological Revalidation of MetaMizer ML Series II Waste Steriliser.

**SPONSOR:** Medivac Technology Limited, Unit 8, lot 1B Kleins Road Northmead 2152

**TEST FACILITY:** AMS Laboratories Pty Ltd 8 Rachael Close Silverwater 2128

### **INTRODUCTION**

A previous study (report 0405553) demonstrated the efficacy of the MetaMizer ML series II to sterilize waste using both BI strips and BI suspensions. Due to recent modifications to the machine, a study was required by Medivac Technology Ltd to revalidate the MetaMizer ML Series II using the spore organism *Geobacillus stearothermophilus* ATCC 7953 in suspension form, deemed to be the most stable for transport from site to the laboratory.

The MetaMizer ML Series II evaluation machine was operated by Medivac Technology staff on site. All BI suspensions were loaded and retrieved by AMS Laboratories staff.

### **OBJECTIVES**

To ensure material modifications made to MetaMizer ML series II has not affected the process efficacy of the machine through the use of BI's during the sterilization process.

**EXPERIMENTAL START DATE:** 6<sup>th</sup> May 2009

**STUDY COMPLETION DATE:** 26<sup>th</sup> May 2009

**TEST METHOD:** On-Site Validation Protocol

### **TEST STRAINS:**

*Geobacillus stearothermophilus* ATTC 7953

## **STUDY MATERIALS**

### **MEDIA**

Tryptone Soy Agar (TSA)

## REAGENTS

Tryptone Soy Broth (TSB)

## EQUIPMENT

Petri dishes 90mm  
55°C Incubator, 30°C Incubator  
Eppendorf pipettes and sterile disposable tips  
Sterile disposable pipettes  
Sterile MacCartney bottles  
Sterile mixing sticks  
Balance  
Forceps

## TEST METHOD

### BIOLOGICAL INDICATORS

The evaluation organism in all BIs was *Geobacillus stearothermophilus* (previously known as *Bacillus stearothermophilus*). *G. stearothermophilus* strain ATCC 7953, was grown in-house to high numbers, heat treated to inactivate any vegetative (less resistant) forms of the organism, centrifuged and titrated to enumerate the challenge suspension. This spore suspension was inoculated onto green cotton strips, with one added to every MetaMizer ML Series II load in order to retrieve the inoculated material more precisely.

### MATERIALS AND METHODS

#### On Site

100ml of the BI suspension was inoculated onto a distinct green cotton sheet and placed in a biohazard bag with various clinical wastes.

The MetaMizer ML Series II was initiated with a manual crunch cycle, no heat was applied to the system. This was the base line control cycle run. Waste samples were collected in a biohazard bag lined bin. The entire contents from the cycle was retrieved, tied and placed into an 'esky' for transportation back to the laboratory.

Three consecutive cycles were then run with heat applied for the sterilization process. As with the control run, 100ml of BI suspension was inoculated onto a distinct green cotton sheet. The clinical waste sample was retrieved as above.

### Laboratory Procedures

For the control run, analysts immediately separated and weighed 10g of the green inoculated cotton material from the clinical waste bags. The sample was then serially diluted and plated in duplicate to assay the numbers of recovered spores.

The heat cycle samples were also processed with 10g of green inoculated cotton material being placed into 100ml of TSB media.

Unprocessed BI's suspensions were serially diluted and plated in duplicate to determine the titre used to inoculate each cycle (Table 1).

All plates and broths were incubated at 55°C for 72 hours. Plates were counted and averages determined and broths observed for presence or absence of turbidity (Table 2).

### Waste Water Testing

After the final cycle, waste water from the run was collected and tested for Total Aerobic Plate count and presence of *G. stearothermophilus*. 100ml of water was filtered and the membrane placed onto TSA agar and incubated for 72 hours at 30°C for total aerobic count results, whilst 100ml was filtered and the membrane placed into 100ml of TSB and incubated at 55°C for 72 hours for the presence of *G. stearothermophilus* (Table 3).

## RESULTS

### BI Population Confirmation

Table 1. BI Vial Assay Results

<i>G. stearothermophilus</i> 100ml vial	<i>G. stearothermophilus</i> Count cfu/ml
Manual control	$1.5 \times 10^7$
Heat cycle 1	$1.3 \times 10^7$
Heat cycle 2	$1.5 \times 10^7$
Heat cycle 3	$1.4 \times 10^7$

Table 2. BI Test Results post MetaMizer ML series II cycles

Cycle	<i>G. stearothermophilus</i> Count cfu/g
Manual	$3.6 \times 10^5$
Heat Cycle 1	Not detected
Heat Cycle 2	Not detected
Heat Cycle 3	Not detected

## Waste Water Evaluation

Table 3. Waste Water Growth Results

Test	Results cfu/100mls
Total Aerobic Plate Count	$> 8.0 \times 10^3$
<i>G. stearothermophilus</i> detection	Not detected

The results indicate the initial inocula were within the target range with counts being  $1.3 \times 10^7 - 1.5 \times 10^7$ . The manual cycle found the BI suspension retention number to be slightly lower at  $3.6 \times 10^5$ .

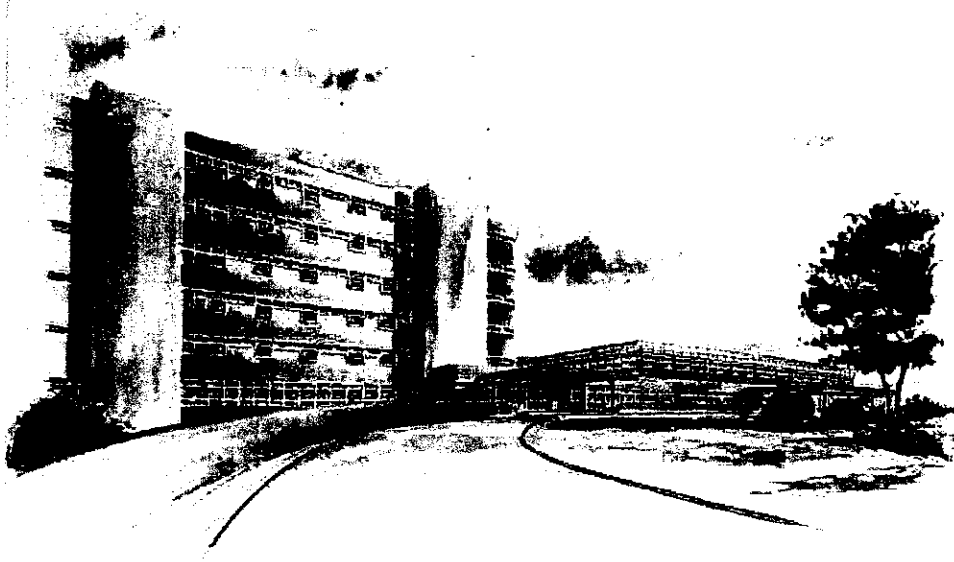
No BI was recovered from any of the three heat cycles, thus demonstrating a greater than 5 log reduction in BI presence.

Waste water sample results showed a high bacterial presence, however, no *G. stearothermophilus* was detected.

## DISCUSSION AND CONCLUSION

The MetaMizer ML Series II was revalidated due to modifications made to the machine. One specially prepared BI was selected for processing through the cycle. *Geobacillus stearothermophilus* ATCC 7953 was selected as it is non-pathogenic to humans and animals yet is the most resistant to physical sterilization and is the internationally recognized standard organism for autoclave validations.

The results demonstrated that the MetaMizer ML Series II effectively sterilized the BI inoculated materials processed during the standard cycles.



**REPORT ON THE MICROBIOLOGICAL  
EFFICACY TESTING  
OF THE  
CANNON HYGIENE  
MEDIVAC METAMIZER ML  
CLINICAL WASTE TREATMENT SYSTEM**

**November 2004**

**M G Holliday FIBMS, MSc, PhD, CSci, MBA  
Microbiology Department  
Freeman Hospital  
Newcastle upon Tyne  
UK**

**Prepared for:  
Cannon Hygiene  
Northgate House, Northgate, White Lund  
Morecambe Lancashire LA3 3BJ**

*MG Holliday*

Report Prepared by .....

CH/MET/MGH/1104/ver2

## A) EXECUTIVE SUMMARY

A.1.1. The Cannon Hygiene MediVac MetaMizer ML clinical waste treatment plant at Northgate White Lund, Morecambe has achieved STAATT level IV inactivation when tested under normal operating conditions. The manufacturers' stated normal operating parameters for the programmable logic controller (PLC) are 139° to 142°C for a holding time of 4 minutes.

A.1.2. Microbial efficacy tests were carried out using two different protocols, one using spore strips and one using spore suspension challenges. Both methods gave comparable results.

A.1.3. STAATT level IV is equivalent to 6 log<sub>10</sub> inactivation of *Bacillus atrophaeus (subtilis)* spores and is 100 times the level of inactivation required in the UK for clinical waste treatment processes (STAATT level III which is equivalent to 4 log<sub>10</sub> inactivation of *Bacillus atrophaeus (subtilis)* spores).

A.1.4. Environmental air testing was carried out prior to any clinical waste treatment to establish baseline levels of microbial contamination. These levels can then act as a benchmark for comparison with environmental monitoring during routine plant operation.

A.1.5. Air samples taken from designated points in and around the plant showed that in all cases the microbial levels found were below the levels felt to require further investigation or remedial action. No pathogenic microorganisms were found in any sample.

A.1.6. It is my opinion that the plant can safely, effectively and reproducibly treat clinical waste to make it safe for final disposal.

## **D) DISCUSSION**

### **I.1. MICROBIOLOGICAL EFFICACY TESTING**

I.1.1. Spore suspension challenge testing of the MetaMizer system over 5 separate cycles proved that the system is capable of achieving >6 log kill of *B atrophaeus* spores.

I.1.2. Spore suspension challenge testing is recommended for systems that have integral shredding systems and where the integrity of a spore container cannot be guaranteed<sup>1,2,3</sup>.

I.1.3. The MetaMizer system is a new development however and, even though an internal shredder is an integral part of the process within the treatment chamber, there is sufficient headroom above the shredder blades to suspend a spore strip container and maintain its integrity.

I.1.4. Because the MetaMizer recirculates the shredded waste within a sealed and pressurised system, it can be argued that steady state conditions exist within the chamber, and it is irrelevant whether spores are circulating with the waste or suspended in the chamber, as identical treatment conditions will be encountered. The shredding does not kill spores, but grinds the waste into a form that is more readily penetrated, accelerating treatment by heat.

I.1.5. All 60 spore strip challenge tests analysed after treatment in the MetaMizer, produced results equivalent to >6 log kill.

I.1.6. Thus, it was demonstrated that the recommended spore suspension challenge tests and the spore strip challenge tests produce the same results, with both confirming that the system can achieve > 6 log spore kill.

I.1.7. These results also prove the validity of the spore strip test in assessing the efficacy of the MetaMizer in killing Micro-organisms.

I.1.8. The spore suspension challenge test is technically difficult, time consuming and expensive to perform. It would be outside the scope of the operators to repeat for ongoing monitoring purposes, and unlikely that an accredited laboratory could do it without it becoming prohibitively expensive.

I.1.9. The fact that spore strip tests are proven to give equivalent results to the spore suspension tests means that these could be used for routine ongoing monitoring. Spore strip tests are much easier for the operators to perform, and as the strips are sealed in a glassine envelope, which removes many of the technical difficulties and dangers of contamination, these tests are much to be preferred.

I.1.10. It is my recommendation that spore strip tests be used to monitor the efficacy of the MetaMizer system for regular testing purposes.

## **I.2. THERMAL INTEGRATOR RESULTS**

- 1.2.1 No thermal integrator strips were available that tested temperatures of 139° to 142°C for 4 minutes, so strips that tested parameters close to this were used. These tested conditions of 134°C for 4, 5 or 11 minutes respectively, or the equivalent.
- 1.2.2 When tested, all these strips changed colour indicating that, at the very minimum, the above conditions had been met. It is likely, given the MetaMizer manufacturers' information that the system runs between 139° and 142°C for 4 minutes that these conditions were exceeded. It was not possible to measure this accurately with the strips available.

## **I.3. AIR SAMPLING**

- I.3.1. The results of the air sampling show that the environment in and around the plant is free of any pathogenic micro-organisms and coliform organisms. Low levels of environmental and skin micro-organisms were found, which are to be expected wherever there is occupation and movement.
- I.3.2. The RCS air sampler employed in the air sampling operates on a similar principle to a slit sampler, in that measured volumes of air are drawn into the sampler and actively impacted onto agar, providing a viable count. The air is drawn into the sampler by centrifugal action, rather than by vacuum as in the slit sampler. This sampler has an accuracy of  $\pm 2\%$  (Figure 4).
- I.3.3. Centrifugal samplers are recommended as the most suitable method for monitoring disperse releases of micro-organisms by air at clinical waste sites in Environment Agency guidelines<sup>1</sup>.
- I.3.4. The RCS sampler was used in preference to a Cassella slit sampler in these studies as it is smaller and more portable, whilst still providing comparable results.
- I.3.5. The Environment Agency have published 'trigger levels' for bioaerosols at clinical waste transfer stations based on custom and practice<sup>7</sup>, which must be related to existing background levels. The levels detected here can therefore be used as background levels, as they were obtained before any clinical waste was processed in the plant.
- I.3.6. Trigger levels of  $>1000$  cfu of bacteria and fungi, and  $>300$  cfu of Gram-negative bacteria have been suggested<sup>7</sup>. Similar levels have also been suggested by the American Industrial Hygiene Association<sup>8</sup>.



## J) CONCLUSIONS

J.1. The operation of the Medivac MetaMizer Clinical Waste Treatment units was observed to be compatible with the stated practice, and the operational parameters were stated as 139° to 142°C for a holding time of 4 minutes.

J.2. At these parameters, the MetaMizer proved capable of achieving a >6 log<sub>10</sub> kill of spores of *B atrophaeus (subtilis)* reproducibly over 5 full cycles over a testing period of 2 days. This was confirmed using two separate testing protocols based on the Environment Agency's technical guidance Appendix A and Appendix B.

J.3. Microbiological air testing at designated points in and around the plant showed that the level of airborne contamination was well inside Environment Agency trigger levels. No pathogenic microorganisms were found.

J.4. The clinical waste treatment plant is therefore proven to be microbiologically effective to greater than the required level, and background levels of microbial contamination have been established as a benchmark for future monitoring.

J.5. It is my opinion that the plant can safely, effectively and reproducibly treat clinical waste to make it safe for final disposal.

## REFERENCES

- 1) Environment Agency. Technical Guidance on Clinical Waste Facilities. Version 2.5. July 2003
- 2) Clinical Waste Disposal/treatment technologies (alternatives to incineration) Health Technical Memorandum 2075. NHS Estates. 1998
- 3) Technical Assistance Manual: State Regulatory Oversight of Medical Waste Treatment Technologies. A Report of the State and Territorial Association on Alternate Treatment Technologies. April 1994.
- 4) Slavik, NS. 1995. Use of Germicides in Medical Waste Treatment. In: Chemical Germicides in Health Care. Ed. Rutala WA. Association of Professionals in Infection Control and Epidemiology, Inc. ISBN 0 921317-48-4. p 288-299
- 5) Holliday MG, Ford M, Burrell P, Gould FK. 2000. Heat disinfection of clinical waste: microbiological assessment and monitoring of effectiveness. *British Journal of Biomedical Science*. 57: 107-113
- 6) Biological Testing of a Clinical Waste Treatment Device Manufactured by Medivac Technology Pty Ltd. 2002. Report prepared by Silliker Microtech Pty Ltd. (Supplied by Cannon Hygiene)
- 7) Environment Agency. Technical Guidance Document (Monitoring) M17. Monitoring of Particulate Matter in Ambient Air around Waste Facilities. March 2003.
- 8) Aerobiological Engineering. Limits for Indoor Airborne Microbes.  
<http://www.engr.psu.edu/www/dept/arc/server/wjk/purge.htm>

FIGURE 1 MEDIVAC METAMIZER SYSTEM



FIGURE 2. NET BAGS USED AS SPORE CONTAINERS

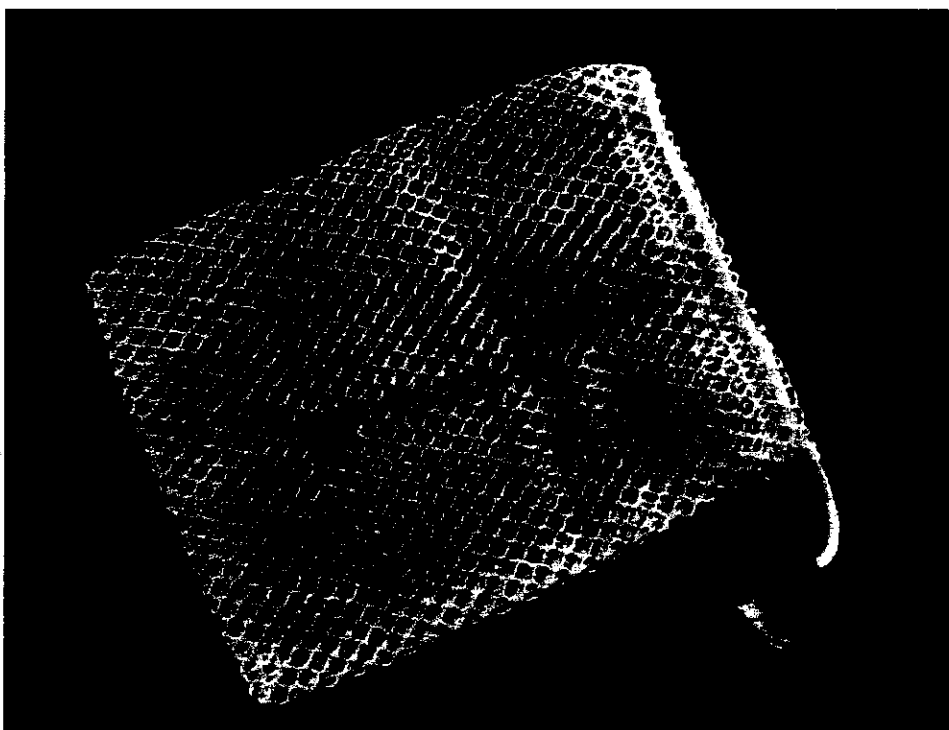


FIGURE 3 SITES OF AIR SAMPLES, CANNON HYGIENE, NORTHGATE  
WHITE LUND

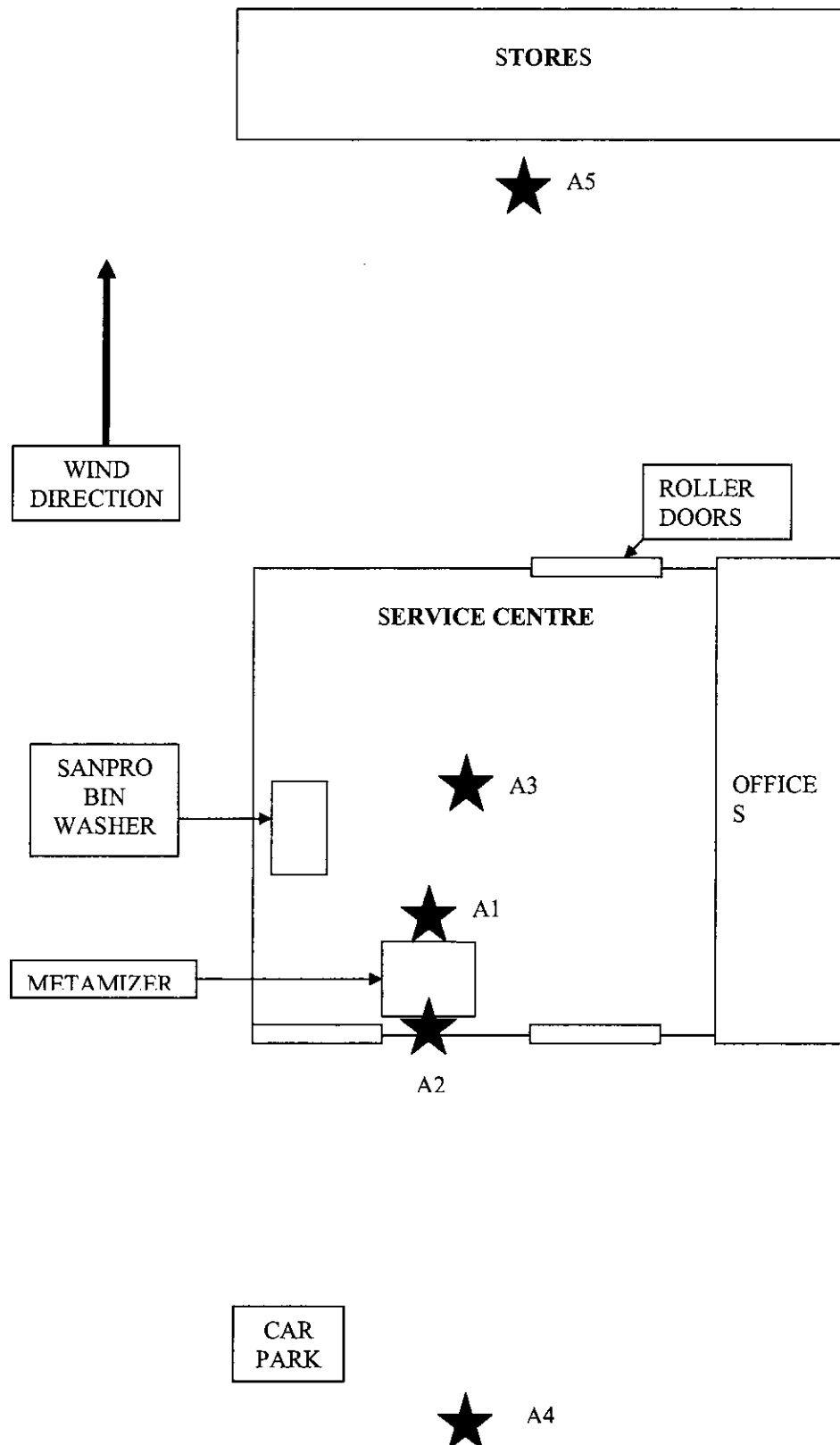
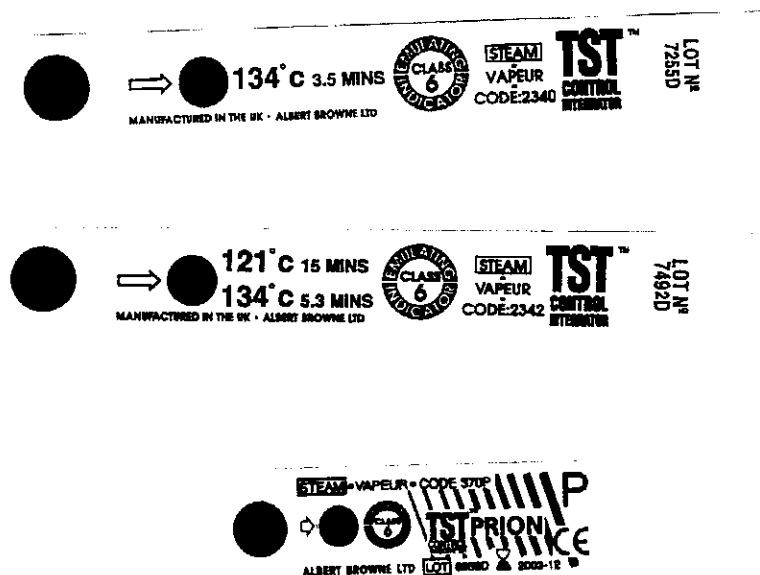


FIGURE 4. RCS AIR SAMPLER



FIGURE 5 THERMAL INTEGRATOR STRIPS AFTER EXPOSURE



## APPENDIX 1 QUALITY DOCUMENTATION FOR SPORE STRIPS

### RAVEN BIOLOGICAL LABORATORIES, INC.

P.O. BOX 27261  
8607 PARK DRIVE  
OMAHA, NEBRASKA 68127  
TELEPHONE: (402) 593-0781  
1-800-728-5702  
FAX ADMIN: (402) 593-0921  
ORDER PROCESSING FAX: (402) 593-0995  
EMAIL: qa-ra@ravenlabs.com  
www.ravenlabs.com



### CERTIFICATE OF ANALYSIS RAVEN BIOLOGICAL INDICATORS

*Bacillus atrophaeus* Spore Strips - Recommended for use in evaluating Dry Heat  
or Ethylene Oxide gas sterilization processes.

This document certifies that the biological indicators for this lot meet Raven Biological Laboratories' quality control specifications, ISO 11138 parts 1 & 2, EN 866 parts 1 & 2, and suggested performance parameters published in the current United States Pharmacopeia.

Wendy Royalty-Hann  
Quality Assurance Manager

Release: 04/06/2004

Raven Biological Laboratories, Inc.

Performance Data for Lot # 1162322	Batch 232GB	Expiration Date 4/06
Organism: <i>Bacillus atrophaeus</i>	ATCC No. 9372	
Mean Strip Recovery	$1.5 \times 10^6$	CFU* 11.5" x 0.25" strip
D <sub>90</sub> Value**	3.6	minutes (600 mg EtO/L, 54°C, 60% RH. This accuracy shall not exceed +/- 0.5)
D <sub>100</sub> Value**	2.5	minutes (Dry Heat, 160°C. This accuracy shall not exceed +/- 0.2)
Z-value***	39.0	°C; approximate (based on EN 866-6.)

\* Colony Forming Units

\*\* Determined at time of manufacture, Spearman-Kärber method. The D-value is reproducible only under the exact conditions under which it was determined. The user would not necessarily obtain the same results. Therefore, the user would need to determine the suitability for its particular use.

\*\*\* See reverse side.

† Strain derived from ATCC# 9372 has been reclassified and is now called *Bacillus atrophaeus* (formerly *Bacillus subtilis*)

#### Resistance Characteristics: (Based on US Pharmacopeia Calculations)

AGENT	CONDITIONS	SURVIVES	KILLED
Ethylene Oxide	54 ± 1°C, 600 ± 30 mg/L, 60 ± 10% RH	15.0 min.	36.6 min.
Dry Heat	160 ± 2°C	10.4 min.	25.4 min.

Purity: No evidence of contaminants using standard plate count techniques.

Incubation: 7 days in soybean-casein digest broth at a temperature of 30 - 35°C

Storage: 15 - 27°C (60 - 80°F), 30 - 70% RH, away from sterilizing agents, direct sunlight and all other forms of UV light. (Do Not Refrigerate).

Disposal: Do not use after expiration date. Sterilize all cultures before discarding.

