

19/09/2002

Nustas Pty Ltd  
C/- 16 Kerr Road  
INGLEBURN  
NSW 2565

**FILE COPY**

**Notice of Determination of  
Development Application No F 491/2002  
Deferred Commencement**  
Environmental Planning & Assessment Act, 1979

You are advised that the subject development application has been granted a "**DEFERRED COMMENCEMENT**" CONSENT PURSUANT TO section 80 (3) of the Environmental Planning and Assessment Act, 1979.

**Property Description::** Lot 16 DP 717203  
TCC Plan 85/85 Lot 16  
  
16 Kerr Road  
Ingleburn 2565

**Development:** Erection Of Truck and Equipment Workshop, Associated Office and External Equipment Storage Area

**Date of Determination:** 18 September 2002

**Date of Operation of Consent:** TO BE ADVISED

**Classification(s) Under BCA:** Class 5 & Class 8

This consent shall not operate until such time as the applicant has complied with those matters as listed in **Schedule "A"**. Upon compliance with those matters and the applicant receiving written notification that Council is satisfied, then the consent shall become operative subject to compliance with conditions outlined in **Schedule "B"**.

The conditions of **Schedule "A"** are set out as follows:

1. This consent shall not operate until such time as it has been demonstrated to Council's satisfaction that all the matters referred to in the Land and Environment Court Orders No (4) 0572 of 2002 have been complied with in their entirety.

**Conditions of Consent No.: F491/2002**

The Conditions of "Schedule "B" are set out as follows:

INSPECTIONS - BUILDING WORK

The following conditions have been applied to ensure that the development is inspected at each stage of construction.

The following stages of construction shall be inspected by an Accredited Person, Council or other suitably qualified person (as applicable), and documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction:

- 1 PIER HOLES - The pier holes before they are filled with concrete.
- 2 STEELWORK - The steelwork when in position and before concrete is poured. (Footings, lintels, beams, columns, floors, walls, swimming pools or like).
- 3 WET AREA - The wet area damp-proofing and flashing before covering.
- 4 RAINWATER DRAINS - The rainwater drainage lines within the property boundaries when completed and before covering.
- 5 FINAL - The development is completed and before occupation or use is commenced. This shall include the issuing of a fire safety certificate in accordance with Part 9 Divisions 1 to 8 of the Environmental Planning and Assessment Regulations, 2000.

Note: If Council has been nominated as the Principal Certifying Authority, all inspections required by this consent shall be carried out by Council, unless otherwise arranged. Work must not proceed until approval for each inspection has been obtained. Council is required to carry out the final inspection of the development to allow the issue of the Occupation Certificate.

It should be further noted that when final clearance is given by the Planning and Development Department for building work, a final clearance may also be required from the City Engineer's Road Restoration Overseer in regard to the condition of the kerb/gutter and footpath openings.

INSPECTION - CIVIL WORKS

The following conditions have been applied to ensure that the development is constructed in accordance with the development approval.

The following stages of construction shall be inspected by an Accredited Person, Council or other suitably qualified person (as applicable). A Compliance Certificate or other documentary evidence of compliance with the relevant terms of the approval/standards is to be obtained prior to proceeding to the subsequent stages of construction:

- 6 EROSION AND SEDIMENT CONTROL - (1) direction/confirmation of required measures (2) after installation and prior to commencement of earthworks (3) as necessary until completion of work.
- 7 STORMWATER PIPES - Laid and jointed prior to backfill.
- 8 CONCRETE PATHS, CYCLEWAYS, VEHICLE CROSSINGS OR LAYBACKS - Prior to pouring concrete.
- 9 FINAL INSPECTION - All outstanding works.



**Conditions of Consent No.: F491/2002**

THE SITE

The following conditions have been applied to ensure that the land and/or building will be developed so as to minimise impact on the amenity of the neighbourhood and environment.

- 10 PRESCRIBED CONDITIONS - For the purposes of section 80A(11) of the Act, the following conditions are prescribed in relation to this development: -

(a) that the work (other than work relating to the erection of a temporary building) must be carried out in accordance with the provisions of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force.

This condition does not apply to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187(6) or 188(4).

