

BLACKTOWN CITY COUNCIL

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NOTICE OF DETERMINATION

OF A DEVELOPMENT APPLICATION

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

DETERMINATION No.

Nº 4745

File No. 145/20/6123

JY:LU:TP SUTP2:00

APPLICANT

PAULIE CONSTRUCTIONS PTY. LTD.
55 ARCHER STREET, CHATSWOOD

PROPERTY DESCRIPTION

LOT 21, DP.203300, BIRNEY ROAD, HARAYONG

DEVELOPMENT

A FACTORY/WAREHOUSE AND ANCILLARY OFFICES

DETERMINATION

PURSUANT TO SECTION 92 OF THE ACT THE COUNCIL ADVISES
THAT THE DEVELOPMENT APPLICATION HAS BEEN DETERMINED BY:

- * GRANTING OF CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGE(S)
 - * GRANTING OF CONSENT UNCONDITIONALLY
 - * REFUSING CONSENT ON THE GROUNDS SPECIFIED
- By COUNCIL DECISION
DELEGATED AUTHORITY - CHIEF TOWN PLANNER

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 2 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

TOWN CLERK

per: 

DATE:

26.FEB.1986

This determination does not relieve the applicant of any obligation to obtain approval
of building plans under Part XI of the Local Government Act, 1919 and before any building
operations may be commenced all plans and specifications must be approved by Council
and a "Permit to Build" issued under Ordinance No. 70.

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4745

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CONDITIONS / GROUNDS

1. Compliance with the requirements of the City Health Surveyor and including:
 - (a) The submission of a building application complying with Ordinance 70 and Part XI of the Local Government Act.
 - (b) 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 requires Council to investigate complaints where only one person complains.
 - (c) All waste material shall be stored to the satisfaction of the City Health and Building Surveyor and arrangements are to be made with Council's Contractor for a commercial refuse removal service in accordance with Ordinance 51 of the Local Government Act.
 - (d) The waste material storage area to be suitably screened from the street to the satisfaction of the City Health Surveyor. Details to be submitted with the Building Application.
2. Compliance with the requirements of the City Engineer and including:
 - (a) The construction of Council's standard commercial and industrial vehicular crossing of the footway, with a minimum width of 7m at the street alignment in accordance with Council Plan A(BS)61S. Prior to commencement of construction a clearance must be obtained from Telecom Australia and the Prospect County Council that all necessary ducts have been provided under the proposed crossing. Where the internal driveway falls toward the road a grated drain and piped discharge shall be provided at the street alignment.
 - (b) Drainage from the site shall be connected into the existing system to the satisfaction of the City Engineer. Details to be submitted for approval prior to construction.
 - (c) A design checking and inspection fee of \$40 must be paid when submitting engineering plans for approval (prior to construction). This amount is valid until 31st December 1986.
 - (d) All works required by the City Engineer MUST be inspected or supervised by the City Engineer's representative and suitable arrangements must be made with Council's Development Overseer (Tel. 675-1406 between 7.00am and 8.00am or 12.30pm and 1.30pm). NOTE: A minimum of 24 hours notice must be given.
 - (e) Council's standard crossfall of footway is 4% (190mm) above the top of kerb. Therefore, any works within the property adjacent to the Binney Road property boundary are to conform to this level.
3. Development to take place generally in accordance with Drawing Nos. 85/35/51 and 85/35/52 dated 21st January 1986 or other similar plans approved by the Chief Town Planner.

D.G. JOHNSON

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.

TOWN CLERK

per: _____

DATE 6. FEB. 1986

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CONDITIONS / GROUNDS

1. A minimum of seventeen (17) off street car parking spaces are to be provided on site, each space to be a minimum of 2.5m x 5.2m marked, located and maintained to the satisfaction of Council's Chief Town Planner.
2. Off street car parking area to be sealed with hard standing, all weather material to the requirements of the Chief Town Planner and to be maintained at all times.
3. All loading and unloading operations are to take place at all times wholly within the confines of the site.
4. All vehicles to enter and leave the site in a forward direction at all times.
5. No damaged vehicles, 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, footpath or in Binney Road other than in approved garbage receptacles.
6. Electricity supply to the building to be placed underground.
7. No approval for the removal of trees is given, with the exception that those trees lying within 3m of the external walls of the building, or within areas designated for carparking, vehicular turning area or driveways may be removed only when building plans are released. Remaining trees to be suitably protected during construction.
8. Approved building plans will not be released by Council until Council is in receipt of a letter from the Metropolitan Water Sewerage and Drainage Board advising that satisfactory arrangements have been made with the Board in respect of the amplification and reticulation of water and sewerage services to the site.
9. Landscaping is to be completed to the satisfaction of Council prior to the occupation of the buildings and is to be maintained at all times to the satisfaction of Council.
10. Landscaping plans are to be submitted to and approved by Council prior to substantial construction of the building commencing. These landscaping plans must indicate dense landscaping within the 10m front setback.
11. The building is not to be used as two factories or two warehouses.
12. No tenancy or occupation to fall within the definition of a subdivision as set out in the Local Government Act, 1919, namely; "Subdivision", "Subdivide", and similar expressions mean and refer to dividing land into parts, whether the dividing is -
 - (a) by sale, conveyance, transfer, or partition; or
 - (b) by any agreement dealing or instrument inter vivos (other than a lease for a period not exceeding five years without option of renewal) rendering different parts thereof immediately available for separate occupation or disposition; or
 - (c) by procuring the issue of a Certificate of Title under the Real Property Act, 1900, in respect of a part of the land;without the prior consent of Council being obtained thereto.

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DATE: 26. FEB. 1986

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CONDITIONS / GROUNDS

16. The staff recreation room and the staff lunch room, are not to be converted to office space. These rooms are to be used as stated on Drawing No. 85-85-51, dated 21st January 1986, unless otherwise approved by Council.
17. The internal driveway and accessway are to be sealed with hard standing material to the requirements of the Chief Town Planner and to be maintained at all times.

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- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

TOWN CLERK

per:

DATE: 26 FEB. 1986