20403

## APPENDIX 2

### QUALITY DOCUMENTATION FOR SPORE SUSPENSION

#### RAVEN BIOLOGICAL LABORATORIES, INC.

P.O. BOX 27261  
8607 PARK DRIVE  
OMAHA, NEBRASKA 68127  
TELEPHONE: (402) 593-0781  
1-800-728-5702  
FAX ADMIN: (402) 593-0921  
ORDER PROCESSING FAX: (402) 593-0995  
EMAIL: [oa-ra@ravenlabs.com](mailto:oa-ra@ravenlabs.com)  
[www.ravenlabs.com](http://www.ravenlabs.com)

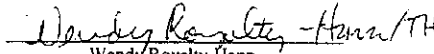


#### CERTIFICATE OF ANALYSIS

##### RAVEN BIOLOGICAL INDICATORS

*Bacillus atrophaeus* Spore Suspension - Recommended for use in evaluating ethylene oxide gas and dry heat sterilization processes.

This document certifies that the biological indicators for this lot meet Raven Biological Laboratories' quality control specifications, EN 866-2 and 866-6, and suggested performance parameters published in the current United States Pharmacopeia.



Wendy Royalty-Hann  
Quality Assurance Manager  
Raven Biological Laboratories, Inc.

Release: 05/20/2004

Performance Data for Lot # 1082331	Batch 233GB	Expiration Date 5/05
Organism: <i>Bacillus atrophaeus</i> <sup>1</sup>	ATCC No. 9372	
Volume 10 ml	40% Ethanol in DI water suspension / vial	
Label Population Claim 2.8 x 10 <sup>8</sup>	CFU* / 0.1 ml	
Mean Suspension Recovery 2.8 x 10 <sup>8</sup>	CFU* / ml	
D <sub>160</sub> Value** 2.6	minutes (Dry Heat at 160 C)	
D <sub>60</sub> Value** 3.4	minutes (600 mg/L EtO, 54 C, 60% RH)	

\* colony forming units

\*\* Determined at time of manufacture on paper strip carrier, using Fraction Negative analysis (Spearman-Kärber method)  
The D-value is reproducible only under the exact conditions under which it was determined. The user would not necessarily obtain the same results. Therefore, the user would need to determine the suitability for its particular use.  
<sup>1</sup>Strain derived from ATCC# 9372 has been reclassified and is now called *B. atrophaeus* (formerly *Bacillus subtilis*).

#### Resistance Characteristics:

Survival time (in minutes) = not less than (labeled D-value) x (log<sub>10</sub> labeled spore count per carrier - 2); and Kill time (in minutes) = not more than (labeled D-value) x (log<sub>10</sub> labeled spore count per carrier + 4).

**Purity:** No evidence of contaminants using standard plate count techniques.

**Incubation:** 7 days in soybean-casein digest broth at a temperature of 30 - 35°C

**Storage:** Refrigerate at 2 to 8 C.

**Disposal:** Do not use after expiration date. Sterilize all cultures before discarding.

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### APPENDIX 3 CALCULATIONS FOR THE EVALUATION OF SPORE SUSPENSION CHALLENGE TESTS

From the number of organisms counted on the test and control plates, the number of viable spores recovered per run can be calculated and the  $\log_{10}$  reduction in viable spore numbers can be calculated for each cycle.

- a) Initial inoculum of spores per gram of waste. (IC)  
Inoculate  $10^{10}$  spores in 7 kg of waste  
=  $1.4 \times 10^6$  spores per gram
- b) Recovery of spores from Control run. (RC)  
Number of spores counted per plate x dilution factor  
= Number of spores recovered per gram
- c) Recovery of spores in the Test run. (RT)  
Number of spores counted per plate x dilution factor  
= Number of spores recovered per gram
- d) Calculation of  $\log_{10}$  reduction

Control results :  $\log_{10}RC = \log_{10}IC - \log_{10}NR$

$$\log_{10}RC = \log_{10}(\text{number of spores/gram recovered})$$

$$\log_{10}IC = \log_{10}(\text{number of spores/gram inoculated})$$

$$\log_{10}NR = \log_{10}IC - \log_{10}RC$$

Test results :  $\log_{10}IC - \log_{10}NR - \log_{10}RT$   
 $\log_{10}RT = \log_{10}(\text{number of spores/gram recovered})$

Log<sub>10</sub>Kill =  $\log_{10}IC - \log_{10}NR - \log_{10}RT$



## Development and Planning Register

Search Results

### Project

#### 2011SYW095 DA - Waste Management Facility

Panel Reference:	2011SYW095 DA
Type of Matter:	Development Application
Region:	Sydney West Joint Regional Planning Panel
LGA:	Blacktown City Council
DA Number:	11-1642
Project Title:	Waste Management Facility
Address/Location:	Lot 14 DP 786328, H/N 9 Kenoma Place A
DA Lodgement Date:	03-Aug-2011
Status:	Completed
Type of Development:	Designated Development - Waste Facility
Date DA Registered with Secretariat:	12-Aug-2011
Capital Investment Value:	\$10,000
Panel Meeting Date:	12-Apr-2012
Panel Meeting Venue:	Blacktown City Council, Committee Room 2, 62 Flushcombe Road, Blacktown
Regional Panel Chair:	MARY-LYNNE TAYLOR
Date of Determination:	12-Apr-2012
Determination:	Approved

### Documents

Description	Date Uploaded	Document Size
<a href="#">Approved Conditions.pdf</a>	24-Apr-2012	138kb
<a href="#">Panel Minutes.pdf</a>	24-Apr-2012	19kb
<a href="#">Attachment 3.pdf</a>	27-Mar-2012	305kb
<a href="#">Attachment 2.pdf</a>	27-Mar-2012	1312kb
<a href="#">Attachment 1.pdf</a>	27-Mar-2012	215kb
<a href="#">JRPP Assessment Report.pdf</a>	27-Mar-2012	909kb
<a href="#">Agenda.pdf</a>	27-Mar-2012	44kb

### Links

There were no Links Found

# Report to Sydney West Joint Regional Planning Panel

<b>JRPP No:</b>	<b>Item 2011SYW095</b>
<b>DA No:</b>	<b>JRPP-11-1642</b>
<b>Local Government Area:</b>	<b>Blacktown</b>
<b>Proposed Development:</b>	<b>Clinical and Quarantine Waste Management Facility</b>
<b>Development Type:</b>	<b>'Designated' and 'Integrated' Development</b>
<b>Lodgement Date:</b>	<b>3 August 2011</b>
<b>Land/Address:</b>	<b>Lot 14, DP 786328, H/N 9 Kenoma Place, Arndell Park</b>
<b>Land Zoning:</b>	<b>4(a) – General Industrial Zone pursuant to Blacktown Local Environmental Plan 1988</b>
<b>Value Of Development:</b>	<b>\$10,000</b>
<b>Applicant:</b>	<b>Stimson Consultant Services (SCS) Pty Ltd</b>
<b>Report Author:</b>	<b>Rebecca Gordon, Town Planner</b>
<b>Instructing Officers:</b>	<b>Judith Portelli, Manager Development Services &amp; Administration and Glennys James, Director City Strategy &amp; Development</b>
<b>Date Submitted to JRPP:</b>	

## ASSESSMENT REPORT

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4. The Proposal	Page 6
5. Planning Controls	Page 10
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8. Internal Referrals	Page 23
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### FIGURES

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### ATTACHMENTS

Attachment 1	Proposed Draft Conditions of Consent & General Terms of Approval
Attachment 2	Development Plans
Attachment 3	Relevant extracts from the Environmental Impact Statement (EIS)

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## 1. Executive Summary

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- 1.1 Blacktown City Council is in receipt of a Development Application (DA) from Stimson Consultant Services (SCS) Pty Ltd to install an automated waste treatment system within the confines of the existing industrial premises at Lot 14, DP 786328, 9 Kenoma Place, Arndell Park for the handling and processing of clinical and quarantine waste.
- 1.2 The proposed "waste management facility" constitutes "Designated Development" under Part 1, Clause 32(1)(b)(i) in Schedule 3 of the Environmental Planning and Assessment (EP&A) Regulation 2000 given that it seeks to handle waste that is classified in the *Australian Dangerous Goods Code* and/or is medical, cytotoxic or quarantine waste. The proposed development is also classified as "Integrated Development" under Section 91 of the EP&A Act 1979 given that an Environment Protection Licence (EPL) is required from the NSW Office of Environment & Heritage (OEH) under the Protection of the Environment Operations (POEO) Act 1997.
- 1.3 As part of the submission requirements for "Designated Development" the applicant was required to prepare an Environmental Impact Statement (EIS) addressing specific terms identified by the Director-General of the Department of Planning and Infrastructure (DPI). The matters addressed in the EIS are discussed in the body of this report.
- 1.4 The automated waste treatment system comprises of a machine that works on a similar principle to a waste compactor. Clinical and quarantine waste is collected from clients in specially marked waste collection bins containing heavy duty bin liner bags. Given that the waste is collected firstly in smaller, lined bins, the waste is essentially "double bagged" by the time of collection. The bins are regularly collected and transported back to the industrial premises by truck or van. At the time of collection, the clients are provided with clean, empty bins and bags.
- 1.5 The bagged material once collected is weighed, then transferred into the sterilising, shredding and compacting machine by tipping the sulo bins into the hopper. The double sealed bags are never opened or man handled. The material is shredded and then sterilised using steam sterilisation technology. The process is fully self-contained within the proposed machine. The processed sterilised by-product is then directly deposited from the machine into a bin. Using a bin lift, the bin containing the inert, treated material is then tipped into a bulk collection bin. Current testing shows that the shredding and compacting process reduces the volume of the material at a rate of 5:1. That is, the volume collected in 5 sulo bins is reduced to the volume of 1 sulo bin. Once the bulk collection bin reaches capacity, a truck collects the bulk bin and transports the sterile inert compacted material to landfill. It is anticipated that the bulk bin will be collected every second day. At the time of collection an empty bulk bin will also be delivered to the site. The business will employ 2 operators for the machine and 2 administrative staff. The proposed hours of operation are 7.00am till 7.00pm, Monday to Saturday.
- 1.6 The applicant has provided 6 car parking spaces on site to cater for the 4 staff members and any visitors. There will be one in/out truck movement every 2 days associated with the collection of the bulk bin to landfill. An additional 3 trucks and 2 vans are proposed to transport the collected specially marked bins to the subject premises. It is anticipated that each of these 5 vehicles will make 1-2 deliveries to the site each day. All drivers will be sub-contracted and, as such, all vehicles will be cleaned, maintained and stored off site.
- 1.7 To better understand the operation, the applicant advises that 23 full bins equate to 0.5 tonnes of waste. Given that the processing capacity of the machine for each cycle is approximately 2 sulo bins and that a full cycle takes approximately 15 minutes, it has been

calculated that the proposed waste treatment machine could treat 8 bins per hour (or 96 bins during the 12 hour workday). As the proponent is seeking to operate 6 days a week, this would be equivalent to 576 full sulo bins or 12.5 tonnes of clinical/quarantine waste each week. The maximum clinical and quarantine waste that could be treated each year would therefore be 650 tonnes.

- 1.8 The applicant has indicated that approval is sought for the handling and treatment of 900 tonnes or less of clinical or quarantine waste per year. The calculations indicate, however, that the machine would not have the capacity to treat this higher volume of waste. While it is recognised that each specially marked bin may not be filled to capacity, it is considered appropriate that limitations be placed on the number of bins arriving at the site each day in order to ensure that the maximum volume of 650 tonnes is never exceeded. As such, it is recommended that any approval granted limit the maximum number of bins to be processed each day to a maximum of 96 bins. This is considered necessary to ensure that all waste within the bins is processed on the same day that it is delivered to the premises and that no untreated waste is stored overnight at the site.
- 1.9 The site is located within an existing industrial area in Arndell Park. The subject site is zoned 4(a) General Industrial pursuant to Blacktown Local Environmental Plan (BLEP) 1988. The proposed development complies with the provisions of Blacktown Development Control Plan (DCP) 2006 – Parts A & E with the exception of car parking where there is a shortfall of 3 spaces from the 9 required. However, as there will be 4 spaces provided for the 4 staff members and 2 visitor spaces, 6 spaces is considered satisfactory in this instance. The proposal has also been assessed against the objectives and provisions within State Environmental Planning Policy (SEPP) No. 33 – Hazardous and Offensive Development. In this regard the proposal satisfactorily addresses the matters listed under Clause 13 of the SEPP, including compliance with the relevant circulars and guidelines produced by the Department of Planning and Infrastructure, consultation with public authorities, consideration of feasible alternatives and consideration of any likely future surrounding land use. The assessment under SEPP 33 has concluded that the proposal is neither hazardous nor offensive development. The proposed “waste management facility” is therefore a permissible land use under Council’s 4(a) Industrial zoning with development consent.
- 1.10 The proposed development has also been assessed against the relevant matters for consideration pursuant to Section 79C of the EP&A Act 1979, including environmental impacts, the suitability of the subject site and issues raised by the public. The assessment has found the development to be satisfactory.
- 1.11 As part of the assessment process, the DA was referred to various internal sections of Council for consideration and comment. Council’s Development Engineers, Building Surveyors, Traffic Engineers and Environmental Health Unit (EHU) have raised no objection to the proposed development subject to appropriate conditions being imposed on any consent. At an on-site inspection, however, it was noted that a 48sq.m demountable office had been illegally located within the confines of the industrial premises. Council’s Town Planners have raised no objection to the retention of the office provided it does not impact on the operations of the business, including truck manoeuvring. Council’s Building Surveyors also raised no objection provided the office is upgraded to meet BCA requirements.
- 1.12 The DA was also referred to the Department of Planning and Infrastructure (DPI). The DPI raised no objection to the proposal subject to the implementation of appropriate conditions. The DPI also confirmed that referral to Fire and Rescue NSW was unnecessary for this Application provided the premises meets all BCA requirements. WorkCover NSW was also contacted who advised that no authorisation or permits were required provided appropriate measures were adopted to mitigate the risk of contamination.

- 1.13 Given that this "Integrated Development" proposal must have the concurrent approval of the NSW Office of Environment and Heritage (OEH), the DA plans and EIS were also referred to OEH for their assessment and General Terms of Approval (GTA). The OEH have advised that no objections are raised to the proposal, but have advised that should approval for the proposal be successfully obtained an Environment Protection Licence (EPL) for the premises is required before the operations can be commenced.
- 1.14 The development proposal and accompanying EIS was notified to adjoining and surrounding property owners and occupiers, and advertised in the local newspapers for more than 30 days from 4 October 2011 to 4 November 2011 in accordance with the requirements under Clause 79 of the EP&A Regulation. In accordance with Council's Policy, the application was also notified by way of a notification sign erected on the subject site. As a result of this process 2 individual submissions were received by Council.
- 1.15 The objections raised are mainly in relation to odour, noise, traffic movements and the potential spillage of materials. It is considered that the grounds for objection are insufficient to warrant refusal of the Application. These concerns have been addressed within the EIS submitted as part of the Application. While the objections raise important issues, it is considered that appropriate conditions can be imposed to address any valid concerns.
- 1.16 "Designated Development" for the purpose of a "waste management facility" constitutes 'Regional Development' pursuant to Clause 13B(1)(e) of State Environmental Planning Policy (Major Development) 2005. As such, while Council is responsible for the assessment of the DA, determination of the Application is the statutory responsibility of the Sydney West Joint Regional Planning Panel (JRPP). The Application is therefore referred to the Joint Regional Planning Panel for determination.
- 1.17 The Application is considered satisfactory and is recommended for approval subject to the imposition of suitable conditions. Draft conditions are provided at **Attachment 1**.

## **2. Site Description and Location**

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- 2.1 The subject site is located within an existing industrial area in Arndell Park at Lot 14, DP 786328, H/N 9 Kenoma Place, Arndell Park. The site is surrounded by other industrial activities, such as bulky goods storage, motor vehicle repairs, forklift hire and general storage operations. The subject site is zoned 4(a) General Industrial pursuant to Blacktown Local Environmental Plan (BLEP) 1988.
- 2.2 In area, the site measures 1,492sq.m, having a road frontage of 25.5m to the cul-de-sac head of Kenoma Place and a depth of 38m. The site enjoys vehicular access to the surrounding well serviced local road network, with access to the regional road network of the Great Western Highway, M4 and M7 via Doonside Road and Eastern Road.
- 2.3 The existing industrial premises has a floor area of approximately 570sq.m and includes 2 offices and a conference room, two small kitchens and staff amenities. In the front building elevation, there are two roller shutter door openings, which will allow for direct loading and unloading access to the internal ground floor area. A site plan and floor layout plan are provided at **Attachment 2** to this report.

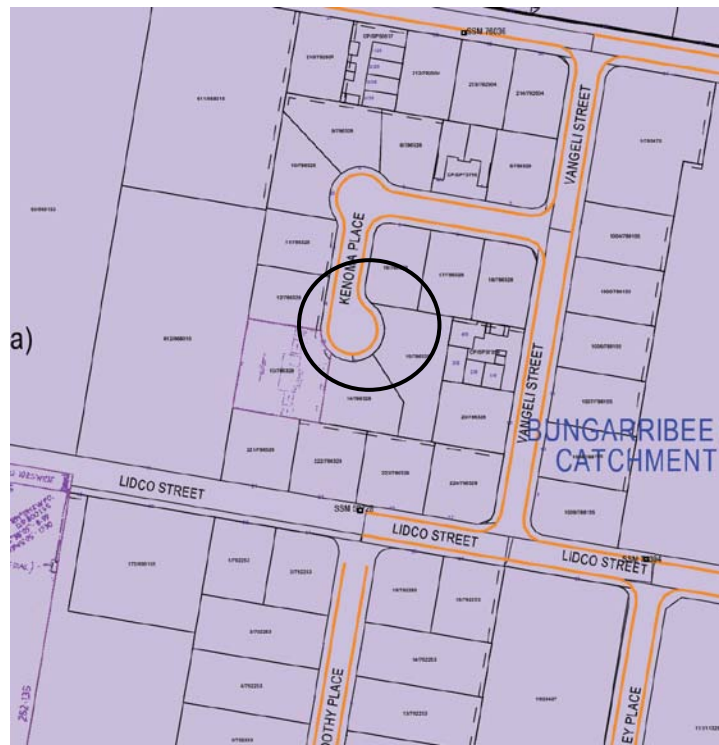


Figure 1. Zoning Plan (Source: Blacktown City Council Local Environmental Plan 1988)

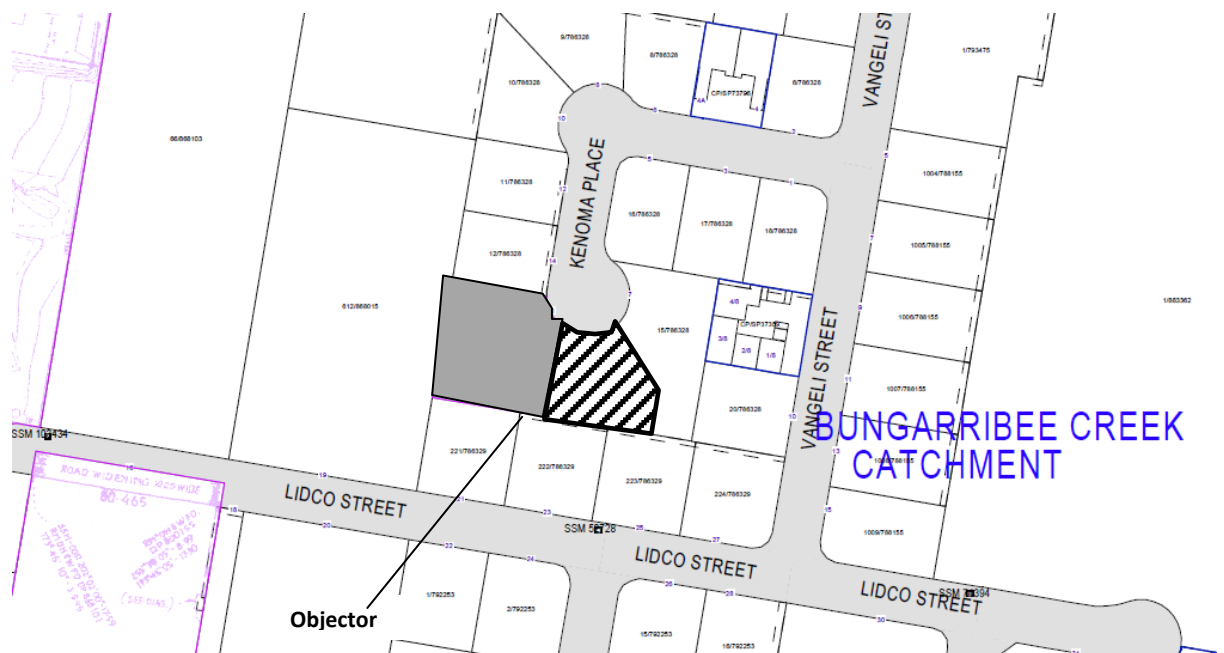


Figure 2. Location Plan and Location of Objectors



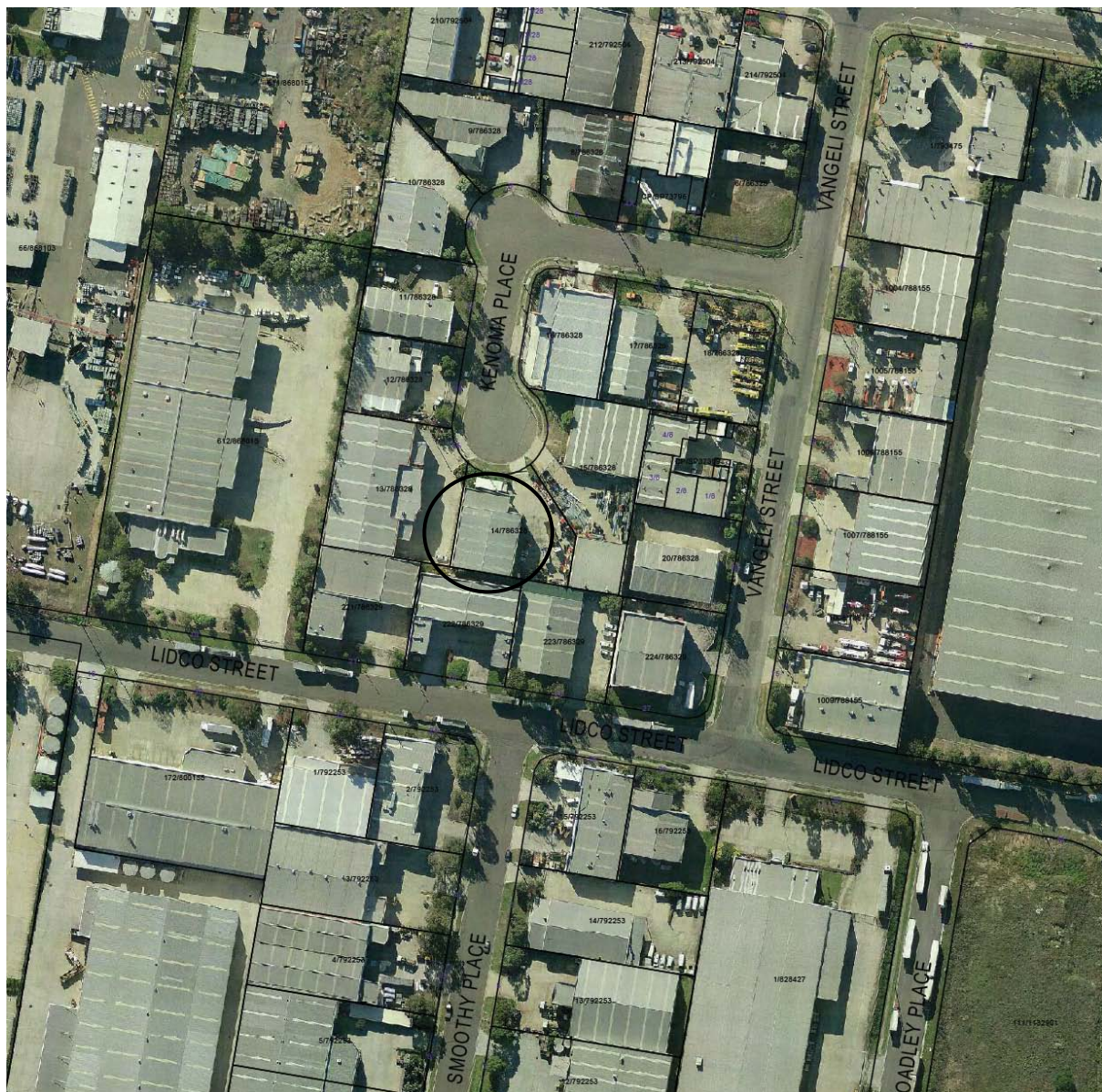


Figure 3. Aerial Photo (Source: Blacktown City Council, 2010)

### 3. History of the Site

- 3.1 The site is owned by C & S Liney Property Nominees Pty Ltd and presently contains a vacant industrial premises. The site has previously been used for other general industrial purposes.
- 3.2 DA-96-80 was approved by Council on 25 March 1996 for the construction of a factory/warehouse for manufacturing water pumps and associated offices. The approved premises still currently exists on the site but is vacant.

### 4. The Proposal

- 4.1 Blacktown City Council is in receipt of a Development Application (DA) from Stimson Consultant Services (SCS) Pty Ltd on behalf of the owner C & S Liney Property Nominees Pty Ltd for the installation of an automated waste treatment system for clinical and quarantine waste within the confines of the existing vacant industrial premises at 9 Kenoma Place, Arndell Park.