- 11 PUBLIC PROPERTY - The applicant or the applicant's agent shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like, prior to commencement of any work on the site. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

The kerb, gutter and footpath adjoining the site shall be kept clear of soil and debris during the course of construction. Should clearing of the kerb and gutter be necessary, the work will be completed by Council at the applicant's expense. (To ensure adequate protection of Council assets)

- 12 HOARDING - The site shall be enclosed with a suitable hoarding or security fence to prevent access by the public in accordance with the requirements of Workcover. Appropriate signs regarding unauthorised entry, builder's name and contact phone numbers shall be displayed. (Environmental Planning and Assessment Act)

THE DEVELOPMENT

The following condition/s have been applied to ensure that the land and/or building will be developed so as to minimise impact on the local environment and to achieve the objectives of the relevant planning instruments.

- 13 COMPLIANCE CERTIFICATE - A compliance certificate shall be issued certifying that the development has complied with all the conditions of development consent prior to the use or occupation. (To ensure all conditions of consent have been complied with)

**Conditions of Consent No.: F491/2002**

- 14 **COMPLIANCE CERTIFICATES** - Compliance Certificates (or reports from a Company or individual professionally experienced and qualified to give that evidence and containing documented authoritative evidence of compliance with the specifications, drawings, and development conditions) shall be obtained for the following prior to issue of the occupation Certificate:
- a) Service Authority Clearance - prior to placement of vehicle crossing construction.
  - b) Road Restoration Clearance - from Council.
  - c) Work as Executed Plan for overland flow path and finished floor/surface levels.
  - d) Conditions of Development Consent
- Two collated copies of any related plans, documents, reports, forms or other evidence shall accompany the above documents.
- 15 **LANDSCAPING PLAN** - The development site shall be landscaped and maintained with lawns and advanced shrubs and trees in accordance with Plan No. L01. drawn by Landscape Plan dated May 2002. Any change to this plan shall be submitted to the consent authority for approval prior to issuing of a Construction Certificate.
- 16 **LANDSCAPING BOND** - A cash bond or bank guarantee for the sum of \$5,000.00 is to be lodged with the consent authority to ensure the effective establishment and maintenance of landscaping. The bond or guarantee is to be lodged with consent authority prior to the issuing of a Construction Certificate and will be returned on the following basis:
- 50% on completion of landscaping in accordance with the approved plans;
  - 25% six months after the completion date of the landscaping, subject to the consent authority being satisfied that the maintenance program is proceeding satisfactorily;
  - 25% residue to be refunded twelve months after completion, subject to satisfactory maintenance of the landscape area.
- 17 **DESIGN AND INVESTIGATION BY COUNCIL** - Where Council design and/or investigation is required for any works necessitated by the development, costs shall be met by the developer (Applied to ensure that the land or building will be developed in a way which will minimise impact on the local environment and achieve the objectives of the relevant Planning Instruments).
- 18 **FOOTPATH & VEHICULAR CROSSING LEVELS** - Footpath and vehicular crossing levels are to be obtained from Council prior to the commencement of work. In this regard, an application should be lodged with Council on the prescribed form. (Applied to ensure that the land and or building will be developed in a way which will minimise impact on the local environment and achieve the objectives of the relevant Planning Instruments)
- 19 **CIVIL WORKS** - A final engineering inspection and clearance by Council is required for all civil works associated with the development prior to release of the Subdivision/Occupation Certificate. (Applied to ensure that the land and/or building will be developed in a way which will minimise impact on the local environment and achieve the objectives of the relevant Planning instruments.)



