

27 September 2007

ENQUIRIES: Mark Stephenson on 9725-0208

Sita Environmental Solutions
20 Davis Road
WETHERILL PARK NSW 2164

Dear Sir/Madam,

**NOTICE OF DETERMINATION OF
DEVELOPMENT APPLICATION NO. 1557/06
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

You are advised that the subject application has been **APPROVED** pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 and is subject to the following conditions.

Property Description: Lot 402, DP 603454, No. 20 Davis Road, Wetherill Park.

Description of Development: Use of existing recycling facility and waste transfer facility for the purpose of acceptance, temporary storage and transfer of secured asbestos material.

Date of Determination: 27 September 2007

Date of Operation of Consent: 28 September 2007

Date Consent Will Lapse: 28 September 2009

APPROVED PLANS

1. Compliance with Plans

The development shall take place in accordance with the approved development plans as prepared by Prepared by Sita Environmental Solutions, dated 27 September 2006, except as modified in red by Council and/or any conditions of this consent.

2. Compliance with Statement of Environmental Effects

The development shall take place in accordance with the Statement of Environmental Effects prepared by Sita Environmental Solutions Pty Ltd, dated December 2006, except as modified in red by Council and/or any conditions of this consent.

GENERAL CONDITIONS

The following conditions 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 planning instrument affecting the land. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

3. Carparking - General

The provision and maintenance of the following number of car parking spaces in accordance with Council's City Wide Development Control Plan, 2006 – Carparking Chapter 12:

- a. Twenty four (24) off-street car parking spaces for staff and visitors; including
- b. One (1) off-street car parking spaces for disabled persons (minimum width 3.8m).

Each space shall be permanently line marked and maintained free from obstruction at all times. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.

4. Hours of Operation

The approved hours of operation for the use of the premises are:

- Seven (7) days a week, 24 hours a day.

5. Use of the Premises

The use of the premises shall comply with the following requirements:

- a. The portion of the site not the subject of this approval shall be maintained in a clean and tidy state at all times.
- b. No sales of manufactured or stored goods shall be made to the general public from the subject premises.
- c. The transfer facility shall accept and handle a maximum of 10m³ of asbestos waste per week. In this regard, a permanent record or receipts for the acceptance of asbestos waste shall be kept and maintained up to date at all times. Such records is to be made available to Council Officers, upon request.

d. The premises shall operate in accordance with the requirements of clause 42 of the Protection of Environment Operations Act (Waste) Regulation 2005 and the Environmental Licence conditions imposed by the Appropriate Regulatory Authority.

6. Unreasonable Noise and Vibration

The industry, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

7. Environmental Management Plan

An Environmental Management Plan for the operation of the site for the purpose of accepting, storing and transferring asbestos waste shall be prepared by a qualified person and submitted to Fairfield City Council.

8. Compliance with Previous Approvals

The development shall operate at all times in accordance with all previous development consents issued for the use of the site as a waste transfer station, specifically Development Consent No. 483A/89 issued by Fairfield City Council on 22 November 1989, for the erection of a non-putrescible waste transfer station.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with other relevant Council policy(s) and any other relevant requirements. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

- **Covenants which may Affect this Proposal**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

HOW LONG DOES THIS APPROVAL LAST?


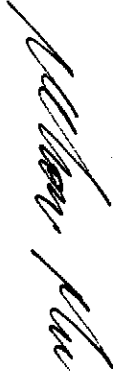
Pursuant to Section 95 of the Environmental Planning and Assessment Act, 1979 physical commencement of construction works/use of the land, building or work is required within a two (2) year period from the issue of the date of consent after which time the approval will lapse.

WHAT RIGHTS OF REVIEW EXIST?

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 EP & A Act, may within a twelve (12) month period from the date of determination, request Council, in writing, to review the determination.

WHAT APPEAL RIGHTS EXIST?

Pursuant to Section 97 of the Environmental Planning and Assessment Act, 1979 an applicant may seek a Right of Appeal to the Land and Environment Court within twelve (12) months from the date of consent if they are dissatisfied with the determination by the consent authority.

GEORGE VLAMIS

MANAGER, DEVELOPMENT PLANNING