- 4.2 The proposed "waste management facility" constitutes "Designated Development" under Clause 32(1)(b)(i) in Schedule 3 of the Environmental Planning and Assessment Regulation 2000 given that it seeks to handle waste that is classified in the *Australian Dangerous Goods Code* and/or is medical, cytotoxic or quarantine waste. As part of the submission requirements, the applicant was therefore required to prepare an Environmental Impact Statement (EIS) addressing specific matters identified by the Director-General of the DPI.
- 4.3 The proposed activity is also classified as "Integrated Development" under Section 91(1) of the EP&A Act 1979 given that an Environment Protection Licence (EPL) is required from the NSW Office of Environment and Heritage (OEH) under the Protection of the Environment Operations (POEO) Act 1997. As part of the assessment process, the DA plans and EIS were therefore referred to the OEH for their assessment and advice as to General Terms of Approval (GTAs). The OEH has advised that they have no objection to the proposed activity and have issued their advice as to their GTAs which will be attached to any consent granted. A copy can be found at **Attachment 1** to this report.
- 4.4 The primary operation of the site is as a Waste Management Facility for the treatment of clinical and quarantine waste. The proposed machinery and operation will be wholly contained within the existing industrial premises. The waste is collected in specially marked bins containing specially provided heavy duty bin liner bags, from various places of business of a medical or quarantine nature. The customers are in turn provided with empty clean bins lined with the heavy duty bags. Given that the waste is collected firstly in smaller, lined bins, the waste is essentially "double bagged" by the time of collection.
- 4.5 To better understand the operation and volume, the applicant advises that 23 full bins equate to 0.5 tonnes of waste. Given that the processing capacity of the machine for each cycle is approximately 2 sulo bins and that a full cycle takes approximately 15 minutes, it has been calculated that the proposed waste treatment machine could treat 8 bins per hour (or 96 bins during the 12 hour workday). As the proponent is seeking to operate 6 days a week, this would be equivalent to 576 full sulo bins or 12.5 tonnes of clinical/quarantine waste each week. The maximum clinical and quarantine waste that could be treated each year would therefore be 650 tonnes.
- 4.6 The applicant has indicated that approval is sought for the handling and treatment of 900 tonnes or less of clinical or quarantine waste per year. The calculations indicate, however, that the machine would not have the capacity to treat this higher volume of waste. While it is recognised that each specially marked bin may not be filled to capacity, it is considered appropriate that limitations be placed on the number of bins arriving at the site each day in order to ensure that the maximum volume of 650 tonnes is never exceeded. As such, it is recommended that any approval granted limit the maximum number of bins to be processed each day to a maximum of 96 bins. This is considered necessary to ensure that all waste within the bins is processed on the same day that it is delivered to the premises and that no untreated waste is stored overnight at the site. These matters can be **conditioned** in any consent granted. Appropriate **conditions** would also be required to limit the volume of waste held on the site at any one time, and the maximum volume being treated each year.
- 4.7 Once weighed, the specially marked bin is lifted allowing the double bagged waste to enter the machine. As indicated above, the machine can process at least 2 bins at a time. Once in the machine, the load is shredded into pieces of less than 1sq.cm. The shredded material then enters the sterilisation chamber where it is sterilised.
- 4.8 The sterilising process heats up the waste to a temperature of between 135°C and 140°C, which is above the regulated standard of 134°C. The treatment also has an EPA standard of "5 to 6 Log Kill". 5 to 6 Log Kill is the highest (Nonbacterial) standard achievable. This is the same



standard used to sterilise hospital theatre equipment, and is the accepted level of sterilisation for this type of standard autoclave machine. The plant design has been certified by WorkCover to meet the Occupational Health and Safety Act 2000 and the Occupational Health and Safety Regulation 2001.

- 4.9 The proposed automated waste treatment system will sterilise the pathogens to a level that is consistent also with international standards. During the cycle time of approximately 15 minutes, the amount of water vapour vented will only be a maximum of half a litre. This is considered minor in a premises which has a ground floor area of approximately 500sq.m and a roof height of 6m. This will result in no atmospheric change in the premises and therefore does not necessitate any external ventilation stacks or devices. The process has been scientifically proven and has also been endorsed by NSW Health as shown in their letter at **Attachment 3** to this report. The OEH has advised, however, that the proposed clinical waste treatment process will need to be approved in writing by the Director-General of the Department of Health before the EPL can be issued. This will be **conditioned** in any consent granted.
- 4.10 In relation to the main ground floor area, approximately 450sq.m of this area will be used to house the new machinery and associated bin storage areas. The remaining portion of the ground floor area is occupied by a 48sq.m illegal demountable office. The applicant has requested that, as part of the Application, the portable office be retained. Council's Town Planning Section raises no objection provided the office does not impact on the operations of the business, including truck manoeuvring. Council's Building Services Section has also raised no objection provided the office is upgraded to meet BCA requirements. This will be **conditioned** in any consent granted. The existing first floor offices will also be retained and will be used by the 2 administrative staff members.
- 4.11 The facility is proposed to operate Monday to Saturday from 7am to 7pm. There will be 4 employees on the site, comprising 2 machine operators and 2 administrative staff. The hours of operation will be **conditioned** in any consent granted.
- 4.12 The applicant has provided 6 car parking spaces on site to cater for staff and visitors. There will be one in/out truck movement every 2 days associated with the collection of the bulk bin to landfill. An additional 3 trucks and 2 vans are proposed to transport the specially marked bins and bagged waste to the subject premises. All drivers will be sub-contracted and, as such, all vehicles will be cleaned, maintained and stored off site. This will be **conditioned** in any consent granted.
- 4.13 The Waste Treatment Process will entail an automated waste treatment system to be installed within the confines of the existing factory building. The following steps describe the process that applies to the proposed operation:
- i. Waste is collected from various places of business of a medical or quarantine nature. At these premises waste is collected in a specially marked bin (SMB) that is provided by the proponent. The SMB is lined with a heavy duty liner that is sealable. As the waste is collected firstly in smaller, lined bins, the waste is essentially 'double-bagged' by the time of collection. The SMB is picked up by truck or van, with the operator providing a replacement bin with liner bag for the client.
  - ii. The truck or van then travels to the subject site carrying a number of loaded SMBs. The truck/van enters the site then reverses into the collection area.
  - iii. The SMBs are weighed and then lined up to prepare for the sterilising and shredding machine. The waste material is processed the same day on which it is delivered to the site.

- iv. The SMBs are wheeled to the automated waste treatment machine and are then lifted allowing the bagged waste to enter the machine. Once at capacity the machine is started and the bags enter the machine. The load (including the bag) is shredded into small pieces (<1sq.cm) before it enters the sterilisation chamber.
- v. The load is sterilised through a steam process. The time and temperature relationship within each load is controlled and monitored to ensure sterilisation has taken place throughout the load under the correct conditions to ensure complete sterilisation.

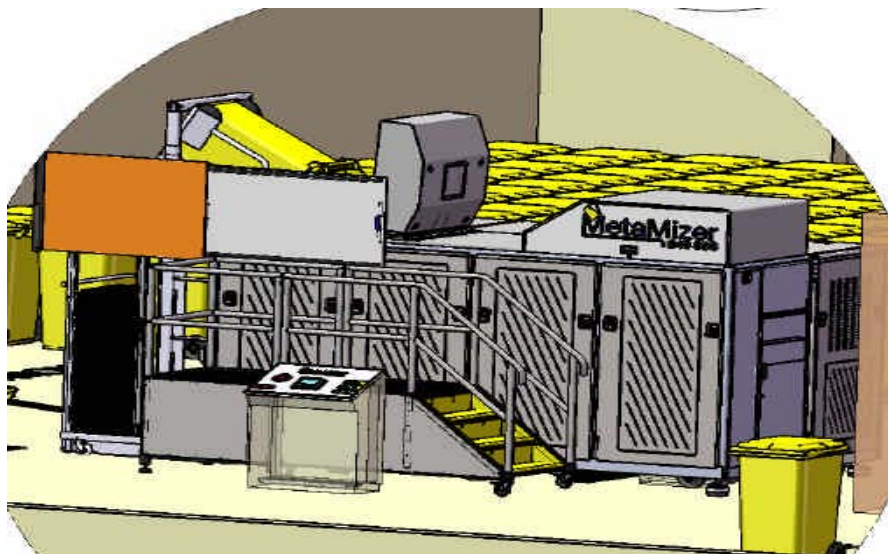


Figure 4: Model of the Automated Waste System (Source: Stimson Consultant Services, 2011)

- vi. Temperature and pressure sensors control the steam inlet valve and also the electronic steam trap to control the time and temperature of each cycle. The effectiveness of the process is enhanced with a pre-vacuum stage to remove air and post-vacuum stage to remove vapour and odour from the steriliser and treated waste. The pressure sensor acts as an accurate automatic safety device that prevents opening of the door under pressure. It also provides valuable information to support the time/temperature record and diagnostics.
- vii. Steam is introduced and replaces air in the chamber by the downward displacement or where a vacuum system is a feature, by mechanical air removal prior to the introduction of steam. The time, temperature and pressure parameters are monitored on the computer and also electronically archived on compact discs as official records. Current testing shows that the shredding results in the volume of material being reduced at a rate of 5:1. That is, the volume collected in 5 SMBs is reduced to a volume of 1 SMB for delivery to the landfill site.
- viii. The sterilised, inert shredded by product is deposited by conveyor belt from the machine into a large 'wheelie' bin, and then, using a bin lift, is tipped into a bulk collection bin. Once the bulk collection bin is at capacity, a truck will collect the bulk bin for disposal to landfill. The bulk bin is a sealed enclosed bin that is mechanically 'pulled' onto the back of a truck. It is noted that the waste material at this stage is sterile and inert. It is anticipated that the bulk bin would be collected and replaced with a new bulk bin every 2 days. There is ample area in front of the unit for the necessary manoeuvring to facilitate this process.

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- ix. For maintenance purposes only, the SMBs are washed with a domestic grade detergent in the proposed bin wash station which will be bunded and connected to the Sydney Water sewer system. The Applicant will be required to obtain a Sydney Water Corporation (SWC) trade waste approval to permit the discharge of wash-down from the bins. This matter will be addressed by a suitable **condition** of consent. The clean bins are then stored on site until they are delivered to clients' premises by another driver.
- 4.14 A copy of the Development Application plans are provided at **Attachment 2** to this report.
- 4.15 In accordance with Section 78A of the EP&A Act 1979, the proposed "Designated Development" is accompanied by an Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and an addendum to the EIS dated 8 September 2011. The EIS includes the following documentation:
- Existing Site and Buildings Plans, dated 27.7.98.
  - Process Diagrams and Perspectives, prepared by Medivac Technology Pty Ltd, dated 31.5.2011.
  - Automated Waste Machine Requirements prepared by Medivac Technology Pty Ltd, dated 9.2.2011.
  - NSW Health Letter of Approval, dated 27.11.2008.
  - Microbiological Testing Report, prepared by AMS Laboratories Pty Ltd, dated 26.5.2009.
  - Cannon Testing Results, November 2004.
- 4.16 The findings of the EIS are examined in detail under Section 6 of this Report. Relevant extracts from the EIS in regard to the above are included at **Attachment 3** to this report.

## 5. Planning Controls

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- 5.1 The planning controls that relate to the proposed development are as follows:

### 5.1.1 State Environmental Planning Policy (SEPP) (Major Development) 2005

SEPP (Major Development) 2005 identifies development classified as "Regional Development" requiring referral to a Joint Regional Planning Panel (JRPP) for determination on the basis of the criteria listed within Clause 13B. As part of the NSW Government's commitment to reform the NSW planning system, from 1 October 2011 Regional Panels will now only determine a DA for "Designated Development" that is for: an "extractive industry", a "marina" or a "waste management facility". Given that the proposed development is classified as "Designated Development" and is also for the purposes of a "waste management facility", the proposed development constitutes "Regional Development" in accordance with Clause 13B(1)(e) of the SEPP. As such, while Council is responsible for the assessment of the DA, determination of the Application will be made by the Sydney West Joint Regional Planning Panel and not by Council.

### 5.1.2 State Environmental Planning Policy (SEPP) No. 33 – Hazardous and Offensive Development

- (a) State Environmental Planning Policy No. 33 (SEPP 33) – *Hazardous and Offensive Development* was gazetted on 13 March 1992 and applies to the assessment of Development Applications for potentially hazardous industry or potentially offensive industry. A "potentially hazardous industry" is defined as:

*"a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing*

or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- i. to human health, life or property, or
- ii. to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.”

A "potentially offensive industry" is defined as "a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.”

(b) The aims of the SEPP, amongst other things, are:

- to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and
- to ensure that in considering any Application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

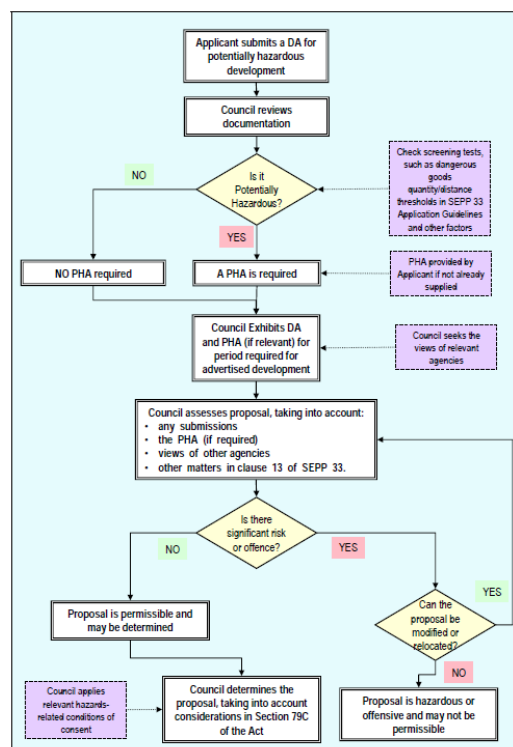


Figure 5. The SEPP 33 Process (Source: Hazardous and Offensive Development Application Guidelines: Applying SEPP 33, Department of Planning)

- (c) In determining an Application to carry out development relating to “potentially hazardous” or “potentially offensive” development, Clause 13 “Matters for consideration by consent authorities” of the SEPP applies and states that the consent authority must consider:
- i. current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and
  - ii. whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and
  - iii. in the case of development for the purpose of a potentially hazardous industry – a Preliminary Hazard Analysis prepared by or on behalf of the applicant, and
  - iv. any feasible alternatives to the carrying out of the development and the reasons for choosing the site the subject of the Application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the Application), and
  - v. any likely future use of the land surrounding the development.

In terms of item i. above, the publications regarded as relevant for this Application are the *Hazardous Industry Planning Advisory Paper (HIPAP) series* and the *Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines*. Other guidelines published by the Department of Planning and Infrastructure (DPI) are not considered relevant to this DA.

- (d) SEPP 33 applies to any proposal which falls under the policy’s definition of “potentially hazardous industry” or “potentially offensive industry”. To help determine whether a development proposal fits into either of these definitions, the DPI’s guideline document titled *Applying SEPP 33* is to be used. As part of this document, a risk screening procedure has been included to establish whether a development proposal falls within the definition of “potentially hazardous industry”. If any of the screening thresholds are exceeded, then the proposed development should be considered potentially hazardous and SEPP 33 will apply. In such cases a Preliminary Hazard Analysis (PHA) should be submitted with the DA. The PHA should be prepared in accordance with *HIPAP No. 6 – Hazard Analysis*.
- (e) The first step in the screening procedure is to determine the type and quantity of dangerous goods involved in the proposal and how they are used or stored on site. In this regard the materials should be classified in accordance with the Australian Code for the Transport of Dangerous Goods by Road and Rail (Dangerous Goods Code 2011). Section 2.6.3 of the Code classifies clinical and quarantine waste as Class 6.2 material. To determine whether the proposal is then classified as “potentially hazardous”, reference must be made to Table 3 “General Screening Threshold Quantities” of the *Applying SEPP 33* guidelines. Under Table 3 the screening threshold for Class 6.2 material is 0.5 tonnes stored on site at any one time. This equates to 23 full sulo bins of double bagged unprocessed waste. As the unprocessed waste will be processed immediately upon its arrival to the premises and will not be stored on site, this threshold can be met by **conditioning** that the development operates accordingly. Also, as the proposal has no explosive chemicals or substances stored on site, the risk posed is considered minimal and, as such, does not trigger the need for a PHA. **Conditions** will be included as part of any consent granted to ensure that the 0.5 tonne storage threshold is not exceeded. It is

therefore concluded that, given that appropriate conditions will be imposed to address this matter, the proposed development is not “potentially hazardous”. Dr Derek Mullins – Technical and Policy Advisor in the DPI’s Hazard Branch also supports this conclusion (see comments under Section 7 of this report).

- (f) Table 2 of *Applying SEPP 33* provides transportation screening thresholds which should also be considered as part of any assessment. If the number of generated traffic movements exceeds the quoted threshold then the development may be “potentially hazardous”. In this regard it states that where proposals include materials of Class 6.2, the DPI should be contacted for further advice. The DPI have advised that there are no requirements as such for Class 6.2 materials, and considering there will only be 3 trucks and 2 vans transporting a maximum of 12.5 tonnes per week the potential risk is not significant as the traffic movements will be low. The DPI therefore confirmed that a PHA and Route Evaluation Study in accordance with *HIPAP No. 11 – Route Selection* were not deemed necessary in the circumstances.
- (g) In terms of potentially offensive development, the *Applying SEPP 33* guidelines indicate that “potentially offensive development” is essentially any development that requires a pollution control licence from the Office of Environment and Heritage (OEH) or any other public authority. Based on the comments provided from the OEH and DPI, the proposed Medical Waste Management Facility is a “scheduled activity” under the Protection of the Environment Operations (POEO) Act 1997 and must be regulated under an Environment Protection Licence (EPL).
- (h) The key consideration in the assessment of the “potentially offensive industry” therefore is whether the consent authority is satisfied that there are adequate safeguards to ensure emissions from the facility can be controlled to a level at which they are not significant. The main factor in making this judgement is whether OEH considers that the licence requirements can be met. If the licence requirements can be met then the proposal is not likely to be classified as “offensive industry”. Given that the OEH has issued its GTAs for the proposed development and is willing to issue the required EPL for the proposal, it has been determined that the proposal is not offensive industry.
- (i) It should also be noted that the general provisions of the POEO Act in relation to pollution of the environment will also apply throughout the proposed operations on the site. This will include the need to consider general requirements during the proposed operations in relation to environmental issues such as noise, dust, emissions and any runoff which may be discharged from the site. In addition to including the OEH’s GTAs for an EPL, general **conditions** to ensure compliance with the POEO Act will also be imposed on any consent granted.
- (j) Item ii. of the “Matters for consideration by consent authorities” states that Council should consult with the OEH (for potentially offensive development) and Fire and Rescue NSW. Consultation with other authorities, such as WorkCover NSW, may also be required depending upon the specific circumstances of the proposal.
- (k) As discussed above, the OEH was consulted throughout the assessment process and has issued its GTAs in relation to the proposal. During the assessment process discussions were also held with DPI. The DPI confirmed that a referral to Fire and Rescue NSW is not required for this Application provided the premises meets all Building Code of Australia (BCA) requirements. In this respect a **condition** will be imposed ensuring the requirements of the BCA are complied with as required by Council’s Building Surveyors.

- (l) As part of the assessment process WorkCover NSW was also contacted who advised that no authorisation or permit is required from their Department provided health and safety measures are in place to mitigate the risk of contamination. The applicant will have a statutory obligation to meet Workcover requirements in any case and this will be **conditioned**.
- (m) Item iii. above indicates that a Preliminary Hazard Analysis (PHA) should be prepared for “potentially hazardous industry”. As the screening thresholds under the *Applying SEPP 33* guidelines will not be exceeded, a PHA is not required. It is worth noting, however, that an Environmental Impact Statement (EIS) accompanies the Application in accordance with sub-section 78A(8) of the EP&A Act 1979, due to the proposal being classified as “Designated Development”. The EIS considers in detail the potential impacts of the proposal and concludes that the automated waste treatment system will not emit any odours, is non-flammable, non-toxic, incorporates a steam sterilisation system and grinds by-product after sterilisation. The findings of the EIS supports that the proposed development is not classified as a potentially hazardous or offensive industry.
- (n) Item iv. of the “Matters for consideration by consent authorities” indicates that any feasible alternatives (e.g. alternate sites, processes, site layouts or transport routes) should be considered. In regard to feasible alternatives, the applicant states that they considered a number of potential alternative sites in and around Sydney’s West close to the existing arterial network. The investigations concluded, however, that sites closer to Sydney would encounter potential land use conflicts with urban development close to already congested road networks. The Arndell Park site was selected because it satisfied all of the operational requirements of the business. As the current zoning, being 4(a) General Industrial pursuant to BLEP 1988, permits this type of use Council considers the proposed location to be satisfactory. Furthermore, given that the preferred alternative will not result in any unreasonable impacts, it is considered that the proposed development is satisfactory.
- (o) In terms of item v. above, Council must consider not only the likely future use of the land surrounding the development but also the suitability of the adjoining land zonings. The subject site is located in the industrial estate of Arndell Park. In the foreseeable future the land will remain zoned for industrial purposes and will support a range of warehousing, light and heavy industrial activities. Given that the subject site and the surrounding properties are zoned 4(a) General Industrial, and support development of an industrial nature, it is believed that the proposal is appropriately located.

### **5.1.3 State Environmental Planning Policy (Infrastructure) 2007**

- (a) Pursuant to Division 23 (Waste or Resource Management Facilities) of SEPP (Infrastructure) 2007 the proposed activity for a Clinical and Quarantine Waste Management Facility is defined as a “*resource recovery facility*”, meaning a facility for the recovery of resources from waste, including such works or activities as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from waste gases and water treatment, but not including re-manufacture of material or goods or disposal of the material by landfill or incineration.
- (b) Section 121 of the SEPP states that a “*waste or resource management facility*”, meaning a waste or resource transfer station, a resource recovery facility, or a waste disposal facility is permissible in the IN1 – General Industrial Zone or its equivalent being the 4(a) General Industrial Zone. On this basis the proposed development being a Waste Management Facility is permissible within the 4(a) General Industrial Zone with development consent.

#### **5.1.4 Blacktown Local Environmental Plan (BLEP) 1988**

The subject site is zoned 4(a) General Industrial pursuant to the provisions of Blacktown Local Environmental Plan (BLEP) 1988. The proposed development, being for a Clinical and Quarantine Waste Management Facility, is permissible under the zoning with development consent.

Clause 9(3) of Blacktown LEP requires the development to be *generally consistent with one or more of the following objectives of the 4(a) Zone*:

- (a) to provide areas for accommodating both traditional and modern forms of industrial, warehousing and like development outside areas used or zoned for residential or business purposes and so encourage economic and employment growth in Blacktown;*
- (b) to encourage the establishment of new industry and other compatible, large-scale activity in appropriate locations;*
- (c) to accommodate large industrial, warehousing and like developments such as auction rooms, plant and equipment hire establishments, timber yards and the like, but to prohibit offensive or hazardous industries;*
- (d) to enable development for the purposes of retailing only where it is associated with, and ancillary to, manufacturing purposes on the same land or where it serves the daily convenience needs of the local workforce;*
- (e) to enable development for the purposes of commercial offices only where it is associated with, and ancillary to, industrial, warehousing or like purposes on the same land or where it serves the daily convenience needs of the local workforce;*
- (f) to ensure permitted development creates areas which are pleasant to work in and are safe and efficient in terms of transportation and land utilisation;*
- (g) to enhance and improve the physical environment of the City of Blacktown by minimising disturbances caused by air pollutants, water pollutants, other pollutants and noise pollution; and*
- (h) to enable development for the purposes of community facilities such as child care facilities either in association with or independent of other permitted development to serve the needs of the workforce of the area.*

The proposed development is consistent with one or more of the zone objectives for the 4(a) Zone (in particular objective [a] and [b]). Additionally, as detailed under Section 5.1.2 the proposal is not classified as hazardous or offensive industry and therefore is a permissible use with consent.

#### **5.1.5 Blacktown Development Control Plan (BDCP) 2006**

The proposed development is subject to the requirements contained in Blacktown Development Control Plan (BDCP) 2006. In this regard, BDCP 2006 Part A – *General Guidelines* and Part E – *Development in the Industrial Zone* have been used to assess the proposal. The proposal, in terms of its compliance with the DCP, is discussed in detail under Section 11 of this report. In this regard, the proposed development complies with the provisions of the DCP's, except for a minor variation to the car parking requirements which will not compromise the orderly operation of the activity.



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## 6. Findings from the Environmental Impact Statement (EIS)

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- 6.1 In accordance with Section 78A of the EP&A Act 1979, an Environmental Impact Statement (EIS) has accompanied the proposal. Clause 71 of the EP&A Regulation outlines the statutory matters that must be included in the preparation of an EIS. This includes a detailed description of the proposal, an assessment against the provisions of any relevant Environmental Planning Instruments (EPI), and an assessment of the key environmental issues. In response, an EIS was prepared by Stimson Consultant Services dated August 2011. The EIS states that the primary objective of the proposed development is to provide a facility which can treat certain waste within easy reach of the Sydney market. The main components of the EIS include information relating to the proposed development, justification for the proposal, an assessment against key environmental planning instruments and a discussion of the potential impacts relating to the use as a Waste Management Facility. A Microbiological Testing Report and NSW Health approval letter has also been submitted as part of the EIS. These are included at Attachment 3 to this report.
- 6.2 The EIS identifies the main environmental issues associated with the installation of the automated waste treatment process as being:
- Noise and vibration impacts to the surrounding properties.
  - Air quality impacts.
  - Traffic impacts on the local road network.
  - Potential for hazards and risks associated with the waste management facility.
  - Water management.
- 6.3 Each of the issues above have been addressed in detail within the EIS. The documents outline how the environmental performance of the proposal will be monitored and managed over time, along with identifying the risk associated with the operation. Appropriate controls and management methods are then identified in order to reduce the associated risk.
- 6.4 The Automated Waste Machine requirements submitted as part of the EIS describes the machinery which comprises the core processing aspect of the operation as an “automated waste management facility” within an existing industrial premises. A plan showing the location of the new machinery within the building is provided at **Attachment 2** to this report.
- 6.5 The MetaMizer 240 waste conversion device incorporates an autoclave and uses heat as the method for sterilisation. Approximately 40kW of electrical power is converted into heat via an electric boiler. Following this process the clinical and related waste is classified as “special waste” pursuant to the *Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008*. The definition of “clinical and related waste” under the Protection of the Environment Operations Act 1997 means:
- i. clinical waste, or
  - ii. cytotoxic waste, or
  - iii. pharmaceutical drug or medicine waste, or
  - iv. sharps waste, or
  - v. animal tissue, carcasses or other waste from animals used for medical research, but does not include any such waste that has been treated by a method approved in writing by the Director-General of the Department of Health.