**Conditions of Consent No.: F491/2002**

- 20 POLLUTION WARNING SIGN - Council's sign issued with the Development Consent, promoting the protection of our waterways, must be displayed on the most prominent point of the building site that is visible to both the street and the site workers. The sign must be erected on site prior to work commencing and maintained for the duration of work on the site. NOTE: The sign will be provided by Council free of charge, however if lost or destroyed, it must be replaced at the cost of the applicant. (To ensure compliance with Campbelltown DCP No.112 - Erosion and Sediment Control)
- 21 EROSION & SEDIMENT CONTROL - Erosion and sediment control measures shall be provided in accordance with the requirements of the Department of Housing 1998 Manual 'Managing Urban Stormwater - Soils & Construction', the approved plans, Council specifications and to the satisfaction of the Principal Certifying Authority. Approved measures shall be implemented prior to commencement and maintained during construction and until all disturbed areas have been revegetated and established to the satisfaction of the Principal Certifying Authority. (Applied to ensure that the land or building will be developed in a way which will minimise impact on the local environment and achieve the objectives of the relevant Planning Instruments.)
- 22 WORK ON PUBLIC LAND - No work shall be undertaken within public lands without the prior written consent of Council. The applicant is to liaise with Council prior to commencing design works, and Council's approval of design plans and consent in writing for the work on public land shall be obtained prior to issue of the Construction Certificate. All inspections, approval and restoration of such work shall be undertaken at the applicant's expense unless otherwise approved in writing. (Applied to ensure that the land and or building will be developed in a way which will minimise impact on the local environment and achieve the objectives of the relevant Planning Instruments)
- 23 PUBLIC SAFETY - Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe fully signposted passage minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians at all times and that traffic control is undertaken and maintained strictly in accordance with AS 1742.3 (1996), the requirements set out in the RTA manual "Traffic Control at Work Sites" 1998, all applicable Traffic Management and Control Plans and that any Work Cover Authority requirements are met. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant. (Applied to ensure that the land and/or building will be developed in a way which will minimise impact on the local environment and achieve the objectives of the relevant Planning Instruments.)
- 24 APPROVED PLANS & DOCUMENTATION - The development shall be carried out generally in accordance with submitted plans Drainage Concept Plan 75771.01.M01, dated 22 April 2002, Drawing No. A102 Revision B dated May 2002, Drawing No. A101 dated May 2002 prepared by Lean & Hayward, Landscape Plan L01 dated May 2002 prepared by HLS Pty Ltd and associated documentation including Traffic Assessment prepared by Transport & Urban Planning and Statement of Environmental Effects prepared by Lean & Hayward Pty Ltd dated 6 June 2002 submitted with the application, except where varied by the following conditions of consent.
- 25 DISABILITY DISCRIMINATION ACT - Your attention is drawn to the existence of the Disability Discrimination Act. A Construction Certificate is required to be obtained for the proposed building which will provide consideration under the Building Code of Australia, however, the application may not comply with the requirements of the Disability Discrimination Act. This is the sole responsibility of the owner, builder and developer. (Disability Discrimination Act)

**Conditions of Consent No.: F491/2002**

CONSTRUCTION

The following condition/s have been applied to ensure that the development complies with all technical requirements.

- 26 STRUCTURAL ENGINEERING DETAILS - No building work shall commence until details prepared by a practising structural engineer have been submitted to and approved by Council or an Accredited person for the concrete piers, floors, panels and structural steelwork. (To ensure the structural adequacy of the building and compliance with the Building Code of Australia).
- 27 CONSTRUCTION CERTIFICATE - This development consent relates to the erection of two storey office and workshop. In this regard construction work shall not commence until a Construction Certificate has been issued.
- 28 DETAILS TO BE SUBMITTED WITH THE CONSTRUCTION CERTIFICATE –  
The applicant is advised that the following details of compliance with the provisions of the Building Code of Australia and relevant standards of construction should be submitted with the application for a Construction Certificate:
- (a) Disabled persons access including:
    - (i) tactile ground surface indicators;
    - (ii) A disabled persons toilet layout that is fully dimensioned;
    - (iii) Ramp gradients
  - (b) A full plan layout of all required essential services.
  - (c) Amended plans showing the main entry door swinging in the direction of egress.
  - (d) Waste Management Plan

ROAD CONSTRUCTION

The following condition/s have been applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic in accordance with Council's adopted Development Control Plans.

- 29 COMPLIANCE WITH COUNCIL SPECIFICATIONS - All design and construction work, lots and roads created shall be in accordance with Council's current standards and requirements as follows:-
- a) Guidelines of Engineering Conditions to be Applied to a Development and Building Applications (as amended)
  - b) Stormwater Management Policy (as amended)
  - c) 'Managing Urban Stormwater - Soils & Construction', Department of Housing 1998 manual
  - d) All relevant Australian and State Standards and publications.

(Applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic in accordance with Council's adopted Development Control Plans.)