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- 6.6 **Clinical waste** means any waste resulting from medical, nursing, dental, pharmaceutical, skin penetration or other related clinical activity, being waste that has the potential to cause injury, infection or offence, and includes waste containing any of the following:
- i. human tissue (other than hair, teeth and nails);
  - ii. bulk body fluids or blood;
  - iii. visibly blood-stained body fluids, materials or equipment;
  - iv. laboratory specimens or cultures; and
  - v. animal tissue, carcasses or other waste from animals used for medical research, but does not include any such waste that has been treated by a method approved in writing by the Director-General of the Department of Health.
- 6.7 The reference above to human tissue is not to be confused with waste that may include body limbs, organs or the like. The reference to human tissue includes samples and scrapings – for example where a pathology lab takes a sample of human tissue for analysis on a test plate. Body limbs and organs are treated separately as *‘anatomical waste’* and are handled differently in hospitals and medical centres through separate storage and handling procedures and will not be dealt with at this operation.
- 6.8 It should be noted, however, that the OEH has advised that, as part of their GTAs and EPL, clinical waste that may be allowed to be treated at the premises excludes cytotoxic waste, pharmaceutical waste, drug waste or medicine waste.
- 6.9 The proposal also includes the treatment of *‘quarantine waste’*. Quarantine waste is regulated by Federal legislation under the *Quarantine Act 1908*, the *Quarantine Regulations 2000* and the *Quarantine Proclamation 1998*. Quarantine waste is defined in the Regulation as:
- i. material used to pack or stabilise cargo;
  - ii. galley and food waste;
  - iii. human, animal or plant waste; and
  - iv. refuse or sweepings from the holds or decks of a vessel or installation.
- 6.10 However, for operational purposes the following are also managed in the same way as quarantine waste:
- i. imported goods which cannot meet import conditions;
  - ii. goods subject to quarantine which the importer has elected to dispose of; and
  - iii. byproducts and waste from processing of items subject to quarantine (unless those waste materials are released from quarantine as a result of the processing).
- 6.11 The areas of risk and management methods associated with the proposal as indicated in the EIS are summarised in the table below. It is recommended that, as a **condition** of any consent granted, the management methods are complied with at all times while the facility is in operation:

AREA OF RISK	CONTROLS / MANAGEMENT METHODS
<b>Sewer Management</b>	<ul style="list-style-type: none"> <li>The site is within an existing industrial area and is currently serviced by all major utility services. As no subsurface construction is proposed, no augmentation of these services is anticipated as part of the proposal. It will be <b>conditioned</b> that all faults are repaired or replaced. Where repairs or replacement is not possible, the asset owner should be informed of the fault.</li> <li>The applicant will need to obtain a trade waste consent from Sydney Water for the treated wastewater from the waste management process. This will be <b>conditioned</b> accordingly.</li> </ul>
<b>Water Management</b>	<ul style="list-style-type: none"> <li>Waste water will be produced, albeit at a small scale, from the washing of the waste collection bins. Since the bins are protected from the contents because of the double sealed bags, the washing of the bins is more for presentation purposes than for any necessary cleaning required as a result of carrying the waste. Accordingly, domestic grade detergents are used and are to be disposed of through the normal trade waste arrangements that can be made with Sydney Water. This will be <b>conditioned</b> accordingly.</li> <li>The proposed machine itself does not require any internal cleaning. Information from the designer is provided as follows: <p><i>The clinical waste treatment technology uses a unique materials reduction device ("MRD") to produce a granulated product quicker, more silently and finer than conventional shredding technologies. The advantage obtained from the MRD enables steam, a penetrative effect not a thermal ("burning") effect, to sterilise the waste in markedly shorter times than conventional technologies.</i></p> <p><i>Laboratory "kill" times for viruses and bacterial endospores involve 3-4 minute sterilisation times using this technology as opposed to conventional commercial times of 30-60 minutes. The end result is clinical waste is converted to a general waste stream.</i></p> <p><i>Sterilisation of bacterial and viral pathogens is achieved by direct steam impingement of the waste, whilst granulation is occurring, with preset parameters ensuring once a minimum temperature of 137°C is achieved it is maintained for a period of 4 minutes.</i></p> <p><i>These parameters are controlled by a Unitronics programmable logic controller (PLC) with 24-volt battery backup in the event of power failure.</i></p> </li> <li>A <b>condition</b> will be imposed requesting a wastewater management plan to be submitted to Council prior to the issue of an Occupation Certificate which details the bunding in place, location of spill kits and mitigation responses to a possible water contamination event.</li> </ul>
<b>Waste Management</b>	<ul style="list-style-type: none"> <li>All waste that is discharged is sterile and the treatment is complete with no residual waste left in the chamber. It is for this reason that the machine is a self-cleaning device.</li> <li>A <b>condition</b> will be imposed requesting a health and safety management plan to be submitted to Council prior to the issue of an Occupation Certificate which details mitigation procedures in the event of any spillage or a bag being punctured.</li> </ul>
<b>Odour Management</b>	<ul style="list-style-type: none"> <li>In terms of ventilation the measures taken to adequately dissipate heat energy is successfully achieved with no noticeable effect on the</li> </ul>

AREA OF RISK	CONTROLS / MANAGEMENT METHODS
	<p>factory. This is achieved as the machine is fully insulated with 50mm thick thermo wool insulation. The result is minimal heat loss from the machine.</p> <ul style="list-style-type: none"> <li>• The machine does not require cooling in the sense of its main process module, however, it has an on-board cooling system for controlling the temperatures of its two internal water tanks only.</li> <li>• The electrical controls are located remote to the main module.</li> <li>• The machine's odour management system successfully uses an ozone treatment to eliminate odours from the process. A hood is installed over the inlet of the machine extracting the air through a reaction chamber while treating the air with the appropriate dosage of ozone before eliminating the air.</li> <li>• No external extractors or vents are required to be installed in the premises.</li> <li>• In accordance with the GTAs issued by the OEH, the proponent will, however, be required to install an appropriate air pollution control system to ensure that all air emissions, including gases, vapours and particulates from the process, plant and premises, are maintained at acceptable levels and these emissions are monitored correctly and regularly.</li> </ul>
<b>Noise Management</b>	<ul style="list-style-type: none"> <li>• The site is located within an existing Industrial Area. The proposal would not introduce new noise sources to the local area nor is it expected to reduce the acoustical amenity of the nearby area. It is expected the noise level contribution from the proposal would be considered insignificant when compared to the existing level of traffic and transport noise from the surrounding roads and operations at the Arndell Park industrial site.</li> <li>• To help reduce any potential noise impacts, all significant noise generating activities are conducted within the confines of the industrial building.</li> <li>• The trucks will only deliver raw material to the site or remove materials from the site during designated hours.</li> <li>• It will be <b>conditioned</b> as part of any approval that the operation of the machine is only to occur during the designated hours of 7am to 7pm Monday to Saturday. A further <b>condition</b> will require that the operation of the equipment does not exceed 5dBA above background noise levels at the property boundary.</li> </ul>
<b>Fire Safety Management</b>	<ul style="list-style-type: none"> <li>• The proposed use is of a small and discreet nature. Accordingly, no special fire fighting responses will be required. In the case of the machine ceasing to work properly or in the event that there was a malfunction, waste would be taken to an alternative waste management facility for treatment.</li> <li>• <b>Conditions</b> will be included on any consent granted to ensure standard BCA provisions shall apply to the building in respect to fire protection. This will include the provision of fire extinguishers, signage in areas where plant operations and fire risk activities are present, and the replacement of damaged or out of date fire extinguishers. The existing offices located on the first floor of the building will also need improved lighting and exit signs to comply</li> </ul>

AREA OF RISK	CONTROLS / MANAGEMENT METHODS
	with AS 2293.
<b>Traffic Management</b>	<ul style="list-style-type: none"> <li>3 trucks and 2 vans will service the business associated with the collection and delivery of the specially marked bins from clients' premises to the subject site. There will be 4 employees on the site comprising of 2 machine operators and 2 administrative staff. All drivers will be sub-contracted. It will be <b>conditioned</b> that work vehicles are to park within designated areas, are to park rear to kerb, and that designated truck loading and unloading areas shall be assigned on site.</li> <li>The machine will be delivered to the site on the back of a semi-trailer. It will be unloaded and placed in the warehouse using a fork lift. An increased truck movement on the delivery day is unlikely to have an adverse impact as the site is located within an established industrial estate.</li> <li>The proponent seeks approval to treat up to a maximum of 17 tonnes of waste per week (i.e. 900 tonnes per year). Calculations indicate, however, that the capacity of the equipment would only permit 12.5 tonnes to be processed per week (i.e. 650 tonnes per year). Based on a capacity of 12.5 tonnes per week, there would be 576 bins arriving at the premises each week (i.e. 96 bins a day). 3 trucks and 2 vans will deliver the bins to the premises. It is anticipated that each vehicle would make 1-2 deliveries to the site each day. There will also be one truck movement every two days associated with the collection of the bulk bin for disposal at landfill. All trucks delivering to the site will be unloaded and loaded within the confines of the site. Also, no trucks or vans are to be stored on site. These matters will be <b>conditioned</b> accordingly.</li> </ul>
<b>Hazardous Chemical Management</b>	<ul style="list-style-type: none"> <li>The process is fully self-contained within the proposed machinery. There are no adverse emissions that arise as a result of the proposed process.</li> <li>Apart from domestic grade detergents, there are no chemicals to be kept on the subject site as part of the development.</li> </ul>
<b>Monitoring Management</b>	<ul style="list-style-type: none"> <li>Compliance with Sydney Water 21 day trade wastewater sampling regime and targets.</li> <li>Concise recording/documentation of trade wastewater results.</li> <li>Communication with all regulating authorities of target value breaches.</li> <li>Compliance with routine inspections detailed by regulating authorities.</li> <li>Daily recording of waste water discharged into the sewer.</li> <li>In the event of machinery malfunction, appropriate health and safety measures are to be in place. These monitoring management measures will be <b>conditioned</b> accordingly.</li> </ul>

6.12 The EIS concludes that **the proposal is not considered to be classified as either potentially hazardous or offensive industry** provided there are suitable measures in place to control the development. Further, it identifies that there will be no significant impact in relation to the key environmental issues identified provided all the controls and management methods identified within the EIS are implemented and monitored.

### 6.13 Appraisal of the EIS by Council

- (a) Based on the assessment of the likely issues and the nominated controls identified within the EIS, it is considered that the operation, subject to the imposition of suitable environmental management conditions, could be managed appropriately by the operator.
- (b) The EIS justifies a waste management facility at the subject site given that there is a need to reduce the amount of clinical waste/quarantine waste from the waste stream for reuse. While the current proposal is to deposit the treated inert material to landfill, the applicant is presently investigating ways to also reuse the byproduct in some environmental way to avoid the waste being deposited to landfill in the future.
- (c) Approval has been sought to process 17 tonnes of clinical and quarantine waste per week. Based on the capacity of the equipment, however, it has been calculated that the facility is capable of treating 12.5 tonnes of waste per week. The maximum quantity of clinical and quarantine waste to be treated each year is therefore 650 tonnes. A **condition** of consent will be imposed limiting the operation to this capacity only. Before the operations can commence, an Environment Protection Licence (EPL) will also be required from the OEH. Based on any consent granted, the EPL will further ensure the capacity of the facility is limited to 650 tonnes per year. While it is recognised that the bins arriving at the premises will contain varying volumes, it is considered essential that limitations also be placed on the number of bins arriving at the site each day to ensure the maximum volume of 650 tonnes is not exceeded and that all waste arriving at the site is able to be treated on the same day and is not stored at the premises overnight. For this reason it is recommended that any approval granted limit the number of bins arriving at the site each day to 96 bins. This is in addition to the SEPP 33 requirement that only 23 full sulo bins (i.e. 0.5 tonnes) of unprocessed waste be stored on the site at any one time.
- (d) There are no proposals for further expansion of the site. Expansion plans are limited by the size and capacity of the site and the machine. In any case, should any increase in capacity be proposed in the future, the operator would first need to demonstrate that the facility could contain all the storage items within the building and demonstrate that the operation can function safely. A PHA may be required to demonstrate this. Council believes that the subject premises will fit the processing equipment, provide adequate storage area for 0.5 tonnes of unprocessed waste in bins, and will adequately contain the bulk bin of processed sterilised byproduct and the clean bins for distribution to customers. Any changes to the proposed processing capacity will require separate development consent. This will be **conditioned** accordingly.

## 7. External Referrals

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- 7.1 The subject Development Application was referred to the following public agencies as summarised in the table below:

Agency	Comments
Office of Environment and Heritage (OE&H)	<p>The proposal was referred to the Office of Environment and Heritage (OEH) on 12 August 2011, as an Environment Protection Licence (EPL) for a “scheduled activity” is required under the Protection of the Environment Operations Act 1997.</p> <p>On 13 September 2011 OEH advised that it had reviewed the information contained within the Application and raised no objection to the proposal. Further to this, OEH issued its General Terms of Approval (GTA).</p> <p>The GTAs are attached to the proposed Draft Conditions of Consent at <b>Attachment 1</b>. Some of the key requirements contained in the GTAs include:</p> <ul style="list-style-type: none"> <li>• An EPL for the premises is required before the operations can be commenced. A separate application will need to be made to the OEH for the EPL. It should be noted that the operator already holds an EPL to transport waste in NSW.</li> <li>• The proponent shall install an air pollution control system to ensure that all air emissions including gases, vapours and particulates from the process, plant and premises are maintained at acceptable levels and these emissions are monitored correctly and regularly.</li> <li>• The proponent must ensure that all clinical waste treated at the premises does not include cytotoxic waste, pharmaceutical waste, drug waste or medicine waste.</li> <li>• All processes including segregation, consolidation, bulking, compacting or treatment must be carried out wholly within the building and within a bunded area.</li> <li>• The proponent must ensure that the proposed clinical waste treatment is approved in writing by the Director-General of the Department of Health before an EPL can be issued and the treatment of clinical waste can be commenced.</li> </ul> <p>It should be noted that any EPL issued for the premises will limit the activity to a maximum of 650 tonnes of unprocessed waste per year.</p>
Department of Planning and Infrastructure – Major Hazards and Contaminated Land Branch	<p>Advice was sought from Dr Derek Mullins - Technical and Policy Advisor at the DPI who confirmed the following items:</p> <ol style="list-style-type: none"> <li>1. State Environmental Planning Policy No. 33 - Applying SEPP 33 is only a guideline document.</li> <li>2. The Screening Threshold of 0.5 tonnes for clinical waste in Table 3 of the DPI's publication “Applying SEPP 33” is indicative of the amount that can be stored on the premises at any one time, but as all the waste that is transported to the site will be treated on the same day this will not apply.</li> <li>3. Clinical waste, albeit classified as a Class 6.2 substance, is not an explosive substance nor does it contain chemicals. Given that the waste is transported and processed in double sealed bags, there is no opportunity for the waste to be exposed to the air/environment.</li> <li>4. No Preliminary Hazard Analysis (PHA) is necessary if the potential hazards and amelioration measures are satisfactorily addressed in the Environmental Impact Statement (EIS).</li> <li>5. The EIS is to address any potential equipment malfunction and any harmful emissions from the heating/sterilisation process.</li> <li>6. Referral to the Fire Brigades is not required provided there are appropriate conditions requiring the premises to be upgraded in accordance with the</li> </ol>

Agency	Comments
	<p>Building Code of Australia. In this regard the Applicant has had the existing fire systems inspected and will obtain certification. This will be <b>conditioned</b> accordingly.</p> <p>7. WorkCover is a statutory authority and the applicant will be required to meet their requirements. The Applicant has received WorkCover Certification for the plant Design Registration.</p> <p>8. Temporary storage of sealed bagged waste in sulo bins within the premises awaiting daily processing is acceptable.</p> <p>9. Only 3 trucks and 2 vans will be used to transport a maximum of 96 sealed double bagged waste per day to the premises for processing. The likely number of vehicles movements is not significant and therefore does not warrant the preparation of a Transport Study in accordance with the Department's Publication "HIPAP No. 11 - Route Selection".</p> <p>10. The OEH has provided written clearance to the proposal and has provided their General Terms of Approval.</p> <p>No objection is raised to the proposal by DPI subject to the imposition of appropriate <b>conditions</b>.</p>

## 8. Internal Referrals

8.1 The subject Development Application was referred to the following internal sections of Council as summarised in the table below:

Section	Comments
Engineering & Drainage	As the Industrial building is an existing building and the Application is for a change of use only, Council's Development Services Engineers have advised that no On-Site Detention System or Stormwater Management Plan is required for the subject site.
Building	Council's Building Surveyors have reviewed the Development Application and have raised no objection to approval of the Application subject to the imposition of appropriate <b>conditions</b> of consent (Enclosure 18A on Council File JRPP-11-1642). The Building Services Section has stated, however, that the illegal demountable office currently within the industrial premises will need to meet the requirements of the BCA if it is to be retained. A suitable <b>condition</b> will be imposed on any consent to address this matter. The existing first floor offices will also need improved lighting and exit signs to comply with AS 2293. Suitable <b>conditions</b> will be imposed to address this and other fire safety management issues.
Traffic	Council's Traffic Management Section has undertaken an assessment of the proposal and has raised no objections in principle, however, has requested amended plans to show the dimensions of the proposed car parking spaces in accordance with the Australian Standards. This matter will be addressed by way of a <b>condition</b> . It should be noted that the applicant has provided 6 car parking spaces on site which adequately caters for all staff and any visitors to the proposed operations.
Environmental Health	<p>The Application was referred to Council's Environmental Health Unit (EHU) for comment with <b>conditions</b> provided to control the development. These include but are not limited to:</p> <ul style="list-style-type: none"> <li>The bin wash is to be bunded/graded so as to direct water/waste to a collection pit, which then discharges to the Sydney Water sewer system, in accordance with the requirements from Sydney Water.</li> </ul>



	<ul style="list-style-type: none"> <li>• A requirement for a Trade Waste Agreement from Sydney Water.</li> <li>• Compliance at all times by the operator with the Protection of the Environment Operations Act 1997.</li> </ul>
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## 9. Public Comment

9.1 Following receipt, the Application and accompanying EIS was notified in accordance with the requirements for “Designated Development” under Section 79 of the EP&A Regulation 2000. Public notification was undertaken to all property owners and occupiers within a 75m radius of the subject site for more than 30 days (i.e. between 4 October 2011 and 4 November 2011) and the Application was concurrently advertised in the local newspapers. In accordance with Council’s Policy, the Application was also notified by way of a notification sign erected on the subject site.

9.2 As a result of the public notification period, **2 submissions were received** by Council. The concerns raised have been summarised below, together with Town Planning comments thereon:

(a) *Pollution from steam vapours and odours of materials*

### Town Planning Comment:

- The submitted Microbiological Report on the Clinical Waste Treatment Centre, prepared by Microbiological Testing Programme, dated November 2004 carried out environmental air testing to establish baseline levels of microbial contamination. These levels can then act as a benchmark for comparison with environmental monitoring during routine plant operation. Air samples were taken from designated points in and around the plant, which showed that in all cases the microbial levels found were below the levels felt to require further investigation or remedial action. No pathogenic microorganisms were found in any sample.
- In relation to potential odours from materials, there are no odours emitted beyond the boundaries of the site. The waste is collected in a specially marked bin (SMB) that is provided by the proponent. The SMB is lined with a heavy duty liner that is sealable. Given that the waste in the premises is collected firstly in smaller, lined bins, the waste is essentially ‘double-bagged’ at the time of collection. No putrescibles or any other wastes emitting objectionable odours are received or generated.
- The sterilisation process releases only water vapour, which will be a maximum of half a litre vented from the equipment considering the cycle time of 12 - 15 minutes in a premises with a floor area of approximately 500sq.m and a roof height of 6m. There will be no atmospheric change in the factory and will not necessitate any external ventilation stacks or the like.
- It should also be noted that the proposed activity is classified as “scheduled” under the POEO Act 1997, and is therefore subject to an Environment Protection Licence (EPL). Matters relating to odour will therefore be monitored by OEH, as they are the regulatory authority for an activity of this size. Unless expressly permitted by an EPL, any activity carried out shall not give rise to offensive odour, offensive noise or pollution of land and/or water as defined by the POEO Act 1997. A **condition** of consent has been included requiring that Council 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 in accordance with Part 5.7 of the POEO Act 1997.

*(b) Increased traffic movement within cul-de-sac location*

**Town Planning Comment:**

- The existing industrial building was approved in 1998 as per DA-98-3251, and from that time has been used for industrial purposes, the most recent being for cargo flows which offered handling systems and related services for the loading and unloading of goods. No doubt such an operation would have had vehicles to service the operation.
- In relation to truck movements, the applicant states that there is approximately 1 in/out truck movement every 2 days associated with the collection of the bulk bin to landfill. However, 2 x 12 tonne trucks, 1 x 8 tonne truck and 2 small vans will also be used to deliver the bins to the premises for processing. It is anticipated that each of these 5 vehicles will make 1-2 deliveries to the site each day, and all vehicles are capable of satisfactorily manoeuvring on site. This is considered by Council's Traffic Services Section to be satisfactory and can be accommodated within the existing road network. The low number of trips carried out per week will have no adverse impacts on traffic movement within the Industrial Area.
- The applicant has advised that in terms of employee numbers, only 2 operators for the machine and 2 administrative staff are required for the proposed use of the site. This low volume of employees, and in turn vehicles, will not disrupt traffic to the local street system. A **condition** will be included in the consent requiring that all vehicles enter and leave in a forward direction, and park on site at all times.

*(c) Inhibiting pedestrian activity within a retail precinct*

**Town Planning Comment:**

- The subject site is located within an established industrial precinct. The site is zoned 4(a) General Industrial and therefore does not support general retail activities. The change of use of the existing industrial premises to a waste management facility is compatible with the desired land uses permitted under the zoning. Further, the use is to be contained entirely within private property and therefore does not allow access by the general public.

*(d) Increase in noise pollution*

**Town Planning Comment:**

- To help reduce any potential noise impacts, all significant noise generating activities will be conducted within the confines of the premises. This is consistent with other existing industrial uses in the area. It is anticipated that minimal noise will be generated from truck movements given the low number of vehicles servicing the business.
- The proposed activity is also classified as "scheduled" under the Protection of the Environment Operations (POEO) Act 1997. Under the POEO Act any activity carried out shall not give rise to offensive odour, offensive noise or pollution of land and/or water. The subject site will operate from 7.00am to 7.00pm Monday

to Saturday. The activity will be subject to an Environment Protection Licence (EPL). Matters relating to the emission of noise will therefore be monitored and carefully controlled by the OEH. As the OEH is the regulatory authority for this activity, OEH would also need to be notified of any changes to the permitted operating hours, so that the existing EPL conditions could be adjusted accordingly. Following any development approval, a copy of the determination will be forwarded to the OEH in accordance with the "Integrated Development" requirements.

- It will be necessary to ensure that the proposal complies with the EPA's Industrial Noise Policy and that the proposed operation does not to exceed 5dBA above background noise level at the property boundary. This will be **conditioned** accordingly in any consent issued.

*(e) Ground contamination*

**Town Planning Comment:**

- The premises is sealed with concrete and will be suitably bunded to ensure no runoff or spills escape. Notwithstanding this, it should be noted that the likelihood of ground contamination is minimal given that the double sealed bags will be contained in sulo bins and tipped directly into the machine.
- Inert sterilised byproducts from the treatment process pose no risk to human life and are collected in a bulk bin and taken to landfill.

*(f) Liquid waste runoff*

**Town Planning Comment:**

- All liquid waste runoff from the machine will be directed into the sewer system for removal. The quantities disposed of are limited by the terms of a Trade Waste Agreement specified by Sydney Water. As the Trade Waste Licence will need to be renewed periodically, Sydney Water will undertake their own inspections and monitoring to ensure the activity is operating within the parameters of the licence. Sydney Water will also monitor the total quantity of liquid waste generated through an electronic system which records the volumes discharged into the sewer system to monitor these volumes while the activity operates.
- The continued monitoring of this disposal would be undertaken by Sydney Water to ensure the agreed volumes are not then exceeded.
- The Applicant is also required to bund all areas and provide spill kits in the unlikely event of an incident requiring attention.

*(g) Combustible materials held on site, building standards require a 3 metre buffer zone surrounding the building to allow for adequate fire access and egress*

**Town Planning Comment:**

- The applicant has confirmed that there are no combustible materials associated with the waste management facility and, as such, a 3 metre buffer zone surrounding the building is not required as part of the activity.

*(h) Landscape plan and maintenance*

**Town Planning Comment:**

- At the time of the DA being lodged, a portable office was located within the front landscaped setback of the site. On inspection of the site on 16 November 2011, it was noted that the demountable office had been removed from this location. A **condition** of consent will be imposed for the re-embellishment of the landscaped area. An operational **condition** will also be included requiring all landscaped areas to be maintained at all times in a suitable manner.
  - While a recent inspection reveals that the landscaping has been upgraded by the new owner of the premises, it is considered that additional landscaping can still be undertaken.
- (i) *Area suitability, Kenoma Place supports a large retail/office activity and will discourage clients from visiting existing business re odour and air pollution, increased traffic*

**Town Planning Comment:**

- The subject site is zoned 4(a) General Industrial and permits the proposed use as a Waste Management Facility. The site has been used for industrial purposes for up to the past 12 years. As the proposal is not classified as hazardous or offensive development, the proposed use is considered suitable within the 4(a) General Industrial zone. Suitable **conditions** of consent are also recommended to address any potential environmental management issues and monitor the use.
- The premises will be licensed with the OEH under the POEO Act, and as such should there be any issues arising from the operation, the OEH can consider complaints and request the operator to rectify the issue. Failure on the part of the operator to rectify and respond to any complaints will jeopardise their license and their license can be revoked by the OEH.

## 10. Section 79C Consideration

10.1 Consideration of the matters prescribed under Section 79C of the Environmental Planning and Assessment Act 1979 (as amended) are summarised below:

Heads of Consideration 79C	Comment	Complies
<p>a. the provisions of:</p> <p>(i) any environmental planning instruments (EPI)</p> <p>(ii) any development control plan</p> <p>(iii) the regulations</p>	<p>The provisions of relevant EPIs relating to the proposed development are summarised under Section 5 of this Report.</p> <p>The proposal is permissible in the 4(a) General Industrial Zone and satisfies the zone objectives outlined under Blacktown Local Environmental Plan 1988. The proposal is also consistent with the requirements of SEPP 33 relating to Hazardous and Offensive Development.</p> <p>Blacktown Development Control Plan 2006 - Parts A &amp; E apply to the site. The proposed development is consistent with each of the requirements of the DCP. A detailed assessment of the Application is provided under Sections 6 and 11 of this Report.</p>	Yes

Heads of Consideration 79C	Comment	Complies
b. <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i>	<p>An assessment of key environmental issues relating to the proposed development is provided under Section 6 of this Report. It is considered that the likely impacts of the development, including noise, odour, traffic, waste management and the like have been satisfactorily addressed.</p> <p>A thorough site analysis was undertaken to ensure that the proposed development will have minimal impacts on adjoining properties. Appropriate measures have been taken to address potential environmental impacts to neighbouring properties which will be controlled through the inclusion of appropriate <b>conditions</b> of consent. This is considered to alleviate the concerns raised and ensures the appropriate management of the activity with the relevant authorities.</p>	Yes
c. <i>the suitability of the site for the development</i>	<p>The subject site is zoned 4(a) General Industrial and permits the proposed use as a Clinical and Quarantine Waste Management Facility.</p> <p>The site has been used for industrial purposes for the past 12 years.</p> <p>As the proposal is not classified as hazardous or offensive development, the proposed use is considered suitable within the 4(a) General Industrial Zone with suitable conditions of consent able to be included to address any potential environmental management issues and monitor the use.</p>	Yes
d. <i>any submissions made in accordance with this Act or the regulations</i>	As noted in Section 9 of this Report, 2 submissions objecting to the proposal were received. It is believed that the issues raised do not warrant refusal of the Application and can be addressed via suitable conditions of consent.	Yes
e. <i>the public interest</i>	No adverse matters relating to the public interest arise from the proposal. Any potential issues, including noise, odour and fire safety, as a result of the proposed use have been assessed and appropriate conditions included to control the development.	Yes

## 11. Council Assessment

### 11.1 Compliance with Blacktown Development Control Plan 2006 – Part A

An assessment of the proposed development against the relevant requirements of Blacktown Development Control Plan (BDCP) 2006 *Part A – Introduction and General Guidelines* is presented below:

#### i. **Tree Preservation**

In determining a DA Council is required to consider the effect of that development on the landscape or scenic quality of the locality, and whether any trees or other vegetation on the land should be preserved. In this case the proposal is for the use of an existing building

and as such does not impact upon any critical habitats, significant trees or existing vegetation.

ii. ***Items of the Environmental Heritage***

Schedule 2 of BLEP 1988 lists certain buildings or works which are defined as “items of the environmental heritage”. There are no heritage items on the site or in proximity of the site.

iii. ***Car Parking and Access***

BDCP 2006 Part A provides car parking requirements for existing premises being remodelled and/or applying for a change of use. In this regard if the use of the building is changed this will be taken into account in assessing the parking required in addition to any increase in floor space on site.

Based on the floor area of the industrial premises and first floor offices, the proposal generates the need for a minimum of 9 spaces pursuant to BDCP 2006 (i.e. 6 spaces for the 450sq.m of industrial floor space and 3 spaces for the 120sq.m of ancillary office space). However, only 6 car parking spaces are available on site. The applicant has advised that no clients will be accessing the site other than the 4 employees working as part of the waste management facility. For this reason it is agreed that 9 car parking spaces are not warranted. It is also noted that the overall floor area of the premises is not being increased and that the Application is predominantly for use of the existing premises only. It is therefore recommended that the minor DCP variation be supported in this instance.

Council’s Traffic Management Section has requested scaled plans to show the dimensions of the 6 proposed car parking spaces which satisfies the minimum requirement of the Australian Standards. This will be addressed by way of a suitable **condition** of consent. A further **condition** will also be imposed requiring all car parking spaces to be line marked and sealed with a hardstanding all-weather material at all times. Vehicle access is provided to the site through an existing 6m wide driveway from Kenoma Place at the south-eastern end of the site.

## 11.2 **Compliance with BDCP 2006 Part E - Development in the Industrial Zones**

The purpose of Blacktown Development Control Plan (BDCP) 2006 *Part E – Development in the Industrial Zones* is to provide detailed guidance for the preparation and assessment of Development Applications for sites zoned for industrial purposes. As the proposal involves the use of an existing industrial premises, the design guidelines contained within the DCP are not relevant. In this regard the design guidelines relate to new physical buildings works and “greenfield” Industrial Estates.

## 11.3 **Acoustic Impacts**

The proposal will not introduce new noise sources to the local area, nor is it expected to reduce the acoustical amenity of the nearby area. All significant noise generating activities are conducted within the confines of the industrial premises. It is expected that the noise level contribution from the proposal would be considered insignificant when compared to the existing level of traffic and transport noise from the surrounding roads and operations.

Notwithstanding the above, a **condition** will be included to address any potential future noise impacts which states “*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 Department of Environment and Conservation’s Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the*

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*emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration."*

A standard condition will also be imposed requiring that the proposed operations do not exceed 5dBA above background noise levels at the property boundaries in accordance with the EPA's Industrial Noise Policy.

#### 11.4 General Services

All services, including electricity, water, sewer and phone, are available to the site.

#### 11.5 Section 94 Contributions

The subject site falls within Contributions Plan No. 1 – 1980s Release Areas. As the Application is for a change of use only, there is no requirement for Section 94 Contributions to be applied.

## 12. Concluding Comments

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- 12.1 The proposed development is referred to the Joint Regional Planning Panel (JRPP) for determination pursuant to Clause 13B(1)(e) of State Environmental Planning Policy (Major Development) 2005 as the development is for the purposes of a "waste management facility" and is classified as "Designated Development" under Schedule 3 of the EP&A Regulations. As such, while Council is responsible for the assessment of the DA, determination of the Application is required to be made by the Sydney West JRPP. This report is forwarded to the Panel accordingly.
- 12.2 As part of the submission requirements for "Designated Development" the applicant was required to prepare an EIS addressing the provisions of any relevant EPIs and an assessment of the key environmental issues. An assessment against the provisions of SEPP 33 has concluded that there will be no significant risk or offence associated with the proposed activity, and that the proposed use is neither hazardous nor offensive development. The EIS also provides reasonable justification for carrying out the development and choosing the subject site for the activity. In addition, suitable management methods have been proposed throughout the EIS to control the potential areas of risk. These management controls will form **conditions** of any consent granted.
- 12.3 The proposal is also classified as "Integrated Development" under Section 91 of the EP&A Act 1979 given that an Environment Protection Licence is required from the NSW Office of Environment & Heritage (OEH) under the Protection of the Environment Operations (POEO) Act 1997. As part of the assessment process, the DA plans and EIS were referred to OEH for their assessment and GTAs. The OEH has raised no objection to the proposal and has issued their GTAs and licensing requirements, which will be included as **conditions** of any consent granted.
- 12.4 Given that the processing capacity of the waste treatment machine for each cycle is approximately 2 sulo bins and that a full cycle runs for approximately 15 minutes, it has been calculated that the proposed waste treatment machine could treat 8 bins per hour (or 96 bins during the 12 hour workday). As the proponent is seeking to operate 6 days a week, this would be equivalent to 576 full sulo bins or 12.5 tonnes of clinical/quarantine waste each week. The maximum clinical and quarantine waste that could be treated each year would therefore be 650 tonnes.
- 12.5 The Applicant has indicated that approval is sought for the handling and treatment of 900 tonnes or less of clinical or quarantine waste per year. The calculations indicate, however,

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that the machine would not have the capacity to treat this higher volume of waste. While it is recognised that each specially marked bin may not be filled to capacity, it is considered appropriate that limitations be placed on the number of bins arriving at the site each day in order to ensure that this maximum volume of 650 tonnes is never exceeded. As such, it is recommended that any approval granted limit the maximum number of bins to be processed to a maximum of 96 bins per day and 650 tonnes per year. This is considered necessary to ensure that all waste within the bins is processed on the same day that it is delivered to the premises and that no untreated waste is stored overnight at the site. This is in addition to the SEPP 33 requirement that only 23 full sulo bins (i.e. 0.5 tonnes) of unprocessed waste be stored on the site at any one time. These matters can be **conditioned** in any consent granted.

- 12.6 Council Officers have assessed the proposed development under the relevant heads of consideration listed under Section 79C of the Environmental Planning and Assessment Act 1979. Overall, it is considered that the proposed development is satisfactory and is unlikely to have any significant environmental, social or economic impacts on the locality or the surroundings.
- 12.7 The site is located within an existing Industrial Area in Arndell Park. The subject site is zoned 4(a) General Industrial pursuant to Blacktown Local Environmental Plan (BLEP) 1988. Given that the assessment under SEPP 33 has concluded that the proposal is neither hazardous nor offensive development, the proposed “waste management facility” is a permissible land use under Council’s 4(a) Industrial zoning with development consent.
- 12.8 As a result of the public notification process, 2 submissions were received. The objections raised are mainly in relation to odour, noise, traffic movements and the potential spillage of materials. These matters have been addressed within the submitted EIS considered as part of the Application. Appropriate **conditions** of consent will also be included to control the development and address any valid objection.
- 12.9 Overall, the grounds for objection are not considered sufficient to warrant refusal of the Application. As such, it is recommended that the proposed Waste Management Facility be approved subject to appropriate conditions as documented at **Attachment 1** to this report.

### 13. Recommendation

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- 13.1 The Development Application for the establishment of a Waste Management Facility at 9 Kenoma Place, Arndell Park be approved by the Sydney West Joint Regional Planning Panel subject to the draft conditions held at Attachment 1.
- 13.2 A copy of the determination be forwarded to the NSW Office of Environment and Heritage in accordance with the “Integrated Development” requirements.
- 13.3 The applicant and objectors be advised of the Sydney West Joint Regional Planning Panel’s decision.

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REBECCA GORDON  
TOWN PLANNER

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JUDITH PORTELLI  
MANAGER DEVELOPMENT SERVICES & ADMINISTRATION

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GLENNYS JAMES  
DIRECTOR CITY STRATEGY & DEVELOPMENT



**MINUTES OF THE SYDNEY WEST REGION  
JOINT REGIONAL PLANNING PANEL MEETING  
HELD AT BLACKTOWN CITY COUNCIL  
ON THURSDAY, 12 APRIL 2012 AT 3.00 PM**

**PRESENT:**

Mary-Lynne Taylor	Chair
Paul Mitchell	Panel Member
Bruce McDonald	Panel Member

**IN ATTENDANCE**

Judith Portelli	Manager Development Services
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**APOLOGY:** Nil

1. The meeting commenced at 3.40 pm

The Chair welcomed everyone to the Sydney West Regional Panel Meeting.

2. **Declarations of Interest –**

No declarations of interest were made.

3. **Business Items**

***ITEM 1 - 2011SYW095 – Blacktown, 11-1642, Waste Management Facility, Lot 14 DP 786328, H/N 9 Kenoma Place, Arndell Park***

5. **Public Submission -**

Nil

6. **The Panel's Decision**

2011SYW095 – Blacktown, 11-1642, Waste Management Facility, Lot 14 DP 786328, H/N 9 Kenoma Place, Arndell Park

The Panel unanimously approved this application for the reasons outlined in the Council Planning Assessment Report subject to the conditions as amended. The approved conditions are attached to the minutes.

The meeting concluded at 3.45 pm

Endorsed by

A handwritten signature in black ink, appearing to read 'ML Taylor', written in a cursive style.

Mary-Lynne Taylor  
Chair  
Sydney West Region  
Joint Regional Planning Panel  
Date: 24 April 2012



# BLACKTOWN CITY COUNCIL

Development Services Unit

CIVIC CENTRE  
FLUSHCOMBE RD  
BLACKTOWN 2148

DX8117 BLACKTOWN  
BOX 63 P.O.  
BLACKTOWN 2148

Phone: 9839 6000

21A

## BUILDING PERMIT

All Communications  
to be addressed to  
General Manager

Building Application No: BA-98-3251

Building Permit Issued **13 AUG 1998**

THIS IS TO CERTIFY that plans and specifications submitted for Building works as follows:

Building Location:

LOT 14 KENOMA PLACE  
ARNDELL PARK

Type of Building, Statistics, Cost:

Factory Z1272502  
Statistics -- 609m2  
Est. Cost \$280000

Owners Name and Address:

KEVIN BIRCH  
440 TWELFTH AVENUE  
HOXTON PARK  
2171

Builders Name and Address:

KEVIN BRICH  
440 TWELFTH AVENUE  
HOXTON PARK 2171  
2171

are hereby approved subject to compliance with the following conditions:

- (1) Compliance with the relevant provisions of the Local Government Act, 1993 and Regulations, and the Building Code of Australia.
- (2) To ensure the building activity is carried out in accordance with this approval 48 hours notice shall be given to Council to allow for the inspection and approval of the following work (where applicable):-
  - (a) Pier holes prior to placement of concrete.
  - (b) Steel reinforcement when in position for footings, floor slabs, columns, patios and the like, prior to the placement of concrete.
  - (c) Framework when completed, with wet area flashing, roof and external wall cladding in position (where applicable), prior to the fixing of any internal sheeting.
  - (d) Septic/sullage drainage and disposal systems (in unsewered areas), and roof water drainage lines and disposal trenches (where required) prior to covering or backfilling.
  - (e) Completed building before occupation or use.
- (3) The building shall not be used or occupied until approved by Council.

NOTE! Conditions 4 and 5 only relate to relevant residential building works.

continued on page 2



- (4) The floor level of all concrete floors for habitable rooms in all residential buildings shall be a minimum of 300mm above finished ground level including any associated paving.
- (5) Should the building activity subject of this approval be residential building work exceeding \$5,000 in value and not be covered by a contract of insurance pursuant to Sections 92 or 93 of the Home Building Act, 1989, then it is a condition of this approval that the builder or person who does the work comply with the applicable requirements of Part 6 of the Act.
- (6) A sign (detailing the builder's name, contact phone number and after hours emergency phone number ) shall be conspicuously displayed on the building site, except where this approval relates to internal building renovations or where any existing building is occupied during construction works. This requirement gives effect to Clause 37B of the Local Government (Approvals) Regulation, 1993.
- (7) Subject to approval of the Work Cover Authority in accordance with the Occupational Health and Safety Act, 1983, and any such conditions shall form part of this approval.
- (8) The building shall be constructed in Type 'C' construction as outlined in Section C of the Building Code of Australia.
- (9) Compliance with conditions imposed by Council's Consent No. 14184 dated 25 March 1996.
- (10) A signboard shall be erected in a conspicuous position on the site, indicating the name of the builder and owner and the number of the allotment.
- (11) Temporary water closet accommodation shall be provided for workmen. Should this not be possible temporary earth closet accommodation shall be provided, and a sanitary service requested prior to building operations being commenced.
- (12) Your attention is drawn to Ordinance 70, Part 31 - "Precautions for Excavations".
- (13) Landscaped areas shall be separated from vehicular areas by a 150mm masonry kerb, dwarf wall or other effective physical barrier approved by Council.
- (14) All loading and unloading of vehicles, storage of goods or materials and any industrial activity shall take place behind the building alignment.
- (15) Internal roads and carparking areas shall be constructed in the



following manner:

(ii) Delivery vehicle access ways

(a) Fine crushed rock 300mm thick then sealed either with a two coat bitumenous seal or a 10mm size asphaltic concrete (A.C.10) 25mm thick.

- (16) The street or drainage system connection shall be inspected by Council's Engineering Department prior to back filling.
- (17) A grated drain shall be provided across the driveway and connected to the main stormwater line or street gutter.
- (18) A complete hydraulics layout plan, indicating surface and roof water drainage, pipe sizes, levels and points of discharge, shall be submitted to and approved by Council prior to the commencement of construction. This layout plan shall be certified by a practising Hydraulic Engineer.
- (19) The building shall be set out by a Registered Surveyor and copies of the Survey Reports are submitted to Council on completion of the foundation walls/floor slab, prior to building work continuing past floor level.
- (20) Practising Structural Engineer's details or certificate of Structural Adequacy for the following work shall be submitted for consideration and approval before such work is commenced:-
- (a) Suspended reinforced concrete slabs, or reinforced concrete floor slab on ground.
  - (b) Structural steelwork.
  - (c) Retaining walls.
  - (d) Pier and beam footings.
  - (e) Roof trusses.
  - (f) Tilt Panels.
- NOTE:
- (1) Any such certificate is set forth the extent to which the Engineer has relied on relevant Specifications, Geotechnical Report, Rules, Codes of Practice or Publications in respect of the construction. The certificate must also refer to the specific type of foundation material.
- (2) A certificate of structural adequacy shall make reference to the relevant plan numbers.
- (21) Steel members must be protected against corrosion to the satisfaction of the Director Development and Regulatory Services.
- (22) Upon completion and prior to occupation of the building, a certificate from a practising structural engineer must be submitted to Council certifying that the building has been erected in accordance with the approved structural drawings and is structurally adequate for the loads imposed.
- (23) The stairway must comply with D2.13 of the Building Code of Australia



and must be constructed in accordance with D2.13(b) and Table D2.13 of the Building Code of Australia. Should an alternative method of complying with D2.13(a) be proposed please submit details to Council for approval prior to the commencement of construction.

- (24) Handrails and balustrades must be provided to stairs, landings, balconies, steps and patios as required by D2.16 and D2.17 of the Building Code of Australia. Details of the proposed method of complying with these requirements must be submitted to Council for approval prior to installation.
- (25) Doors in a required exit must be readily openable without a key from that side that faces a person seeking egress, by a single handed downward or pushing action on a single device which is located between 900 mm and 1.2 meters from the floor.  
floor.
- (26) Paths of travel to required exits must have a minimum unobstructed height throughout of 2 metres and a minimum unobstructed width, except for doorways, not less than 1 metre. The path of travel must not be obstructed by shelving, plant, fittings or other objects and any alterations to the approved layout must be approved by Council.
- (27) The space below a required non-fire-isolated stairway (including an external stairway) or ramp must not be enclosed to form a cupboard or other enclosed space unless the enclosing walls and ceilings have a Fire Resistance Level (FRL) of not less than 60/60/60 and any access doorway to the enclosed space must be fitted with a self-closing 60/60/30 fire door.
- (28) Fire hose reels must be installed in the building and must comply with E1.4 of the Building Code of Australia. A floor plan indicating the proposed position of the hose reels and details prepared by a Hydraulics Engineer must be submitted to Council for approval prior to installation. The details must include certification to the effect that the proposed design complies with E1.4 of the Building Code of Australia.
- (29) Fire Hydrants must be installed in the building and must comply with E1.3 of the Building Code of Australia. A floor plan indicating the proposed location of the hydrants and details prepared by a Hydraulics Engineer must be submitted to Council for approval prior to installation. The details must include certification to the effect that the proposed design complies with E1.3 of the Building Code of Australia.
- (30) Portable fire extinguishers must comply with E1.6 of the Building Code of Australia and must be installed to the satisfaction of the Director Development and Regulatory Services. The position of the extinguishers must be discussed with Council's Building Surveyor prior to installation.



(a) Main Electrical - 5.5 Main Electrical - 5.5 kg Carbon Dioxide Switchboards  
(b) Kitchen (minor) - 3.5 kg Carbon Dioxide  
(c) All general areas - 9 litre air water type of building  
1194Z

- (31) Air conditioning and mechanical ventilation details prepared by a practising Mechanical Engineer must be submitted to Council for approval prior to commencement of work and must comply with the following:
- (a) The installation must comply with F4.5 of the Building Code of Australia.
  - (b) The return air and exhaust air vents and grills must be installed so as not to cause a nuisance to the public.
  - (c) The equipment must be installed so as not to cause a noise nuisance.
- On completion of the installation, a certificate from the Design Engineer must be submitted to Council certifying that the system has been installed in accordance with the approved design.
- (32) Illuminated exit signs complying with AS 2293 - Emergency Evacuation lighting in buildings, E4.5 and E4.8 of the Building Code of Australia must be installed on, above or adjacent to the doors referred to in E4.5 of the Building Code of Australia. Should an alternative method of complying with E4.8 be proposed please provide details to Council for approval prior to installation.
- (33) Emergency lighting complying with AS 2293 - Emergency evacuation lighting in buildings and E4.2, E4.3 and E4.4 of the Building Code of Australia must be installed in the building. Details and a floor plan prepared by an Electrical engineer must be submitted to Council for approval prior to installation and must include the following:
- (a) the location of proposed emergency light fittings & exit signs;
  - (b) the height at which fittings are to be mounted;
  - (c) the location of all distribution boards;
  - (d) the brand, code numbers and photometric classification of the fittings to be used. Should an alternative method of complying with E4.4 be proposed please submit details to Council for approval prior to installation.
- (34) Storage and disposal of solid and liquid trade waste shall be controlled to the satisfaction of Council at all times. A trade waste removal service shall be used for waste removal, and you are requested to contact Council for the commencement of this service.
- (35) The discharge of polluted water or liquid waste through the stormwater drainage lines is prohibited.
- (36) No advertising structure shall be erected and no advertising sign or material shall be affixed or displayed on any building or land without



the prior approval of the Council under Ordinance 55. A separate application is to be made on the prescribed form.

- (37) Access for people with disabilities must be provided to the building and must comply with Part D3 of the Building Code of Australia.
- (38) Carparking spaces must be provided for use by people with disabilities and must comply with D3.101 of the Building Code of Australia.
- (39) The disabled toilet must comply with AS1428.
- (40) Upon completion and prior to occupation of the building, the owner of the building shall cause the Council to be furnished with a certificate with respect to each essential service installed in the building, to the effect that:
  - (a) the service has been inspected and tested by a person who is competent to carry out such an inspection and test; and
  - (b) the service was or was not (as at the date on which it was inspected and tested) found to have been designed and installed, and to be capable of operating to a standard not less than that specified in the attached Schedule of Essential Services.
- (41) At least once, in each period of twelve (12) months after the building is occupied, the owner of the building shall cause a certificate to be submitted to Council in accordance with the provisions of Clause 27 of the Local Government (Approvals) Regulation, 1993.
- (42) The building shall not be occupied until a certificate of classification has been issued by Council.
- (43) Prior to construction commencing, the garage design, so the tilt panels must be ceiling high to state the design examples with C1.11 of the Building Code of Australia.
- (44) Upon completion submit certification from a practising structural engineer, nominating the fire ratings of the relevant Building members
- (45) Any opening within 3m of the boundary must be protected in accordance with Clause C3.4 of the Building Code of Australia.
- (46) Concrete panels within 3m of boundary shall extend to the underside of the roof.

continued on page 7





CLASSIFICATION OF BUILDING : 5 & 8

TERRY MCCORMACK

General Manager

Per.....

Note to Applicant:

- (a) Your attention is drawn to Sections 100, 106 and 176 of the Local Government Act, 1993, which give you the right to seek a review, amendment or appeal of or against this approval.
- (b) This approval shall lapse 5 years after its operative date or such shorter period prescribed in Section 103 of the Local Government Act, 1993 and indicated by condition of this approval.
- (c) A copy of the Council approved building plans must be submitted to the Sydney Water Corporation at least 14 days before commencement of work to determine if separate Corporation approval is required because of the proximity of the proposed building to water mains, sewers and stormwater channels.
- (d) Compliance with the current access requirements of the Building Code of Australia (where applicable) does not guarantee the building owner immunity from the provisions of the Disability Discrimination Act, 1992.

# NOTICE OF DETERMINATION

OF A DEVELOPMENT APPLICATION  
UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

**APPLICANT**

KEVIN BIRCH

Page 1 of 5

**DETERMINATION No.** 014184

**File No.** DA-96-80

RC:DS.PS0220.MAR

**PROPERTY DESCRIPTION**

LOT 14, DP 786328 KENOMA PLACE, ARNDELL PARK

**DEVELOPMENT**

FACTORY/WAREHOUSE WITH ANCILLARY OFFICES

**DETERMINATION**

*Pursuant to Section 92 of the Act Council advises that the Development Application has been determined by:*

- GRANTING OF CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGES

**BY DELEGATED AUTHORITY - DIRECTOR, DEVELOPMENT SERVICES**

**RIGHT OF APPEAL**

SECTION 97 OF THE ACT CONFERS ON AN APPLICANT WHO IS DISSATISFIED WITH THE DETERMINATION OF A CONSENT AUTHORITY A RIGHT OF APPEAL TO THE LAND AND ENVIRONMENT COURT

**NOTE:** This Consent is generally valid for a period of 5 years effective from the date of this notice, unless specified otherwise by Sections 93 and 99 of the Act, or by conditions.

D. G. JOHNSON  
**GENERAL MANAGER**

per: *RJ*

**DATE:** 25 MAR 1996

Pursuant to Clause 81 of the Environmental Planning and Assessment Regulation 1994, notice of this determination will be published in a newspaper circulating in the local area. In accordance with Section 104A of the Environmental Planning and Assessment Act 1979, any person may question the validity of this consent in legal proceedings commenced in the Land and Environment Court within 3 months of the date of publication of the notice.

**BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

**DETERMINATION No.**  
014184

**File No.** DA-96-80

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 2 of 5

**CONDITIONS OF APPROVAL**

**1. FEES IMPOSED BY THE ENGINEERS.**

The following amounts must be paid (by bank cheque) upon submission of Engineering Plans for approval.

- (a) Fee pursuant to Sections 608 and 609 of the Local Government Act, 1993.  
Inspection Fee: \$81.00

\* The amount mentioned in (a) above is valid until 30th June, 1996 after which it is payable at the rate applicable at the time of payment.

**2. 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.**

**3. Development is to take place in accordance with the following drawings subject to compliance with any other conditions of this consent.**

Drawing No.	Dated	Council's File Encl. No
1-3	Undated	1B-1D
4-6	Undated	13D-13F

**4. Compliance with the following engineering requirements.**

- A. The footway area being turfed to the satisfaction of the Development Services Engineer.
- B. Erosion, sediment control and re-vegetation measures must be provided prior to any construction activity and maintained during the construction period. Details (which may include a written strategy) must be lodged with the Building Application.
- C. Re-vegetation must be applied to disturbed areas as soon as practical after completion of the earthworks or as directed by Council.
- D. Drainage from the site must be connected into the existing interallotment drainage system located in the north-west corner of the allotment.
- E. Construction of Council's standard commercial and industrial vehicular footway crossing, with a minimum width of 6 metres at the street alignment in accordance with Council plan A(BS)61S.

NOTE: This involves a change to the Development Application plans as submitted to Council, and this change must be reflected on the plans submitted to Council with the Building Application for the proposed development.

- F. A separate application must be lodged with Council for the construction of the vehicular footway crossing within this development. This application will be subject to payment of the appropriate Crossing Inspection Fee, and inspections arranged through Council's Engineering Clerk on phone 839.6000 extension 6367.

RC:DS.PS0220.MAR

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

**D.G. JOHNSON  
GENERAL MANAGER**

per: *R2*

DATE: 25 MAR 1996

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

159  
DETERMINATION No.  
014184

File No. DA-96-80

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 3 of 5

**CONDITIONS OF APPROVAL**

- G. Prior to commencement of construction of footway crossings a clearance must be obtained from Telstra and Integral Energy that all necessary ducts have been provided under the proposed crossing.
- H. Where the internal driveway cannot be drained to an internal pit a grated drain shall be provided at the property boundary.
- I. Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb.
5. Compliance with the following building requirements:
- A. The submission of a Building Application complying with the Local Government Act, 1993.
- 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.
- 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.
- 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.
- E. A proposed erosion and sedimentation control plan shall be submitted with the Building Application.
- F. NOTE: The applicant is advised to contact Council's Development Services Unit as the plans may not conform to the requirements of the Building Code of Australia in regard to egress.
- G. The submission of details regarding the retaining and waterproofing structure at cut areas with the Building Application.
- H. The office and amenities windows within 3.0 metres of a line projected from the side boundary require appropriate protection in accordance with Part C of the Building Code of Australia.
6. Car Parking and Access
- A. 9 off street car parking spaces are to be provided on site.
- B. Each right angle car parking space is to be a minimum of 5.2m x 2.6m.
- C. 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.
- D. 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.
- E. All internal roads shall be constructed of hard standing, all-weather material and shall be maintained to the satisfaction of Council at all times.