**Conditions of Consent No.: F491/2002**

- 30 FOOTPATH - The footpath adjoining the subject land shall be regraded, topsoiled and turfed in accordance with levels to be obtained from Council. Footpath formation shall be carried beyond the boundary to provide an acceptable transition to existing footpath levels. (Applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic in accordance with Council's adopted Development Control Plans.)
- 31 VEHICULAR CROSSINGS - Full width concrete vehicular crossings shall be constructed to all entrances and exits in accordance with Council's Vehicle Crossing Specification. A separate application for this work, which will be subject to a crossing inspection fee, fixing levels and inspections by Council must be lodged with Council. Conduits shall be provided under crossings to Service Authority's requirements and Service Authority clearances obtained. (Applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic in accordance with Council's adopted Development Control Plans.)
- 32 RESTORATION OF PUBLIC ROADS - Restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant to Council prior to release of the occupation Certificate. (Applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic in accordance with Council's adopted Development Control Plans.)
- 33 PUBLIC UTILITIES - Adjustments to public utilities caused by the development shall be completed prior to occupation and all costs shall be paid by the applicant. (Applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic in accordance with Council's adopted Development Control Plans.)

**STORMWATER DRAINAGE AND FLOOD MANAGEMENT**

The following condition/s have been applied to ensure that stormwater drainage collected on and/or passing through the site is conveyed through a controlled system to prevent nuisance and damage to the subject land and adjacent lands and to minimise flood impact.

- 34 STORMWATER DETAILS - A plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval with the Construction Certificate application. Floor levels of all buildings shall be above finished site levels and stormwater shall be conveyed from the site to the nearest pipe drainage system. All proposals shall comply with Council's Stormwater Management Policy. (Applied to ensure that stormwater drainage collected on or passing through the site is conveyed through a controlled system to prevent damage and nuisance to the subject land and adjacent lands and minimise flood impact.)
- 35 FLOOR LEVELS - The land has been identified as being affected by Council's Stormwater Management Policy. The floor level of any building to be erected on site shall be to a minimum level of RL25.20 metres AHD. (Applied to ensure that stormwater drainage collected on or passing through the site is conveyed through a controlled system to prevent damage and nuisance to the subject land and adjacent lands and minimise flood impact.)
- 36 FINISHED GROUND LEVEL - The land has been identified as being affected by the 1:100 year flood. The finished ground level of the site shall be a minimum level of RL24.70 metres AHD. A contour plan showing existing levels and prepared by a registered surveyor shall be lodged with the Construction Certificate application. (Applied to ensure that stormwater drainage collected on or passing through the site is conveyed through a controlled system to prevent damage and nuisance to the subject land and adjacent lands and minimise flood impact.)



**Conditions of Consent No.: F491/2002**

- 37 **DAMAGE PREVENTION** - The site has been identified as being at risk from a 1:100 year flood. The applicant shall liaise with Council to define the 1:100 year flood level as it affects these premises and shall take reasonable action to minimise damage to goods or equipment or other property stored in the premises in the event of floodwaters entering the premises. (Applied to ensure that stormwater drainage collected on or passing through the site is conveyed through a controlled system to prevent damage and nuisance to the subject land and adjacent lands and minimise flood impact.)
- 38 **REGISTRATION OF LEVELS** - On completion of the development, the floor and/or finished surface levels shall be certified by a registered surveyor as complying with this development consent prior to issuing of the Occupation Certificate. (Applied to ensure that stormwater drainage collected on or passing through the site is conveyed through a controlled system to prevent damage and nuisance to the subject land and adjacent lands and minimise flood impact.)
- 39 **OVERLAND FLOW PATH** - The property is affected by a 30 metre wide drainage easement. This easement is required to discharge overland flow from 1 in 100 year storm. The area within the easement shall not be used for the storage of materials which would obstruct the flow of stormwater. Car parking areas and kerbing within the easement shall be constructed to conform with the design profile of the flow path. The boundary fences should have sufficient gap to allow unobstructed flow in the overland flow path. In this regard, the applicant shall liaise with Council regarding detailed design of this area prior to release of the Construction Certificate. (Applied to ensure that stormwater drainage collected on or passing through the site is conveyed through a controlled system to prevent damage and nuisance to the subject lands and minimise flood impact.)
- 40 **HYDRAULICS ENGINEER** - An experienced Hydraulics Engineer is to be engaged with the appropriate NPER registration to undertake a flood analysis to determine the extent of flood affectation. Details are to be submitted to Council's Director Environment and Planning prior to the release of the Construction Certificate.