RC:DS.PS0220.MAR

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

D.G. JOHNSON  
GENERAL MANAGER

per: *RJ*

DATE: 25 MAR 1996

**BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

**DETERMINATION No.**  
014184

**File No.** DA-96-80

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 4 of 5

**CONDITIONS OF APPROVAL**

7. Off street car parking is to be encouraged by the placement of prominent signs indicating its availability.
8. All loading and unloading operations are to take place at all times wholly within the confines of the site.
9. Landscaping
  - A. Separate detailed landscaping plans are to be submitted to and approved by Council.
  - B. Landscaping is to be provided along the road frontage of the site to replace any existing trees or shrubs removed by the carrying out of work in association with this development approval.
  - C. Such landscaping is to include suitable species (including ground covers, shrubs and trees) which, at maturity, will complement the height and scale of the approved building.
  - D. Landscaping is to be completed to the satisfaction of the Director, Development Services prior to the use or occupation of the development and is to be maintained at all times to the satisfaction of the Director, Development Services.
10. 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.
11. No goods, materials, or trade waste are to be stored at any time outside the building other than in approved garbage receptacles.
12. No goods or materials are to be stored, displayed for sale or manufactured at any time outside the building.
13. Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
14. 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.
15. Emission of sound from the premises shall be controlled at all times to the satisfaction of Council.
16. The hours of operation of the development shall not be outside of the following times:  
7.30am to 5.00pm  
Any alteration to these hours will require the separate approval of Council.
17. A Schedule of proposed external finishes (including type and colour) and a coloured elevation plan are to be submitted to Council (ref DA 96-80) for separate approval prior to release of any appropriate Building Application.

RC:DS.PS0220.MAR

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

**D.G. JOHNSON  
GENERAL MANAGER**

per: *DJ*  
DATE: 25 MAR 1996

**BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

**DETERMINATION No.**  
014184

**File No.** DA-96-80

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 5 of 5

**CONDITIONS OF APPROVAL**

18. A Section 73 Certificate issued by the Sydney Water Corporation Limited is to be submitted with the required Building Application. Approved building plans will not be released until this certificate has been submitted.  
NOTE: This development may also require approval from the Trade Waste Section of the Sydney Water Corporation, in relation to discharges to the Corporation's sewerage system. Documentary evidence of compliance with the Corporation's requirements in this regard are to be submitted to Council prior to the commencement of operations on the site.
19. Compliance with the requirements, if any, of :  
A. Sydney Water Corporation Limited;  
B. Integral Energy; and  
C. Telstra.
20. The site is to be kept in a neat and tidy condition at all times to the satisfaction of the Director, Development Services.
21. This consent is limited to the manufacturing and storage of water pumps and auxiliary equipment only. Separate consent from Council may be required for any alteration or expansion of the approved operation.
22. Separate Council approval will be necessary for any proposed change of use from the approved development to another occupancy.

RC:DS.PS0220.MAR

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

**D.G. JOHNSON  
GENERAL MANAGER**

per:



DATE:

25 MAR 1996

# DA Report

Blacktown City Council

To: Judith Portelli – Manager Development Services and Administration

## Application Details:

Application Number:	DA-12-1124
Proposed Development:	Additions to approved medical waste facility
Applicant:	Stimson Consultant Services Pty Ltd
Land/Address:	Lot 14 DP 786328, H/N 9 Kenoma Place, Arndell Park
Land Zoning:	4(a) General Industrial
Current Use and Development:	Existing industrial building approved as medical waste facility
Value of Development:	\$65,000
Lodgement Date:	21.06.12
Report Author:	Sohini Sen

## Proposal

Council is in receipt of a Development Application from Stimson Consultant Services Pty Ltd for additions to an approved medical waste facility at Lot 14 DP 786328, 9 Kenoma Place, Arndell Park. The proposed additions include construction of a new building addition with dimensions 18m x 10m with an area of 180 sqm. The additional space is to be used for the manoeuvring of bins. The medical waste facility was approved under the JRPP (JRPP-11-1642) on 23 April 2012. The additions proposed under this Development Application do not seek to modify the nature or intensity of the approved waste facility development.

## Subject Site and Locality

The subject site is zoned 4(a) General Industrial under the provisions of the Blacktown LEP 1988. The proposed activity is permissible with consent within this zone. The site is located within an industrial zone.



Subject Site

## Background and Site History

Previous development approvals on this site include:

89-633D – Factory and Offices approved in December 1989

90-80D – Factory for manufacturing water pumps and auxiliary approved in March 1996

98-3251 – Building application approved in August 1998

11-1642 – JRPP approval for medical waste facility approved in April 2012

## Internal Referrals

Section	Comments
Engineering	No objections. Comments/conditions held at Enclosure 8A of DA-12-1124.
Building	No objections. Comments/conditions held at Enclosure 12A of DA-12-1124.
Environmental Health	No objections. Comments/conditions held at Enclosure 13A of DA-12-1124.
Traffic	No objections. Comments/conditions held at Enclosure 18A of DA-12-1124.

## Section 79C Evaluation

Consideration of the matters prescribed by section 79c of the Environmental Planning and Assessment Act are summarised in the table below:

### Matters for consideration Section 79C

*79C (a)(i) the provisions of any environmental planning instrument*

EPI	Clause	Complies
Blacktown Local Environmental Plan 1988	Zoning Table	Yes

*79C (a)(ii) the provisions of any development control plan*

DCP	Clause	Complies
Blacktown Development Control Plan 2006	Part A – Introduction and General Guidelines Part E – Development in Industrial Zones	Yes

*79C (b) the likely impacts of the development*

Aspect	Impact of Development
<i>Urban and Building Design</i>	
- Context and setting	None.
- Public domain	None.
- Aboriginal heritage	n/a
- European heritage	n/a
- Site and internal design	Minimal.
- Construction	None.
- Utilities	None.
- ESD	None.



<i>Environmental Impacts</i>	
- Water	None.
- Site contamination	None.
- Salinity	None.
- Air and micro climate	None.
- Other land resources	None.
- Flora and fauna	None.
- Tree removal	None.
- Waste	Waste Management Plan held at Enclosure 2B of DA-12-1124.
- Energy	None.
<i>Hazards</i>	
- Noise and vibration	None.
- Natural hazards	None.
- Technological hazards	None.
- Safety, security and crime prevention	None.
<i>Social and Economic Impacts</i>	
- Social impact in the locality	Minimal.
- Economic impact in the locality	Minimal.

**79C (c) the suitability of the site for the development**

The subject site and its surrounds are currently zoned 4(a) General Industrial, to which the proposed development is permissible. The proposed development is considered satisfactory with respects to the current setting and adjoining land uses.

**79C (d) any submissions**

The proposed development was notified to surrounding properties between 8 August 2012 and 22 August 2012. During this time, no submissions were received.

**79C (e) the public interest**

The proposal is unlikely to have any impact on the public interest.

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## Section 94 Contributions

Section 94 contributions are not applicable.

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## Public Participation

The proposed development was notified to surrounding properties between 8 August 2012 and 22 August 2012. During this time, no submissions were received.

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## Assessment – Key Issues

### (a) Consistency with JRPP approval

The proposed development seeks to create additional manoeuvring space for the bins associated with the approved medical waste facility. The development will not result in a

change or intensification of the approved use in regards to hours of operation, number of employees and volume of waste, and remains consistent with the approved conditions outlined in Notice of Determination 11-1642.

**(b) Environmental Health Issues**

As the proposed development does not seek to modify the nature of the use approved by the previous JRPP development, it is considered that there are no additional environmental health issues that need to be considered that have not already been conditioned for in Notice of Determination 11-1642.

**(c) Car Parking**

6 car parking spaces were approved as part of the medical waste facility (JRPP-11-1642). The additions will add an extra 180 sqm of floor space to the development requiring an additional 3 car parking spaces at 1 space per 75 sqm of floor space. 11 car parking spaces have been provided as part of the proposal. The number of car parking spaces provided is considered satisfactory for the development.

**(d) Truck Manoeuvring**

Truck movements are shown on the plan held at Enclosure 14C of DA-12-1124. The plan shows the truck being able to enter and leave the site in a forward direction when the roller door to the factory building is open. As the space for manoeuvring on this site is tight, a condition of consent will be placed to limit the type of trucks entering and leaving the site to small rigid vehicles.

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## **Recommendation**

Pursuant to Section 81 of the Environmental Planning and Assessment Act, 1979, the Development Application is recommended for:

### **APPROVAL SUBJECT TO CONDITIONS**

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## **Political Donations Disclosure**

- a. In accordance with the provisions of Section 147 of the Environmental Planning and Assessment Act 1979, a Disclosure Statement must be lodged in certain circumstances in relation to any planning application, i.e a Development Application, an application to modify a consent, and an application to make an environmental planning instrument or development control plan.
- b. A Disclosure Statement of a *reportable political donation or gift* must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a Disclosure Statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.
- c. A Disclosure Statement may be made available for viewing upon a written request to Council in accordance with Section 12 of the Local Government Act 1993.

with Section 147(3) of the Act a Disclosure Statement has been submitted to  
t of the subject Development Application.

## ur Certificate

Endorsed by:



Sohini Sen  
Town Planner  
Date:



Judith Portelli  
Manager Development Services and Administration  
Date: 13/9/12

- d. In accordance with Section 147(3) of the Act a Disclosure Statement has been submitted to Council in respect of the subject Development Application.

## Approval Certificate

Endorsed by:



Sohini Sen  
Town Planner  
Date:



Judith Portelli  
Manager Development Services and Administration  
Date: 13/9/12

Civic Centre  
62 Flushcombe Rd  
BLACKTOWN

DX 8117  
BLACKTOWN 2148

Telephone: (02) 9839-6000 Fax: (02) 9831-1961  
Web [www.blacktown.nsw.gov.au](http://www.blacktown.nsw.gov.au)  
e-mail [council@blacktown.nsw.gov.au](mailto:council@blacktown.nsw.gov.au)



**BlacktownCityCouncil**

## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

### Environmental Planning and Assessment Act, 1979 (Section 81)

**Applicant:** STIMSON CONSULTANT  
SERVICES PTY LTD  
PO BOX 4308  
WINMALEE 2777

**Determination Number: 12-1124**

**FILE COPY**

**Property Description:** LOT 14 DP786328, 9 KENOMA PLACE, ARNDELL PARK

**Development:** PROPOSED ADDITIONS TO FACTORY/WAREHOUSE CONTAINING A MEDICAL WASTE FACILITY.

**Determination:** *Pursuant to Section 81 of the Act Council advises that the Development Application has been determined by:*

- GRANTING OF CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGE(S)

**BY DELEGATED AUTHORITY – DIRECTOR CITY STRATEGY AND DEVELOPMENT**

#### Right of Appeal

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of the consent authority a right of appeal to the Land and Environment Court. Section 97 does not apply to State significant development or development that has been subject to a Commission of Inquiry.

**Note:** This Consent is generally valid for a period of five years effective from the date of this Notice, unless specified otherwise by Sections 83 and 95 of the Act, or by conditions of this Consent.

**RON MOORE**  
**GENERAL MANAGER**

Per 

Date 13 September 2012

1 **ADVISORY NOTES**

1.1 **Terminology**

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

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 Section 109C of the Environmental Planning and Assessment Act 1979.

1.2 **Scope of Consent**

1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

1.3 **Other Approvals**

1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.4 **Services**

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral 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 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.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
GENERAL MANAGER

Per   
Blacktown City Council  
13 September 2012

**2 GENERAL**

**2.1 Scope of Consent**

- 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. Site and Floor Plans 165-10 Issue C	Dated 27.07.12	Council's File Enclosure No. 14B
Elevations 165-02 Issue B	30.05.12	1B

\* Unless modified by an conditions of this consent.

**3 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

**3.1 Building Code of Australia Compliance**

- 3.1.1 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 :

- (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).

- 3.1.2 The structural alterations to the building shall not unduly reduce or compromise:

- (a) the existing level of fire protection afforded to persons accommodated in or resorting to the building, or
- (b) the existing level of resistance to fire of the building, or
- (c) the existing safeguards against the potential spread of fire to adjoining buildings.

**4 PRIOR TO DEVELOPMENT WORKS**


**4.1 Safety/Health/Amenity**

- 4.1.1 A sign is to be erected and maintained in a prominent position on the site in

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- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
GENERAL MANAGER

Per   
Blacktown City Council  
13 September 2012

accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (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.

- 4.1.2 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

## **5 DURING CONSTRUCTION (BUILDING)**

### **5.1 Building Code of Australia Compliance**

- 5.1.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

### **5.2 Surveys**

- 5.2.1 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.

### **5.3 Nuisance Control**

- 5.3.1 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.
- 5.3.2 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.

## **6 PRIOR TO OCCUPATION CERTIFICATE**

### **6.1 Compliance with Conditions**

- 6.1.1 An Occupation Certificate shall not be issued until such time as all conditions of this

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per



Blacktown City Council  
13 September 2012





consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

**6.2 Fire Safety Certificate**

- 6.2.1 An interim or final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

**7 OPERATIONAL (PLANNING)**

**7.1 Access/Parking**

- 7.1.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 7.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 7.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

**7.2 General**

- 7.2.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
- 7.2.2 No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 7.2.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 7.2.4 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 7.2.5 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 7.2.6 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per   
Blacktown City Council  
13 September 2012

7.2.7 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.

7.2.8 No nuisance or interference with the amenity of the area shall be created by reason of any process or operation on the land causing the emission of noise, dust, smoke or any polluted discharge whatsoever. Note: The Protection of the Environment Operations Act 1997 requires Council to investigate complaints where only one person complains.

7.2.9 Arrangements shall be made for an effective commercial refuse removal service.

**7.3 Use of Premises**

7.3.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent and the terms and conditions of JRPP DA approval Notice of Determination No. 11-1642.

**7.4 Other Matters**

7.4.1 Loading/unloading vehicles entering and leaving the site are to be restricted to small rigid trucks to ensure they can be wholly contained within the site when manoeuvring with the roller doors closed.

7.4.2 No trucks are to reverse from the cul de sac into the site due to Work Health and Safety reasons.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
**GENERAL MANAGER**

Per



Blacktown City Council  
13 September 2012



# Blacktown City Council

## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION Environmental Planning and Assessment Act, 1979 (Section 81)

**Applicant:** STIMSON CONSULTANT  
SERVICES PTY LIMITED  
LEVEL 6 - 69 RESERVOIR STREET  
SURREY HILLS 2010

**Determination Number: 11-1642**

**Property Description:** LOT 14, DP786328, 9 KENOMA PLACE, ARNDELL PARK

**Development:** Use of an existing industrial premises and the associated offices as a "Waste Management Facility" for the handling and processing of a maximum of 650 tonnes of clinical and quarantine waste per year.

**Determination:** Pursuant to Section 81 of the Act Council advises that the Development Application has been determined by:

- GRANTING OF A CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGE(S)

**BY THE SYDNEY WEST JOINT REGIONAL PLANNING PANEL (JRPP)**

### Right of Appeal

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of the consent authority a right of appeal to the Land and Environment Court. Section 97 does not apply to State significant development or development that has been subject to a Commission of Inquiry.

**Note:** This Consent is generally valid for a period of 60 months effective from the date of this Notice, unless specified otherwise by Sections 83 and 95 of the Act, or by conditions of this Consent.

**RON MOORE  
GENERAL MANAGER**

Per 

**Date 23 April 2012**

**1 ADVISORY NOTES**

**1.1 Terminology**

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 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 Section 109C of the Environmental Planning and Assessment Act 1979.
- 1.1.3 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

**1.2 Other Approvals**

- 1.2.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.2.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:
- (a) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan, and
  - (b) demolition of any existing buildings and associated structures in accordance with the requirements of Council's Local Environmental Plan.

**1.3 Services**

- 1.3.1 The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
  - (b) Integral 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 and stamped by a Sydney Water Corporation Limited

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
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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.

- 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.

## **2 GENERAL**

### **2.1 Scope of Consent**

- 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.	Dated	Council's File Enclosure No.
Site Plan Sheet 3/4 Revision 2	15/09/11	54C
Floor Plan Sheet 1/5 Revision 3	22/12/11	84C
Plant Equipment Plan Sheet 2/4 Revision 2	15/09/11	54B

\* Unless modified by any condition of this consent.

- 2.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:

- Operation of a "waste management facility" for the handling and processing of clinical and quarantine waste.
- The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
- The processing of a maximum of 96 sulo bins of untreated waste each day.
- The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.  
(b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.  
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- 2.3 The proposed development must comply at all time with the information contained within the Environmental Impact Statement (EIS) prepared by Stimson Consultant Services dated August 2011 and the amending addendum dated 8 September 2011 (Enclosure 56A on Council's File JRPP-11-1642).
- 2.4 The proposed development is to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH) included at Attachment 1 of this consent.
- 2.5 An Environment Protection Licence (EPL) is required for the 'scheduled activity'. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.
- 2.6 The automated waste machine to be used for the processing of the clinical and quarantine waste, must be a Medivac MetaMizer. Medivac is to certify that the device supplied is in accordance with MediVac Technology Pty Limited's requirements and specifications.
- 2.7 **Suburb Name**
- 2.7.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: ARNDELL PARK

**3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

**3.1 DA Plan Consistency**

- 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

**3.2 DCP 2006**

- 3.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Development Control Plan 2006.

**4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

**4.1 Necessary Plan Amendments**

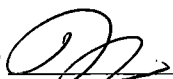
- 4.1.1 Amended scaled plans are required to show the dimensions of the 6 proposed car parking spaces in accordance with the Australian Standards.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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**5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

**5.1 Building Code of Australia Compliance**

5.1.1 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 :

- (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).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

- (a) Sections D, E

5.1.3 In accordance with the provisions of Clause numbers 94 and 143 of the Environmental Planning and Assessment Regulation, 2000, Council's has deemed the following must be provided to the building and detailed in the Construction Certificate plans:

- a. The balustrade serving the stairwell must be upgraded to comply with the requirements of Clause D2.16 of the BCA.
- b. The disabled toilet facility is to be upgraded to comply with AS 1428 – 2001 and Part D3 of the BCA. This will involve the improvement of the grab rails, toilet paper holder and clearance beneath the vanity.
- c. The hose reel shall be relocated to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.
- d. The enclosure beneath the stairs needs a fire rated door in this location. Alternatively, the door may be removed and the opening may be bricked up.
- e. The first floor office area will need improved emergency lighting and exit signs to comply with AS 2293.
- f. The ground floor offices shall be provided with a mechanical exhaust system complying with AS 1668.
- g. Artificial lighting is to be provided to the ground floor offices.
- h. The clean bin holding area is to be located at least 1m from the existing ground floor offices.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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**6 PRIOR TO DEVELOPMENT WORKS**

**6.1 Safety/Health/Amenity**

- 6.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 6.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (a) 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
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (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.

- 6.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

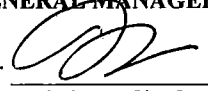
Where necessary, an awning shall be erected, sufficient to prevent any substance

These conditions are imposed for the following reasons:

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from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

**6.2 Notification to Council**

- 6.2.1 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.

**7 DURING CONSTRUCTION (BUILDING)**

**7.1 Safety/Health/Amenity**

- 7.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

- 7.1.2 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:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (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
- (c) stating that unauthorised entry to the work site is prohibited.

- 7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

- 7.1.4 The bin wash bay is to bunded/graded so as to direct water/waste to a collection pit, which then discharges to the Sydney Water sewer system, in accordance with the requirements of Sydney Water.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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**7.2 Building Code of Australia Compliance**

- 7.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

**7.3 Nuisance Control**

- 7.3.1 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.

- 7.3.2 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.

- 7.3.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

**7.4 Waste Control**

- 7.4.1 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.

- 7.4.2 The bin wash is to be bunded/graded so as to direct water/waste to a collection pit to Sydney Water Corporation sewer.

**7.5 Construction Inspections**

- 7.5.1 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) At the commencement of the building work; and

(b) After excavation for, and prior to placement of, any footings; and

(c) Prior to pouring any in-situ reinforced concrete building element; and

(d) 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

(e) 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

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(f) Prior to covering any stormwater drainage connections; and

(g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(g)" 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.

## **8 PRIOR TO OCCUPATION CERTIFICATE**

### **8.1 Road Damage**

8.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

### **8.2 Compliance with Conditions**

8.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, including the General Terms of Approval (GTA's) of the Office of Environment and Heritage (OEH). The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

8.2.2 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.

### **8.3 Environment Protection Licence**

8.3.1 The premises is a "Scheduled Premises" within the meaning of the Protection of the Environment Operations Act 1997, an Environment Protection Licence (EPL) shall be obtained from the OEH before operations on site can be commenced. A copy of the licence shall be submitted to Council. Note: The clinical waste treatment process will need to be approved in writing by the Director-General of the Department of Health before the EPL can be issued. The EPL may permit a maximum of 650 tonnes or less of clinical or quarantine waste to be treated each year.

8.3.2 In accordance with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH), the proponent shall install appropriate air pollution control system/s to ensure that all air emissions including gases, vapours and

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particulates from the process, plant and premises are maintained at acceptable levels and these emissions are monitored correctly and regularly.

#### **8.4 Operations Management Plan**

8.4.1 The applicant shall prepare and pay the full cost of an Operations Management & Monitoring Plan dealing with:

- Health and safety issues and measures in the event of any spillage or a bag being punctured;
- Proposals for monitoring of worker health (e.g. in the event of machinery malfunction);
- General OH&S issues including workplace noise protection;
- Ongoing training and education of employees in safe work practices associated with working with clinical and quarantine waste;
- Regular on-site inspection and preventative maintenance of the automated waste machine (i.e. Medivac MetaMizer) by MediVac or a suitably qualified engineer;
- Maintenance and upkeep of the required bunds to ensure their effectiveness; and
- Measures adopted to ensure full compliance with condition 5 of OEH's General Terms of Approval. In this regard, the Operations Management Plan must demonstrate how cytotoxic waste, pharmaceutical waste, drug waste and medicine waste will continue to be eliminated from the process.

The Operations Management & Monitoring Plan is to be submitted to the Council for approval prior to any operations commencing on site.

Note: All measures outlined in the Operations Management & Monitoring Plan are to be certified on an annual basis by an appropriately qualified environmental engineer. This is to include certification of the manufacturer's recommended maintenance regime, that all adopted health and safety procedures are still in place, and that the required bunding is being maintained. A copy of the annual certification is to be lodged with Council each year for it's information and record.

#### **8.5 Car Parking**

8.5.1 A minimum of 6 car parking spaces are to be provided on site. All car parking spaces are to be line marked and sealed with a hard standing all weather material.

8.5.2 The 6 designated car parking spaces are to be signposted as "rear to kerb' parking.

8.5.3 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

8.5.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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- 8.5.5 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

**8.6 Service Authorities**

- 8.6.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

- 8.6.2 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

**8.7 Landscaping**

- 8.7.1 The front setback area is to be suitably landscaped to the satisfaction of Council.

**8.8 Temporary Facilities Removal**

- 8.8.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

- 8.8.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

**8.9 Fire Safety Certificate**

- 8.9.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

**8.10 Emergency Procedures**

- 8.10.1 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.

**8.11 Other Matters**

- 8.11.1 Appropriate signage is to be erected advising that access by the general public into any restricted areas of the building is prohibited.

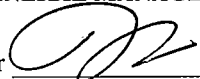
**8.12 Environmental Management**

- 8.12.1 All entrances and exits to the building are to be bunded.

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8.12.2 All floors within the factory shall be sealed to enable containment of spills/leaks.

**9 OPERATIONAL (PLANNING)**

9.1 A copy of the certification required by Condition 8.4.1 of this consent is to be lodged annually with Council for its information and record.

**9.2 Access, Parking & Vehicles**

9.2.1 All 6 required off-street car parking spaces are to be line marked and internal driveways are to be sealed and shall be maintained to a standard suitable for the intended purpose.

9.2.2 Vehicles associated with the activity are to park within the 6 designated car parking spaces (4 spaces for staff and 2 for visitors) and are to park rear to kerb, and enter and leave the site in a forward direction.

9.2.3 All loading and unloading operations shall take place at all times wholly within the confines of the industrial building within the designated loading/unloading area. In this regard, all waste materials must be handled, loaded and unloaded within the bunded area within the building at all times. No authorisation is given for the loading or unloading within the driveway or parking areas.

9.2.4 The internal designated loading/unloading area is to remain clear of any obstructions (particularly stored bins) at all times to ensure that all loading and unloading takes place wholly within the designated area.

9.2.5 The portable ground floor office must not impact on the operations of the business at any time, including designated loading/unloading area.

9.2.6 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

9.2.7 All vehicles must enter and leave the site in a forward direction at all times

9.2.8 All vehicles must be cleaned, maintained and stored off site.

**9.3 Retailing Restrictions**

9.3.1 This consent does not authorise the sale or display of goods for retail to the general public.


**9.4 General**

9.4.1 No goods, materials, or trade waste (including the specially marked sulo bins) shall be stored at any time outside the building on either the internal vehicular driveway, car parking areas, landscaping or footpath areas. The bins must be located inside the building at all times to ensure there is no impact of the availability of on-site

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parking.

- 9.4.2 No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 9.4.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 9.4.4 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 9.4.5 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9.4.6 Access to the fire extinguishers shall be kept clear at all times.
- 9.4.7 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 9.4.8 The hours of operation of the development 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: 7am to 7pm, Monday to Saturday.

No work is permitted on Sundays or Public Holidays.


Should Council receive justified complaints that the waste management facility is operating outside these hours, or is causing noise and disturbance to the adjoining uses then Council will be required to investigate, which may result in the commencement of enforcement proceedings in the event of non-compliance.

- 9.4.9 The applicant is to comply at all times with the requirements of the Dangerous Goods Code in relation to the transportation and handling of all specially marked bins.
- 9.4.10 Access by the general public into any restricted areas of the building is to be prohibited and this is to be made clear by the use of signage.
- 9.4.11 All faults relating to utility services are to be repaired or replaced immediately. Where repairs or placement is not possible the asset owner should be informed of the fault.
- 9.4.12 The front setback area is to be suitably landscaped and suitably maintained at all times.

These conditions are imposed for the following reasons:

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**9.5 Use of Premises**

9.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

9.5.2 This consent authorises the use of the industrial premises for the following purposes, subject to full compliance with all other conditions of this consent:

- Operation of a "waste management facility" for the handling and processing of clinical and quarantine waste.
- The maximum storage of 0.5 tonnes (i.e 23 bins) of unprocessed waste on site at any one time.
- The processing of a maximum of 96 sulo bins of untreated waste each day.
- The processing of a maximum of 650 tonnes of untreated waste per year.