**OFF-STREET CAR PARKING AND VEHICULAR SERVICING**

The following condition/s have been applied to ensure that the development has provided adequate car parking and vehicular servicing areas and to prevent conflict within the public road system.

- 41 **CAR PARKING SPACES** – Twenty Five (25) off-street car parking spaces, and twenty (20) truck parking spaces including access driveways, are to be constructed on the site in accordance with the submitted plans. Two (2) car parking spaces for disabled persons shall be provided as part of this total requirement, having dimensions of 3.2 metres, if adjoining another car space increasing up to 3.7 metres in width if immediately adjoining a wall x 5.5 metres and be distinctly signposted. A kerb ramp shall be provided to any raised walkways servicing the car park convenient to the disabled persons car parking space. Engineering details for the construction of these areas shall be lodged for approval with the Construction Certificate.
- 42 **ENTRANCE SIGN** - An approved sign shall be erected at the entrance of the site stating, "All vehicles entering or leaving the site must be driven in a forward direction". (Council's Car Parking Policy)



**Conditions of Consent No.: F491/2002**

SERVICES

The following condition/s have been applied to ensure that adequate utility installations are provided to the site to service the development and to satisfy the requirements of the relevant planning instrument.

- 43 INTEGRAL ENERGY CLEARANCE - The developer shall submit to Council a letter from Integral Energy stating that all its requirements and any conditions of this consent have been satisfied prior to release of the occupation Certificate. Application shall be made to 'Contestable Works, Network Projects, Integral Energy, PO Box 6366, Blacktown 2148'.
- 44 SYDNEY WATER CLEARANCE - The developer must obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994 from Sydney Water stating that satisfactory arrangements have been made with Sydney Water for the amplification and/or reticulation of water and sewerage services to the land. To obtain the Section 73 Certificate, Sydney Water may require you to construct works and/or pay developer charges. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site [www.sydneywater.com.au/customer/urban/index](http://www.sydneywater.com.au/customer/urban/index) or telephone 132 092.

Sydney Water's Notice of Requirements must be obtained prior to release of the Construction Certificate. This is to avoid problems in servicing your development and adverse impacts on lot layout or the design of buildings and associated facilities, particularly driveways and landscaping. Please make early contact with the Coordinator to ensure these matters are addressed.

The final Section 73 Certificate must be provided to the Principal Certifying Authority prior to issue of the occupation Certificate.

- 45 SYDNEY WATER APPROVAL - The stamped building plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney's Water sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the building plans will be stamped indicating that no further requirements are necessary.
- 46 TELSTRA - The applicant is advised to contact Telstra to satisfy its requirements in relation to services to the proposed development, particularly the provision of conduit and cabling for telecommunications services.
- 47 OPTUS - The applicant is advised to contact Optus to satisfy any of its requirements in relation to the proposed development, particularly the relocation of any existing services. (Ph: 9837 9010 Fax: 9837 9060)

LAND USE

The following condition/s have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the Environmental Planning Instrument and Development Control Plans affecting the land and that the development is conducted so as not to be prejudicial to the amenity of the local environment.

- 48 The site shall not be used for the purposes of receiving, storing and or processing waste demolition or any other materials at any time.

**Conditions of Consent No.: F491/2002**

- 49 The site shall not be used for the purposes of storing, loading, unloading and parking trucks, truck trailers, other vehicles and machinery including excavating equipment prior to the issue of the Occupation Certificate for this development
- 50 All Shipping containers and portable office/buildings shall not be stored upon the premises at any time.
- 51 The external equipment storage areas shall be used for the purpose of storing equipment awaiting maintenance and allocation to projects. Storage of other materials within this area is not permitted.
- 52 CAR PARKING SPACES - Off-street car parking spaces and access driveways shall be made available at all times and maintained in accordance with the approved parking plans. (Environmental Planning and Assessment Act)
- 53 LANDSCAPED AREA - The landscaped area shall be maintained in accordance with the approved landscape plan. (Environmental Planning and Assessment Act)
- 54 LOADING/UNLOADING - All vehicles being loaded and/or unloaded are to stand entirely on the premises. (Environmental Planning and Assessment Act)
- 55 VEHICLE REPAIRS - No vehicles being repaired or waiting to be repaired are to stand on the street. (Environmental Planning and Assessment Act)
- 56 AMENITY - The development is to be conducted in a manner to ensure that the environment of the surrounding locality is not adversely affected, disturbed or disrupted. Disturbance or disruption of the surrounding environment includes social effects outside the premises such as the generation of large congregations of people, vandalism, violence, excessive noise or the like. (Environmental Planning and Assessment Act)
- 57 The outdoor storage area is to be adequately screened (1800 high conc. wall enclosure) and goods and materials stored within shall not be stacked higher than the screening structure as indicated upon the submitted plans.
- 58 All mechanical repair works are to be carried out wholly within the building.
- 59 HOURS OF OPERATION - The premises shall operate as follows;
  - a). 6am to 6pm Monday to Friday;
  - b). 7am to 4pm SaturdaysNo operation of the premises is to occur on Sundays and/or Public Holidays.



**Conditions of Consent No.: F491/2002**

ESSENTIAL SERVICES

The following condition/s have been applied to ensure that the Essential Services are carried out in accordance with the Environmental Planning and Assessment Act 1979 and Regulation, 2000.

- 60 FIRE SAFETY CERTIFICATE - On completion of the building work, the owner of the building shall provide documentary evidence to the accredited certifier or Principal Certifying Authority from a competent person to enable the issue of a fire safety certificate with respect to each essential service nominated in the schedule below.

POLLUTION CONTROL- STORAGE AND HANDLING OF LIQUIDS/CHEMICALS

The following conditions have been applied to ensure that all activities involving storage and handling of liquids/chemicals are carried in a manner which will prevent air, land and water pollution, in accordance with The Protection Of The Environment Operations Act, 1997.

- 61 LIQUID STORAGE - All above ground liquid storage, including wastes, shall be contained in a bunded area. The bunded area must be under cover, constructed of impervious materials and:
- i. For above ground tanks - the bund shall be able to contain at least 110% of the volume of the tank or the largest tank where a group of tanks are enclosed. Walls shall be at least 250mm in height.
  - ii. For drums - the bunded area shall be able to contain 25% of the total volume to be stored and have a minimum capacity of at least 400L. Bunds shall be at least 250mm in height.
- 62 WASH BAY - Washing and degreasing of motor vehicles and vehicle parts shall be carried out in a bunded and covered wash bay. Waste water shall be pre-treated and disposed of to the sewer in accordance with a trade waste licence issued by Sydney Water or stored in a roofed, bunded area and collected by a NSW Environment Protection Authority licensed waste contractor.
- 63 PARTS WASHING - Parts washing with solvents shall be carried out in a bunded and covered area to contain any spillage or leakage. Used solvents shall be separated from other wastes to assist in recycling of the material. Solvents shall be stored separately in a bunded and covered area and collected by an EPA licensed contractor for recycling or disposed to an approved waste facility.
- 64 RADIATOR COOLANT - Radiator coolant shall be pre-treated and disposed of to the sewer in accordance with a trade waste licence issued by Sydney Water or stored in a roofed, bunded area, collected by an EPA licensed contractor and disposed of to an approved waste facility.
- 65 STORMWATER - No activities shall be carried out in an area which may allow pollutants to enter the stormwater system.