Any proposal to increase the processing capacity will require the prior and separate development approval by way of a Section 96 Application or a new DA.

9.5.3 All waste within the specially marked bins is to be processed on the same day it is delivered to the premises.

9.5.4 At no time is untreated waste to be stored at the premises overnight.

9.5.5 The proposed operations are to comply at all times with the General Terms of Approval (GTA's) issued by the Office of Environment and Heritage (OEH). A copy of the GTA's are included at Attachment 1 of this consent.

**9.6 Ongoing Monitoring**

9.6.1 The following requirements shall be complied with:

- (a) Any change in ownership or legal entity will require a new trade waste consent from Sydney Water Corporation;
- (b) Maintain a wastewater management plan; and
- (c) Provide and maintain recovery equipment for the site.

**9.7 Monitoring Management**

9.7.1 The following requirements shall be complied with:

- Compliance with Sydney Water Corporation – 21 Day waste water sampling regime and targets;
- Concise recording/documentation of trade waste water results;

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- Communication with all regulatory authorities of target values to reach;
- Compliance with routine inspections detailed by regulatory authorities;
- Daily recording of waste water discharged into the sewer; and
- In the event of machinery malfunction compliance with the approved waste water management plan is required.

**10 OPERATIONAL (ENVIRONMENTAL HEALTH)**

**10.1 Environmental Management**

- 10.1.1 No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.
- 10.1.2 All bunded areas shall be maintained in such condition to ensure that all spillage or leakage is retained within the bund, until disposed of by means that do not pollute waters or land. This includes the provision of portable bunding for use in any potential emergency to prevent contamination discharging into Council's stormwater system.
- 10.1.3 All entrances and exits to the building are to be bunded.
- 10.1.4 The proposed bin wash station is to be bunded and connected to the Sydney Water Sewage System. The Applicant will be required to obtain a Sydney Water Corporation (SWC) trade waste agreement to permit the discharge of wash-down from the bins into the Sydney Water sewage system.
- 10.1.5 Bunding is to be designed and installed in accordance with:
- NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation;
  - NSW Department of Environment and Conservation publication Environmental Action for Service Stations;
  - Australian Standard 1940-2004: 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.
- 10.1.6 All gases, odours, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected and discharged in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 10.1.7 The approved Operations Management Plan shall be implemented to ensure the applicant monitors the potential discharge of pollutants.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
GENERAL MANAGER

Per 

Blacktown City Council  
23 April 2012

- 10.1.8 All materials associated with the use of the site, including empty bins, shall be stored within the building.
- 10.1.9 The approved Waste Management Plan shall be implemented.
- 10.1.10 The proposed operations must not exceed 5dBA above background noise levels at the property boundaries in accordance with the EPA's Industrial Noise Policy.
- 10.1.11 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 EPA's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 10.1.12 Mandatory water restrictions apply to all Sydney Water customers including businesses. Should the activities carried out on the premises require an exemption the proprietor of the business shall obtain an exemption permit from Sydney Water and a copy of the permit shall be submitted to Council.
- 10.1.13 Sufficient supplies of appropriate absorbent materials and/or other appropriate spill clean up 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.
- 10.1.14 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.
- 10.1.15 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.
- 10.1.16 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.
- 10.1.17 No wash/hose down of vehicles is permitted at all on the site.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE  
GENERAL MANAGER

Per 

Blacktown City Council  
23 April 2012

- 10.1.18 All waste shall be stored suitably and disposed of by an appropriate waste contractor. Under no circumstances is waste from the activity to be disposed of through Council's waste collection services.
- 10.1.19 The proposed operations must comply at all times with the requirements of NSW Workcover.
- 10.1.21 No chemicals (except domestic cleaning products) are to be kept on the subject site as part of the development.
- 10.1.22 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 NSW Department of Environment and Climate Change publication - Storing and Handling Liquids: Environmental Protection - Participants Manual;
  - o NSW Department of Environment and Climate Change publication - Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation.

These conditions are imposed for the following reasons:

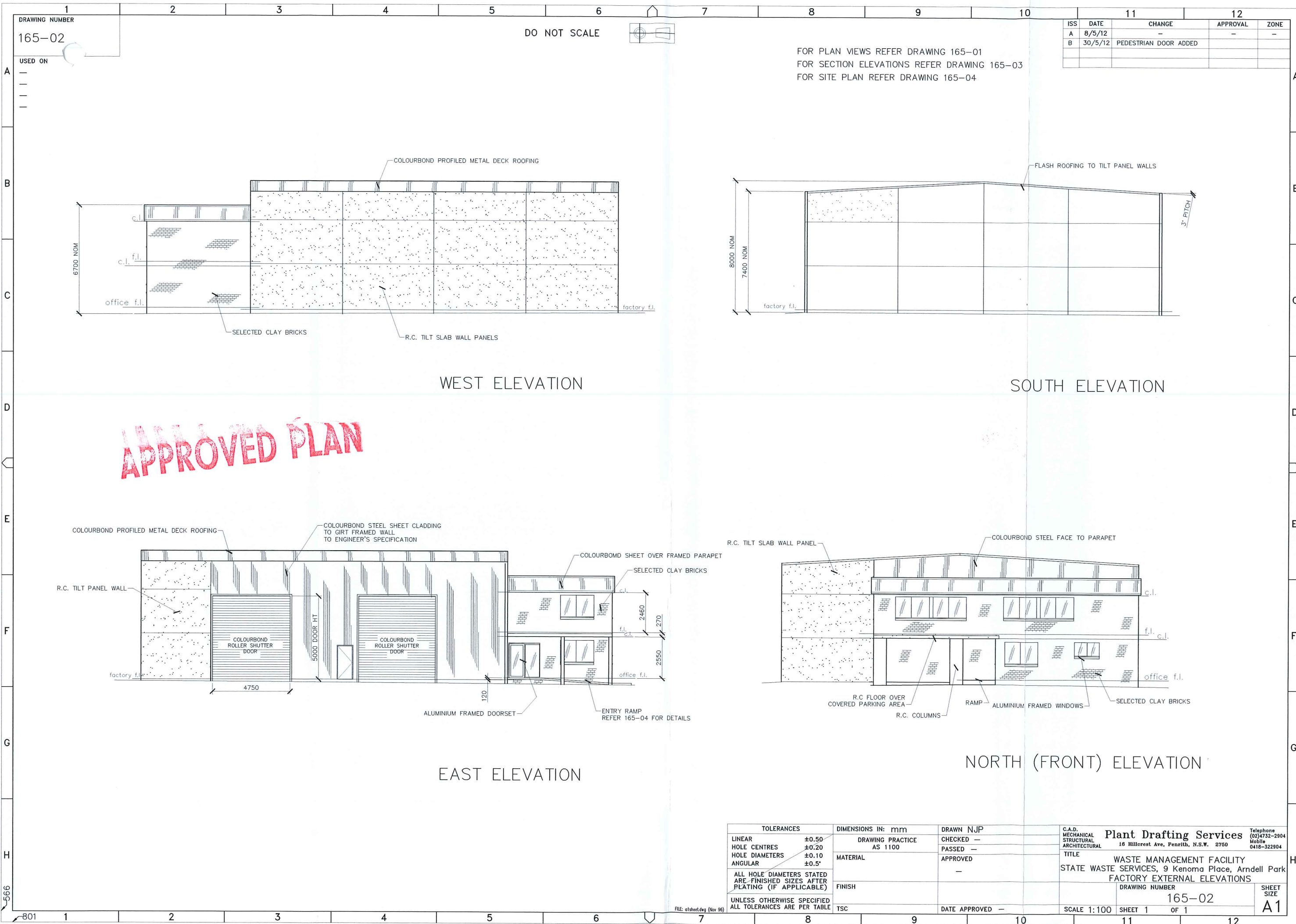
- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

**RON MOORE**  
**GENERAL MANAGER**

Per



Blacktown City Council  
23 April 2012



APPROVED PLAN

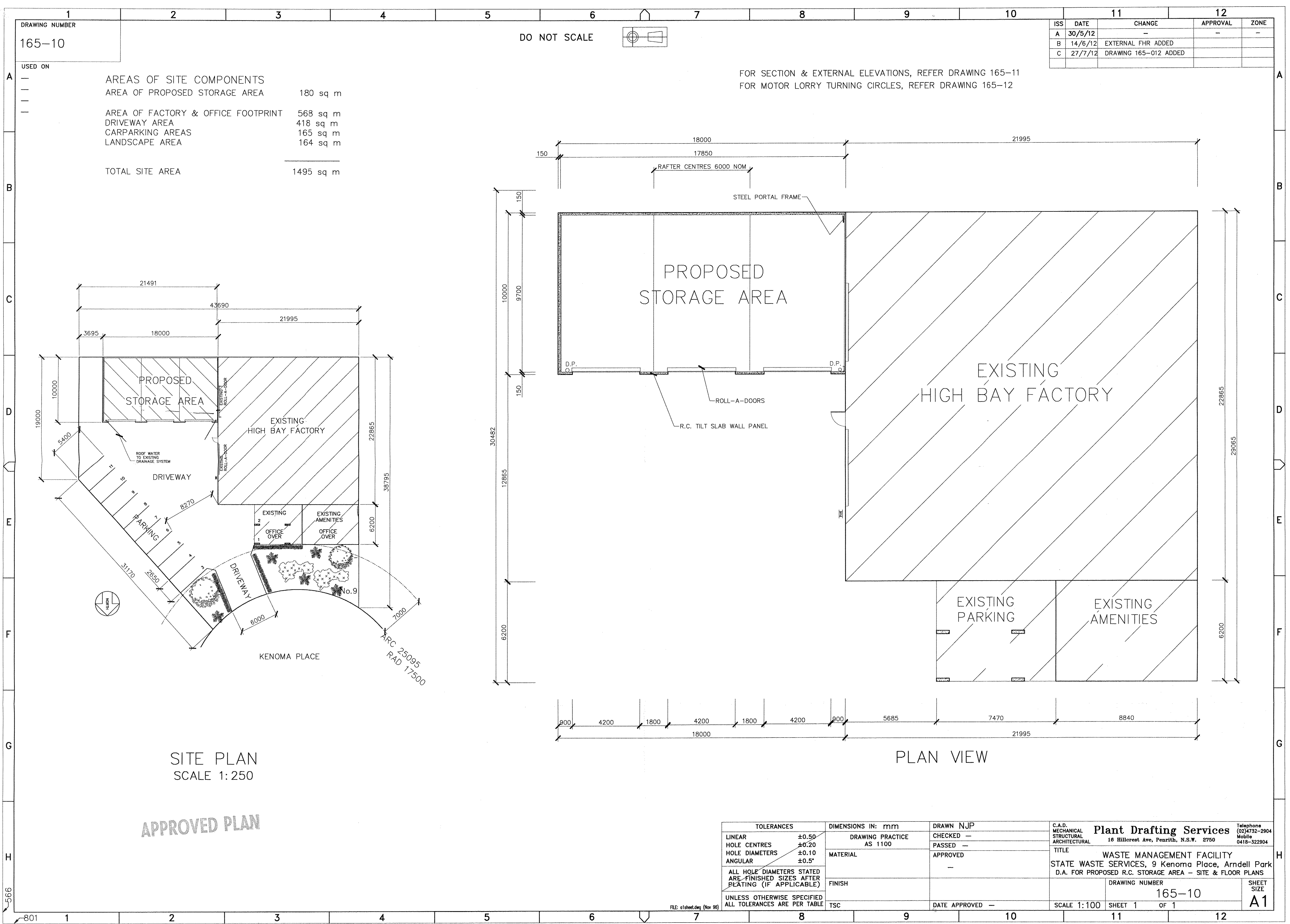
WEST ELEVATION

SOUTH ELEVATION

EAST ELEVATION

NORTH (FRONT) ELEVATION

TOLERANCES		DIMENSIONS IN: mm		DRAWN NJP		C.A.D. MECHANICAL STRUCTURAL ARCHITECTURAL		Plant Drafting Services		Telephone (02)4752-2904 Mobile 0418-322904	
LINEAR	±0.50	DRAWING PRACTICE AS 1100	MATERIAL	CHECKED	—	TITLE	WASTE MANAGEMENT FACILITY STATE WASTE SERVICES, 9 Kenoma Place, Arndell Park FACTORY EXTERNAL ELEVATIONS	DRAWING NUMBER	165-02	SHEET SIZE	A1
HOLE CENTRES	±0.20			PASSED	—						
HOLE DIAMETERS	±0.10			APPROVED	—						
ANGULAR	±0.5°			—							
ALL HOLE DIAMETERS STATED ARE FINISHED SIZES AFTER PLATING (IF APPLICABLE)		FINISH									
UNLESS OTHERWISE SPECIFIED ALL TOLERANCES ARE PER TABLE		TSC		DATE APPROVED	—	SCALE 1:100	SHEET 1 OF 1				



DRAWING NUMBER  
165-10

DO NOT SCALE



ISS	DATE	CHANGE	APPROVAL	ZONE
A	30/5/12	—	—	—
B	14/6/12	EXTERNAL FHR ADDED		
C	27/7/12	DRAWING 165-012 ADDED		

USED ON

AREAS OF SITE COMPONENTS	
AREA OF PROPOSED STORAGE AREA	180 sq m
AREA OF FACTORY & OFFICE FOOTPRINT	568 sq m
DRIVEWAY AREA	418 sq m
CARPARKING AREAS	165 sq m
LANDSCAPE AREA	164 sq m
TOTAL SITE AREA	
1495 sq m	

FOR SECTION & EXTERNAL ELEVATIONS, REFER DRAWING 165-11  
FOR MOTOR LORRY TURNING CIRCLES, REFER DRAWING 165-12

PROPOSED  
STORAGE AREA

EXISTING  
HIGH BAY FACTORY

SITE PLAN  
SCALE 1:250

PLAN VIEW

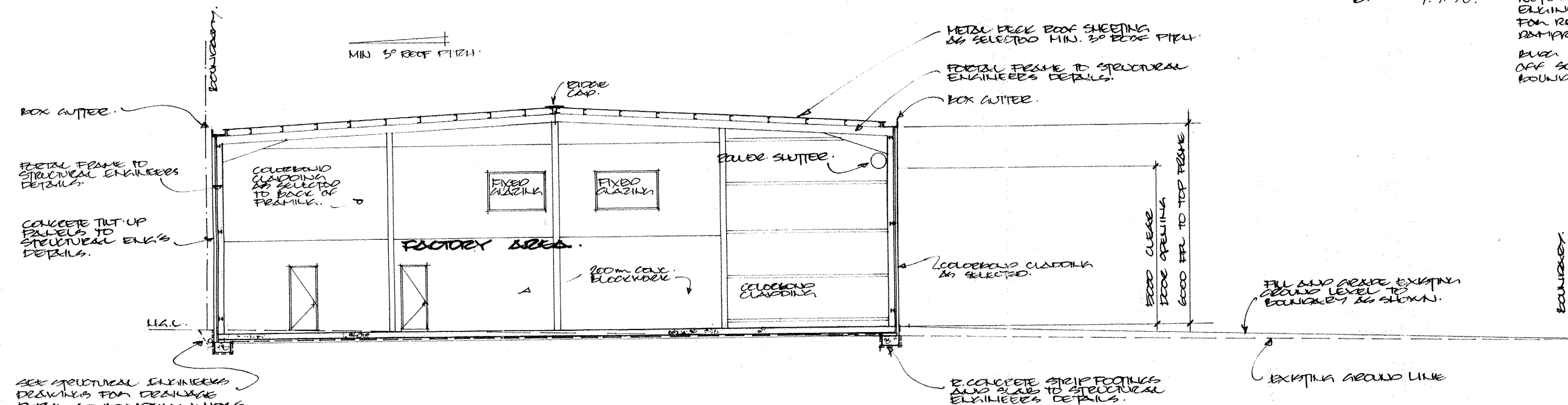
APPROVED PLAN

TOLERANCES		DIMENSIONS IN: mm		DRAWN NJP		C.A.D. MECHANICAL STRUCTURAL ARCHITECTURAL		Plant Drafting Services		Telephone (02)4732-2904 Mobile 0418-322904
LINEAR	±0.50	DRAWING PRACTICE AS 1100		CHECKED —		16 Hillcrest Ave, Penrith, N.S.W. 2750				
HOLE CENTRES	±0.20			PASSED —						
HOLE DIAMETERS	±0.10	MATERIAL		APPROVED		TITLE				
ANGULAR	±0.5°			—		WASTE MANAGEMENT FACILITY				
ALL HOLE DIAMETERS STATED ARE FINISHED SIZES AFTER PLATING (IF APPLICABLE)						STATE WASTE SERVICES, 9 Kenoma Place, Arndell Park				
		FINISH				D.A. FOR PROPOSED R.C. STORAGE AREA – SITE & FLOOR PLANS				
UNLESS OTHERWISE SPECIFIED ALL TOLERANCES ARE PER TABLE		TSC		DATE APPROVED —		SCALE 1:100		DRAWING NUMBER 165-10		SHEET SIZE A1
						SHEET 1 OF 1				



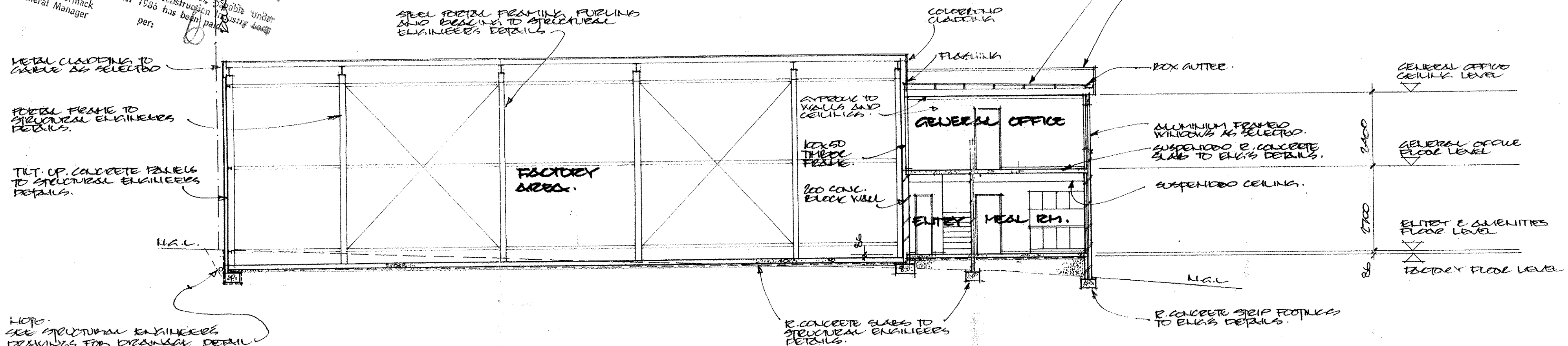
# AMENDMENTS.

Nº	DATE	DESCRIPTION
B.	7.7.98.	NOTES REGARDING ENGINEER'S DETAILS FOR RET. WALL AND DAMPROOFING. BLCH MOVED TO 150m OFF SOUTH & WEST BOUNDARIES.



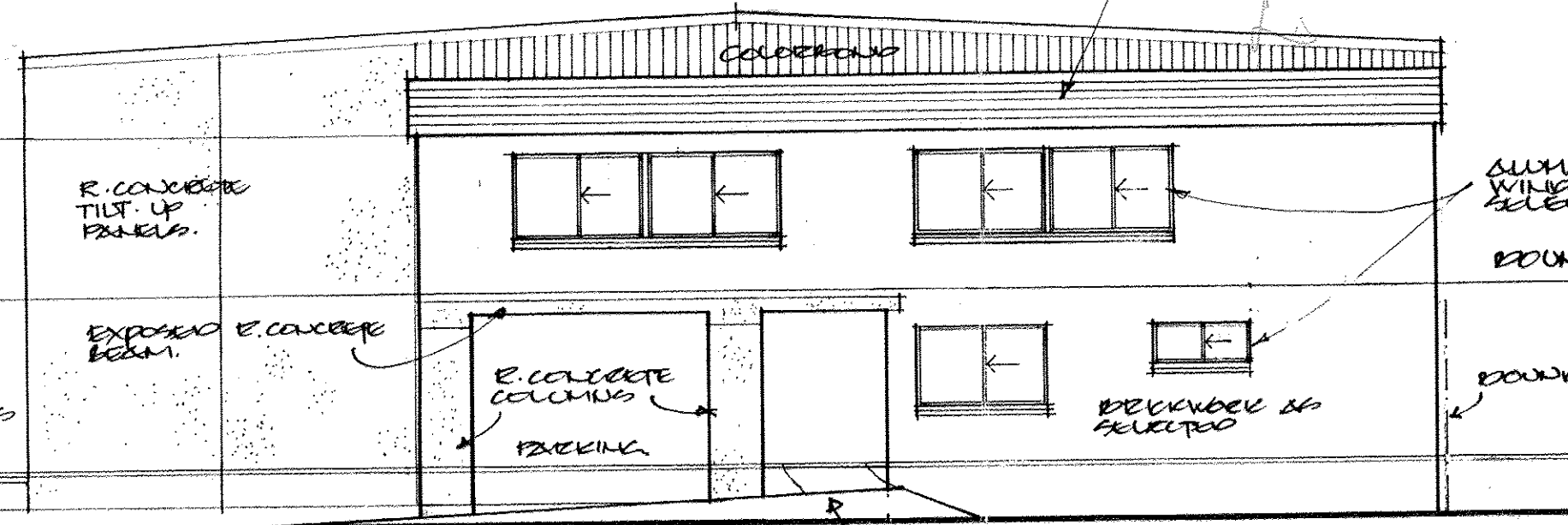
SEE STRUCTURAL ENGINEER'S DRAWINGS FOR DRAINAGE DETAIL AT BOUNDARY WHERE F.F.L. IS BELOW N.A.L.  
(SEE STRUCTURAL DRAW 2 SECTION II-II.)  
**SECTION. X.X.**  
SCALE: 1:100

BLACKTOWN CITY COUNCIL  
Building Application 98-321 is conditionally approved in accordance with the provisions of Chapter 3 of the Local Government Act 1993 and Regulations thereunder.  
Council is satisfied that:  
a) the requirements of Part 6 of the Home Building Act 1989 (where applicable) have been complied with;  
b) the levy, or first instalment thereof, payable under Part 5 of the Building and Construction Industry Long Service Payments Act 1986 has been paid.  
Terry McCormack  
General Manager

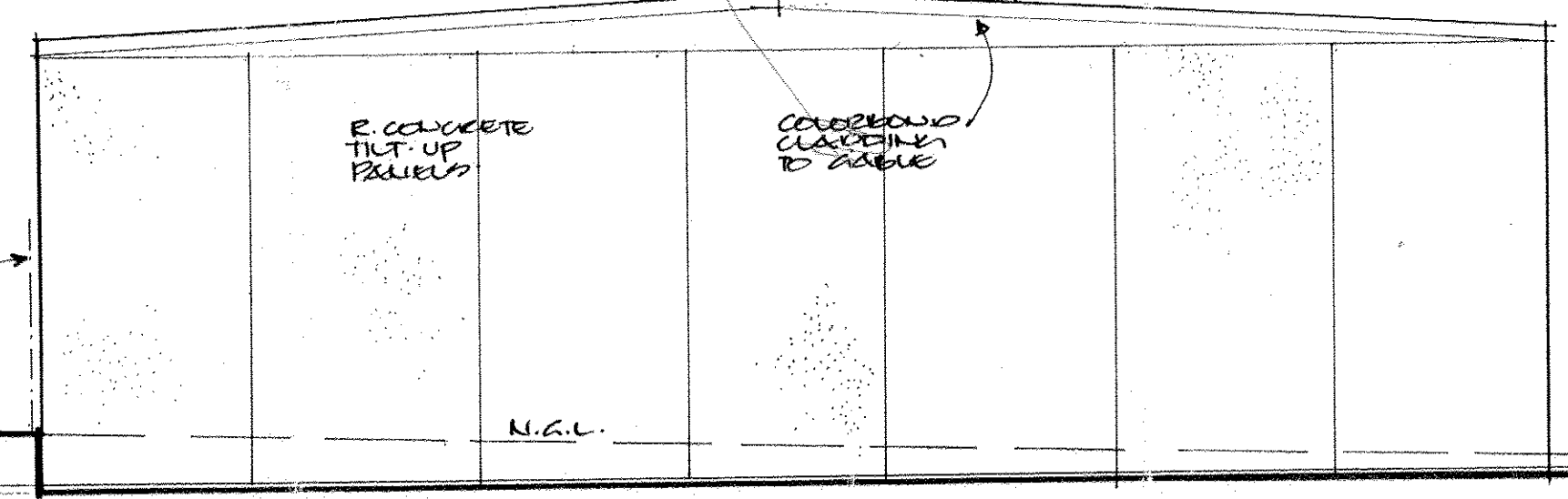


NOTE: SEE STRUCTURAL ENGINEER'S DRAWINGS FOR DRAINAGE DETAIL AT BOUNDARY WHERE F.F.L. IS BELOW N.A.L.  
(SEE SECTION II-II ON STRUCTURAL DRAW. NO. 2)  
**SECTION. Y. Y.**  
SCALE: 1:100.

GENERAL OFFICE  
CEILING LEVEL  
GENERAL OFFICE  
FLOOR LEVEL  
ENTRY & AMENITIES  
FLOOR LEVEL  
FACTORY  
FLOOR LEVEL

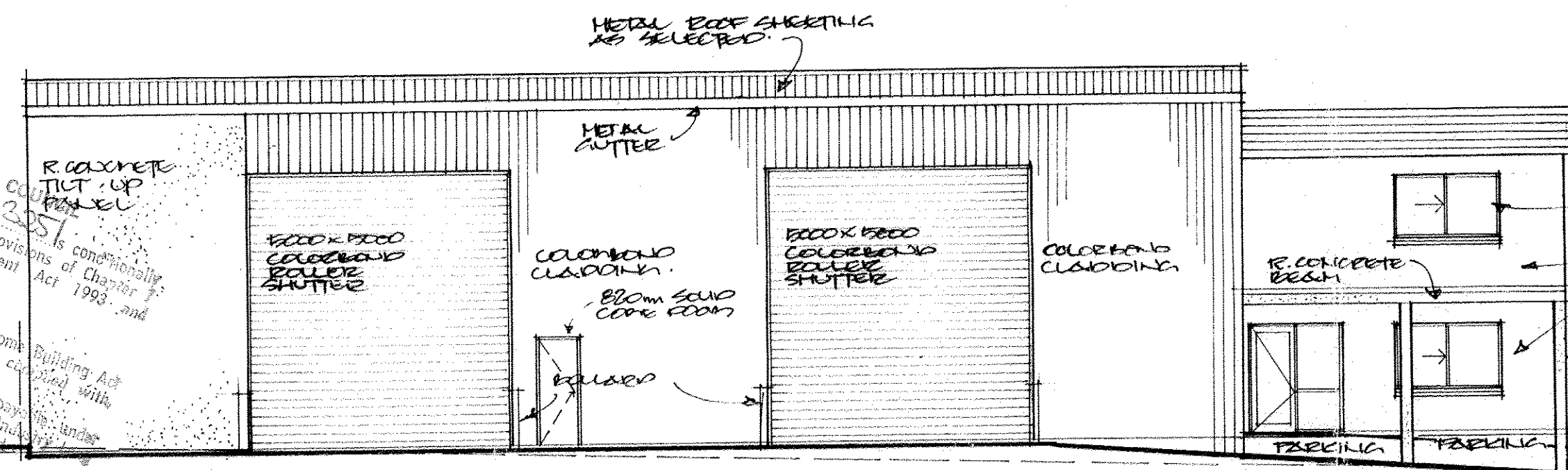


NORTH ELEVATION. KENDRA PLACE.