**Conditions of Consent No.: F491/2002**

- 66 SPILL MANAGEMENT - A Spill Management Plan outlining the procedure to be followed when responding to a pollution incident shall be submitted to Council prior to occupation of the premises. A spill clean up kit containing dry cleaning materials, pollution booms, absorbents etc shall be kept on the premises at all times.
- 67 SPILL MANAGEMENT - If a spill occurs that threatens or harms the environment, you must tell the EPA or Council as soon as you become aware of it, in accordance with the Protection of the Environment Operations Act, 1997. For large-scale hazardous spills, call the Fire Brigade immediately on 000. For small scale spills, stop the source of the spill immediately, prevent it from entering the stormwater drains and clean it up if it is safe to do so, (follow the material Safety Data Sheet for the spilled substance).
- 68 AIR POLLUTION - No activities shall be carried out in an area which may allow pollutants to enter the atmosphere.
- 69 NOISE CONTROL
- a) Hours of Operation - Construction work on site shall occur between the following hours:
- |                            |            |
|----------------------------|------------|
| Monday to Friday           | 7am to 6pm |
| Saturday                   | 8am to 1pm |
| Sunday and Public Holidays | No work    |
- b) Sound Pressure Levels - sound pressure levels measured as LA10 15 minuted emanating from the site must not exceed the background levels at the nearest affected residence by the following criteria for the time interval specified:
- |         |  |
|---------|--|
| 20dB(A) | period up to 4 weeks                             |
| 10dB(A) | period greater than 4 weeks and not exceeding 26 |
| 5dB(A)  | period exceeding 26 weeks                        |
- 70 NOISE LEVELS - Sound pressure levels (measured as an LA10 15 minute) generated by activities on the premises shall not exceed the following levels when measured at the nearest boundary of the receptor:
- i. Residential Properties F1 43dB(A) L<sub>10</sub> between the hours of 7am-10pm  
F2 38dB(A) L<sub>10</sub> between the hours of 10pm-7am
- ii. Industrial Properties F3 65dB(A) L<sub>10</sub> between the hours of 7am-10pm  
F4 60dB(A) L<sub>10</sub> between the hours of 10pm-7am
- F1-F4 Sound Pressure Level
- 71 TRADE WASTE - A copy of the Trade Waste Certificate issued by Sydney Water shall be submitted to Council.



**Conditions of Consent No.: F491/2002**

Pursuant to Section 95 of Environmental Planning and Assessment Act, 1979, physical commencement of construction works/use of the land, building or work is required with a two-year period from the '**OPERATIVE**' date of consent after which the approval will lapse.

The 'operative date' will be advised upon satisfactory completion of the matters as listed in **Schedule "A"** of this notice.

Pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979, an applicant who is dissatisfied with the determination, with respect to the matters relating to the Environmental Planning and Assessment Act, may within twenty-eight days from the date of determination, request Council, in writing, to review the determination.

Pursuant to Section 97 of the Environmental Planning and Assessment Act, 1979, an applicant may seek a Right of Appeal to the Land and Environmental Court within twelve months from the date of consent if they are dissatisfied with the determination by the consent authority.

Gail Connolly  
**DIRECTOR PLANNING AND ENVIRONMENT**

File No. F18574.2  
Enquiries Ph: 46454469, Alexandra Long

DATE: 11/09/2002

**ASSESSMENT AND DELEGATED APPROVAL**

APPLICATION NO: F491/2002 FILE NO: 18574.2

APPLICANT: Nustas Pty Ltd  
C/- 16 Kerr Road  
INGLEBURN  
NSW 2565

PROPERTY: DP 717203 Lot 16  
TCC Plan 85/85 Lot 16

16 Kerr Road  
Ingleburn 2565

DEVELOPMENT: Erection Of Truck and Equipment Workshop Associated Office and External Equipment  
Stoage Area.

**ASSESSMENT UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979:-**

- SECTION 79C (Development Application) AND/OR
- SECTION 81A (2) (Building Construction Certificate) AND/OR
- SECTION 81A (4) (Subdivision Construction Certificate) AND/OR
- SECTION 85A (3) (Complying Development Certificate)

AND/OR

**ASSESSMENT UNDER THE LOCAL GOVERNMENT ACT, 1993**

- SECTION 68 (Sewerage Management Facility, Combustion Heaters, Circuses, Caravan  
occupation, Place of Public Entertainment)

The application described above has been assessed in accordance with the requirements of Section 79C/ Section 81A(2) / Section 81A(4) of the Act and the proposal is not contrary to the zoning or to Council's policies and practices and the application is recommended for approval subject to the attached conditions.

Assessment Officer .....

Date .....

**DELEGATED APPROVAL**

The application described above is approved by me under delegated authority pursuant to a resolution of Council Minute No. 178 dated 25 July 2000 and an instrument of delegation from the General Manager, subject to the conditions set out in the letter of approval subject to the attached conditions.

Approving Officer .....

Date ..... 19/9/02 .....