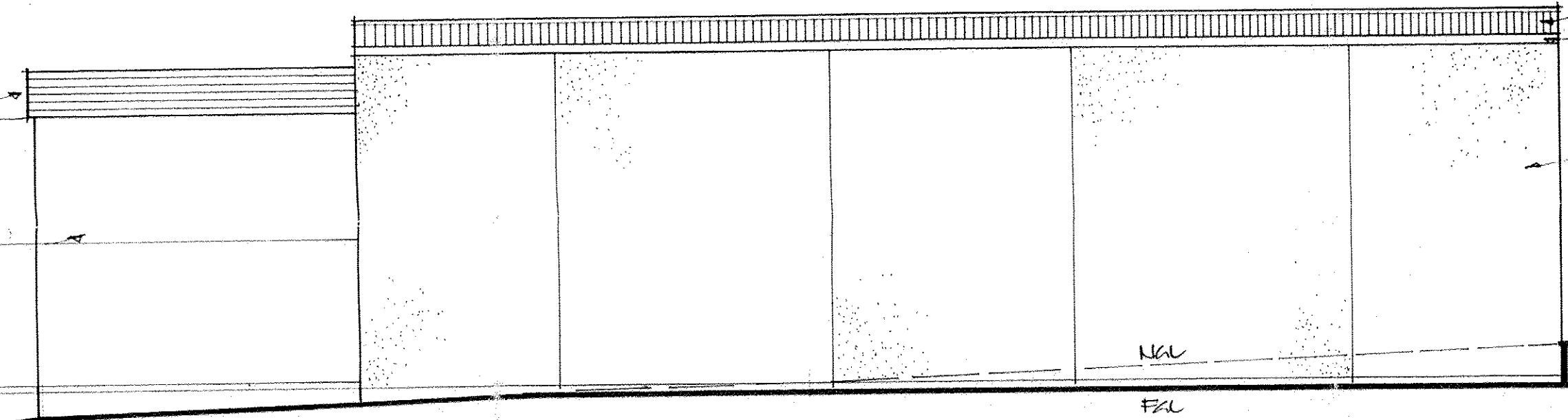
SOUTH ELEVATION. REAR.

Building Amendment  
approved in accordance with the provisions of Chapter 3  
Division 3 of the Local Government  
Regulations 1989.  
Council is satisfied that:  
a) the requirements of Part 6 of the Home  
Building Act 1989 (where applicable) have been  
and/or  
b) the levy, or first payment thereof, payable under  
Part 5 of the Building and Construction Industry  
Service Payments Act 1966 has been paid in full.  
Terry McCormack  
General Manager



EAST ELEVATION.

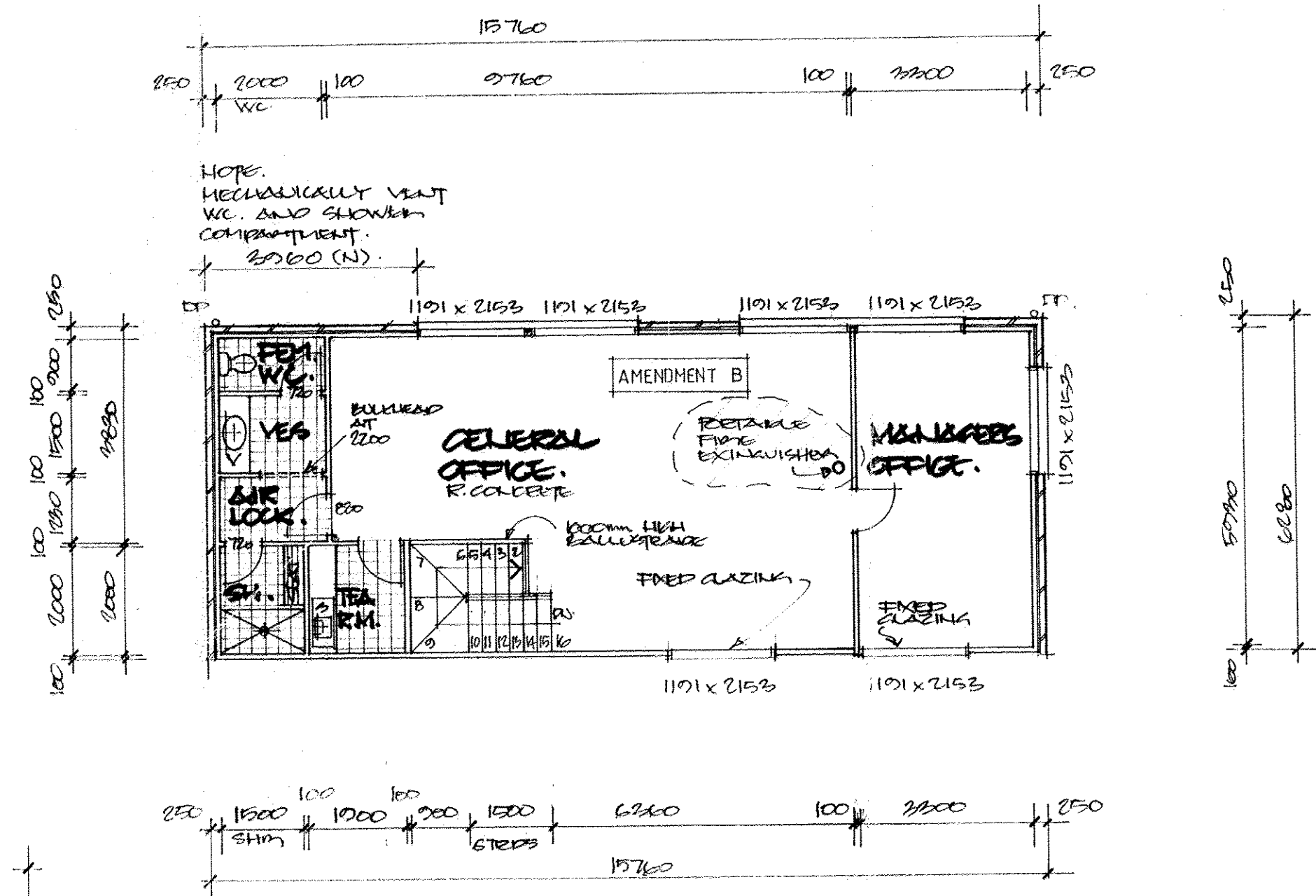
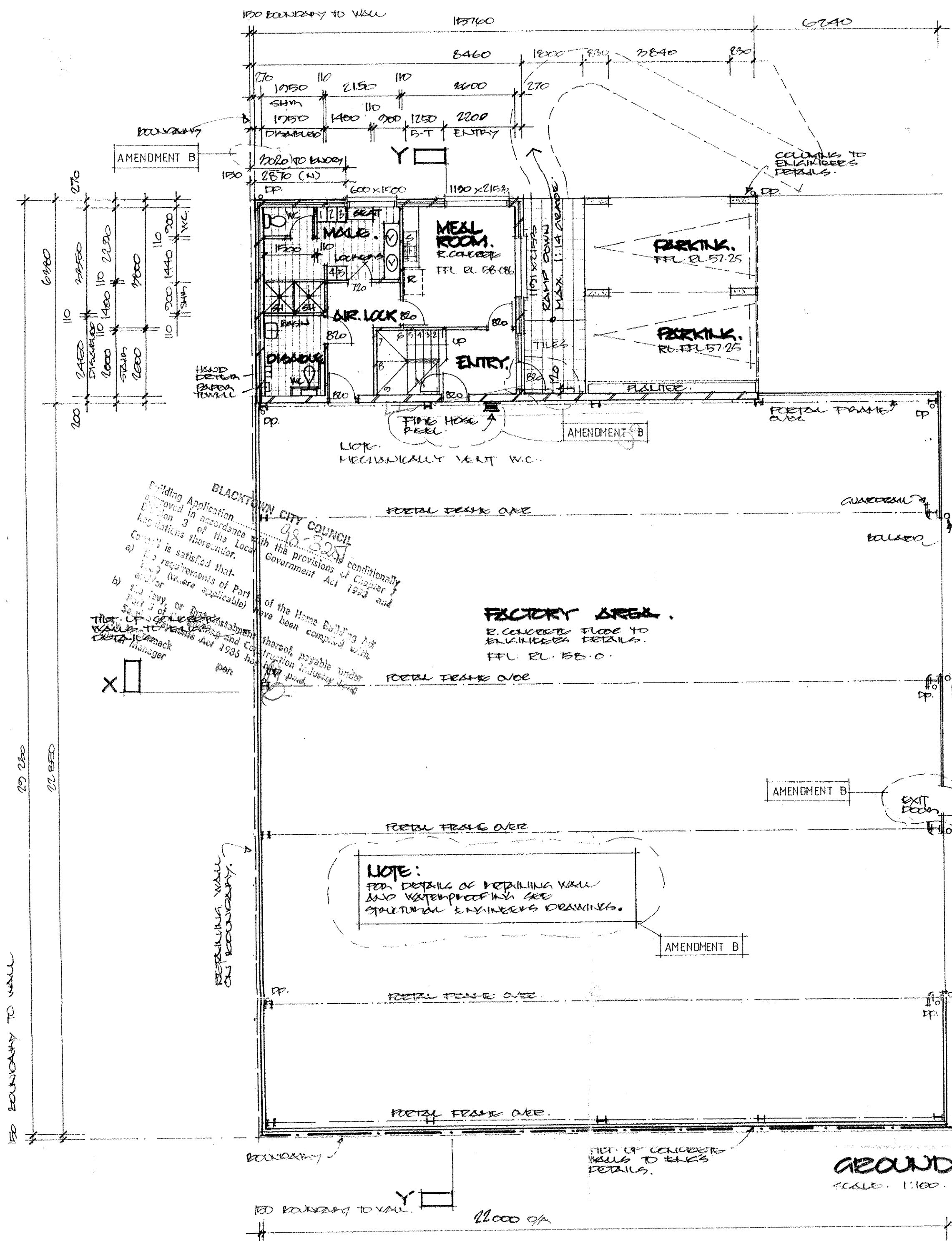
GENERAL OFFICE  
CEILING LEVEL  
GENERAL OFFICE  
FLOOR LEVEL  
ENTRY & AMENITIES  
FLOOR LEVEL  
FACTORY FLOOR LEVEL



WEST ELEVATION.

AMENDMENTS.

NO	DATE	DESCRIPTION
B.	7.7.98.	WHEELCHAIR ACCESS RAMP ADDED. ADDITION EXIT ROOM ADDED TO EAST ELEVATION. BUILDING MOVED TO 150m OFF ENTRY AS SHOWN ON PLANS.
C.	27.7.98	TILT-UP CONC. PANEL TO EAST ELEVATION. IN LIEU OF COLORBOND CLADDING.

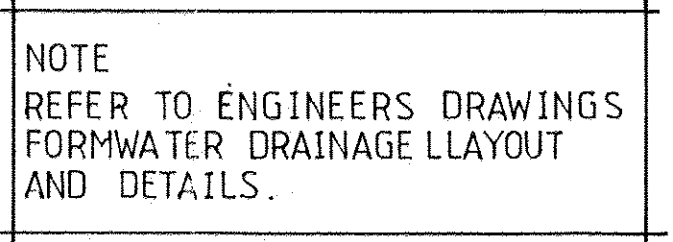


NOTE.  
ALL WINDOW STEPS SHOWN ARE  
'CLEARVIEW'.

## AMENDMENTS.

No	Date	Description
B.	7.7.98.	<ul style="list-style-type: none"> <li>• ALTERN GROUND FLOOR PLAN FOR DISABLED / MAKE WC.</li> <li>• POSITION FIRE HOSE ROLL TO FACTORY FLOOR AREA</li> <li>• LOCATE PORTABLE FIRE EXTINGUISHER TO GENERAL OFFICE AREA.</li> <li>• STAIRCASE RE-CONSTRUCTED.</li> <li>• ADDITIONAL EXIT DOOR.</li> <li>• REVERSE SWING TO MAIN ENTRY.</li> <li>• WHEEL CHAIR ACCESS RAMP TO MAIN ENTRY.</li> <li>• MOVE FACTORY WALL TO ROOM OFF ROUGHWORKS AS SHOWN.</li> <li>• NOTES ADDED REGARDING REPAIRING WALL &amp; WATERPROOF.</li> </ul>
C	27.7.98	<ul style="list-style-type: none"> <li>• TILT UP PANEL TO EAST ELEV.</li> <li>• WC TO MAKE PRIORITIES.</li> </ul>



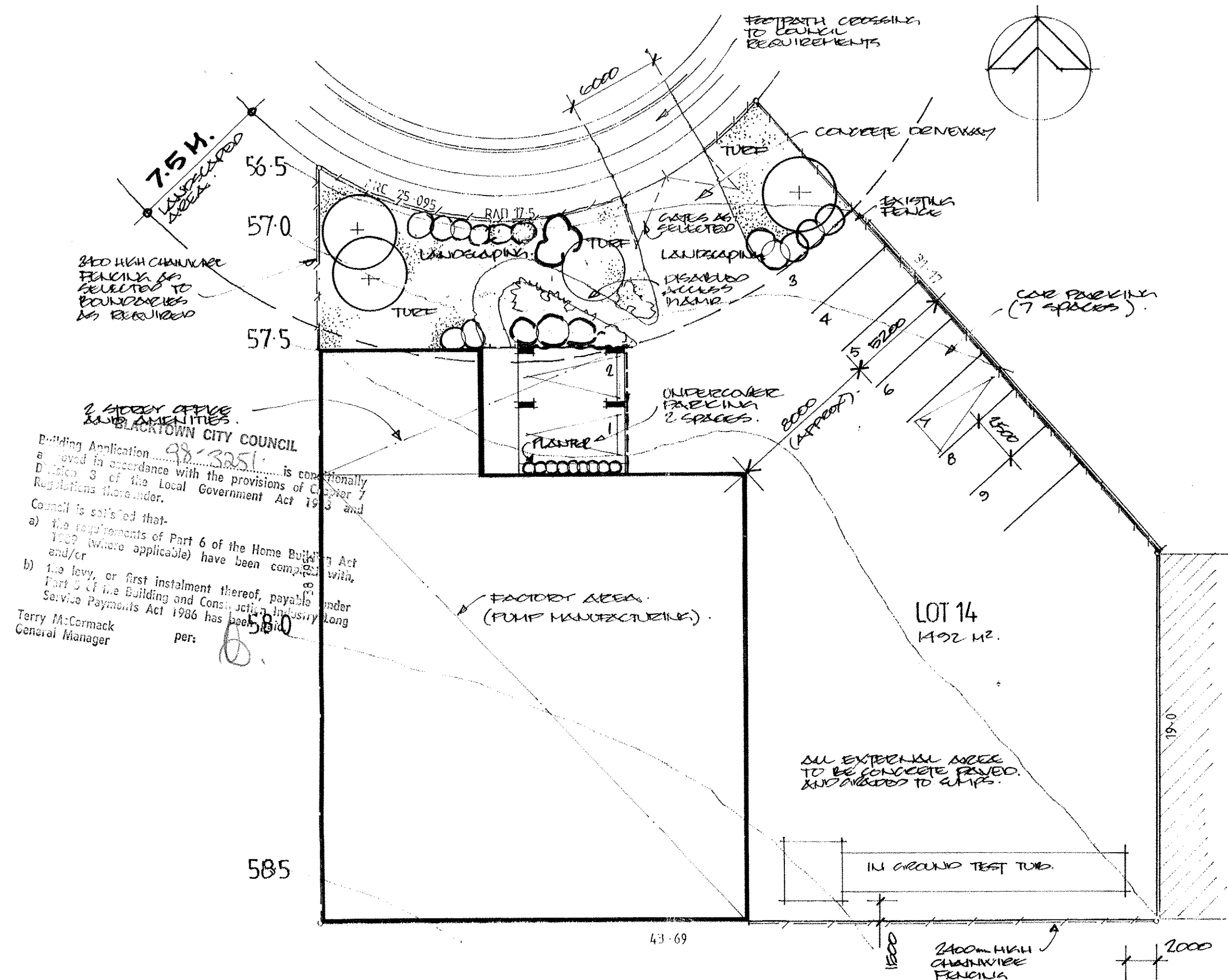


# APPENDICES.

Nº	DATE.	DESCRIPTION.
B.	7.7.98	<p>DISABLED/WHEELCHAIR ACCESS RAMP ADDED TO MAIN ENTRY.</p> <p>DISABLED PARKING ADDED.</p> <p>RETAINING WALL TO SOUTH AND WEST BOUNDARIES.</p> <p>NOTE REGARDING ENGINEERS DETAIL FOR RET. WALL AND RAMPING IN.</p>
C	27.7.98	<p>LOCATION OF EXISTING IRRIGATION SHOWN.</p>

2 OF 7 *Page 6.*

KENOMA PLACE



Building Application 98-3251 is conditionally approved in accordance with the provisions of Chapter 7 Division 3 of the Local Government Act 1993 and Regulations thereunder.

Council is satisfied that:

a) the requirements of Part 6 of the Home Building Act 1989 (where applicable) have been complied with, and/or

b) the levy, or first instalment thereof, payable under Part 5 of the Building and Construction Industry Long Service Payments Act 1986 has been paid.

Terry McCormack  
General Manager

AREAS.

TOTAL SITE AREA	1492 m <sup>2</sup>
GROUND FLOOR FACTORY AREA	1200 m <sup>2</sup>
GROUND FLOOR AMENITIES	124 m <sup>2</sup>
FIRST FLOOR OFFICE AREA	99 m <sup>2</sup>
TOTAL GROSS FLOOR AREA	1492 m <sup>2</sup>
CAR PARKING	660 m <sup>2</sup> 75 m <sup>2</sup> 9 CAR PARKING SPACES.
SITE COVERAGE	0.403

AMENDMENTS.

N°	DATE	DESCRIPTION
B.	7.7.90	WHEELCHAIR ACCESS RAMP ADDED TO FRONT ENTRY.

CONCEPT PLAN.  
SCALE 1:200.

146A

File No: S96-12-1451  
JRPP-11-1642

2 October 2012

Stimson Consultant Services Pty Ltd  
PO BOX 4308  
WINMALEE NSW 2777

Dear Sir & Madam,

**Proposal:** Modification to Notice of Determination No. 11-1642 pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 as amended (S96-12-1451).

**Property:** Lot 14, DP 786328, 9 Kenoma Place, Arndell Park

Reference is made to your Section 96 Application requesting modification to Notice of Determination No. 11-1642 for the above mentioned property that the Sydney West Joint Regional Planning Panel (JRPP) approved the use of an existing industrial premises and the associated offices as a "Waste Management Facility" for the handling and processing of a maximum of 650 tonnes of clinical and quarantine waste per year, dated 23 April 2012.

Please be advised that consideration has been given to your application which seeks to replace the type of automated waste machine to be used for the processing of the clinical and quarantine waste (currently a Medivac metamizer) to an alternative new process entailing an autoclave, a boiler, and a shredder. The S96 Application also seeks the removal of a transportable building from the site which is no longer required. The Council hereby agrees to modify Notice of Determination No. 11-1642 in the following manner:

**Notice of Determination No. 11-1642**

**Page 3 of 17 - ADVISORY NOTES**

**Services**

1. Condition 1.3.3 is added and reads as follows.

***Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.***

**Page 3 of 17 - GENERAL**

### Scope of Consent

2. Condition 2.1.1 is amended in the following manner.

*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:*

<i>Drawing No.</i>	<i>Dated</i>	<i>Council's File Enclosure No.</i>
<i>Site Plan</i>		
<i>Sheet 3/4 Revision 2</i>	<i>15/09/11</i>	<i>54C</i>
<b><i>Floor Plan</i></b>		
<b><i>Sheet 1/2 Revision 1</i></b>	<b><i>16/09/12</i></b>	<b><i>143B</i></b>
<b><i>Plant Equipment Plan</i></b>		
<b><i>Sheet 2/2 Revision 1</i></b>	<b><i>16/09/12</i></b>	<b><i>143C</i></b>

*\*Unless modified by any condition of this consent.*

### Page 4 of 17 - GENERAL

#### Scope of Consent

3. Condition 2.6 is amended in the following manner.

***~~The automated waste machine to be used for the processing of the clinical and quarantine waste, must be a Medivac Metamizer. The manufacturer of the machinery to be used for the processing of the clinical and quarantine waste, is to certify that the device is used and installed in accordance with the manufacturer's requirements and specifications.~~***

### Page 5 of 17 - PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

#### Building Code of Australia Compliance

4. Condition 5.1.3 is amended in the following manner.

*In accordance with the provisions of Clause numbers 94 and 143 of the Environmental Planning & Assessment Regulation, 200, Council has deemed the following must be provided to the building and detailed in the Construction Certificate plans:*

- a. The balustrade serving the stairwell must be upgraded to comply with the requirements of Clause D2.16 of the BCA. The disabled toilet facility is to be upgraded to comply with AS 1428-2001 and Part D3 of the BCA. This will involve the improvement of the grab rails, toilet paper holder and clearance beneath the vanity.*
- b. The hose reel shall be located to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.*

- c. The hose reel shall be relocated to within 4m of the exit door. To ensure coverage within the new layout, an accurate scale plan should be provided.
- d. The enclosure beneath the stairs needs a fire rated door in this location. Alternatively, the door may be removed and the opening may be bricked up.
- e. The first floor office area will need improved emergency lighting and exit signs to comply with AS 2293.
- f. ~~The ground floor offices shall be provided with a mechanical exhaust system complying with AS 1668.~~
- g. Artificial lighting is to be provided to the ground floor offices.
- h. The clean bin holding area is to be located at least 1m from the existing ground floor offices.

#### Page 7 of 17 - DURING CONSTRUCTION (BUILDING)

##### Safety/Health/Amenity

5. Condition 7.1.5 is added and reads as follows.

***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.***

#### Page 10 of 17 - PRIOR TO OCCUPATION CERTIFICATE

##### Operations Management Plan

6. Condition 8.4.1 is amended in the following manner.

*The applicant shall prepare and pay the full cost of an Operations Management & Monitoring Plan dealing with:*

- *Health and safety issues and measures in the event of any spillage or a bag being punctured;*
- *Proposals for monitoring of worker health (e.g. in the event of machinery function);*
- *General OH&S issues including workplace noise protection;*
- *Ongoing training and education of employees in safe work practices associated with working with clinical and quarantine waste;*
- ***Regular on-site inspection and preventative maintenance of the machinery to be used for the processing of the clinical and quarantine waste by the manufacturer's specialist or suitably qualified persons.***
- *Maintenance and upkeep of the required bonds to ensure their effectiveness; and*
- *Measures adopted to ensure full compliance with Condition 5 of OEH's General Terms of Approval. In this regard, the Operations Management Plan must demonstrate how cytotoxic waste, pharmaceutical waste, drug waste and medicine waste will continue to be eliminated from the process.*

*The Operations Management & Monitoring Plan is to be submitted to the Council for approval prior to any operations commencing on site.*

*All measures outlined in the Operations Management & Monitoring Plan are to be certified on an annual basis by an appropriately qualified environmental engineer. This is to include certification of the manufacturer's recommended maintenance regime, that all adopted health and safety procedures are still in place, and that the required binding is being maintained. A copy of the annual certification is to be lodged with Council each year for its information and record.*

## **Page 11 of 17 - PRIOR TO OCCUPATION CERTIFICATE**

### **Other Matters**

7. Condition 8.11.2 is added and reads as follows.

*The portable office on the ground floor located in the front setback of the subject site is to be removed prior to the release of the Occupation Certificate.*

## **Page 12 of 17 - OPERATIONAL (PLANNING)**

### **Access, Parking & Vehicles**

8. Condition 9.2.5 is hereby deleted.

The above amendments have been made pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 as amended. In doing so, Council is satisfied that the modified development is substantially the same as the development that was originally consented to and that no person shall be adversely affected by the amendment.

Please amend your copy of Notice of Determination No. 11-1642 accordingly and note that all other conditions remain unchanged and must be complied with.

Should you require any further information regarding this matter, please contact Council's Town Planner Eddy Tran, on 9839 6000

Yours faithfully,



PAULINE DAW  
TEAM LEADER PLANNING APPROVALS (SOUTH)



# **D. J. HALL** — Consulting, Civil and Structural Engineers —

The General Manager  
Blacktown City Council  
P.O. Box 63  
Blacktown 2148

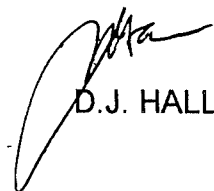
27<sup>th</sup> July 2001

**Re : Construction of Warehouse and Office at Lot 14  
Kenoma Place, Arndell Park**

On the 26<sup>th</sup> July 2001 I inspected the work in progress at the above reference. The structural steelwork supporting the warehouse walls and roof have been constructed to my satisfaction. The stiffening channels at the top flange of the crane beams have not been installed but these will only be necessary when and if the gantry crane is installed.

The roof and wall framing to the first floor office is all to my satisfaction. I hereby certify that the structural steelwork and the office wall and roof framing is structurally adequate and they can safely carry the dead loads and expected future live and wind loads that will be imposed upon them.

Yours faithfully,



D.J. HALL

**Principal: David Jon Hall** B.E., M.Eng.Sc., Dip.H.E. (Delft) M.I.E.Aust., CP Eng  
Registered Professional Engineer, Member No. 267012  
NPER Registration Categories:- Civil, Structural.

**3 Rowley Street, Seven Hills, NSW 2147**

Office: 9838 7673, 0408 970495 Mobile: 0407 225 499 Fax: 9838 7679

Email: [djhall@idx.com.au](mailto:djhall@idx.com.au)

